REPORT OF THE APC COMMITTEE ON TRUE FEDERALISM.

Volume 1: Main Report, Summary of Findings and Recommendations

APC Adhoc Committee
C/O PROGRESSIVE GOVERNORS FORUM
JANUARY 2018.
Report of The APC Committee on True Federalism.

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Preface

Taking the responsibility of facilitating the work of the APC Committee on True Federalism is a mark of honour and the choice of experienced and committed party members to serve on this committee, underlines our party’s commitment to responding to intractable political challenges confronting our nation. These are challenges that are as old as the Nigerian nation, partly because of either inability of previous governments to summon the needed political will to find solutions or due to lack of capacity to initiate inclusive mechanism for aggregating public opinion and out of them produce the required recommendations that should move our dear nation forward.

Therefore, emerging at a time when the wind of controversy around restructuring was so loud and deafening, the Committee finds it very exigent to first and foremost open the issues up for interested Nigerians to make submissions directly to the Committee. This way, we were able to expand the frontiers of participation of Nigerians beyond partisan divide as well as ensure that the methodology of analyzing and aggregating submissions made are scientifically driven.

Our committee has produced a report that took on board not just the submissions made to the Committee at the thirteen different public hearings in the six geo-political zones including the FCT, emails and online engagements, but also important submissions and recommendations from previous political conferences of 2005 and 2014. The report comes with recommended action plans for legislative, executive and others particularly the party. With these initiatives, the Committee is able to reduce the debate to actionable proposals by the legislative and executive branches of government as well as the party. It is the conviction of members of this Committee that our national debate must go beyond the current public perception that governmental actions on restructuring is limited to the executive branch. The fact remains that most the current demands and proposals will require the cooperation and commitment of all arms of government especially the legislature and judiciary.

Certainly, our recommendations are oriented to trigger both actions and further national consensus building towards ensuring lasting solutions to most of our political differences. Most importantly, we should be able to, as a nation, evolve new political culture and praxis towards consensual agreements on issues that confront us as a nation.

On behalf of members of the Committee, I will invite all political functionaries in the country to study the report and the accompanying documents. Without any doubt I am certain that our party and its leadership, especially at national level, including our leaders in the National Assembly and the Presidency will find it very resourceful in accomplishing the arduous task of giving our nation a new political life.

Mallam Nasir Ahmed El Rufai
Governor of Kaduna State
Chairman of Committee

January 25, 2018
Acknowledgements

First and foremost, the Committee wishes to thank the Chairman of our Great Party, the All Progressives Congress (APC) and the entire National Working Committee (NWC) for conceiving the idea that gave birth to this assignment. It was no doubt an appropriate response to the growing agitation and debate for restructuring that started in earnest across the nation. It became necessary for the Party to demonstrate to Nigerians our continuing commitment to the promises we made in our Manifesto. The timely action of the NWC in setting up the Committee gives us the confidence that our report will be adequately considered and implemented as may be appropriate.

Our Governors in the Progressive Governors Forum (PGF) rendered invaluable contribution by way of logistics support and funding the work of the Committee. Their contribution greatly assisted in the success of our public interactions across the zones, maintaining our Secretariat and as well as in paying our various consultants. We owe them much gratitude. Of particular mention are Mr. Yakubu Usman, who took minutes of all meetings and Ngozi Enite Okoro provided direct logistic support to the meeting.

Closely related to the above is the role of the members of staff of the PGF Secretariat. They provided tremendous secretariat support and worked hard to ensure adequate welfare for the Committee and the team of consultants. We are very grateful to them.

In the same vein we must acknowledge the very significant contribution of various Party officials and officials of the government of the host states namely Adamawa, Akwa Ibom, Bauchi, Edo, Enugu, FCT, Imo, Kano, Kwara, Ondo, Oyo, Plateau and Sokoto who helped ensure that we had hitch free engagement with the public in all the thirteen locations we visited. They helped to secure the venues and administered all the associated protocols. To them all, we are most grateful.

We engaged a number of consultants whose services had significant impact on the outcome of our work. Specifically, we are indebted to Professor Musa Kasim Waziri, Barr. Kelvin Aigbe, Nasiru Mukhtar, Peter Turaki, Ope Oriniowo. These are the consultants who read through all the memoranda and extracted relevant information on which data analysis was based. Paul Obinna and Seember Ali also contributed significantly to the review of the memoranda, analysis and collation of the resulting data. They all spent long hours into the night to ensure the successful outcome of our effort. Mr. Fatai Bakare brought in his statistical/research skills which contributed significantly to the interpretation of our data from the memoranda. We however must especially acknowledge the specialist contribution of Engr. Ben Oguntuase whose analytical skill and knowledge of the use of the Excel spreadsheet made it possible for us to translate the initial prose in the memoranda into useful numbers that made our analysis of the memoranda more empirical. He also spent long hours with the other consultants to review the memoranda and extract the data. To all these people, we are very grateful.

The Chairman of the Committee graciously provided a team of specially trained Legal draftsmen, they picked up all the recommendations of the committee, identified those that require legislative action and skillfully drafted all the proposed bills for consideration of the National Assembly. This expert team includes Aisha Dikko, Edward Ando and Joseph Marcus Babai. Our Committee member, Professor Osunbor provided them the expert guidance and substantial editorial input. The work of this team made a distinct difference between our work and similar previous exercises to the extent that the implementation
framework was factored into the report. We are most grateful to this team of learned gentlemen.

Media outreach was major part of our work including the social media. Volume 3 of our report deals with our media outreach and the results of the online survey that we carried out. We appreciate the good work of the agency that arranged all our print and electronic media advertisements. We are highly indebted to our team of social media consultants, who designed implemented and managed all our social media platforms throughout the period of the committee work.

Finally, we must acknowledge the back-room secretariat and logistics support provided by Mrs. Angela Favour and Mr. Yakubu Ojo.

All the people mentioned above worked diligently to ensure the successful outcome of the efforts of the Committee. To them all, we are very grateful and look forward to the opportunity to engage their respective services at some point in the future. We thank them all.

Senator Olubunmi Adetunmbi
Secretary of Committee

1.0 Background

1.1 Reasons for the committee

Under the aims and objectives of its article 7, the APC Constitution commits the party to firstly, promote and foster the unity, political stability and national consciousness of the people of Nigeria, and secondly, to promote true federalism in the Federal Republic of Nigeria.

In the foreword to its vision for a New Nigeria (page 3, second paragraph), the APC Manifesto commits the party to ‘implement efficient public financial management strategies and ensure true federalism’ as well as “restructure governance in a way that kick starts our political economy so that we can begin to walk the path of our better future”. Also, in its manifesto (page 7), APC entered into an “Honest Contract” with Nigeria to create a federalism with “more equitable distribution of national revenue to the states and local governments because this is where grassroots democracy and economic development must be established.”

In its Commitment to Restore Good Government (page 29, last paragraph), the APC Manifesto again stresses reliance on enhancing federalism through a two-pronged approach that consists of i) devolving control of policing and local prisons to the states and giving the right to nominate State Police Commissioners to Governors; and ii) Expanding the role of the Council of States to act as a consultation and negotiating forum between the Federal and State governments to agree on joint economic and social initiatives.

Finally, under its promised Reforms and “a Government You Can Trust” (page 37, last paragraph), the APC Manifesto pledges to “devolve more revenue and powers to the States and Local Governments so that decision making is closer to the people” and pledge to “bring the government closer to the people through political decentralization including local policing”.

From the foregoing, then there are enough assertions both in the party’s constitution and manifesto that commit the party to true federalism and the necessary structural reform to bring it about in the Nigerian State.

Nature of demand

Some of the proposals being canvassed by various interest groups include the following ideas.

1. Devolution of powers i.e. reallocating the duties and responsibilities contained in the exclusive and concurrent lists of the Constitution to take decision making, in critical areas, closer to the people

2. Review in favour of states, the current revenue allocation formula to reflect the added responsibilities of sub national units i.e. state and local governments

3. Constitutional reconfiguring of the federation into the present six geopolitical zones as federating units. The idea is that the geopolitical zones will convert into federating units that are strong enough to drive the train of economic diversification with a less domineering federal government.

4. Review of the report of the national conferences that recommended far reaching constitutional reforms.
5. Review of the power of states over the extractive natural resources within their jurisdictions which are currently an exclusive preserve of the Federal Government, otherwise called resource control.

Party response

As a democratic party and government that have strong resolve to promote democratic values of free speech and promised in its manifesto to ‘listen’ and “deliver”, the APC owes it a duty to engage the people in this debate. It is the view of the Party that any perceived resistance to debate and adoption of popularly demanded “true federalism” can equally undermine national stability and integration.

An engagement and open debate with the protagonist of restructuring according to the APC National Chairman will lead to the arrest of the agitation for ethnic nationalism and divisive conflicts within the polity and channel their energies to constructive dialogue. It is for these reasons that the Party constituted this Committee to carry out the tasks listed in terms of reference below and make recommendations to the National Working Committee of the Party.

