



Legislative Digest

A PUBLICATION OF CISLAC

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Transparency, Good Governance Key to Nigeria's Growth - ZCC

For Nigeria to win the war against corruption in the revenue sector of the country there must be a collective effort towards harnessing the nation's resources through the culture of transparency and good governance, this was contained in a communiqué from the one day advocacy meeting which was organized by Zero Corruption Coalition {ZCC} with Oil, Gas and Government Agencies on NEITI Audit Report, in Abuja recently and jointly signed by Auwal Musa Rafsanjani, Chairman of the Steering Committee of Zero Corruption Coalition and Mr. Newton Otsemaye, Program Officer, Publish What You Pay, said in order to re-establish the culture of transparency, accountability, integrity and good governance in Nigeria there must be strong coordination among government agencies.

"There is no doubt, the corruption with impunity that has screened the processes, payments, receipts and expenditure of revenues from extractive industries in Nigeria cannot be overemphasised," the Communiqué



Mrs. Zainab Shamsuna Ahmed, Executive Secretary, NEITI Secretariat

observed but stressed that harmonised critical steps of Civil Society Organisations {CSOs}, agencies and IOCs may be effective in fighting the menace of corruption with a view to

enshrine transparency and accountability in the extractive sector.

It demanded for transparent culture in governance and said the prospect of

Continued on page 4

NASS Pledges to Enthroned Fiscal Discipline

The National Assembly {NASS} members have resolved to lead a campaign to enthrone fiscal discipline in governance in the country. The Senate President David Mark told Nigerians that the National Assembly would cut its recurrent expenditure and would want other arms of government to make similar sacrifice.

This position was a direct response

to the CBN Governor's remark that the lawmakers receive more than what is meant for them. The Senate President, made the remark as President Goodluck Jonathan set to present the 2011 budget bill to a joint session of the parliament. Governor of the Central Bank of Nigeria (CBN) Sanusi Lamido Sanusi told the world that the lawmakers would lead the battle to enthrone fiscal discipline in

governance, by the way of first cutting their recurrent expenditure and then invoke their oversight functions as enshrined in the constitution to force other arms of government to make similar sacrifice.

"Based on realities of our economic situation and the need to channel our scarce resources towards nation building, we must drastically

Continued on page 4

ORGANIZATIONAL OVERVIEW:

CISLAC is a non-governmental, non-profit legislative advocacy, lobbying, information sharing and research organization. (CISLAC) works towards bridging the gap between the legislature and the electorate; by enhancing lobbying strategies; engagement of bills before their passage into law; manpower development for lawmakers, legislative aides, politicians and the civil society, as well as civic education on the tenets of democracy and human rights. It was integrated as a corporate body (CAC/IT/NO22738) with Nigeria's Corporate Affairs Commission (CAC) on 28th December 2006.

CISLAC's organizational purpose is twofold. It works to train and enlighten civil society on its role in policymaking, the responsibilities of the legislature, and on existing decrees and issues affecting Nigerians. Alternatively, CISLAC aims to ensure that the legislature at local, state, and federal levels is aware of its relationship within the legislature and with other government bodies, its role in policymaking and oversight, and its responsibility in acting as a voice for the people.

CISLAC's issues of focus include; budget monitoring, transparency, accountability, anti-corruption, human rights (gender equality, educational equity and improvement, sexuality and reproductive health, children and other vulnerable groups including beggars, pensioners, refugees, and internally displaced persons), trade policy and intervention, security/conflict management, and environment and livelihood. CISLAC's engagement with Federal Ministries, National and State Assemblies, Local Government Administrations, private sector interests, the media, non-government and civil society organisations, and communities across Nigeria has opened a window through which public and policy officials can interact and corroborate.

VISION

To make legislature accessible and responsive to all.

MISSION/PURPOSE

"To strengthen CSOs' impact in the legislative processes towards promoting legislative accessibility and responsiveness to all."

KEY INTERNATIONAL DONORS/PARTNERS

- ACTIONAID International
- Africare Nigeria
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- Article 19
- British Council
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- Canadian International Development Agency (CIDA)
- Coalition for Accountability and Transparency in Extractive Industries, Forestry and Fisheries in Nigeria (CATEIFFN)
- Centre for Democracy and Development (CDD)
- Centre for Information Technology and Development (CITAD)
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- REFORMS USAID
- Revenue Watch Institute (RWI)
- State Accountability and voice Initiative in Nigeria (SAVI)
- Support to Reforming Institutions Programme (EU-SRIP)
- Transparency International (Nigeria)
- TY Danjuma Foundation
- United Nations Millennium Campaign (UNMC)

GOVERNMENT PARTNERS/AGENCIES

- Bureau of Public Procurement (BPP)
- EFCC, Strategy and Re-Orientation Unit (SARU), formerly Fix Nigeria Initiative
- Independent Corrupt Practices and other Related Offences Commission (ICPC)
- Independent National Electoral Commission
- National Commission for Refugees
- National Planning Commission
- Nigerian Debt Management Office
- Nigerian Extractive Industries Transparency Initiative (NEITI) Secretariat
- Nigerian Police
- Office of the Special Advisor to the President on Civil Society
- Office of the Special Advisor to the President on Millennium Development Goals
- Policy Analysis and Research Project (PARP), National Assembly
- Technical Unit on governance & Anti-corruption Reforms (TUGAR)

MEMBERSHIP OF NETWORKS AND COALITIONS

- Africa Public Health Rights Alliance 15 Percent Campaign
- Budget Transparency Network (BTN)
- Coalition for Accountability and Transparency in Extractive Industries, Forestry and Fisheries in Nigeria (CATEIFFN)
- Citizens' Forum for Constitutional Reform (CFCR)
- Civil Society Action Coalition on Education for All (CSACEFA)
- Electoral Reform Network (ERN)
- Freedom of Information Coalition (FOI)
- National Coalition on Affirmative Action (NCAA)
- National Procurement Watch Platform (NPWP)
- Nigeria Action Network on Small Arms (NANSA)
- Nigeria Economic Summit Group (NESG)
- Nigeria Gender Budget Network (NGBN)
- Publish What You Pay (PWYP)
- Trade Network Initiative (TNI)
- Transition Monitoring Group (TMG)
- West African Civil Society Forum (WACSOF)
- West African Network for Peacebuilding (WANEP)
- Women In Nigeria (WIN)
- Zero Corruption Coalition (ZCC)

STRUCTURE

CISLAC in its efforts to deepen its engagement on issues and impact positively by ensuring that civil society views are adequately inputted in public policies, has defined governance structure. At foundation, some key allies who are well grounded in development issues and are currently at the decision making level in their organisations were consulted and accepted to serve on both the Board and Advisory Council of the organisation.

i. Board of Trustees:

This is the policy-making organ of the organization. Its approves the budget of the organization, provides contacts for operational funds and support the operation of the secretariat

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3. Mr. Adagbo Onoja
4. Mr. Y. ZY'au

5. Ms. Nkoyo Toyo
6. Mr. Emma Ezeazu
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ii. Advisory Council:

This provides advisory functions to the organization. It consists of people of vast and extensive legislative and political experience.

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iii. Secretariat:

The Secretariat is vested with the day-to-day running of the organization. It implements the decisions of the Board of Trustees. It is headed by an Executive Director who oversees the day-to-day running of the organisation while a Senior Program Officer oversees programmes implementation along with other programme staff.

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2011 Elections: Our Stand

As the country gets set for the next general election in 2011, Preparations for the conduct of free and fair election must be given the necessary attention it deserve in order to enthrone a stable and people oriented government in the country.

It is our hope that every aspect of the election process would be done in transparent manner devoid of extreme secrecy, which will make the entire process suspicious and places it under grave threat.

The Federal Government owes it a duty to the nation and the Nigerian public to ensure that they get nothing short of free, fair and credible election.

After an exhaustive examination of the situation confronting the nation, it is imperative to know that Nigerians want to identify with the cause of democracy and therefore would want an election that would reflect their wishes and aspiration.

There should be a meeting of all the stake holders to fashion out how best the nation's election would be conducted with utmost sense of responsibility and the various

groups should be convened as expeditiously as possible so that all matters relating to the conduct of the general election are thrashed out and agreed upon as a binding arrangement between all the parties concerned.

No doubt a meeting like this is a necessary condition towards the conduct of a free, fair, credible, transparent and acceptable general election and at the end of it all; stake holders would have a widespread acceptability both at home and internationally.

This is a crucial moment for the country as Nigerians will decide on whom to vote as their leaders in the forthcoming election. The successful conduct of the general election would undoubtedly give hope to the citizenry, particularly when the election ground rules are followed to the latter.

It is our hope that the Independent National Electoral Commission {INEC} would remain an umpire arbiter and lead the light of Nigerian democracy to brightness and also ensure that the exercise itself is free, fair and credible, and devoid of manipulation and the granting of undue advantage to any political party.

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Continued from page 1

wealth and opportunity in the sub-Saharan Africa as a result of rich natural resources endowment, should have characterized the resultant economic development of the continent but expressed concern that, "the revenue from such endowment has not contributed to overcoming the continent's economic poverty which spreads to other sectors of national economy."

It was reported in the meeting that several attempts to uncover the root cause of the problem and necessarily provide a panacea has lead development expert to trace the cause of this phenomenon to bad governance and bad management of national resources revenue, a development it said could be tackled through proper coordination.

The communiqué also said the quality of governance as it were, is a key to transforming resource curse into a blessing, stressing that a vital approach to good governance lies in strengthening transparency and accountability of the decision-makers that manage the extractive resources and revenue.

Since the launch of the Extractive Industries Transparency Initiative (EITI) in 2002, some countries in the continent of Africa have embraced the principles and criteria of this laudable initiative leading to the same countries domesticating the EITI in their country with the aim of improving transparency and accountability in resource rich countries through the full publication and verification of companies payments and government revenues from oil and gas, and mining. Laudable as this initiative may sound, there have been

evidences in some countries like Nigeria to judge that government is relatively committed to the initiative.

However, it said there is unclear, dwindling political will to support EITI in Nigeria, in addition to lack of proper coordination among government agencies which is crucial for Nigeria to attain compliant status; while gaps in information sharing among agencies and the NEITI secretariat have resulted in the disconnect between NEITI and other agencies in data computation.

Head of organizations do not report outcomes of meetings to workers who may represent such organizations in subsequent meetings.

Similarly, it is observed that implementation of audit recommendations is slow, while there is poor oversight of EITI international secretariat.

NASS Pledges to Enthroned Fiscal Discipline

Continued from page 1

cut down the cost of running government vertically and horizontally in the three arms of government, as well as the three tiers of our federating unit. In this regard, the National Assembly will lead the crusade. We will make the required sacrifice and review downwards our recurrent expenditure. We expect others to make similar sacrifice", he said.

The Senate president, also charged President Goodluck Jonathan who presented N4.2trillion 2011 budget to ensure full implementation of the budget, adding that the heart of good budget is an effective and efficient implementation, because poor budget implementation remains the bane of the nation's economic and social development.

He said, the National Assembly is determined to raise the standard of budgetary process to a level far above the formalities of annual rituals, as captured below:

"Mr. President, as you know, the heart of a good budget is an effective and efficient implementation. Yet, poor budget implementation remains our nation's economic and social



David Mark, Senate President

development albatross, over which we all have poured songs of lamentations.

"We, in the Legislature therefore, are determined to raise the standard of our budgetary process to a level far above the formalities of annual rituals. We must give meaning and soul to our budgets to truly be the succour to the

people's economic stress and depression, to give hope and to be a soothing source of their faith in government. We owe this to the people we all represent. With a new conscientious conviction, commitment and vision, we must, and can accomplish this.

"Related to this, is the unacceptable disproportionate ratio of recurrent and overhead expenditure to capital expenditure. No nation desirous of meaningful development can afford such a disproportionate allocation of its financial resources between consumption and investment towards its own future development. This means that the cost of running government has been increasing at an unsustainable rate. We must all rise together and address it.

"The National Assembly in the discharge of its responsibilities, will, from the 2011 Appropriation Bill, re-evaluate these budget aggregates and other major macroeconomic variables across the board for all government MDAs and other arms of government to lower the personnel and overhead expenditures, and improve the level of appropriations for capital expenditures".

Controversy Trails Passage of Petroleum Industry Bill

The Petroleum Industry Bill (PIB) which aims at reforming the Oil and Gas industry for the improvement and general efficiency of the oil industry is yet to get legal teeth as the two chambers of the National Assembly are yet to pass the bill into law.

Draft of the PIB bill was introduced by the administration of Late President Umaru Musa Yar'Adua with the goal to holistically reform the Oil and Gas Industry with a view to improving the sector.

When passed into law the act will establish the legal and regulatory framework, institutions and regulatory authorities for the Nigerian Petroleum Industry to establish guidelines for the operation of the upstream and downstream sectors.

It also seeks to create a much more transparent administrative system where all interested parties could assess information and indicate interest on a given venture or projects in the Oil and Gas industry.

Although the Petroleum Industry Bill (PIB) has been in the news for so long, Stakeholders, experts, civil society organisations, and various communities have expressed worries about the non passage of bill which is still at the National Assembly. Some of these groups point fingers at the inability of the National Assembly particularly the House of Representatives for failing to ensure speedy passage of the bill, while some of the groups said the Bill was not given the necessary attention it deserves.

At a workshop in Abuja, Executive Director of Civil Society Legislative Centre (CISLAC) Mr Auwal Musa Rafsanjani and other leaders of various Civil Society Organisations (CSOs) came together to suggest ways on how to fast track the quick passage of the bill as they expressed concern on the continues delay at the National Assembly.

The civil rights activist observed that while they were happy that both the Senate and the House of Representatives committees have assured Nigerians of passing the bill, the Speaker of the House of Representatives, Hon. Oladimeji Bankole, informed a gathering in Lagos recently that the House has passed the bill, "investigations had revealed that the bill was still at the committee level in contrast to what the speaker said", Rafsanjani observed "We are worried



*Auwal Ibrahim Musa Rafsanjani
Executive Director, CISLAC*

because of this development but we want the National Assembly to quickly act and ensure the passage of the bill in good time."

According to him, an interaction CISLAC had with some members of the Joint House Committee overseeing the bill indicated that, the bill may take some time before it would be finally passed into law. However he challenged the National Assembly to rise up to its responsibilities and inform Nigerians about the bill's status and assure them on its prompt passage.

Rafsanjani also observed that because of interest of reforming the oil sector all stakeholders in the Oil and Gas sectors were involved in the draft process. One can say a near perfect document was produced. So, for the highest law making body of the land to drag its feet on an important bill like the PIB is indeed worrisome, he lamented."

He attributed this to the seeming exploitation and monumental corruption in the sector and the alleged mismanagement and criminal collaboration by government officials in partnership with foreign agents to rob the Nigerian people of benefits from their God-given resources.

CISLAC's Boss opined that "Despite public statements to the contrary, it appears no provision for the 10 percent equity has been inserted into any version

of the PIB on the House or Senate. Senior House members working on the PIB have claimed not to have had knowledge of the 10percent equity nor have they seen any plan or proposal for it", he said.

The 10 percent equity he further explained would enhance local content, improve the economy of oil bearing communities and solve the problems of restiveness and provide palliative to the environmental degradation arising from gas flaring, spillage and other related issues associated with oil and gas exploitation which the host communities have suffered for many years.

Government he said should not repeat mistakes of the past, but instead would make consideration of the 10 percent equity open and transparent so that stakeholders in the Niger Delta should have opportunity to comment or even see the plans for the 10 percent because secrecy around oil money has a long history of causing conflict in the Niger Delta.

He called on the National Assembly to ensure the inclusion of 10percent equity participation by oil and gas bearing communities for the obvious benefits of the Nigerian State and simply ensure accountability.

Nigeria he noted is in dire need of reforms in the petroleum sector. "It is on record that the government of President Olusegun Obasanjo in the year 2000 commenced a process of reform and had set up oil and gas sector reform Implementation Committee. The committee has come up with the Nigerian Oil and Gas policy, which began the process of drafting the PIB, initially chaired by Dr Rilwan Lukman and later by Dr Edmund Daukoru and the process went on till 2007 when the final draft was tabled".

He therefore called on the national assembly to expedite action on the passage of the PIB when they reconvene from their two-month recess before they wind up for the legislative year saying "We are aware of the entrenched interests within the Nigerian National Petroleum Corporation (NNPC). Those within the sector that have fed fat from the bad system to the detriment of the Nigerian people will definitely resist all attempts at restructuring the sector, but we can't fold our hands and allow a few individuals with foreign collaborators to take the Nigerian economy down the drain".

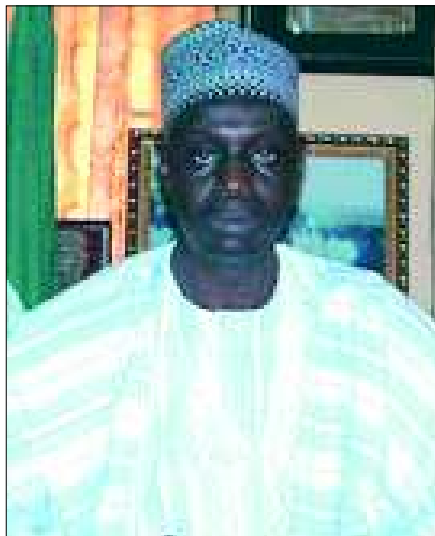
Kano Legislative House Conducts Proceedings in Secrecy

A workshop organised by the Civil Society Advocacy Centre [CISLAC] has observed that the legislature in Kano State has been conducting most of its substantial functions in secrecy.

The workshop revealed that most of the public hearings which should normally be open to the public were held in secrecy in the State and therefore charged legislative correspondents to rise up to the challenge and expose the situation.

A statement signed by CISLAC's Director, Auwal Rafsanjani and the state editor of the Vanguard Newspaper, Muhammad Abdulsalam urges Nigerian journalists to always set agenda for National development for the Lawmakers and advocate for the abolition of secrecy oath by public officials.

The workshop which highlighted the role of journalists in nation building showcases democracy as thriving only when it guarantees the rights and aspirations of people, therefore the media have a responsibility to educate the people on demanding, claiming and upholding their rights through the legislature".



*Rt. Hon. Abdulazeez Garba Gafasa
Speaker, Kano State House of Assembly*

There was therefore a call for the quick passage of the Freedom Of Information Bill in order to facilitate access to information.

"Journalists should push for the opening up of parliament by utilizing their media to advocate for increased access to the Kano State House of Assembly and the conduct of those house matters that require public participation in the proper manner", the

statement added.

The workshop organizers stressed the need for similar trainings to bring reporters, media practitioners and the legislature together to enrich the debate and discourse on the challenges confronting the practice of journalism in the society.

It was observed that the media has the responsibility to educate the legislature on the role of the media in enhancing legislative practice and functions in the state for good governance and that Journalist should seek existing and alternate mediums to voice their issues as well as bringing issues to the front burner of public discourse.

It therefore charged Journalists to always organize themselves in a manner that will provide both a formidable platform for incisive coverage of parliament and offer protection for courageous groups and individual journalists who fearlessly transmit true, objective and factual information into the public domain in a professional manner to serve the course of justice and promote transparency and accountability.

NAWOJ Honours Maikasuwa, DG NACA, Ekaette, Rafsanjani, others

By Ogonnaya Dibia

The Nigeria Association of Women Journalists (NAWOJ), Federal Capital Territory [FCT] Chapter has organised a weeklong event to honour various distinguished personalities who have excelled in their various fields of human endeavour.

The recipients are Mr Auwal Ibrahim Musa Rafsanjani, the Executive Director, Civil Society Legislative Centre (CISLAC) who received his award for outstanding contribution to legislative advocacy and government civil society relationships since the entrenchment of democracy in the country, the National President NAWOJ, Mrs Fatima Abdulkareem, Director-General National Action Committee



John Idoko, DG, NACA

on HIV/AIDS (NACA) Mr John Idoko, Prince Salisu Abubakar Maikasuwa, Clerk of the National

Assembly, Gloria Okolugbo, Aspirant House of Representative, Chief Ini Akpabio, and Chief Executive of NANET Suites,

Other recipients are Honourable Ita Enang, Chairman House Committee on Business and Rules of the House of Representatives, Mr. Ishaya Isah Chonoko, Zonal co-ordination FCT NEMA, Mr. U.K Bello, and the Controller of Customs Services in the Federal Capital Territory {FCT}.

The event which attracted various personalities from different sectors of the country was organised to give honour to the recipients for their outstanding contributions in their various areas and charged them to give more to the society.

WINN Sets to Support Nigeria's Senior Citizens

By Staff Reporter

As part of effort to alleviate the sufferings of Senior Citizens and physically challenged in the country a group known as women In New Nigeria(WINN) has promised to provide free medical care, drugs in hospitals and have special homes.

To achieve this feat they would be required to show identity Card that would be issued by the organisation anywhere they go, the group said.

Apostle Eunice Gordon who led the group on this mission said, "the whole idea of taking care of these category of citizens came after travelling abroad and seeing the way they were being catered for".

"On the show of Identity Card they are allowed on flights for free, given food at restaurants for free, given free medical care and drugs at hospitals and have special homes".

She condemned the deplorable conditions of some of these senior citizens who suffer terribly whenever they come to Abuja for their wages (pensions) after serving their nation adding that if not for the corrupt mind of the officials involved, these citizens would not pass through hell before getting their benefits.

Apart from helping the less privileged in the society, other objectives of the organisation include: to fight corruption; re-orient women on the need for change; Enlighten the Nigerian women about governance; empower widows and all women in the society; foster unity and understanding among women of all faith, assist in curbing vices such as human trafficking and prostitution; address issues concerning girl child education and marriage.

In order to achieve this she said WINN have adopted a strategy that would help make it a realistic venture and this include; organising rallies, seminars, workshops, conferences,

public talk, micro-financing, media campaign, and advocacy visits.

The new WINN she explained further would have zero tolerance for corruption, adding that the root cause of corruption would be tackled from the family unit where it begins. Some women she noted have pushed their husbands into corrupt practices by



Apostle Eunice Gordon

comparing them with their neighbours whom they never knew their source of livelihood.

The family she noted has played crucial role in the failure of the society because parents no longer query their children or wards why they keep bad company or steal things that do not belong to them or question on why they engage in vices such as examination malpractice, prostitution and drug abuse.

WINN she noted would create a

new Nigeria where corruption is seen by all as a vice and not a norm. "It is all about creating enough awareness for women so that they can affect their society positively."

Corruption she pointed out has eaten deep into the fabrics of the Nigerian society and has been institutionalised and accepted as a way of life in the country adding that though men fight corruption but women are better tool to tackle this menace from the family circle.