1.2 Terms of reference

The Committee’s Terms of Reference are as follows:

i. Examine the Party Constitution, Manifesto and other publications to distill the true intent and definition of the “true federalism” promised by the Party in its Manifesto and during the Presidential campaign.

ii. Review all various ideas being promoted in the current public debate on national restructuring.

iii. Take a studied look at the report of the various National Conferences and in particular that of 2014, its recommendations to identify areas of congruence with the Party’s promise in (1) above.

iv. Arising from (i- iii) above recommend a Party position and propose appropriate mechanism for implementing same if adopted.

v. Make any other recommendation which in the opinion of the committee advances the unity, national integration and collective well-being of the country.

1.3 Committee membership and meetings

The party initially constituted a 10-member Technical Committee to advise it on the five-point agenda set in the terms of reference. The committee, however, after deliberations on the nature and scope of its assignment, recommended to the party an expansion of the membership of the committee for more inclusiveness to ensure stronger representation for all stakeholders particularly women and young people. The key consideration of the committee for its recommendations on the composition of the committee are as follows;

1.3.1 Public perception

There was a growing public debate on APC’s actual desire to restructure the country, partly because history has shown that no matter the source or initial agitation for restructuring and
true federalism when in opposition, the allure of the centralised Federal might as it is, is too enticing to forgo when achieved. There is a public perception that APC is no different. The Committee's first task it was decided, would therefore be to demonstrate a sincerity to listen and make open, honest recommendations to the Party and the Federal Government and that its existence is not a ploy to buy time or bury the agitations.

1.3.2 Re-composition of the committee

The Committee took a position that it needed an expanded membership to cope with the anticipated volume of work and to ensure that this expanded membership reflects subnational sensitivities as well as the inclusiveness of national demographic realities, especially concerning women and a growing young population. In light of these a 27-member committee was reconstituted and inaugurated with the following membership.

1. Malam Nasir A. El-Rufai - Chairman
2. Sen. Olubunmi Adetunmbi - Secretary
3. HE Dr. A.U. Ganduje
4. HE, Prof. Senator O.A. Osunbor
5. Arakunrin Oluwarotimi Akeredolu SAN
6. Ogbeni Rauf Aregbesola
7. HE Simon Lalong
8. HE Ibikunle Amosun
9. HE Amb. Fatima Balla Abubakar
10. Mr. Bolaji Abdullahi
11. Mr. Salihu Mohammed Lukman
12. Senator Osita Izunaso
13. HE Yahaya Bello
14. HE Kashim Shettima
15. HE Mohammed Abubakar
16. HE Sullivan Chime
17. HE Dr. Ogbonnaya Onu
18. Senator Aishai Jumai Alhassan
19. Hajia Aisha Ismail
20. Ms. Sharon Ikeazor
21. Hon. Dr. Stella Dorgu
22. Mrs. Racheal Akpabio
23. Barr. Ismail Ahmed
24. Mr. Jasper Azuatalam
25. Ms. Rinsola Abiola
26. Hon, Oladele Olatubosun George¹
27. Hon. Namdas Abdulrazak Sa’ad²

¹ Co-opted as nominees from the House of Representatives.
² Ibid.
2.0 Methodology

The methodology adopted by the committee is as follows:

2.1 Desk research and secondary data analysis

This involved review of secondary sources of information which include principally the following.

- Party constitution and manifesto
- Reports of previous constitution conferences
- Newspaper reports and articles

2.2 Call for Memoranda

In its widely publicised advertisement calling for memoranda, a number of key issues were highlighted while not foreclosing other issues.

2.3 Public engagement and zonal consultations

After exhaustive deliberations, the committee decided to carry out a nationwide consultation on a zone by zone basis. The following locations were agreed as venues for the zonal public consultation meetings.

- South South: Uyo and Benin
- South East: Enugu and Owerri
- South West: Akure and Ibadan
- North Central: Jos and Ilorin
- North East: Bauchi and Yola
- North West: Sokoto and Kano
- FCT: Abuja

2.3 Key issues

Key issues and definitions

1. **Creation of States:** Should Nigeria create more states or not; should states be merged, if so, what should be the framework and guidelines?
2. **Merger of States:** What should be the legal and operational framework for states that wish to merge?
3. **Derivation Principle:** What percentage of federal collectable resources should be given back to their sources, e.g. crude oil, solid minerals, VAT?
4. **Devolution of Powers:** What items on the exclusive legislative list should be transferred to the recurrent list to enable states have direct responsibility e.g. state & community police, prisons, etc?
5. **Federating Units:** Should the Nigerian federation be based on regions or zones as units or maintain the current 36 state structure?
6. **Fiscal Federalism & Revenue Allocation**: What are the proposed changes in the current revenue allocation formula? What should be the new sharing formula between the federal, state and local governments that will reflect their share of constitutional responsibilities?

7. **Form of Government**: Should Nigeria continue with the current Presidential system of government or return to the parliamentary system as practiced in the first republic or develop a hybrid of the two systems?

8. **Independent Candidacy**: Should there be a constitutional provision for eligible citizens to contest elections without being members of registered political parties?

9. **Land Tenure System**: Should the Land Use Act be part of the constitution or not and what should be the right of states in the ownership and control of mineral and natural resources on and under the ground?

10. **Local Government Autonomy**: Should LGAs be independent of states and have direct revenue sourcing from the FG as the third-tier of the federation or should they be administrative units of states?

11. **Power Sharing & Rotation**: Should Nigeria have a policy of rotation of the key elected political positions on regional or zonal basis for national offices and by senatorial districts for state offices?

12. **Resource Control**: Should states, regions or zones be allowed to exclusively or partially own, exploit and tap the financial benefits of natural resources in their domain and just pay taxes to the Federal Government?

13. **Type of Legislature**: Does Nigeria need a bi-cameral or uni-cameral, part-time or full-time parliament?

14. **Others**

### 2.4 Work process

#### 2.3.1 Field work

Accordingly, and pursuant to its mandate, the Committee visited the six (6) geo-political zones to engage with APC members and members of the public in general to receive their views and comments on the above subjects matters on the best way forward.

**Target audience**

The audience engaged at the zones included the officials and members of the party at state and zonal levels as well as the general public.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Location</th>
<th>Numbers of memos submitted</th>
<th>Number of attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>FCT</td>
<td>Abuja (Youths &amp; CSO)</td>
<td>11</td>
<td>177</td>
</tr>
<tr>
<td></td>
<td>Abuja (Women)</td>
<td>12</td>
<td>207</td>
</tr>
<tr>
<td>Northcentral</td>
<td>Ilorin</td>
<td>14</td>
<td>1213</td>
</tr>
<tr>
<td></td>
<td>Jos</td>
<td>8</td>
<td>174</td>
</tr>
<tr>
<td>Northeast</td>
<td>Bauchi</td>
<td>28</td>
<td>1,039</td>
</tr>
<tr>
<td></td>
<td>Yola</td>
<td>30</td>
<td>498</td>
</tr>
<tr>
<td>Northwest</td>
<td>Kano</td>
<td>25</td>
<td>705</td>
</tr>
<tr>
<td>Zone</td>
<td>Location</td>
<td>Numbers of memos submitted</td>
<td>Number of attendees</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>----------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Sokoto</td>
<td></td>
<td>31</td>
<td>1225</td>
</tr>
<tr>
<td>Southeast</td>
<td>Enugu</td>
<td>4</td>
<td>209</td>
</tr>
<tr>
<td></td>
<td>Owerri</td>
<td>4</td>
<td>172</td>
</tr>
<tr>
<td>South-South</td>
<td>Benin</td>
<td>9</td>
<td>215</td>
</tr>
<tr>
<td></td>
<td>Uyo</td>
<td>4</td>
<td>72</td>
</tr>
<tr>
<td>Southwest</td>
<td>Akure</td>
<td>7</td>
<td>525</td>
</tr>
<tr>
<td></td>
<td>Ibadan</td>
<td>19</td>
<td>1,473</td>
</tr>
<tr>
<td>Online</td>
<td>Online (Emails &amp; Web Feedback)</td>
<td>203</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>409</td>
</tr>
</tbody>
</table>

The invitations to the general public were all inclusive bearing in mind five clear categories namely 1) Women; 2) Youths 3) Faith based organisations, 4) Traditional institutions and 5) Vulnerable groups. Specifically, invitations were extended to the following individuals and organizations:

A total of 409 memos were received from locations, email and website feedbacks. There was also a good number of turnout in the various locations with a cumulative of over 5,000 stakeholders in attendance.

**Means of outreach**

- Newspapers call for memorandum
- Zonal public hearings
- Interactive social platforms including email: truefederalismngr@gmail.com, twitter: @NGRTrueFed; facebook: facebook.com/NGRTrueFed; blog: https://medium.com/@NGRTrueFed; hashtag: #TrueFederalism

The committee created active social media presence, reaching over 3 million young Nigerians. Facebook and Twitter were the most active new media platforms during the ‘campaign’ phase. Our Facebook account has 17,000+ fans and over 1,000 comments were generated via our new media channels and over 800 people reached daily.

On Twitter, over 2,746 Tweets were generated with the dedicated hashtag #TrueFederalism with a reach of 15 million+ within the public consultations and digital campaign cycle. The social media channels were used to report on real-time basis the various activities happening in the regions, during the public hearings and inform the public on the activities of the Committee.