She also argued that the root cause of corruption is in the family unit and women as mothers can only become the tool for change. "If you train a woman you train the nation because an empowered woman is an equipped woman."

Ahead of 2011 elections WINN she also said would register to monitor the elections and expose any ills'.

Earlier in her goodwill message the wife of the Ona of Abaji, Queen Hauwa Kulu Ibrahim, commended the facilitator and reminded the participants that women are their own enemies and that for any success to be achieved" we must all come together and seek ways of changing the society to achieve a new Nigeria.

At the end of the meeting, Apostle Gordon Dr. Mangzha was named the National co-ordinator of WINN and Mrs Yasmine Abeh as Deputy National Co-ordinator.

Sanusi Emerges World Bank's Best Central Bank Governor

The Central Bank of Nigeria (CBN) governor, Mallam Sanusi Lamido Sanusi has been named the world central bank governor of the year by *The Banker*, a publication of the Financial Times of London.

Sanusi was given another award of the Central Bank Governor of the Year for the entire world, and that of the African continent.

The two awards were given to Sanusi because in the last 18 months, he has salvaged a crumbling Nigerian financial sector and implemented reforms that have put the Nation's promising market back on the map for investors globally.

A statement signed by the Country Representative, Nigeria of *The Banker Magazine*, Financial Times, London, Mr. Kunle Ogedengbe, confirmed the awards, as the Editor of the magazine, Mr. Brian Caplen said that few candidate's names can generate an overall consensus on judging panels and yet, when it came to finding the best global central bank governor of the year, Mr Sanusi was chosen unanimously.

"Despite the big challenge of

facing up to powerful people who held considerable sway in the country, Sanusi never looked back and got the support of the public as they were made aware of the scale of corruption, which made the public to support the change he promoted," he said.

Caplen also stressed that Sanusi embarked on a radical anti-corruption campaign aimed at saving 24 banks on the brink of collapse and pressed for the managers involved in the most blatant cases of corruption to be charged and, in the case of two senior bankers, convicted.

The magazine noted that the reforms of Mallam Sanusi are to enhance the quality of the Nigerian banks, establish financial stability in the system, provide enabling and healthy financial-sector evolution as well as ensuring that the financial sector contributes to the real sector rather than just serving the banking sector alone.

Two months into his governorship, Mallam Sanusi embarked on the bailout of Afribank, Intercontinental Bank, Union Bank, Oceanic Bank and Finbank and dismissed their chief executive officers in a move designed to show that banking is no longer



Sanusi Lamido, CBN Governor

business as usual but institutions that must serve the economy as a whole.

Another key reform of the banking sector introduced by Mr Sanusi has been to limit the tenure of bank CEOs to a maximum of 10 years. They will have to leave office at the end of their term regardless of their record.

This policy has already led to change of leadership at UBA, Zenith and Skye banks.

WORLD BANK, CSOs HELD CONSULTATIVE FORUM MEETING

By Abimbola Okoilu

Civil Society Groups, DFID, and the World Bank came together in a meeting with the aim of updating past activities of the forum towards monitoring and evaluating the implementation status report on activities of projects in the African Region.

The Coordinator of CCG group who gave a brief report on the Annual meeting said the issues discussed had environmental implication on palm oil investment.

The coordinator mentioned that capacity building training for the CCG members was imperative as to be able to monitor and evaluate the

implementation status report on activities of projects in the African Region.

In an Open Discussion, DFID representative in his remark said the DFID is a government department like the National Planning Commission. DFID gives technical assistance, attack systemic issues to ensure effective service delivery.

He also mentioned that SAVI is a project of DFID, truly independent and is going to run for 5 years adding that it is currently running at the state level. Coalition for Change (C4C) is also funded by DFID. "SAVI is to empower CSO on how to engage the government", he said. However, he mentioned that one of the challenges

DFID is having is ensuring that the CSOs to be engaged are not misconstrued by the government.



Robert Zoelick, World Bank President

Bema Home Orphans Seek for Assistance from FG

By Ogonnaya Dibia

Executive Director of the Bema Home, Mrs Benedicta Jereke has appealed to the Federal Government and philanthropists to extend their support to the home in order to make it better.

She said that Orphanages and other Child Care Institutions in Nigeria and the world globally have been playing crucial role in the upbringing of children especially the motherless and the under-privileged child in the society.

According to her, the Orphanages Home take care of orphans and other children who are abandoned but whose parents may be alive and orphanages whose parents are both alive but who could not give sufficient care because of poverty.

She said the Federal Government, Non-Governmental Organisation (NGOS), International Organisations, Development Partners, Philanthropists, Social Workers, and the Civil Society that are into the business of child upbringing and development could help greatly in mitigating the hardship of these vulnerable groups.

However she said, managing some of these homes professionally is a very difficult task for those who are in the business, but observed that some homes are poorly managed because there is no support from the government or spirit-filled individual in the society.

Not less than 350 Orphans, the less privileged and physically challenged people have benefited from Bema Home but the orphans who spoke through the Executive Director, Mrs Benedicta said the federal government and philanthropists should come to their aid in the future.

In an interview with our Correspondent, Mrs Jereke said Bema Home "is not only a home for the less privileged, but a home where the unloved experiences love while the educationally disadvantaged receives education on a platter of gold. It is a haven for the hungry, the abandoned,



Josephine Anenih, Minister of Women Affairs and Social Welfare

the handicapped and the rejected in the society", she added.

She commended the efforts of the government through the Federal Ministry of Women Affairs and Social Development for their support in child development.

"We also take care of women who are disadvantaged and could not sustain themselves rather they loiter in the streets begging causing public nuisance in the society. Apart from this, we also educate, and give health care to the women and engage them in a meaningful trade so that they can fend for themselves" she said.

She also pleaded with the government to assist orphans in Bema home to provide basic educational materials and called on philanthropists to come to the aid of the children.

"We believe in "help for self help" we do not want to be supported indefinitely by benefactors. We want to be a self sustaining and self reliant organisation. To achieve this we need the support of the government and

philanthropists so that we can develop the necessary infrastructure that will help us achieve success.

The children she explained are in dire need of school fees, text books, uniforms, and good medical help. Some of the children she noted are between the ages of 1month and one year, while some are above that age. The adults among them she pointed out are into skills acquisition programmes.

"They are taught how to design and make beads, hats, knitting, tailoring, and computer training. Children have enormous wealth of talents, skills, intelligence and humour. Many have been denied the opportunity to develop themselves due to circumstances which are not their making," she observed.

According to her, the aim of her organisation, is to produce men and women who exhibit the quality of integrity uprightness, honesty self discipline and ability to survive in highly competitive world which is changing faster.

PRESS BRIEFING BY CIVIL SOCIETY LEGISLATIVE ADVOCACY CENTRE (CISLAC), KANO OFFICE, HELD ON 3RD NOVEMBER 2010 AT TAHIR GUEST PALACE HOTEL KANO. SUPPORTED BY FREIDRICH EBERT STIFTUNG (FES)

The press briefing started with a brief introduction of CISLAC by the zonal coordinator, Mallam Mujtaba Ali Muhammad welcoming participants. He explained that the briefing was part of activities of the Kano office, to raise awareness on legislative issues as well as to serve for legislative advocacy. He further explained that, Civil Society Legislative Advocacy Centre CISLAC is a non governmental non profit legislative advocacy, lobbying, information sharing and research organization. CISLAC be elaborated, works towards bridging the gap between the legislature and the electorates by enhancing lobbying strategies, engagement of bills before their passage into law; man power development for lawmakers, legislative aides, politicians and Civil Society as well as civic educations on the tennets of democracy and human Rights.

He also explained that CISLAC has actively engaged in legislative advocacy work since 2005 and opened its Kano office in 2009. Since the formal inauguration of the zonal office in Kano, the office has been actively engaged in series of activities including legislative advocacy visits, monitoring the state assembly; activating capacity building for civil society, the media, CBO'S and press briefing on topical issue in the state.

He focussed his address on some important legislative issues in Kano State like the call to domesticate the Public Procurement Bill in the state.

He started with the call to domesticate the Public Procurement Bill in the state. He said we feel obliged to call for the domestication of the public procurement bill 2007 in Kano state, CISLAC believes that national as well as state development would come only if corruption which mainly takes place through shoddy procurement practices is eliminated.

Objectives of the Bill are:

- (1) Establishing the state council on public procurement and Bureau of public procurements as the regulating authorities responsible for the monitoring and oversight of public procurement.
- (2) Harmonizing the existing government policies and practices.

- (3) Regulating/setting standards and developing legal framework in the state.

Mallam Mujtaba further explained that the bill would reduce if not eradicate corruption in public procurement that is why it attracts support and popularity from all quarters in the country.

He therefore called on the state House of Assembly to initiate and pass the bill to promote transparency and accountability in the public procurement processes.

The zonal coordinator then reviewed the ongoing strike by the academic unions of state owned tertiary institutions as worrisome and unnecessary. He recalled that students have been home for the past 111 days and both federal and state legislators have met with the striking lecturers in order to resolve the impasse, yet Kano state government did not show any serious commitment to resolve the problem. He opined that the demands of these workers which include, adequate funding for institutions, staff development, infrastructure development, issue of over taxation and rent allowances, implementation of tertiary institutions salary structure (CONTISS 15) and full implementation of consolidated Polytechnics and Colleges of Education Academic Staff Salary Structure (COMPASS) are just, legitimate, modest, and in the interest of the state. He therefore called on the Governor of Kano State Mallam Ibrahim Shakarau, who was a one-time member of such Academic Staff Union to as a matter of urgency meet and negotiate with the lecturers and resolve the problems once and for all. He stressed that there cannot be a sound education while our higher education is being crippled by the strike.

We would once again call the education committee of the state house of Assembly to initiate a public Hearing on the education sector in the state with the view to examining the problems of the sector and find lasting solutions to them. He thanked the press and welcomed their questions and comments.

About 30 media attended the briefing, they include BBC world, Raypower, AIT, AR TV, NTA Kano, Radio Kano AM/FM, FRCN, Vanguard, Nigerian Tribune, Triumph Newspaper, Leadership, This day, Daily Trust etc. All the electronic media broadcasted the press briefing.

Communiqué Issued at the End of Training for Parliamentary Reporters in Kano State Held at the Tahir Guest Palace on Thursday 21st October 2010 in Kano State Nigeria.

Preamble

The Civil Society Legislative Advocacy Centre (CISLAC) with support from the Friedrich Ebert Stiftung organized One-day training for parliamentary reporters in Kano State. The training was held at the Tahir Guest Palace, Kano State on 21st October 2010. The meeting had 33 participants comprising members of the media from various media outfits as well as CSOs in the state.

Two key papers were delivered on the 'The Media as a Tool for Interfacing Between Constituencies and the legislature' and 'Setting an Agenda for Parliament through the Media by Issues-Based Reporting. The meeting is situated within the context of the need to strengthen the role of the media in the consolidation and growth of democracy and its institutions with particular focus on legislature in a representative democracy. Key observations and recommendations from the training are as follow:

Observations

1. Participation is the key block upon which democracy is founded and the legislature provides the bases for peoples participation in democracy
2. The legislature exists to aggregate the demands, needs and aspiration of the people and is therefore accountable to the people and information is key to this accountability process
3. The media plays a key and central role as an interface between the arms of government as well as with the people facilitating the flow of information, setting the agenda and participation of the people in the governance process
4. Reporters face enormous challenges in playing their role as watchdogs of society as the media has to balance its constitutional role as a voice of the people, a commercial enterprise, a representation of interest and the nature of politics existent in society today
5. The practice of journalism and setting the agenda is greatly constrained by the resources available to support journalist in their functions as well as the media based logistics in the legislature.
6. The efficiency of the Reporter as a source of true, balanced and objective information is greatly affected by the interests of the owners and operators of media organizations who may have other interests beyond the traditional roles of the media
7. The legislature in Kano State still conducts substantial parts of its function in secrecy. This is more true of public hearings which should normally be open to the public

Recommendations

1. Democracy can be said to be thriving only when it guarantees the rights and meets the needs and aspirations of the people, therefore the media have a responsibility to educate the people on demanding, claiming and upholding their rights through the legislature
2. The media should advocate for the abolishing of the secrecy oath as well as the passage of the FOI act to facilitate access to information
3. Organizers should in subsequent trainings attempt to bring reporters, media practitioners and the legislature to enrich the debate and discourse on the challenges confronting the practice of journalism in the society
4. The media has a responsibility to educate the legislature on the role of the media in enhancing legislative practice and functions in the state for good governance
5. Journalist should seek existing and alternate mediums to voice their issues as well as bringing issues to the front burner of public discourse
6. Journalists should organize themselves in a manner that will provide both a formidable platform for incisive coverage of parliament, as well as, offer protection for courageous groups and individual journalists who fearlessly transmit true, objective and factual information into the public domain in a professional manner to serve the course of justice and promote transparency and accountability.
7. Journalists should push for the opening up of parliament by utilizing their media to advocate for increased access to the Kano State House of Assembly and the conduct of those house matters that require public participation in the proper manner.

Conclusion

Participants thanked CISLAC and Friedrich Ebert Stiftung for providing the platform for the training as it would serve to further strengthen the work of the media in the state towards consolidating the democratic process.

Signed:

Auwal Ibrahim Musa (Rafsanjani)
Executive Director, CISLAC

Muhammad Abdulsalam
Vanguard Newspaper



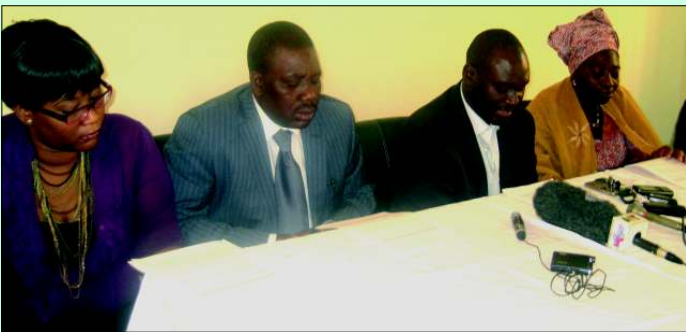
Group photograph at the Revenue Management Workshop held on 20th December, 2010 at Excel Resort and Hotel, Abuja



(R-L) Kolawole Banwo (CISLAC), Gertjan Van Bruchem (Oxfam Novib), Dr. Ikelegbe (UNIBEN) and Abimbola Okiolu (CISLAC) at the Oxfam Novib Strategic Planning meeting with partners on 4th December 2010 in Benin City, Edo State



From left: Olubunmi Solomon (Resource person), Johnson Odei (Kogi State House of Assembly and one-time Chairperson of FIDA, Kogi State.



(L- R) Ekanem Bassey (PACT Nigeria), Barr. Adesina Oke (CISLAC) and Auwal Ibrahim Musa Rafsanjani (ED CISLAC) at the press briefing on Petroleum Industry Bill on 20th December 2010 in Abuja.



Group photograph at the CSO-Legislature Review Session of Benue State 2010 Budget held in Makurdi on 17th December, 2010



Group photograph at the Oxfam Novib Niger Delta and Strategic Planning meeting held with partners in Benin, Edo State on 4th December, 2010.



Group photograph at the CSO-Legislature Review Session of Jigawa State 2010 Budget held in Three Star Hotel, Dutse, Jigawa State.

CISLAC Partners With The UNHCR To Implement The AU Convention For Internally Displaced Persons In Africa

As part of the ongoing working relationship between CISLAC and the UNHCR CISLAC was invited to participate at the concluded seminar on the Outcomes of the AU Special Summit / African Union Convention for Internally Displaced Persons in Africa (Kampala Convention) held in Addis Ababa, Ethiopia.

The seminar was chaired by Chief Mohammed Dhaffe Benya, Member of Parliament and Chief of Small BO Chiefdom, from Sierra Leone, the Key Note Address was delivered by H.E. Prof. Tarsis Bazana Kabwegyere, Minister of Relief, Disaster Preparedness and Refugees, Republic of Uganda. Welcoming remarks were made by Mr. Chrysantus Ache, UNHCR Representative to the AU and ECA and Dr. Pascal Mihyo, Director, Organisation for Social Science Research in Eastern and Southern Africa, and opening remarks by a representative of the Commissioner for Political Affairs of the African Union Commissioner, Mr. Olabisi Dare, Head of Humanitarian Affairs and Refugees Department. Four background papers were presented by experts in the field of International Relations, International Law, Forced Displacement and Public Policy matters. The Discussants were also experts in forced displacement and post conflict reconstruction and development matters: Mr. Oluseyi Bajulaiye, UNHCR Representative to the Republic of Tanzania, Counselor Wheatonia Dixon Barnes, Executive Director, Liberian Refugee Repatriation and Resettlement Commission and Prof. Bonaventure Rutinwa, Professor of Law, University of Dar-es-Salaam / UNHCR Consultant in the Republic of Tanzania.

SUMMARY OF PROCEEDINGS:

Members of the High Panel consisting of the Chair, Chief Mohammed Dhaffe Benya, H.E Prof. Tarsis Bazana Kabwegyere, Mr. Chrysantus Ache, Dr. Pascal Mihyo and Mr. Olabisi Dare in their welcoming, opening and Key note addresses, recalled the specific objectives of the seminar which included awareness raising among the various stakeholders on the status of IDPs in the continent, to derive common understanding on the importance of ratification and implementation of the outcomes of the Kampala Special Summit (Kampala Convention, the Kampala declaration and the recommendations), experience sharing on lessons learnt on the challenges and opportunities for ratification and to provide proposals for concrete next steps for ratification and implementation of the outcomes of the Kampala Special Summit. They congratulated the three states, the republic of Uganda, Chad and Sierra Leone on the ratification of the Kampala Convention and emphasized on the need for the 26 other signatory states to immediately ratify the Convention. Members of the high panel also stressed on the imperative need to end the suffering of displaced populations by intensive and multi-faceted approaches such as identifying comprehensive durable solutions and creating conducive conditions for return and reintegration through the implementation of the Post Conflict Reconstruction and Development Policy (PCRD). They also urged member states to find solutions to the root causes of displacement in the continent, which will in turn contribute to peace and stability and augment the attainment of

sustainable development adding that tackling IDP issues rationally and head-on also makes good policy sense. In addition to protecting lives, the outcomes of the Kampala Special Summit was also referred to as a tool to assist governments in managing urbanization challenges and allocating national budgets, rather than having their cities overwhelmed by IDPs looking for stability and livelihoods. The high panel stressed that in order for African countries to reap the full benefits of the Convention, the Convention must be integrated into every African state's domestic law and fully implemented and monitored. The high panel also recalled the specific protection expertise of UNHCR and requested the organization to continue and reinforce its role in the protection of and assistance to IDPs when called upon by Member States.

The break out groups considered the following themes as presented by the Presenters:

(i) The changing nature of intra and inter state conflict in Africa and its implication on forced displacement Presentation by Professor Bonaventure Rutinwa. Issues that emerged from discussions include; the evolution of conflict from pre- colonial times to the new world order and the subsequent changes in the nature of displacement and on the modest decline of the numbers of refugees and the increase in the numbers of internal displacement. Participants also discussed how the quest for development in the 21st century and Interventionist attitudes by States in economic and socio-political matters, especially tampering with national resource allocations, have led to imbalances in the normal flow of macroeconomic growth, in turn fuelling unemployment and deprivation of human rights, subsequently leading to conflicts. The relevance of the outcomes of the Kampala Special Summit on early warning, prevention, management and resolution of conflict was also deliberated upon at this session. Consensus was clear on the fact that the outcomes of the Kampala Special Summit, specifically the Kampala Convention, provides the necessary clarification of existing international legal standards for the protection and assistance of IDPs and provides the basis for enhanced protection and sustainable resolution of situations of internal displacement. Participants were also unambiguous on the fact that the birth of the Convention sends an important signal to the rest of the world about the seriousness with which Africa considers the issue of internal displacement.

(ii) The Need for Comprehensive Peace Building and Post Conflict Reconstruction and its Impact on Finding Durable Solutions for Displaced Populations Presentation by Prof. Doctor Tim Murithi. Participants deliberated on the importance of including IDPs in peace building and peace negotiations efforts and on the need to empower and capacitate women to deal with peace issues, with enhanced education and technical training made available to them, especially for those living in forced displacement situations. The central role of civil societies in post conflict reconstruction and rehabilitation was recognized, ranging from multilateral financial institutions involved in aid assistance, to work by international and local NGOs in providing development and inculcating democratic behavior among citizens. International

interventions of civil societies in countries like Rwanda, Sierra Leone and Liberia during the transition and reconstruction phases could serve as good practices and replicated in States in transition. Reference was also made to existing UN processes to embrace the transition from emergency relief to early recovery and development through the UNDAF (United Nations Development Assistance Framework) process. Reference was made to the 52 Recommendations made by Ministers in charge of Forced Displacement matters, which is one of the three outcomes of the Kampala Special Summit. The recommendations contain provisions on post conflict reconstruction and on working with partners to enhance peace and stability and development agendas for the continent, and participants were unanimous in their commitment to commence implementation of the recommendations, including in popularizing the outcomes of the Kampala Special Summit and on the AU PCRD Policy. Specific recommendation was made to have the AU PCRD Policy translated into every local language in each African country so as to enhance knowledge and awareness on the existence of the policy, to guarantee state obligations and encourage citizen participation in the rebuilding of their nation.

(iii) Comparative analysis on the challenges facing IDPs in the five African regions Presentation by Mr. Joseph Chilengi. Discussions centered on the differences and similarities in the causes of displacement in the five regions; mainly religious, ethnic, political and resource related, and the varied state and international practices in the protection and assistance of IDPs. Participants also discussed the conflict maintenance capacities (which includes conflict prevention, resolution and management) of African regional actors to provide physical and legal protection to IDPs. Related to this, was the challenges and weaknesses of existing legislative and policy frameworks in the continent to offer adequate protection and assistance. International practices in the five African regions in the prevention, protective and assistance components also differed, consequently affecting standards of protection and assistance in the rights and well being of IDPs. Recommendations were made to learn from conflict resolution systems applied in post-conflict regions with the need to strengthen the role of the AU and Regional Economic communities (RECs) in conflict maintenance efforts. The role of RECs was recognized as important as it can influence regional interest and create national and regional synergies. The role of the Kampala Convention in outlining the rights of IDPs and the obligations of States, and in harmonizing and “bringing as one” the various practices and policies in the continent on the protection and assistance of IDPs, was commended. The presentation challenged government officials (technocrats) to play their part in the ratification process arguing that it was not political will that was lacking to ensure ratification as the political will had already been demonstrated by Heads of State through the signature of the Convention. Recommendations emphasized the need for technocrats to take the process of ratification forward by pushing cabinet memos and bill drafting for tabling in Parliament.