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3 Party Excos (State and LGA), Council of Elders, Stakeholders/Leaders, State House of Assembly, Political Appointees, Trade Unions, Women Association (Include market women groups), Youth Organizations, Community/Faith Based Organizations, Traditional Institutions, Civil Society Organizations and Other vulnerable groups
To sample the opinion of Nigerians, we developed and published surveys online to collate views from the general public, concerning the 12 key issues, specifically. This was carried out to harvest quantitative data on the opinion and views of Nigerians. Our initial target for the survey was 500 respondents, but we received a total of 619 respondents at the end of the campaign period. Details of this can be found in Volume 4 - Project Communications Report and Online Survey.

**Approaches to consultation & indicative work plan**

In view of the size of the committee and the need to cover the zones in good time, a concurrent zonal consultation approach was adopted. The 25-member committee was split into 6 sub-teams of 4 members each to take on each zone. The FCT consultations involved all members.
### 2.3.2 Teams and field work

<table>
<thead>
<tr>
<th>TEAM &amp; ZONES</th>
<th>MEMBER</th>
<th>STATES</th>
<th>VENUE</th>
<th>DATES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Team 1</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| South-South North Central | 1. HE Dr. A.U Ganduje  
2. HE Ogbeni Rauf Aregbesola  
3. HE Ibikunle Amosun  
4. Senator Izunazo  
5. HE Kashim Shettima  
6. HE Dr. Ogbonoya Onu  
7. Ms. Sharon Ikeazor | Edo, Delta, Bayelsa     | Prestige Hotel & suites. 1 Ihama Road, by Airport road junction. GRA, Benin City. | Sept. 18, 2017 |
|                        |                                                                        | Cross River, Akwa Ibom, Rivers | Amazing Grace Centre, Obio Imo street. Uyo                           | Sept. 21, 2017 |
| **Team 2**             |                                                                        |                         |                                                                       |             |
| South East North East   | 1. HE Prof. Senator O.A. Osunbor  
2. HE Arakunrin Oluwarotimi Akeredolu SAN  
3. Mallam Bolaji Abdulahi  
4. HE Yahaya Bello  
5. Hajia Aisha Ismail  
6. Hon. Dr. Stella Dorgu  
7. Bar. Ismail Ahmed  
|                        |                                                                        | Ebonyi, Abia, Imo       | Imo Concorde Hotel, Owerri                                          | Sept. 21, 2017 |
|                        |                                                                        | Bauchi, Gombe, Yobe     | Awalah Hotel Bauchi                                                 | Sept. 25, 2017 |
| **Team 3**             |                                                                        |                         |                                                                       |             |
| South West North West   | 1. HE Simon Lalong  
2. HE Amb. Fatima Balla Abubakar  
3. HE Mohammed Abubakar  
4. HE Sullivan Chime  
5. Senator Aishai Jumai Alhassan  
6. Mrs. Rachael Akpabio  
7. Mr. Jasper Azuatalam | Lagos, Ogun, Oyo       | Emeritus Prof. Theophilus Oladipo Ogunlesi Multipurpose hall, opposite UCH, Queen Elizabeth road. Ibadan | Sept. 18, 2017 |
<p>|                        |                                                                        | Osun, Ekiti, Ondo       | The Dome International Conference Centre, Akure                       | Sept. 21, 2017 |</p>
<table>
<thead>
<tr>
<th>TEAM &amp; ZONES</th>
<th>MEMBER</th>
<th>STATES</th>
<th>VENUE</th>
<th>DATES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Kebbi, Sokoto, Zamfara</td>
<td>Sultan Mohammed Maccido Institute for Quran &amp; General Studies, Sudaiz road, Sokoto</td>
<td>Sept. 25, 2017</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Katsina, Kano, Jigawa, Kaduna</td>
<td>Coronation Hall, Kano</td>
<td>Sept. 28, 2017</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Youths</td>
<td>MERIT HOUSE</td>
<td>Oct. 11, 2017</td>
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<tr>
<td></td>
<td></td>
<td>National Assembly</td>
<td>National Assembly Complex</td>
<td>Oct. 5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>CSOs and Women Forum</td>
<td>MERIT HOUSE</td>
<td>Oct. 19, 2017</td>
</tr>
</tbody>
</table>
3.0 Summary of findings

3.1 Creation of States

Opposition to creation of new states is strongest among respondents from the northern states and online. Northwest in particular is very strong in this regard.

On the other hand, Northeast, Northwest, Southeast and online respondents are fairly strong in their advocacy for the creation of more states. Southeast in particular is seeking the creation of an additional state to achieve parity with other geo-political zones.

The demand for regionalism exists but in a low key. The demand came up in the FCT, Northwest, Southwest and among electronic respondents. The low intensity of the demand does not warrant a major consideration at this time. It would seem that the preference in general is for retaining what we have.
Overall across the country, 48% of respondents are opposed to creation of new states while 36% are in support. The demand for return to regions enjoys support from 7% respondents while only 9% are actually in favour of maintain the status quo.

**Recommendation**

It is the considered opinion of the committee that creation of more states is not expedient because to do so will merely create new sub-national bureaucracies and their attendant costs while reducing the share of federal statutory allocation accruing to existing and proposed new states that are already grappling with the high cost of governance, payment of salaries of workers and bringing development to their people. The creation of states could further weaken the federating units and thus run contrary to popular demands for “True Federalism” which the APC stands for. The creation of new states would weaken rather than strengthen true federalism in the sense of denying federating units enough resources and ability to discharge additional responsibilities that would be thrust on them.

However, there may be need to attend to the isolated case of South-East zone where there is a demand to balance states to be equal to other geo-political zones. Since there are clear procedures already spelt out in the constitution should the need arise in future, and such demand enjoys widespread support, deserving cases cannot be ruled out. Indeed, the Nigeria constitution should and does leave room for creation of states in future provided the laid down requirements are met.

### 3.2 Merger of States

Three views were variously expressed here namely opposition, support and status quo. Opposition to merger of states is clearly very strong in Northeast, Northwest, Northcentral while the support was low key in FCT, Southwest and South-South. There is some support for the idea in the Northcentral, Northwest and Southwest although at low key. Some others in the Northcentral and Southwest simply prefers the status quo. In general, the consensus is clearly on opposition to merger of states.
Overall, 78% of respondents are opposed to merger of states while only 16% are in support. 8% are in support of maintaining the status quo.

**Recommendation**

There is no widespread support for merger of states. Merger would entail the fusion of two or more states into one state while the previous entity or entities would cease to exist as states. This does not enjoy wide support as hardly anyone would want their state abolished or be replaced with a higher or different political leadership and authority.

Nonetheless the committee strongly recommends that the Constitution should provide for legal and administrative frameworks for states that might in future wish to consider this option provided this does not threaten the authority or existence of the Federation. This recommendation is based on the growing regional economic cooperation that is being witnessed among states in various geopolitical zones of the country in order to maximise their potentials and opportunities.

**3.3 Derivation Principle**

In general, the position of stakeholders on derivation principle threw up eight different views. While some ideas enjoyed consensus of opinion, there were divergent views on most of the other issues.
For example, South-East and South-South that had historical agitation for derivation and resource control had the least voice in support of “state control of resources & pay tax to the FG”. This is possibly because of the low number of memoranda from the zones\(^4\). Although, online responses presented the highest volume of support for this issue, it is however difficult to disaggregate these responses on zonal basis because the geographical origin of this category of responses were not indicated.

Of the eight views, there was widespread support and consensus in favour of “State control of resources and pay tax to the Federal Government” across all zones although with relatively weak support in Southeast and South-South possibly due to the low number of respondents from the two zones.

Other recommended views with strong national support, spread and consensus include:

- Revise derivation upward where strong opinion was expressed in six of the seven zones and also in online submissions.

- Make Derivation applicable to solid minerals and hydro power generation which view was canvassed strongly in the northern zones and to some extent in the Southwest.

- Maintaining the status quo was strongly canvassed in Northwest, Northeast and Northcentral zones.

The Chart below shows the percent relative national response to the various options. While 25% are in favour of retaining the status quo, a combined 51% are in favour of the states having more.

<table>
<thead>
<tr>
<th>Derivation Principle: National Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>States control Resources, pay Tax to FG</td>
</tr>
<tr>
<td>Revise Derivation Formula in favour of States</td>
</tr>
<tr>
<td>Equal share between States and FG</td>
</tr>
<tr>
<td>Revise Derivation upward</td>
</tr>
<tr>
<td>Revise Derivation downward</td>
</tr>
<tr>
<td>Apply Derivation to Solid Minerals</td>
</tr>
<tr>
<td>Scrap Revenue Allocation</td>
</tr>
<tr>
<td>Maintain Status quo</td>
</tr>
</tbody>
</table>

**Recommendation**

To promote the unity of the country and ensure that states are more financially empowered to deliver services to their residents, as well as ensure no one feels disadvantaged, the committee recommends that the federal government should expeditiously review current derivation formula to reflect areas of national consensus which are adoption of “state control

\(^4\) See Volume 2 of Report
of resources and pay Tax to FG”, upward review of the current formula in favour of states and adoption of similar derivation formula in favour of solid minerals and power generation.

The Committee in response to popular opinion recommends an upward review of the current derivation formula and adoption of the said formula in favor of solid minerals and hydro power. This recommendation will entail the amendment of Section 162 (2) of the Constitution.

Also, it has been noted that there is no clear provision in any legislation assigning the specific responsibility for initiating the review of the derivation formula to any particular organ of Government, even though Item 32 of Part 1 of the Third Schedule to the Constitution stipulates that the formula shall remain for a period of not less than five (5) years. This implies that the formula will be reviewed periodically subject to the period not being less than five years. It is instructive to note that the current formula has been in place for over 17 years without review. This is probably because of the failure to assign responsibility for initiating the review process on any organ of Government.

It is recommended that the Revenue Mobilization and Fiscal Allocation Commission Act, 2004 be amended to vest the Commission with the power and responsibility to periodically review the derivation formula and make proposal to the President who shall then table same before the National Assembly for necessary legislation.

3.4 Fiscal Federalism & Revenue Allocation

Responses from stakeholders across all locations indicated that public understanding of derivation principle, fiscal federalism and revenue allocation is the same. These terms are perceived, understood and used interchangeably by stakeholders from all locations of consultation. This probably explains why derivation principle and fiscal federalism & revenue allocation responses are identical.

There was strong support and consensus of opinion across the locations and geographical zones over state control of resources and pay tax to federal especially, in North-Central, North-West, North-East, South-West and FCT-Abuja. Followed with very strong level of support and consensus is the revised revenue formula in favour of the state. Though, this view was not supported in South-South and South-East zones, again largely due to the poor response from these zones.

Another response with widespread acceptance but minority of views across the six geographical zones with exception of only Jos, Benin and Akure is the demand to revise the revenue allocation upward. The strongest support for this idea came from South West, South-East, Northwest and Northeast zones.

Maintaining the status quo is strongly supported in Northwest and Northeast zones while it is marginally supported in the Southeast and Northcentral zones.

Other recommended views with strong national spread and consensus for adoption include:

- Revise revenue formula in favour of States (All locations except South-south and FCT). The table below shows the range of proposed new revenue sharing formula that stakeholders came up with.
There are radical views among stakeholders that the entire revenue allocation system should be scrapped, this idea came from those who prefer fiscally independent states that are not dependent on Federal Government monthly allocation. This group believes that for the Nigerian federation to be sustainable, there must be fiscal decentralization and financial autonomy in the federating units. This is because the dependence of the federating units on the federal allocation limits their capacity to carry out needs-based fiscal reform and independent development. This minority view emerged in the North-West, North-East and South-East. The main issue that showed strong North-South dichotomy is “maintain status.
“quo” with overwhelming support from the north while south is very much against maintaining the status quo.

Breakdown of overall National response is shown in the Table below. Again, most respondents are advocating a revision of the revenue allocation formula in favour of the states.

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>National Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>States control Resources, Pay Tax to FG</td>
<td>30%</td>
</tr>
<tr>
<td>Revise Revenue Formula in favour of States</td>
<td>31%</td>
</tr>
<tr>
<td>Equal share between States and FG</td>
<td>4%</td>
</tr>
<tr>
<td>Revise Revenue upward</td>
<td>18%</td>
</tr>
<tr>
<td>Revise Revenue downward</td>
<td>2%</td>
</tr>
<tr>
<td>Make Revenue applicable to Solid Minerals</td>
<td>0%</td>
</tr>
<tr>
<td>Scrap Revenue Allocation</td>
<td>4%</td>
</tr>
<tr>
<td>Maintain Status Quo</td>
<td>12%</td>
</tr>
</tbody>
</table>

**Recommendations**

Government needs to be explicit regarding the true meaning of derivation principle and fiscal federalism & revenue allocation for better public understanding and also to effectively manage the complexities of adoption of state control of resource and payment of taxes to the federal government. The committee believes that it would be beneficial for all, if there is an upward review of current revenue formula in favour of states.

In view of the fact that this is a technical and rather complex issue, the Committee recommends that Federal Government should urgently direct the Revenue Mobilisation, Allocation and Fiscal Commission to among others fashion out a new revenue allocation formula in consonance with the provisions of the 1999 Constitution as amended, which envisages a periodic review of the formula. This should take account of items devolved from federal to state governments. Furthermore, since section 162(2) of the Constitution already provides for principle of derivation of not less than 13%, there is clearly room for its upward review.

Based on the responses received and other findings, the Committee recommends an upward review of the current revenue sharing formula in favor of the states. This is in view and taking cognizance of the proposed control of resources by the States and the devolution of powers from the Federal Government to the states. The current formula for sharing revenue is 56% to Federal Government, 24% to State Governments and 20% to Local Governments. To give effect to this recommendation, the **Allocation of Revenue (Federation Account etc.) Act, 2002** will have to be amended in favor of the states.
3.5 Devolution of Powers

Nationwide and based on weighted data, 74% of respondents are in favour of devolution of powers while only 7% are explicitly opposed to it. Of all stakeholders who submitted memoranda, 19% did not offer any opinion about devolution.

Responses on devolution of power are overwhelmingly in favour of devolution of powers across all geographical zones and Online respondents. There is some notable opposition among stakeholders from the North East, North West and Southwest even though more are still in support than those that are opposed to the idea of devolution of powers in those zones.

3.5.1 Items to devolve

The 74% that support devolution is further analyzed to see the specific items that stakeholders are advocating for devolution. The chart below shows the distribution.
More than 30 items were identified by stakeholders for devolution from federal to state governments across the six zones and online submissions. Among these items, police and community policing topped the list. Other items that were identified by a significant number of stakeholders include education, prisons, health, road, security, agriculture, railway, mineral resources, trade and commerce and housing.

Most stakeholders are demanding devolution of security (State/Community Police, 19%), Social services (Education, Health and Housing, 11%), Commerce (9%), Natural Resources (Land, Water, Fish and Fisheries, 8%), Transportation (Roads, Railways and Maritime, 8%). Those asking for devolution of powers in respect of roads are actually of the opinion that management of most roads should be ceded to State governments while the Federal Government be limited to only a few cross country inter-state roads.

It is important to note that stakeholders in Sokoto and Uyo locations did not identify specific items which they wanted to be part of devolution of powers to other stakeholders.

FCT

In line with national viewpoint, Police/Community policing was most widely mentioned in FCT as item for devolution. Other items that enjoyed most of the stakeholders’ support for devolution are railways, airport, defense, prisons and price control.
ILORIN

Police/Community policing is the number one item the stakeholders in Ilorin wanted to be transferred to other tiers of government. In addition, education, health, agriculture, mineral resources, fire service and market are other preferred items.

JOS

With Police/community policing topping of their demand, stakeholders in Jos location identified twelve items among which are education, prisons, health, security, agriculture, railway, mineral resources, customs & excise, labour, airport, maritime, License and mining

BAUCHI

The preference for Police/Community policing, mineral resources, trade and commerce are the three most important items the stakeholders from Bauchi wanted for devolution to the states, followed by railway, prisons and taxation.

YOLA

In Yola, Police/community policing tops other preferred items such as education, prisons, health, road, security, agriculture, railway, Mineral Resources, trade and commerce, water, military/intelligence and Judiciary for devolution.

KANO

Just like most of the locations, Kano stakeholders agreed that police/community policing should be number one on the list of various items identified for devolution of powers. Also, demanded are prisons, health, road, security, agriculture, Railway, custom & excise, labour and military/intelligence.

EDO

For stakeholders in Edo, only three items were specifically mentioned for devolution of powers namely, security, customs & excise and citizenship.

AKURE

Among the nine items proposed for devolution of powers in Akure location, police/community policing emerged as top on the list. Other items identified include education, prisons, road, agriculture, railway, mineral Resources, maritime and transportation.

IBADAN

The position of Ibadan stakeholders is in favour of seven items with police/community policing top of the list. Other items include education, prisons, road, water, labour and military/intelligence.

DEVOLUTION OF POWER ITEMS
ONLINE

The number of items identified by online respondents for devolution of powers is more than any of the locations. Also, online respondents reaffirmed the general position by identifying police/community policing as number one. Others are education, prisons, health, road, security, agriculture, railway, mineral resources, trade and commerce, customs & excise, external affair, housing, water, military/intelligence, airport, defense, immigration, fire service and rural electrification.

Recommendation:

The Committee recommends that the party put its political weight behind the overwhelming popular demand for devolution to states by the federal government. This would entail the transfer of items on the Exclusive Legislative List, some to Concurrent List and others residual to the States to enhance and localize the demand side of governance and make states more accountable to the electorate thereby freeing the federal government to concentrate on regulatory functions and as a basis for incorporating diverse local political interests into the national policy priorities.
A major issue with the Nigerian federation is the enormous exclusive legislative powers of the federal government with resultant over-centralization of power and authority. It is generally believed that a further decentralization of some of these powers by devolving more powers, autonomy, and resources to the federating units will foster efficiency and sub-national responsiveness and local accountability.

Based on the views expressed by stakeholders consulted and viewpoint from the consultation centers, the committee hereby recommends the following schedule of distribution of roles or powers between the federal, state and local government for consideration for constitution amendment.