(iv) The Impetus, Content and status of the IDP Convention and the Kampala Declaration and the Challenges and Strategies on Ratifying and Implementing the IDP Convention and the Kampala Declaration Presentation by Mr. Tom Nyanduga. This session was complemented by brief

presentations from the AU Legal Office, the ICRC, and the IDMC on draft model laws and the role of civil society in supporting the ratification process. Deliberations centered on the differences in ratification processes of African countries and the difficulties in harmonizing ratification procedures due to varied legal systems for ratification (constitutional and legislative). Challenges identified in ratification of the Convention were not merely limited to political will but also lack of awareness of the importance of the Convention, lack of technical capacity of government staff and lack of financial resources in government offices to facilitate the bureaucratic processes. Lessons learnt and best practices from the ratification process of the Great Lakes Pact could further inform initiatives to push for speedy ratification of the Kampala Convention. Discussions also centered around the importance of the AU, RECs and the International Community to work with States to identify challenges in the implementation of the Outcomes of the Special Summit especially in resource allocation and mobilization. In this regard, proposals were made for the creation of a high level task force, coordinated by the AU, to undertake missions to targeted member states to encourage ratification and implementation of the other outcomes. Involving the Pan African Parliament, including parliaments of RECs, devising model laws and the development of ratification kit were priority recommendations. The creation of national institutions dealing with IDP issues and the idea for an AU Special Envoy was discussed. Participants urged International Organizations such as the ICRC, NRC (IDMC) and DRC including UN agencies to support AU member states in the popularization, ratification and domestication processes, including in working with civil societies to strengthen their roles in advocating with governments for the ratification and implementation of the Convention.

STATUS OF RATIFICATION PROCESSES IN THE FOLLOWING COUNTRIES (AS EXPRESSED BY PARTICIPANTS DURING GROUP DISCUSSIONS):

- § Burundi: Signatory to the IDP Convention, she was confronted with challenges of internal armed conflicts, followed by the organization of general elections. Government's priorities were therefore in conducting peaceful elections, which took place in June 2010. The next priority is the return and reintegration of Burundian refugees and IDPs to their areas of origin. The ratification of the IDP Convention is therefore part of this new priority.
- § Central African Republic: Following the signature of the IDP Convention, the CAR set up a National Committee to look into the drafting of a Law on the Protection and Assistance of IDPs. The draft law has just been submitted to the Assembly for voting and authorization of ratification by the President.
- § Congo: Signatory to the IDP Convention, the Supreme Court of the Republic of Congo had ruled its favorable decision for the ratification of the Convention on 12 May 2010. The Government also issued its favorable opinion in October 2010. The next step would be the Assembly vote authorizing the ratification by the President. This is expected to occur upon the resumption of the Assembly from its annual recess.
- § Gabon: Signatory to the IDP Convention but no further

action has been taken. However the government representative who participated in the Seminar is determined to take the process forward upon return.

- § The Gambia: Signatory to the IDP Convention. The cabinet paper has been prepared and is ready for submission to the National Assembly.
- § Namibia: Signatory to the IDP Convention. The ratification process is ongoing and the Government of Namibia is very keen on displacement issues, for having been a “Product of forced displacement” and having benefited from international support.
- § Rwanda: Signatory to the Convention. The ratification instruments have already been prepared and submitted to the Cabinet. The electoral process which delayed this process is now over and more focus will be given to the ratification process.
- § Zimbabwe: Signatory to the convention, the approval of cabinet was provided in 21 May 2010. The ratification process is ongoing at the assembly level.

RECOMMENDATIONS & CONCLUSIONS:

- § Prioritize the inclusion of displaced populations in all future peace agreements.
- § Hold annual programmatic meeting between AU, UN and member states on resource mobilization, programme prioritization and technical capacity building.
- § Develop institutional frameworks to interface with Civil Society Organizations on displaced population issues.
- § Include women and youth in conflict resolution and peace building efforts, including in durable solutions planning.
- § Provide displaced populations with the right to reparation, justice and closure for past injustices.
- § Develop an AU Transitional Justice Policy Framework relating to displaced populations.
- § Include educational and awareness raising programmes on conflict prevention, prevention of displacement and on peace building at all levels - from primary school curriculum to government offices.
- § Speed-up the Ratification by States of the Kampala Convention and immediate implementation of the other outcomes of the Kampala Special Summit
- § Technocrats to take the lead, without any further delay, in their bureaucratic processes to ensure that documents in support of signature, ratification and domestication are well documented and presented through bureaucratic channels for consideration.
- § Strengthen the need for treaty bodies at regional and national levels to monitor and coordinate regional/ national efforts towards IDPs.

Facilitate research on forced displacement and humanitarian situations to facilitate the development of suitable policies.

Strengthen early warning and conflict maintenance (conflict prevention, management and resolution) capacities of the AU and the RECs.

- § Support the RECs by way of capacity building to facilitate better coordination at the regional level for protection and assistance of IDPs.
- § Support research on the possibilities of harmonizing the ratification processes in the continent, and develop a Ratification Kit.
- § Develop model legislation on Protection and Assistance of IDPs taking into consideration both civil law and common law systems.
- § Involve the AU Commission on International Law and the Pan African Parliament (PAP) in pushing forward the ratification processes.
- § Involve Civil Society Organizations and NGOs, National Human Rights Institutions and the media in popularization of the Outcomes of the Kampala Special Summit and in advocating with States to ratify the convention.
- § Support research and legal review on best practices and lessons learnt from the ratification of Great Lakes Pact.
- § Establish an AU Task Force to follow up on ratification and domestication and the AU is to take the lead on this.
- § Appoint an AU Special Envoy with the same TOR as the AU Task Force.
- § Organize an annual follow up seminar with participants, whether at continental or national level, to take stock of developments post the Seminar. Recommendations were made to maintain the same list of participants, and to include UN/International Agencies Representatives and Legal/Protection Officers who have the leverage to capacity built technocrats and other influential government officers in pushing for implementation of the Outcomes of the Kampala Special Summit.

Closing remarks

The Chair, in his closing remarks, thanked all participants for their active deliberations during the two-day interactive seminar and recalled the recommendations as above, stressing on the need to ensure its immediate follow up and implementation. He stressed on the need to stand united to end forced displacement in the continent and to find suitable durable solutions for the displaced, especially to support existing national, sub-regional and continental return and reintegration programmes to augment development efforts in the continent. Other members of the high panel, in their closing statements, echoed the need for immediate implementation of the outcomes of the Kampala Special Summit, especially to secure the 15 ratifications required to ensure the entry into force of the Convention. States that have ratified the Convention were encouraged to being implementation with immediate effect, including implementation of the PCRD policy as well. The support and commitment of international organizations, the civil society and UN agencies to work with States in the ratification, domestication and implementation processes to ensure implementation of the outcomes of the Kampala Special summit was highlighted and States were encouraged to capitalize on such support, whether at the continental, regional or national levels.

SYNOPSIS OF REVENUE WATCH ON NIGER DELTA DEVELOPMENT

By Dauda Garuba (RWI-Nigeria Programme Coordinator)

Revenue Watch Institute (RWI), in collaboration with its Nigerian partner organizations Niger Delta Citizens and Budget Platform (NDCBP), Bayelsa Non-governmental Organisations Forum (BANGOF) and Bayelsa Expenditure and Income Transparency Initiative (BEITI) convened a forum of Niger Delta Development to discuss their works in the Niger Delta region. The forum which held on Wednesday, 27 October, was aimed at exploring opportunities for support and synergy building with other development partners to the donor and diplomatic community in Abuja. The event was widely attended by representatives from the donor and diplomatic communities, such as: Embassies of Canada and France, USAID, National Democratic Institute (NDI), International Republican Institute (IRI), international Foundations for Electoral Systems (IFES), United National Democratic Programme (UNDP), United Nations Office on Drugs and Crime (UNODC), Open Society Initiative for West Africa (OSIWA), Pact-Nigeria, Pro-Natural International (PNI), Partnership Initiative for Niger Delta (PIND), Centre for the Study of Economies of Africa (CSEA) and the World Bank. A few other local civil society organizations like Coalition for Change (C4C), Civil Society Legislative Advocacy Centre (CISLAC), Royal Integrity and Accountability (RIO) and Our Niger Delta, were also represented. The forum which was declared opened by RWI Deputy Director, Antoine Heuty, featured two panel discussions covering:

- Opportunities and Challenges for improving the Governance of oil and gas revenues in the Niger Delta and;
- Resolving Development Question in the Niger Delta: Experience Sharing on Emerging Practices.

The first panel featured the Director General of Due Process and E-Governance in Bayelsa State, Dimieari Von Kemedi, Dr. Ukoha Ukiwo of the University of Port Harcourt and RWI's Nigeria Programme Coordinator, Dauda Garuba, who spoke on RWI work in Nigeria as one directed at supporting the promotion of efficient and transparent management of oil and gas revenues in Niger Delta states through a two-pronged approach:

1. Technical Assistance to Bayelsa State Government to develop a more transparent mechanism for revenue management through the Bayelsa Expenditure and Income Transparency Initiative (BEITI), which aims at monitoring public expenditure (State, NDDC, LGAs, private sector voluntary contributions) and audit government receipts from the Federal Government Nigeria, Internally Generated Revenues (IGR) and actual transfers to Local Government Authorities.

2. Provision of direct support to coalitions of civil society organizations (Niger Delta Citizens and Budget Platform and Bayelsa Non-governmental Organisations Forum) by way of capacity building and grant-making to enhance budget tracking and monitoring in Niger Delta states of Akwa Ibom, Bayelsa, Delta and Rivers; and citizens' engagement with the BEITI process in Bayelsa State.

The second session which represented the centre piece of the meeting saw RWI partners' presentations on their work in the Niger Delta. This featured:

- Ms. Preye Joseph who spoke on The Bayelsa Expenditure and Income Transparency Initiative as a state-led initiative created by Governor Timipre Sylva administration on 5 November, 2008 with the technical assistance of RWI strengthen transparency and accountability in through public expenditure monitoring and audit of government receipts from the federation account, Internally Generated Revenue (IGR) and actual transfers to local government authorities. This is intended to improve democratic debates on revenue use, reduce conflict and poverty, improve public service delivery and access to basic social services, and increase private investment and access to development finance, all of which are required to fast-tracking economic growth and advance key components of the Bayelsa State Sustainable Development Strategy (BSSDG).
- Philip Slaboh whose presentation focused BANGOF's engagement with the BEITI Process and Budget Analysis in Bayelsa State with a view to strengthening the demand side of governance; and
- Ken Henshaw who presented NDCBP's Budget Analysis and advocacy work in Akwa Ibom, Bayelsa, Delta and Rivers States in the last three years with a view to strengthening citizens participation in governance, especially the budget process.

All presentations were very strongly and well received. The event also generated good media publicity and, more importantly, enabled the RWI partner organizations to showcase their work and appeal for donor support beyond RWI.