<table>
<thead>
<tr>
<th>S/No</th>
<th>Items</th>
<th>Exclusive</th>
<th>Concurrent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Foods, Drugs, Poison, Narcotics and Psychotropic substances</td>
<td>Narcotics and Psychotropic substances</td>
<td>Foods, Drugs, Poison</td>
</tr>
<tr>
<td>2</td>
<td>Fingerprints and Identification of criminal records</td>
<td></td>
<td>Fingerprints and Identification of criminal records. Federal and States to share information on a reciprocal basis.</td>
</tr>
<tr>
<td>3</td>
<td>Registration of Business Names</td>
<td>Registration of Business Names of businesses operating beyond one state.</td>
<td>Registration of Business Names.</td>
</tr>
<tr>
<td>4</td>
<td>Labour</td>
<td></td>
<td>Labour including trade unions, industrial relations, conditions, safety and welfare of labour, industrial disputes, prescribing minimum wage and industrial arbitration.</td>
</tr>
<tr>
<td>5</td>
<td>Mines and minerals including oil fields, oil mining, geological surveys and natural gas</td>
<td>Mines and minerals including oil fields, oil mining, geological surveys and natural gas</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Police</td>
<td></td>
<td>Police</td>
</tr>
<tr>
<td>7</td>
<td>Prisons</td>
<td></td>
<td>Prisons</td>
</tr>
<tr>
<td>8</td>
<td>Public holidays (to be classified as National public holidays and State public holidays</td>
<td></td>
<td>Public holidays</td>
</tr>
<tr>
<td>9</td>
<td>Railways</td>
<td></td>
<td>Railways</td>
</tr>
<tr>
<td>10</td>
<td>Stamp Duties</td>
<td></td>
<td>Stamp Duties only with respect to individual and business names</td>
</tr>
</tbody>
</table>

### 3.6 Federating Units

Across all stakeholder groups in the various locations, the two dominant views canvassed are “maintaining the status quo” i.e. states and having the “six geo-political zones (or regions) as federating units”. However, there are more stakeholders in support of maintaining the status quo than for the other viewpoint. There is also support for the country to evolve a completely new way outside of the existing two options.

The call for the adoption of regions as federating units came from the Southwest Northcentral, Northwest, Northeast and online respondents. South-South and Southeast did not express any support for regions as federating units.
However, retaining states as federating units is far more popular across the board. The position is particularly very strong in Northwest, Northeast, Southwest, Northcentral and among online respondents. This opinion was also expressed in the other zones.

There was some opinion expressed in the Northwest and FCT on evolving new ways which they did not specify. This position however is from marginal and does not enjoy any appreciable level of support.

Overall National response aggregate to the options is shown in the Table below. A clear 68% is in favour of retaining the status quo i.e. states as federating units.
Recommendations

The main message that the committee derived from popular opinion of stakeholders is the retention of current political arrangement for states to continue to be the units of the federation. Nonetheless, the party and the federal government must be prepared to manage the continued agitation for six geo-political zones (or regions) as federating units which is likely to gain more support and further momentum in the near future especially if cost of governance continues to rise.

Against this backdrop, the committee recognizes that group of states who so desire can cooperate on a regional arrangement provided this does not threaten the authority or existence of the Federation of Nigeria in line with the language in Section 5 (3) of the Constitution.

3.7 Form of Government

There are two emerging opinions that dominated stakeholders’ responses namely “Retain Presidential System” and “Return to Parliamentary System”. These two views are fairly national with, retention of presidential system having stronger appeal among the stakeholders from virtually all zones of the country including online respondents.

The other consideration is “Return to Parliamentary System” which exists in Northcentral, Northeast, Northwest and Southwest at very low level compared to the call to retain the Presidential system. The emphasis on parliamentary system is strong in North-Central and South-West. It is important to note that it received no mention among the South-South stakeholders.
Overall National response data shows that a huge 65% of respondents is in favour of the Presidential system while only 18% came out in favour of the Parliamentary system of government (see Table below).

**Recommendation**

The Committee agrees with the nationally preferred option of retaining the Presidential system of government but has concern with corruption and high cost of governance associated with running the Presidential system at national and sub-national levels. These two challenges need to be firmly addressed to ensure sustainability of governance.

The reason commonly advanced in favour of parliamentary system is that it is cheaper to operate but no statistical evidence was presented to support this assertion and there is no comparative empirical evidence that tends to support this claim. It may well be that the cost of governance is determined not only by the form of government but by the people who operate it. A parliamentary system without prudence may be more expensive to operate than a presidential system that is more financially prudent.
Accordingly, the committee recommends a continuation of the presidential system at national and sub-national levels but concerns about corruption and high cost of governance must be addressed with seriousness.

3.8 Independent Candidacy

There is support for independent candidacy from the Northcentral, Northeast, Southwest, FCT and online respondents. However, opposition to independent candidacy is stronger than support for it among respondents from the three northern zones.

The overall relative national response is shown in the chart below. 67% of respondents are opposed to Independent candidacy.
Recommendation

The committee notes that majority of respondents are opposed to Independent Candidacy. However, the committee still recommends that the party should support the demand for widening the political space by allowing for Independent Candidates. The party should note that this is popular among members of the National Assembly who have already approved it as part of their constitution amendment exercise and awaiting adoption by the House of Assembly of States. However, it is necessary to introduce strong eligibility criteria and process checks in order to prevent abuse, for instance, by attention-seeking candidates who will demand their inclusion on the ballot papers and thereafter use it to create crises in the electoral process. It is necessary and important to ensure that INEC is not inundated and overwhelmed by a large number of independent candidates some of whom may be unserious.

There is growing demand for independent candidacy. Even though this is a novel proposition that has hitherto not been provided for in any of our existing laws, in view of the growing support for same, the Committee recommends that it should be provided for by the Constitution. Accordingly, Sections 65 (2), 106 (d), 131 (c), 142 (1), 176 (c) and 187 of the Constitution will be amended to provide for independent candidacy. Also, the Electoral Act, 2010 will be amended particularly Section 87 thereof to provide for strong eligibility criteria which must be met by persons wishing to contest as independent candidates. These criteria shall include but not limited to the following:

a) Any person desiring to stand for an elective post as an independent candidate shall not be a registered member of a political party at least six (6) months before the date set for the elections in which he intends to contest.

b) His nominators must also not be members of any registered political party.
c) The said candidate must pay a deposit to INEC in the same range as the non-refundable deposit fee payable by candidates sponsored by political parties to their parties, which amount shall be determined by an Act of the National Assembly.

d) The candidate must also meet other qualification requirements provided for by the Constitution and any other law.

It should be noted however; the Committee is cognizant of the fact that the National Assembly in its current Constitution amendment exercise has adopted a proposal in favor of independent candidacy.

### 3.9 Land Tenure System

Two positions, namely, “states/regions to control land laws, natural and mineral resources” and “remove from the constitution” were generally canvassed across the zones.

There is a consensus of opinion on removal of the Land Use Act from the Constitution. This position received support of stakeholders across the six geopolitical zones particularly in the Northwest and Northeast. The Southeast did not offer any view on this.

Support for State control also received widespread support although not as strong as removal of the Land Use Act from the constitution. Northcentral and Northeast zones are strongly in favour of retaining the act in the constitution.
A significant opinion in the Southwest is in favour of community and individual ownership of land.

Although most respondents (52%) favoured removal of the Land Use Act from the constitution, the committee nevertheless had a robust debate on this item and considered other very important issues which appear to have been ignored by respondents. A major consideration is national security and the experience of other nations such as Brazil. Land is the most important asset of any nation and should be safeguarded from speculators and land grabbers.

Recommendation

After careful consideration, the committee noted and recommends that the current retention of the law in the constitution has served the nation very well, prevented unbridled acquisition by local and international speculators. The justice and legal practitioners in Nigeria have developed a strong and successful practice on the law and state governments are also working with it without unsurmountable challenges. Therefore, the land use act should be retained in the constitution in the greater interest of national security and the protection of Nigeria’s arable land from international landgrabbers.

3.10 Local Government Autonomy

Opinions are divided across the country over the issue Local Government autonomy. However, more people are opposed to local government autonomy than those in support. The only exception is the North-Central and FCT where there is noticeably stronger support for local government autonomy.
The opposition to local government autonomy is overwhelming in Northeast, Northwest and Southwest.

Overall, 67% respondents across the country are opposed to Local Government autonomy while 33% is in support. However, the Committee notes that much of this is due to inadequate understanding of the true meaning of federalism, a view that guided its recommendation below.
Recommendation

The committee notes that the demand for local government autonomy is as a result of the alleged interference in the management of the monies allocated to LGAs from the Federation Account. There are widespread allegations of diversion of these funds by state governments to the detriment of effective performance and service delivery by Local Government Councils. However, as brought out in some memoranda, Local Governments cannot be federating units under the principles of federalism thereby making the whole notion of direct allocation to LGAs from the federation account an aberration. In conformity with conventional principle of federalism, LGAs should be no more than administrative units of states as otherwise would make them become third tier federating units. In view of these, and in line with empirical findings during consultations, the committee recommends that LGA should be removed from the federal constitution and states be allowed to develop a local administrative system that is relevant and peculiar to each respective state.

3.11 Power Sharing and Rotation

Across the spectrum of stakeholder groups in all the locations and regions, the overall view on power sharing and rotation clearly showed that there is no consensus. However, those who support the power sharing and rotation are more than those against it. The support is overwhelming in the three northern zones and considerable in the Southwest and South-South.

It should be noted that there is very significant opposition to power sharing and devolution in the Northwest, Northeast and among online respondents where there is also strong support. Southeast appears to be totally opposed to power sharing and rotation.

Overall nationally, most respondents are in favour of Power Sharing and Rotation at 63% to 38% according to the Chart below.
Recommendation

The lack of national consensus on power sharing and rotation underscores the need that follow-up and review of the issues will need to happen at the regional and sub-national levels. Therefore, the committee recommends that the complexity of power sharing and rotation be managed at the party level rather than it being provided for in the constitution or have a dedicated law. This is consistent with the position of our party.

3.12 Resource Control

There is national consensus with fairly equal share of opinion among the stakeholders in all zones in support of “region/states to control resources” On the other hand, there is a strong consensus among stakeholders from the three northern zones for “federal government to continue to own and control natural resources”, a view that is strongly opposed by the three southern zones.
There is also a growing support for Joint ownership and sharing between States and Federal Government, although, this is more pronounced in North-central and South-West. Other options that emerged from stakeholders across the locations and zones but, with low level support are “private ownership while governments deal with regulation and tax”, joint ownership and sharing between states and FG” and “community ownership and control”

**Recommendation**

The Committee noted the growing agitations for states to exercise control over natural resources within their respective territories and pay taxes or royalties therefrom to the Federal Government. If the recommendation is accepted and control of resources is ceded to the states then several other legislations will have to be amended consequentially as follows:

(a) **Petroleum Act, LFN 2004.**

The Act in Section 1, vests the entire ownership and control of all petroleum in, under or upon any lands to which this section applies in the State (Federal Government). It also vests the power to grant oil exploration license and construction or operation of refineries in Nigeria on the Minister. Therefore, if control of resources is ceded to the states, the Act will be amended to vest ownership and control on the oil producing states together with the power to grant oil exploration license and construction or operation of refineries on the State Governors while ownership of oil deposits within the territorial water remains with the Federal Government. The amendment will be by way of repeal and re-enactment because all the sections of the Act will require amendment.

(b) **Nigerian Minerals and Mining Act, 2007**

The Act vests ownership and control of all mineral resources upon any land, the continental shelf and territorial waters of Nigeria on the Federal Government. It also vests the power to grant and revoke exploration licenses and make regulations on the Minister. If control of resources is ceded to the states, the Act will be amended to vest ownership and control of mineral resources upon land on the states. However, it
is expedient that ownership and control of resources in the continental shelf and territorial waters remains with the Federal Government. Therefore, the Act will be repealed and re-enacted because the required amendments will be quite substantial.

(c) Land Use Act, 1978

Section 1 of the Act vests all land in a State on the Governor to be held in trust for the people of Nigeria and gives the Governor the power to administer land in accordance with provisions of the Act. However, the powers of the Governor are subject to the provisions of the Minerals Act. Therefore, Section 12 (1) of the Land Use Act will be amended to remove the limitation placed on the powers of the Governor.

(c) Petroleum Profit Tax Act, 2007

The Act provides for the imposition of tax upon profits from the winning of Petroleum in Nigeria and same accrue to the Federal Government. Therefore, Sections 3, 8-20 of this Act will have to be amended to reflect state control.

3.13 Type of Legislature

Stakeholders’ responses on the type of legislature Nigeria needs are divided without clear consensus over any proposed system. However, opinions seem to favour unicameral, and full-time legislature more than any other system advocated. The following summarizes the response in each category:

<table>
<thead>
<tr>
<th>Type of Legislature</th>
<th>FCT</th>
<th>Northcentral</th>
<th>Northeast</th>
<th>Northwest</th>
<th>Southeast</th>
<th>South-South</th>
<th>Southwest</th>
<th>Online</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unicameral, Part Time</td>
<td>☐</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicameral Part Time</td>
<td>☐</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scrap House of Reps</td>
<td>☐</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unicameral, Full Time</td>
<td>☐</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicameral Full Time</td>
<td>☐</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scrap Senate</td>
<td>☐</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Unicameral Part-Time**: Support for this option is strong in Northwest, FCT, Northcentral, Southwest and Online respondents.

**Unicameral Full-Time**: Support for this option is very strong among Online respondents as well as Northeast, Northcentral, Northwest, Southeast, South-south and fairly strong in the Southwest.

**Bicameral Part-Time**: Support for this option is relatively weak although a bit high in Northcentral, Northeast and Southwest.

**Bicameral Full-Time**: Support for this option is generally weak except in Northwest and Southeast where it has some appreciable degree of support.

**Scrap Senate/House of Reps**: This has very weak support.

**Maintain Status Quo, but Reduce Pay**: This option is highly supported in all the northern zones and among Online respondents.

Overall, Unicameral, Full-Time option has the most support at 33% followed at a distance by Unicameral, Part-Time at 23%. Maintain Status Quo, but Reduce Pay came third at 17%. (see Chart below).

<table>
<thead>
<tr>
<th>Type of Parliament</th>
<th>Relative Support Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unicameral, Part Time</td>
<td>23%</td>
</tr>
<tr>
<td>Unicameral, Full Time</td>
<td>33%</td>
</tr>
<tr>
<td>Bicameral Part Time</td>
<td>15%</td>
</tr>
<tr>
<td>Bicameral Full Time</td>
<td>8%</td>
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<tr>
<td>Scrap House of Reps</td>
<td>3%</td>
</tr>
<tr>
<td>Scrap Senate</td>
<td>1%</td>
</tr>
<tr>
<td>Maintain Status Quo, Reduce Pay</td>
<td>17%</td>
</tr>
</tbody>
</table>

**Recommendation**

One major argument in support for unicameral legislature is to save cost though the advocates did not state how much would be saved. Bicameral system at the national level ensures a balance between population (House of Representatives) and equality of states (Senate) thus resolving to a large extent concerns about marginalisation or lack of representation by minorities. It is impossible to quantify in monetary terms the benefit of such political balancing in a multi-ethnic society as ours. Therefore, the committee recommends
that it is inauspicious and politically unwise to tamper with the existing arrangement at the expense of the political stability which the existing system ensures with a measure of success.

On the clamour for part-time legislature this does not take into account the enormity of the work/responsibilities that the constitution requires of the legislature. For instance, many take the view that lawmakers need to spend more time on their legislative functions including oversight responsibilities which still fall short of expectations. Part-time legislators will spend even less time on legislative business and the performance of oversight responsibilities will virtually cease as part-time legislators are likely to be busy outside their legislative hours pursuing their private interests.

After careful consideration, the committee recommends a retention of the current system but with downward review of the running cost.

3.14 Other issues raised

A number of other important issues were raised that were not listed in the thirteen issues that the committee presented for public comments and recommendations. The major ones are highlighted below.

3.14.1 Demand for affirmation for vulnerable groups

The care of vulnerable groups came up strongly among stakeholders from various zones. In particular there were calls for improved participation of women and young people in governance. The highlight of such calls is as follow.

- Use gender sensitive language in the Constitution – words like ‘gender’ and ‘disability’, etc. should be inserted as appropriate;
- Make women rights and gender equality constitutionally guaranteed
- Gender sensitivity to reduce the disadvantages of women.
- Youths should be given 40% opportunity to hold elective and appointive positions;
- Age limit for contesting any elective position should be reduced to Twenty-Two (22) years since Eighteen (18) years is the constitutional age for franchise;
- Seventy (70) years old and above should not contest for any political office.
- Constitute a national committee of elder statesmen and Traditional rulers to work with security agencies;
- Gender and special groups should be constitutionally empowered.

Recommendation:

The committee recommends that all categories of vulnerable groups i.e. women, youths, physically challenged persons be given adequate attention in terms of appointment into government jobs and political positions. A dedicated advisory role should be created at all levels of government to ensure that this is acted upon and sustained in policy and fiscal provision. Specifically:

- Women at all levels of decision making and appointments should be given adequate opportunity to achieve the 35% affirmative action level to reflect Nigeria ratification of all UN protocols including the optional protocol of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). This calls for immediate domestication of CEDAW at Federal and state levels to avoid UN sanction;
• In order to secure equitable youth representation in government, the party should support the Not-Too-Young-to-Run Bill by calling on APC state assemblies to pass and subsequently, the Executive to assent to the Bill. In line with the National Youth Policy and the African Youth Charter, the party's youth leader should not exceed 35 years old and gender equity should be entrenched in the party's youth offices by balancing youth leadership positions between young men and young women. The party should take deliberate measures to include young people in all decision-making processes, from leadership of the party at all levels to delegate selection.

3.14.2 Citizenship

There were strident calls for the review of citizenship with the demand that it should be by birth, marriage and naturalization and should apply equally to both gender. In the same vein, the issue of indigeneship and residency status should be addressed with very clear guidelines. There are suggestions that Nigerians should enjoy indigene privileges in any state they were born in or have lived in for 10 years. Also, citizenship by marriage be given to both men and women married to Nigerians. Other propositions including calls for indigeneship and residency should be recognized as qualification for public office in both State and Federal offices.