Revenue Watch Institute (RWI) is an independent, not-for-profit international non-governmental organization, with headquarters in New York, USA, working to promote effective management of oil, gas and mining revenues for public good. The Institute provides expertise, technical assistance to governments and training/grants to civil society organizations to help them realize the benefits of

Continued on page 18

NIGERIA IN THE THROES OF FALSE PLURALISM

PAPER PRESENTATION AT THE 3RD ANNUAL LAW & SOCIAL DEVELOPMENT LECTURE ON “DEMOCRACY & ELECTIONS: MYTHS, ILLUSIONS & REALITIES”

BY BAMIDELE ATURU

The trouble with Nigerian politics, contrary to the dominant view in the media, is not the absence of issues-based politics or lack of ideological commitment by the existing political parties but rather that the dominant political parties are committed to the same ideology or world-view and are therefore really or essentially not different one from another and have to do everything possible to show that they are different. In an attempt to prove the impossible, namely to demonstrate that they are different from one another to 'win' or steal votes from the electorate, the parties necessarily resort to desperate tactics which negate the basic elements of liberal democracy and which indeed demonstrate the limitations of liberal democracy generally and its specific difficulties or incongruity in disoriented polities such as Nigeria's.

All the dominant parties in Nigeria, without an exception, are committed to privatisation of public utilities and assert that the state's only role in the economy is as regulator of the competing interests of the various factions of the ruling class. From Lagos to Kano and from Cross River to Sokoto we see in display various forms of what is now fashionably referred to as Public Private Sector Participation (PPP) through which everything owned by the people (including roads!) are mindlessly and rapaciously parcelled among cronies of leading members of the various governments. The class in power in Nigeria lacks the discipline or rather more appropriately, the decency, to amend its existing laws to legalise the privatisation of public wealth and institutions. Thus, privatisation is not just an immoral act of dispossessing the people of their collective wealth it is patently and brazenly illegal as the laws of Nigeria stand today. Section 16 of the Constitution, the imposed ground norm, emphasises the dominance of the state in the economy. In its exact language, the state has a duty to 'manage and operate the major sectors of the economy' and 'to control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity'. The constitution is not done: it provides further that 'the economic system is not

operated in such a manner as to permit the concentration of wealth or the means of production and exchange in the hands of few individuals or of a group'. No labour is required to demonstrate therefore that the cannibalisation and privatisation of the Power Holding Corporation of Nigeria (PHCN), although being done under an unconstitutional law, is illegal. We will cooperate with all groups and individuals committed to aborting the illegal sale of PHCN to individuals by any means necessary.

We need to restate that we are not opposed to competition in the economy. Let all those who are interested in generating, transmitting, distributing and selling

electricity invest their own resources as was the case with the telecommunications industry. Many of the companies that were licensed to either build refineries or generate electricity over 5 years ago have not been able to either lay one metre long pipe or erect a pole

“Our people must see through the joke in the media where some parties are labelled (that is the appropriate word) as 'progressives' and others as 'reactionaries'. The truth of the matter is that none of the dominant political parties in the country today can be truly described as progressive parties. They are all reactionary parties.”

respectively. This gives the lie to the existence of any serious private sector in this country. What we have are middlemen and women, speculators and commission agents of capitalists in the advanced countries who produce nothing but infamy. This comprador class is a vermin and we must do everything necessary to shake it off our people.

Our people must see through the joke in the media where some parties are labelled (that is the appropriate word) as 'progressives' and others as 'reactionaries'. The truth of the matter is that none of the dominant political parties in the country today can be truly described as progressive parties. They are all reactionary parties. To those who may want to accuse me of unsound or improper generalisation, I would refer them again to the Constitution. The same section 16 states in black and white that it is the obligation of the state to ensure that 'suitable and adequate shelter, suitable and adequate food, reasonable national minimum living wage, old age care and pensions, and unemployment, sick benefits and welfare of the disabled are provided for all citizens'. Parties and governments that are not providing shelter at all, that are not providing food at all, that pay extremely unreasonable wages, that neglect the old, the

sick and create unemployment are not only reactionary but are irresponsible no matter what their friends in the media may think or say. The latest fraud going on now is that section 224 of the Constitution that makes it obligatory for the parties to implement section 16 of the Constitution has been removed from the Constitution. The obvious implication of this is that Chapter II of the Constitution on Fundamental Objectives and Directive Principles of State Policy are rendered completely meaningless, although section 13 of the Constitution enjoins all persons and authorities to enforce them. What a shameless set of reactionary politicians!

Does it then follow that all the politicians in the dominant political parties are reactionary politicians? It would be reductive, simplistic and fallacious to dismiss all the politicians in the reactionary parties as reactionary. There are some politicians who conclude, albeit erroneously, that the reactionary parties are a necessary stepping stone to political power which is crucial to their agenda of making a difference in the lives of our people. These people mean well and want to serve the people. But as history teaches us inexorably the power structure in the reactionary parties make true change impossible. The end result is that some of these progressive politicians might leave offices unstained, but if they would be honest they could never realise their aim of changing our country in the retrograde parties. 'Entreism', as the strategy of progressives joining reactionary parties is known in our literature, is doomed precisely because those parties are structured to preserve the status quo. There is also a sense in which the joining of the mainstream political parties on the ground that they are

the only ones that can 'win' elections become a self-fulfilling prophecy and shows a certain organisational laziness in some cases and opportunism in yet other cases. There is no alternative to true progressive politicians, that is, those who believe that the working people and its state must dominate life, working to build their own party.

Our media must therefore be discerning. A word or two to our media practitioners: Simply because you have sympathy for a politician or that you are on his or her payroll or because some politicians use ill gotten wealth to set up media houses does not make them progressive. They may be properly referred to as opposition politicians, but again we must ask ourselves the question as to the quality of their opposition. Is it opposition to capture or counter capture state or political power for self aggrandisement?

Our people must not just stop at being angry at the robbery going on in the country. The time has come to reclaim our sovereignty and our country. We must get organised to do battle against those who make it difficult for our children to be properly educated in public schools even though they were trained at public expense; who sell our collective institutions to their cronies; who make our people to live in shacks although they build mansions abroad from the money they steal from public treasury. We must build a truly grand alliance to defeat the forces that are pauperising our people and feeding fat on our collective wealth. Let the truly progressive parties emerge and unite. There is no time for sectarianism and petty fights. Victory is around the corner, only if we dare organise and fight.

SYNOPSIS OF REVENUE WATCH ON NIGER DELTA DEVELOPMENT

Continued from page 16

their natural resources.

The RWI's engagement with its Nigeria partners above has produced concrete and tangible results in terms of:

- Improved democratic debates about the management of oil and gas revenues at the state level;
- Increased civil society capacity to track, monitor and analyse budgets in four Niger Delta states and report on their performances;
- Increased citizens' awareness and capacity to demand participation in budget, fiscal responsibility and public procurement processes;
- Enhanced civil society support for the BEITI process in Bayelsa State and the demand for devolution of NEITI to sub-national level and;
- Built capacity of grassroots people on transparency and accountability in governance as an antidote to poverty, underdevelopment and conflict escalation in the Niger Delta

Notwithstanding the above achievements the RWI local partners' collaboration in the Niger Delta has also had challenges such as limited public engagement on budgetary matters, bureaucratic delays and a general culture of secrecy and information hoarding in public service. But rather than succumb to the threats they pose, the challenges have rekindled collaborating parties' resolve to rededicate their commitment to work for the realization of a Niger Delta that thrives on good governance and freedom from conflicts, poverty and underdevelopment. Perhaps the greatest milestones ahead of RWI engagement in the Niger Delta are rooted in the BEITI Bill currently under consideration by the Bayelsa State House of Assembly (BYSHA) and the maiden BEITI audit that is currently on the way. These two milestones will serve as the true test of the political willingness of the Bayelsa State Government to foster a culture of transparency and accountability in the state and an opportunity to leave a founding legacy that future government officials and citizens can rely on to ensure oil and gas resources are used for the public good.

ELECTIONS AND DEMOCRACY IN AFRICA: RESTORING NIGERIAN LEADERSHIP

By Richard Joseph (Northwestern University)

Niall Ferguson, the Harvard University historian, identified three thresholds that countries seeking to establish consolidated democracies must cross: the non-violent resolution of political competition, the acceptance of alternation in power, and the supremacy of the rule of law. In assessing Nigeria's performance during its half-century of independent government, it is evident that progress has been made in establishing the supremacy of the rule of law. Despite shortcomings, Nigeria has one of the better judicial systems and legal professions in Africa. While the protection of rights and liberties is never certain, their abuse can be vigorously contested and redressed often achieved.

It remains, however, for Nigeria to cross the other two thresholds: the non-violent resolution of political competition and the acceptance of the alternation in power. Alternation in power is understood here to mean the transfer of authority from a governing party to the opposition. On September 9, 2010, the American Council on Foreign Relations (CFR) posted an online article by former U.S. Ambassador to Nigeria, John Campbell, entitled "Nigeria on the Brink: What Happens if the 2011 Elections Fail?" Ambassador Campbell warned of the possibility of "postelection sectarian violence" and used words of alarm such as "bloody crisis" and "cataclysm". Nigeria's Foreign Minister, the Honourable Odein Ajumogobia, issued a rebuke of what he called a "doomsday analysis of Nigeria's 2011 elections and their aftermath." Ambassador Campbell's article was followed on September 21 by the posting of a longer report authored by him entitled "Electoral Violence in Nigeria". It presented ideas and arguments from a meeting organized by the CFR's Center for Preventive Action.

I have no wish to exacerbate this controversy. My aim on this occasion, associated with Nigeria's golden jubilee, is to reflect on one of the major challenges this nation has confronted throughout its independent history, namely, organizing elections that are free, fair and credible. Conducting elections in a competitive party system is a difficult undertaking in a country of the size and complexity of Nigeria. Other large nations have successfully crossed these thresholds and enjoy political stability and sustained economic growth. They include Brazil, India and Indonesia. It is to this group of nations that Nigeria belongs as reflected in the repeated participation of its people in the formation of political parties and through voting in elections at all levels of the federation. Moreover, Nigerians have stoutly resisted attempts to shift the nation, overtly or covertly, away from an open, pluralist and federal political system.

During the first Chinua Achebe Colloquium on Africa convened at Brown University in October 2009, Ambassador Campbell called attention to the decline in the quality of Nigerian elections since the prolonged period of military rule ended in 1999. He

suggested that if this downward trend was halted in the elections of 2011, Nigeria could begin the process of steadily improving the quality and credibility of its elections with each subsequent electoral cycle. I share this vision and aspiration. I am sure that most of you do as well. Professor Attahiru Jega, the new Chairman of Nigeria's Independent National Electoral Commission (INEC), is a longtime friend and colleague. He obtained his doctorate in political science from my university, Northwestern, in Illinois, USA. Professor Jega and I have participated with many of our colleagues, here and abroad, in consultations and collaborative research on the construction of a stable democratic political system in Nigeria. I applauded his appointment to this critical post by President Goodluck Jonathan. Once again, the challenge is squarely brought before the Nigerian nation to find ways of crossing the frontier to nonviolent political competition and the alternation of power in accordance with the federal constitution.