Recommendation:

The committee recommends a comprehensive review of all constitutional provisions on indigeneship and residency status to ensure adequacy for all recent clamoring especially in conflict zones. Deliberate efforts must be made to eliminate all the pervading primordial sentiments on citizenship and indigeneship to ensure that ethnic affiliation begin to give way to birth and residency.

The Committee further believes that instead of the Federal Character Commission with its emphasis on tribal affiliation, Nigeria should move towards Equal Opportunity Commission that emphasizes residency more than native tribe.

This does not require legislative action. This need not be because the Land Use Act has since 1978 recognized and given effect to “settlers” or customary tenants as entitled to a right of occupancy or “ownership” of the land of which they were occupiers when the Act came into effect. However, the issues of indigeneship, residency and settlers are often confused with citizenship. The issue of settlers generates a lot of controversy especially in conflict zones. On the issue of indigeneship or place of origin, some argue that it is discriminatory and should be replaced with residency. The problem with this however, is that while place of origin or indigeneship is and remains one, residence can be multiple and difficult to ascertain for the purpose of access to privileges open to the people of a state or local government area. Perhaps, instead of residence, domicile should be considered as an alternative. Domicile has been legally defined as “Home. Permanent Home”. Whereas a person can have several places of residence, domicile can only be the one place a person regards as his “Permanent Home”. The term “Permanent Residence” is to be preferred because of its certainty and “indigene” should be removed.

3.14.3 Constitutional Issues

Ministerial Appointment

Section 147 (3) of the constitution states:
Any appointment under subsection (2) of this section by the President shall be in conformity with the provisions of section 14 (3) of this Constitution.

Provided that in giving effect to the provisions aforesaid the President shall appoint at least one Minister from each State, who shall be an indigene of such State.

And section 14 (3) states that:

The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in that government or in any of its agencies.

While section 14(3) remains the ideal aspirational ideal, section 147(3) of the constitution is no longer viable to the extent that it is wasteful and promotes inefficiency in government. The President should be able to choose his cabinet without the requirement for one minister per state, a situation that was feasible and was actually introduced when Nigeria was only 19 states!

**Recommendation**

The committee recommends that section 147(3) of the constitution be amended to remove the requirement on the President to appoint a Minister from every state of the Federation who must be an indigene of the state.

**State Constitution**

There were few calls for States to be allowed to have their own constitutions and be empowered to determine how they wish to legally administer their themselves subject to compliance with an overarching national constitution. Under this arrangement individual states must be democratized by allowing them have constitutions that would dictate their conducts before powers are devolved to them to address the following.

**Recommendation**

The Committee notes that there is really no legal hinderance at the moment against any state having its own constitution since the supremacy of the Federal constitution over all other laws within the Nigerian territory is already well established. However, the committee also notes that most of the issues a state constitution would address are adequately covered in the existing federal constitution which would seem to render the development of state constitutions mere academic exercise. It is further noted that most of the advocates of state constitution often cite the US as the model without adequately taking into account the sharply different routes taken by Nigeria and the US to arrive at their respective federal democracies. It is therefore the view of the committee that state constitution is not a matter of priority for Nigeria at this point in time and should not be allowed to become an unnecessary diversion from more urgent national priorities.

**Role of traditional institution**

There were few calls to assign constitutional roles to Traditional Rulers for which some advocate a tri-cameral legislature with the third one as House of Chefs. Of course, consideration must be given to the need for balance between traditional monarchies and modern-day democracy and republicanism. However, others advocate that Traditional
institution involvement in governance should be left to the States/Regions. Other view expressed include:

- Traditional institutions/rulers should have no role in the Federal constitution but can be addressed by the Regional arrangement;
- Provide for National Council of Chiefs and put Traditional Rulers in state constitution;

**Recommendation**

Considering the very diverse nature, impact and influence of traditional rulers across the country, the committee recommends that each state of the federation should explore ways and means to incorporate the traditional institution into their governance models while the respective state House of Assembly should enact the appropriate laws in this regard. The committee notes that the traditional institution may be relevant in local government administration as well as in community management.

**Community participation**

The views expressed include the following

- Community based Government should be last tier of government;
- Community guarantees the autonomy of communities (villages, towns and cities) in the generation of revenue, provision of fiscal responsibilities;
- All tiers must have autonomy with the community tier being the most empowered level;
- There should be governments in the localities (communities, cities, towns) and this tier of government should be created by State constitutions and must be well empowered to take care of local needs;
- Governors, LG Chairmen and leaders should live among the people while Government houses or lodges are scrapped;

**Recommendation**

The committee fully supports all efforts to promote increased participation of the community in governance within the framework of a two-tier federation. Each state is free under the existing constitution to enact whatever law is necessary to govern within its territory provided such laws are not in conflict with federal laws and the constitution.

**Minimum wage legislation**

There were calls that each State should freely legislate on its minimum wage according to the resources available to it but should avoid huge disparity between salaries and emoluments;

**Recommendation**

The committee recommends this should be adopted as each state should be free to decide on its level of remuneration based on its resources and productivity. In fact, the committee is of the view that all labour relational issues should be federalized and each state is free to determine its own labour laws.

**Elections**

- Every tier of government should have autonomy in conducting their own elections;
Governance

- Need to review the scope of immunity granted to Governors and Deputy Governors.

Recommendation:
In general, the committee notes that the core issue that defines the growing demand for restructuring and true federalism is the reconsideration and recalibration of the sharing of responsibilities between the federal government and the states as well as the rules of the game. To this end the committee strongly recommend that the party and its Federal Government should acknowledge this call and open up a deliberate legislative agenda at all levels to build consensus on a workable constitutional framework that works for all tiers of government.

3.14.4 Judiciary

There were numerous calls for the federalization of the judiciary along the following suggestions from the stakeholders that commented on the issue.

- Need to allow all States manage their own judiciary and have their own appellate judicial system;
- Each Region should have a Supreme Court funded by the region for faster justice dispensation; Each State/Region should freely legislate on the Education of its people;
- The State & Fed Govt should have two independent judiciary with each having its own Supreme Court;
- Establish Shariah Court of Appeal and Constitutional Courts in all states.
- Need to allow all States manage their own judiciary and have their own appellate judicial system. There is suggestion that the Judiciary should be structured on the basis of the six geo-political zones in respect of the following:
  - create a Supreme Court for each of the six geo-political zones;
  - The Federal Supreme Court should handle appeals of federal nature;
  - Every state should create its appellate Court of Appeal;
  - Prisons should be left in the hands of the States.
- Each Region should have its judiciary with Appeal Court as the final. Certain matters (e.g. marriage) should terminate there. Federal would still have the Supreme Court;

Recommendation
To correct/amend the current anomaly whereby the recurrent expenditure of state judiciary officers is paid from the Consolidated Revenue Fund of the federation through the National Judicial Council.

The Committee has recommended that the functions of the National Judicial Council (NJC) in relation to state courts should be transferred to the States Judicial Councils. This will be more in tune with our federal system. At the same time, it will preserve the independence of the judiciary in the states through the State Judicial Council similar to the function of the National Judicial Council (NJC) in relation to federal courts.

After very careful deliberation, the committee notes that of the three arms of government, the judiciary is the most centralized. The committee therefore recommends that each state should have and control its own judiciary including appointment, promotion, discipline, transfer and remuneration of Judges. The function of the National Judicial Council, NJC, should be limited to federal courts only while the constitution should be amended to establish
states judicial committees to be responsible for state courts. Their powers in relation to the state courts shall be analogous to the powers of NJC in relation to federal courts. This of course will be without prejudice to inter-service transfer in which case such transferees will come under the relevant judicial service.

Section 6(5)(K) should be amended to make it clear that states can establish courts to exercise jurisdiction at first instance or on appeal on matters with respect to which the states can make laws.

**3.14.5 States realignment and boundary adjustment**

Need to consider realignment of the States to achieve better ethno-cultural homogeneity. This view is reinforced by the fact that all States and Local Government Areas created since 1967 have been by military fiat without strong input by the people. Two examples were articulated in support of this need for realignment.

- One is by the Okun people in six LGAs in Kogi - Ijumu (100% Yoruba), Kabba/Bunu (100% Yoruba), Yagba East (100% Yoruba), Yagba West (100% Yoruba), Mopa Amuro (100% Yoruba) and Lokoja (75% Yoruba). They strongly advocate return to the Southwest geo-political Zone;
- The other is by the Association of Middle Belt Ethnic Nationalities (ASOMBEN) where they advocated a portion of Kaduna State (styled proposed Gurara State) be moved from Northwest to North Central Zone;
- States should be restructured and capitals relocated to meet the wishes of the indigenes.

**Recommendation:**

The committee recognizes the existence of intra-state conflicts along ethno-religious fault lines in many states where minority and majority interests are in direct competition. At the underbelly of these conflicts are arguable demands for boundary adjustments and clamours for unmerging and remerging with contiguous states. The historical evolution of states from the defunct regional into the current state structure was largely done by military fiat with minimum people to people consultation which is now playing up under a democratic freedom of expression. Against this backdrop, the committee recommends a dispassionate review and consideration for all marginal agitation in conflict zones that request for choice of determination of preferred states of residence within the context of the constitutional guarantees of freedom of association and in the context of the existing state structure of the republic.