Once again, the challenge is squarely brought before the Nigerian nation to find ways of crossing the frontier to nonviolent political competition and the alternation of power in accordance with the federal constitution

I will take a moment to say why Nigeria's 50th anniversary has a special significance for me. I have been closely involved with Nigerian affairs since arriving to take up a lectureship in political science at the University of Ibadan in February 1976. Just weeks before my arrival, a hopeful moment for Nigeria

seemed to have been halted by the assassination of the Head of State, General Murtala Muhammed. However, under the leadership of his deputy, General Olusegun Obasanjo, the Supreme Military Council and the Federal Executive Council, Nigeria regained its composure and a remarkable period of political and civic reform ensued. The connection for me goes further back. I was born in Trinidad and Tobago and my first political experience in the mid-1950s was the campaign for independence of the People's National Movement (PNM) led by the brilliant historian, Dr. Eric Williams. My first active political engagement began in the 1960s during the Civil Rights Movement in the United States. At its core was the struggle for the rights of African-Americans to full citizenship and especially the right to vote. My doctoral dissertation a decade later at Oxford University was on the struggle for independence in Nigeria's eastern neighbour, Cameroon, led by the Union des Populations du Cameroun (UPC) and its intrepid leader, Ruben Um Nyobé. I therefore bring to the subject of elections and democracy, and the restoration of Nigerian leadership, a long and often passionate engagement in defending the rights, liberties and aspirations of African peoples.

I will now review the core agenda for achieving electoral progress in Nigeria. Despite the many challenges to be overcome, a consensus can emerge around key goals. The first of these is the conduct of elections in 2011 that are substantially free, fair and credible. They will not be perfect elections. Such a goal is not attainable in view of Nigeria's great size, the shortness of time

before the elections, and the hurdles to be overcome in registering voters, installing the new data machines, training electoral officials, administering the vote, and tabulating the results. The drive to win political office is very intense in Nigeria, and the aim of many contestants is, unfortunately, victory at any cost. This time around, however, "victory at any cost" will incur too high a price for Nigeria and Nigerians. As we know from the attempted terrorist act in an airplane on Christmas Day as it approached the Detroit airport, and the bombing incidents that killed and maimed many on the streets of Abuja on October 1st, political and economic progress in Nigeria has implications for the security of us all.

There are critical moments when Nigerian leaders recognized that the country was at a critical juncture and a concern for its survival transcended all divisions. When I say leaders I am thinking of not just politicians but also the heads of religious bodies, civic, professional institutions and business enterprises, and the top officers of the military and other security forces. I was able to witness one of these moments during the Sharia dispute that led to a walk-out and temporary halt in the proceedings of the Constituent Assembly in 1978. The second I observed from a distance, namely, the prolonged illness of former President Umaru Yar'Adua and the delayed transfer of authority to his vice president, Goodluck Jonathan. In both instances, the country's national leaders hewed a path through the political thicket and made it possible for the nation's institutions to resume normal operations and avoid a major conflagration.

Many of you are familiar with my book, *Democracy and Prebendal Politics in Nigeria: The Rise and Fall of the Second Republic*. The Nigerian edition, published by Spectrum Books in 1991, has a picture on the front cover that shows the Head of State, General Olusegun Obasanjo, standing with the five major presidential candidates - Chief Obafemi Awolowo, Dr. Nnamdi Azikiwe, Alhaji Shehu Shagari, Alhaji Waziri Ibrahim, and Mallam Aminu Kano - following a meeting in Dodan Barracks in 1979. That picture conveyed a powerful message that the presidential aspirants were entrusted with ensuring the continuation of Nigeria as one political entity and the building of a democratic polity, despite their valiant efforts to prevail in the forthcoming elections.

As Professor Jega and his team of INEC officials endeavor to conduct substantially free, fair and credible elections six months or so from today, and as the parties and contestants conduct vigorous campaigns for government office, there must arise in Nigeria a broad movement committed to building a bridge that will get Nigeria safely across the turbulent river of political contestation. A pan-Nigerian Movement for Fair and Credible Elections must emerge that transcends all political persuasions and sectional divisions. Such a movement would carry to a higher level the vital work done by the Transition Monitoring Group, the Alliance for Credible Elections, and other civil society organizations. And the electoral contestants themselves must have a dual commitment: to try and win as fairly as possible and also to help the Electoral Commission and all ancillary

organizations succeed in their historic task. For Nigeria, this idea might seem visionary and even utopian. All great nations, however, are ultimately inspired by such visions and especially when confronted with moments of great challenge, such as Nigeria and the United States in the civil wars that rend their nations apart and ended the lives of millions of their citizens.

I have just read an op ed article in the Financial Times about India in which the author, Kevan Watts, has written: "You cannot deny India its successful development of a political process that gives ordinary Indians a real voice in so many ways. India's democracy is an extraordinary achievement for a vast populous country with considerable ethnic, religious and linguistic diversity." The first generation of Nigerian political leaders and activists would have imagined that, by now, similar comments would be made of their country. Nigeria was once viewed as a leader in the construction of democracies in Africa. Can it become such a leader again? Ghana, Botswana and South Africa are usually cited as models of democracy in contemporary Africa. Ghana is not only geographically closest to Nigeria but it has also followed a course most relevant to Nigeria. Can Nigeria repeat Ghana's achievement over the past two decades in improving the quality

of its elections and strengthening its democracy?

Let us briefly review the political and electoral experiences of these two countries. After assuming power in June 1979, Flt. Lieutenant Jerry Rawlings and the Armed Forces Revolutionary Council oversaw elections and the transfer of power on

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September 24, 1979 to an elected civilian government led by Hilla Limann. Just a week later in Nigeria, General Obasanjo's Supreme Military Council transferred power to an elected government led by Alhaji Shagari. Rawlings and his fellow officers overthrew the Limann government exactly two years before the Shagari government fell to military putschists in December 1983. But Ghana broke decisively with these tendencies that political scientists call praetorianism, that is, of the military moving in and out of power. This decisive break in Ghana has now been consummated over the course of five electoral cycles beginning in December 1992.

Ghana's 1992 presidential elections were not perfect. Indeed, they had many irregularities. I speak reliably on this subject because I directed the Carter Center's electoral mission for those elections. The main opposition party, the New Patriotic Party, hotly disputed the results of the presidential election, and boycotted the subsequent parliamentary vote. However, thanks to the formidable work of the Electoral Commission of Ghana, under the leadership of Professor Kwadwo Afari Gyan, and the determined efforts of pro-democracy organizations with the assistance of all the political parties, Ghana has experienced the steadily increasing quality and credibility of its elections. Ghana has also undergone alternations in power on two occasions from the governing party to the opposition, in 2000 and 2008, which political scientists consider the benchmark of a consolidated electoral democracy. Few African countries have crossed this threshold once, not even Botswana, a country often cited as one

of Africa's foremost democracies.

Although they were matched as praetorian states three decades ago, Ghana has now gained a two-decade head-start on Nigeria. And it has reaped the benefits including a visit by President Barack Obama in July 2009, his first return to the continent of his father's birth since his election in November 2008. We can expect to read daily reports of problems and disputes connected to the forthcoming elections in Nigeria. What must be called forth is a broad and earnest commitment to the conduct of substantially free, fair and credible elections. And then for this process to continue to bring about significantly improved elections in each subsequent cycle: 2015, 2019, and 2023. The river of political contestation in Nigeria will grow ever more turbulent in the months leading to the inauguration of federal and state governments in May 2011. A bridge must be built to get Nigerians safely across. Nigerian citizens should not be at the mercy of the unrestrained political jostling, and sometimes mudslinging, of the various parties and their spokespersons. What I say here apply also to my own country, the United States, which is currently in the midst of electoral combat not always of an edifying or dignified nature.

The 240 days between October 1st and May 29, 2011 is like a bank account that Nigerian political gladiators can be drawn down to zero. Or the Nigerian citizenry at large can invest in it more than is taken out so that a large balance of legitimate political authority is conferred on the President and Head of State during the inauguration ceremonies on May 29, 2011. I came to Nigeria to witness the 1999 inaugural

events that were so full of hope after 16 long years that included four military regimes and one short-lived military-civilian interim government. After a period of profound political uncertainty, which was captured in my co-edited article with Alexandra Gillies, "Nigeria's Season of Uncertainty" a title for which we borrowed Guardian Editor, Reuben Abati's, wonderful phrase - the doors are again open to a future that no one can confidently predict in Nigeria.

All Nigerians in government, business, the media, universities, religious organizations, civic groups, NGOs, trade unions, women's and youth's organisations should commit themselves to this deeper transition process as took place in other neighbouring countries, such as the Benin Republic during its sovereign national conference in February 1990. That historic event laid the basis for a constitutional democracy that has persisted through all subsequent electoral cycles. It is not likely that Nigeria will conduct such a conference despite the repeated demands of some of its citizens. However, like Benin and other countries such as Mali and Ghana that succeeded in transiting to a genuine constitutional democracy, Nigerians can use the 240 days from its 50th jubilee on October 1, 2010 and the inauguration of its president on May 29, 2011, to seek to entrust authority to a government brought to power, as has not occurred in the living memory of most of us, on the basis of a substantially free, fair and credible election. I call this proposed broad-based effort, comparable to the struggle to achieve independence in the 1950s, and to overcome dictatorial rule in the 1990s, Nigeria

Project 240. Just as there are 24 hours in each day, so also Nigerians have 240 days to build an electoral bridge that includes two spans: an official one represented by INEC and ancillary state operations, and a civic one represented by a pan-Nigerian Movement for free, fair and credible elections in 2011.

Enormous sums have been expended to try and create a viable electoral system in Nigeria. Much energy has been invested by devoted citizens in various electoral commissions only to see the results of their labours crumble. Democratic ideals in Nigeria belong to no particular subgroup of the population. As the only true federation in Africa, Nigeria has a major role to play among democratic nation-states in Africa but also in the global arena. Nigeria is the only major nation in the world in which Islam and Christianity have a roughly equal number of adherents. It therefore has much to contribute to bridging this growing divide in international affairs. Nigerian Muslim leaders are as strongly committed to constitutional democracy as their non-Muslim compatriots, and the same could be said of prominent members of the country's ethnic and sub-regional groups. So there is no fundamental dispute in Nigeria over the desirability of a stable and consolidated electoral democracy. But something has to be

given up to acquire it, and that something is the pursuit of electoral victory at any cost. "Do or Die" are words that should never be uttered regarding the conduct of elections in any nation seeking to strengthen its democracy.

I will conclude by briefly discussing four major considerations that pertain to the journey to a

fully consolidated electoral democracy.

I. The Imperative of Enlightened Leadership

As Nigeria, Brazil experienced many years of military rule, some of it very authoritarian and repressive. That tradition was decisively broken in Brazil in the late 1980s and the country has since enjoyed successive peaceful elections and power transfers. The most recent of its presidential election took place two days ago. Although I am writing this lecture before that event, there is no need to speculate about the observance of Niall Ferguson's criteria the rule of law, non-violence, and the alternation of power. The governing party is expected to win the presidential election. No one expects that the election will not be peacefully conducted, that the rule of law will be observed before, during and following the vote. In the event that the opposition had won, power and authority would have been smoothly transferred to the victors as occurred when Lula da Silva and his party first came to power in 2002.

A recent article in the Financial Times on September 27 compared the achievements of Brazil's outgoing president, Lula da Silva, with South Africa's Nelson Mandela. Gideon Rachman writes that, in both leaders, "a moving personal story has merged with a compelling national story, turning a single man into a potent symbol of a whole country's transformation." Although "Brazil grew richer and more powerful during his presidency", Rachman continues, "like Mr. Mandela, Lula resisted the temptation to cling to power. He has not tried to rewrite the rules

to get a third term in office.”

These comments resonated powerfully with me and I am sure they will with you as well. Across Africa, we have seen the opposite phenomenon of leaders of new electoral democracies rewriting constitutional provisions that limit the number of consecutive terms of office. In this very auditorium in 2005, I heard former U.S. Ambassador to Nigeria, Princeton Lyman, plead with then President Olusegun Obasanjo, who presided over the occasion, to emulate Nelson Mandela and endow Nigeria with an efficient electoral system. According to Ambassador Lyman, such an action would rank as one of his greatest achievements. Well, you know what subsequently transpired with the failed attempt to amend Nigeria's constitution to make possible a third presidential (and gubernatorial) term, and the awful elections that ensued in 2007. Each of these episodes has set Nigeria further back on its political calendar.

The mantle of foundational leadership, which South Africa will forever celebrate in Nelson Mandela and the United States in George Washington, awaits to be assumed in Nigeria. All executive office holders in Nigeria take a pledge that they will faithfully uphold the constitution and the office of president or governor. Nigerians need to find a way to extract more binding pledges to uphold the key institutions of their democracy including the conduct of free and fair elections. How such a commitment can be accomplished could be taken up in public meetings across the breadth of this land. Such consultations can involve political aspirants, electoral officials, and a wide range of pro-democracy forces. In a poignant moment during the Achebe Colloquium last year, after his organization had been pummeled by the audience for its alleged misadministration, an INEC official bluntly stated: “The problem, as you all know, is not just with INEC but the corrupt behavior of Nigerian politicians.” No one in the audience demurred.

The transformation that has taken place in Brazil and South Africa from authoritarian systems to electoral democracies required leadership of a high order. I know that such leaders exist among the political class in Nigeria. They must be encouraged to be resolute in seeking to win office fairly and credibly and then to devote substantial attention to entrenching the democratic system itself. President Goodluck Jonathan has made such a pledge. Others should follow and also articulate the specific actions that would follow their noble words.

II. Claiming Democracy: Rights and Responsibilities of all Nigerians

My colleagues, Michael Bratton and Carolyn Logan, in their chapter in my 2009 book co-edited with Alexandra Gillies, Smart Aid for African Development, introduced an apt expression, “claiming democracy”. The Afrobarometer program, in which they are involved, have demonstrated how the demand for democracy in Africa exceeds the supply. In other words, the aspirations of the African people, as shown in survey

after survey including in Nigeria, have not been matched by what politicians actually do once they are elected. Democracy is therefore compressed into a voting act performed every four or five years. In view of the declining quality of elections, even these acts can be drained of meaning. The outcomes are often sham or pseudo-democracies. At best, they are what political scientists call “delegative democracies” in which, once elections are over, office-holders do pretty much as they choose with little input or influence from the electorate.

Nigerians can embrace the notion of “claiming democracy” in all its dimensions. Claiming democracy would involve the insistence on honest and efficient elections. It would include what in Nigeria is called “mandate protection”, namely, insisting that the official voting results actually reflect the preferences expressed by voters at the polls. Several organizations have emerged to make use of modern cell-phone and other technologies to transmit promptly voting decisions in farflung communities, thereby narrowing the time and space for manipulation and fraud. Nigerians, who are so adept in the use of these technologies, can be expected to contribute significantly to their innovative use.

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Claiming democracy enthrones representation and accountability as the central features of a democratic system. If offices are filled through processes of intimidation and fraud, the vital link between citizens and representatives is severed. Chief R.A. Fani Kayode, the acerbic Nigerian politician in the 1960s, is reported to have once said of a

forthcoming election: “Whether or not you vote for us, we will remain in power.” The collapse of civilian governments in Nigeria over the past five decades can be traced to such cynical attitudes. Putting Nigeria right in so many ways depends on making sure that rules and procedures truly count. And there is no rule or procedure in a democracy more fundamental than the equal value of each individual's vote. That is the bedrock of citizenship in a democratic system.

III. June 1993: Never Again

To avoid repeating the past you have to know the past. Following the ending of the Cold War, pro-democracy movements swept through the former soviet states of Eastern Europe. They also swept aside single party and other authoritarian regimes in Africa. In 1993, Nigeria should already have completed four electoral cycles after the 1979 elections and be well on its way to becoming a consolidated democracy. On June 12, 1993, a substantially free and fair election did take place. What is more, the election results never officially announced demonstrated that there was broad national support for the party led by presidential candidate, Moshood Abiola. Then the election was annulled and the country collapsed into five years of dictatorial rule. Olatunji Dare has recently published a book that further documents this tragic episode: *Diary of a Debacle: Tracking Nigeria's Failed Democratic Transition (1989-1994)*.

Had the 1993 elections not been annulled, and had Nigeria found

a way to overcome its difficulties within the framework of the constitution rather than outside it, we might today be talking, not about Restoring Nigerian Leadership, but celebrating its democratic achievements. In all countries that make a decisive break from praetorianism, as is apparently now taking place in Turkey, the very idea that a properly conducted election would be quashed, no matter who the victorious candidates and parties are, would be unthinkable. What happened in June 1993, therefore, must be consciously addressed by Nigerians. We cannot run from the tragedy of June 12 and its sequels, or sweep them under the carpet. Nigeria and its people have paid too great a price for those derailments of democracy.

In 2011 Nigerians will have the opportunity to avoid repeating 1999, 2003 and 2007, all increasingly flawed elections. In view of the commitments made by President Goodluck Jonathan, and under the leadership of INEC by Professor Jega, and with the vigilant actions of civic and professional groups, the 2011 elections can be an occasion to repeat the achievement of 1993 with regard to the performance of the electoral system. If that happens although the challenge of reaching that standard is high - and the decisions of the electorate in federal and state contests are honored, then the nation can start putting June 12 1993 and its unfortunate sequels squarely behind it, and begin building for the future.

IV. The Road to a Developmental Democracy

My friend and colleague, Dele Olojede, Chairman of 234NEXT, shared an important insight with me a year ago. According to Olojede, better governance in Nigeria depended on better elections. If elected officials do not really owe their positions to the electorate, they are unlikely to regard public service as the main reason for holding office. Improving Nigeria's deplorable electoral system was therefore critically linked to tackling the many problems caused by decades of misgovernance. Olojede's argument was straightforward and compelling. We are all aware of how the natural wealth of Nigeria has not been used to better the lives of its people, and how much the nation's progress has been blocked by the failure to make progress in providing services that are taken for granted in many countries, such as the provision of a stable and adequate supply of electric power.

We have seen how government leaders such as Governor Babatunde Raji Fashola SAN of Lagos State has radically transformed awareness of what can be done to improve the lives of Nigerians and build the physical infrastructures required for accelerated growth. If office-holders do not believe they will be held accountable by the electorate for how they perform, then all the self-serving prebendalist practices I discussed in my book on the making of Nigeria's second republic will be manifested.

There is a sense that real progress will now be made in the handling of Nigeria's finances as evidenced by the leadership demonstrated by Mr. Lamido Sanusi, Governor of the Central Bank. Genuinely enterprising corporate leaders have emerged in many sectors, and a young generation of Nigerians is rearing to invest their talents and energies as occurred in many of today's rising economies. In addition to becoming an electoral

democracy, Nigeria therefore has the prospect of becoming a developmental democracy. I was intrigued to read Yusuf Maitama Sule's recollections in the Financial Times special supplement of September 30 entitled Nigeria@50. Mr. Maitama Sule described how, as a minister in the first post-independence government, he read a report that identified three countries that were likely to join the industrialised nations of the world: India, Brazil and Nigeria. Goldman Sachs, the major banking firm, has identified Nigeria as one of the Next 11, that is, countries likely to join the rising powers of Brazil, Russia, India and China. Over a decade ago, the Economist magazine reported that if Nigeria had used the vast earnings from the export of petroleum wisely, it would now be an economic colossus. How long will we keep hearing what Nigeria could have been and what its prospects are? When will we begin celebrating how much it has met and even exceeded expectations?

Nigeria will not get its economics right until it gets its politics right. Its political system must be democratic, and federal, for reasons of its own history and its diverse composition. In the foreword I wrote for Olatunji Dare's Diary of a Debacle, I quoted

“We are all aware of how the natural wealth of Nigeria has not been used to better the lives of its people, and how much the nation's progress has been blocked by the failure to make progress in providing services that are taken for granted in many countries, such as the provision of a stable and adequate supply of electric power.”

a statement Nobel Laureate Wole Soyinka made at a conference convened at my university in November 2006: “The Nigerian people have always approached democracy and the elites have always pushed them back.” Nigerian citizens will approach those gates again in a few months time. At home and abroad, Nigerians often

declare how much they desire governments that will truly lead the way in building their nation, reducing its appalling levels of poverty, and nurturing a productive economy. The road to such a future passes through the gates of the 2011 elections. If those elections are substantially free, fair and credible, Nigeria can experience a new birth of freedom.

To conclude: We must restore the dignity, integrity, and the high purpose of national elections in Nigeria. They have been brought low in many places with ballot boxes stuffed with ballot-papers already thumb-printed or simply snatched at gunpoint; election monitors and journalists chased away and sometimes beaten; and voting results announced for polling stations where no voting had taken place. You know all the failings, all the tricks and thuggery that have rendered electoral competition in Nigeria so elusive and, at times, farcical. Such experiences are never uniform across the nation and so, even when the elections are as terrible as they were in 2007, there are enough occasions of peaceful and efficient polling to maintain hope that those occurrences can become universal. And yes they can. The Nigerian electorate and electoral system did it in 1993. They can do it again.

I conclude by echoing words from the Second Inaugural Address of U.S. President Abraham Lincoln: Fondly do we hope, fervently do we pray that Nigerians will be empowered to use the rights and privileges conferred by universal suffrage to choose the finest and most honourable men and women to represent their wishes, their dreams, their interests, their welfare, and their

“The Media: A Panacea for Democracy”

–*Prof. Attahiru Jega*

By Staff Reporter

Chairman of the Independent National Electoral Commission (INEC), Professor Attahiru Jega has charged Nigerian media to be impartial in order to have a credible electoral process in the country.

The media must be impartial in its coverage of political parties and be guided by established rules in the coverage of political campaigns, the chairman said.

Professor Jega made the appeal while presenting a lecture entitled “the role of the media in conducting credible elections” at the just-concluded 2010 press week organised by the Nigeria Association of woman Journalist (NAWOJ) FCT chapter.

According to the INEC Boss, Democracy must thrive for the media to thrive, because the media is best placed to help democracy thrive.

The media he explained, should report constructively on the electoral processes by exposing the flaws of the system where they truly exist and if possible, suggest amends, and underscore the strengths inherent in the system.

“The media thrives best in its role as the society’s conscience under a liberal environment which only democracy guarantees. Democracy must thrive for the media to thrive”, he said.

Media coverage of electoral processes he noted is best when journalists report on the unfolding electoral processes in a manner that would sensitise the public and galvanise them for active participation. “Because the media is a highly competitive industry, the tendency has been that many organisations rush to the streets with inconclusive results which they parade as exclusive declaration of the outcomes ahead of normal pronouncements by designated returning officers who are mandated



INEC Chairman, Prof. Attahiru Jega

by law to make such declarations.”

Such premature declarations of outcomes, the INEC boss noted often prejudice the populace and obstruct the acceptability of official results “especially if, for practically attestable reasons, they are at variance with those premature or inconclusive declarations”

The commission he explained rather is presently working on some modalities to bring the media on board at par with INEC in the announcement of results during the

2011 general elections, stressing that Nigerian woman constitute one of the marginalised groups in the political processes but NAWOJ he reiterated is uniquely positioned to advance the cause of women involvement in these processes through good reportage.

“This potential of the media is so crucial that no matter the level of integrity quotient of the electoral processes in themselves, what the people make of these processes will depend largely on what they see and in the media” he added.