In as much as it is desirable for states and communities agitating for boundary adjustments and realignment to have avenues to ventilate their agitations through laid down procedures in line with the constitutional right to freedom of association, it is the Committee’s opinion that Sections 8 (2) and (4) of the Constitution have made provisions on the issue. However, the said provisions will need to be amended to subject any request for boundary adjustment and realignment to a referendum as is the case with creation of states and local governments under Section 8 (1) and (3) of the Constitution.

**3.14.6 Secular status**

There were calls for the need to preserve strictly the secular status of Nigeria with no mentioning any religion by name in the constitution. However, other contributors also advocate full implementation of Sharia Law; There is also the view that the Federal and
State governments should stop sponsorship of pilgrimages and other private religious endeavours. Other views expressed include the following:

- No Federal or Regional Constitution should mention any religion by name
- The constitution should be amended to reflect that Nigeria is a multi-religious country under one God.

**Recommendation:**

The committee notes that strict secularism may not be practicable in the current circumstance of the country, but the committee also notes that at some point in future, the federal constitution may give consideration to ceding all matters relating to religion to the states in the spirit of true federalism, self-determination and self-governance by the federating units.

### 3.14.7 Provision for referendum

The introduction of constitutional provision for a referendum to allow members of the public to decide major political decisions that affect the lives of all citizens. Some of the specific requests made in this regard are as follow:

- There should be a referendum clause in the federal constitution;
- An entirely new constitution should be drafted and submitted to the populace in a referendum for approval or rejection;
- All constitution amendments must be subjected to referendum to give meaning to “We the people ….”
- In implementing changes, the constitution should be amended accordingly and a nationwide referendum should be conducted
- A referendum is advised to determine the desirability of living together as a single nation under the suggested arrangements;
- Communities and towns should have the right by referendum to be part of a state or seek membership of another state in Nigeria as well as States from Nigeria and seek membership of another country or form an independent country of their own;
- Fundamental issues should be decided by referendum.

**Recommendation:**

The committee notes that globally, the provision of opportunity for direct peoples’ choice in matters that fundamentally affect their existence and livelihood through universal suffrage is part of modern constitutional democracies. The cost of such practice, and perceived threat to national cohesion have always been the restraining factors against adoption and frequent use.

Nonetheless, the committee recommends that the party and the Federal Government should give consideration to this growing demand for a constitutional provision for referendum as a tool for popular participation in political decisions that affect the country. The proponents did not avail the Committee with the conditions and criteria for a referendum presumably as these are matters of details. In dealing with this request the committee further recommends a clear definition of conditions and criteria under which it can be used bearing in mind the territorial integrity and sovereignty of the nation.
3.14.8 Miscellaneous issues

- Need to continue very vigorously the war on corruption as no system can ever work as intended in an environment where corruption thrives. There is suggestion that more Supreme Court judges should be appointed while corruption cases should have a timeframe for quick dispensation of justice and confidence in the judiciary.
- Need to review the National Youth Service Corps programme after 44 years of existence.
- Need to grant Lagos special status to help it provide adequate infrastructure and security while the Mayoral system should be entrenched for FCT.
- Need to devolve the national electricity transmission/distribution grid system with States and corporate entities allowed to transmit and distribute electricity.
- There is demand for the abolition of State Independent Electoral Commissions.
- Total salaries and allowances of political office holders should be tied as percentage to either the national minimum wage or the GDP. An advocate suggested 200% of national minimum wage.
- There is suggestion that the minimum qualification for any national/state elective office should be HND or BSc or its equivalent.
### 5.0 Comparative assessment of recommendations of committee and previous national conferences

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<tr>
<td><strong>Creation of States</strong></td>
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<tr>
<td>Recommended the creation of 20 new states namely Gombe, Apa, Nasarawa, Hadejia, Tiga, Zamfara, Sardauna, Katagum, Ghari, Kainji, Bayelsa, Orashi, Anioma, Ekiti, Ebonyi, New Oyo, Ogoja, Itai, Ijebu-Remo and Rivers East. Some of the states have since been created.</td>
<td>36 states structure is too expensive and that the situation will become worse given the number of requests for the creation of new states some of which would need to be met for the sake of peace and stability of the economy.</td>
<td>Recommended the creation of 18 new states (three per geo-political zone). Among them are Apa, Edu, Kainji, Katagum, Savannah, Amana, Gurara, Ghari, Etiti (South East zone), Aba, Adada, Njaba-Anim, Anioma, Orashi, Ogoja, Ijebu and New Oyo. Conference also recommended one new state for the SE to make the zone have equal number of states with the other zones except the North West which has seven. It also recommended that states willing to merge can also do so based on certain conditions.</td>
<td>It is the considered opinion of the committee that creation of more states is not expedient because to do so will merely create new sub-national bureaucracies and their attendant costs while reducing the share of federal statutory allocation accruing to existing and proposed new states that are already grappling with the high cost of governance payment of salaries of workers and bringing development to their people. The creation of states could further weaken the federating units and thus run contrary to popular demands for “True Federalism” which the APC stands for</td>
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| **Merger of states**               |                                          |                          |                           |
| NA                                 | NA                                       | NA                       | Though there is no immediate demand for this, nonetheless, the committee strongly recommends that the Constitution should provide for legal and administrative frameworks |

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5 Premium Times August 21, 2014, desk research and committee findings and recommendations

6 This issue was not considered by previous national/constitution conferences. It was a fresh issue generated by stakeholders during the public consultation process
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<td>Resource Control/ Derivation Principle/Fiscal Federalism</td>
<td>National Assembly shall take into account allocation principles especially those of population, equality of states, internal revenue generation, land mass, terrain as well as population density provided that the principle of Derivation shall be constantly reflected in any approved formula as being not less than 13% of the Revenue accruing to the Federation Account directly. Mineral resources should be controlled and managed by the Government of the Federation through an arrangement which involves Oil Producing States and Communities, in particular, the rights and privileges which the Mineral and Mining Act of 1999 confers on States, Local Governments, Communities and land owners should equally be extended to the case of petroleum resources.</td>
<td>Recommended an increase in the level of derivation from the present 13% to 17% in the interim pending the report of the expert commission. Massive and urgent programme of development of infrastructure and human resources of the Niger Delta should be embarked upon by the Federal Government.</td>
<td>for states that might in future wish to consider this option provided this does not threaten the authority or existence of the Federation.</td>
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**Resource control:** There is a rallying call for the zones (regions)/states to control resource however, for this to be considered the committee recommends the specific concerns of all zones be factored into the final resolution of contending positions in review of current system.

**Derivation principle:** committee recommend that the federal government should consider expeditiously the review of current derivation formula to reflect areas of national consensus which suggested adoption of state control of resources & pay Tax to FG, upward review of the current formula in favour of states and adoption of similar derivation formula in favour of solid minerals and power generation.

**Fiscal federalism:** Government needs to be explicit regarding the true meaning of derivation principle and fiscal federalism & revenue allocation formula for better public understanding, also, in order to effectively manage the complexities of adoption of state control of
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<td>resource and payment of taxes to the federal government. The committee believes that it would be beneficial for all, if there is an upward review of current revenue formula in favour of states.</td>
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<td><strong>Public Finance/Revenue Allocation</strong></td>
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<td>The National Assembly shall determine the Revenue Allocation Formula which formula shall each time remain in force for a period of not less than five years from the day the bill shall be assented to by the president.</td>
<td>No specific recommendation, but advised that the number of local government in a state should not count as a criterion for revenue allocation</td>
<td>That the sharing of the funds to the Federation Account among the three tiers of government should be done in the following manner: Federal Government – 42.5%, State Governments – 35% and Local Governments 22.5%. Percentage given to population and equality of states in the existing sharing formula be reduced while that assigned to Social Development sector be increased to a much higher percentage so as to ensure accelerated development of all parts of the country.</td>
<td>Government needs to be explicit regarding the true meaning of derivation principle and fiscal federalism &amp; revenue allocation formula for better public understanding, also, in order to effectively manage the complexities of adoption of state control of resource and payment of taxes to the federal government. The committee believes that it would be beneficial for all, if there is an upward review of current revenue formula in favour of states.</td>
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<td><strong>Forms of Government</strong></td>
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<td>Recommended presidential system and federalism.</td>
<td>Recommended the retention of Presidential System of Government. The number of ministries at the centre should be reduced to between 15 and 18 and to a maximum of 10 at the state level. Appointment of Special Advisers should be pegged to six and not more than three at the state level. Appointment of special assistants should be made from within the public service.</td>
<td>Recommended the Modified Presidential System, a home-made model of government that effectively combines the presidential and parliamentary systems of government. The president shall pick the vice president from the Legislature. President should select not more than 18 ministers from the six geo-political zones and not more than 30% of his ministers from outside the Legislature. Reduce Cost of governance by pruning the number of political appointees and using staff of ministries where necessary.</td>
<td>The committee recommends a continuation of the presidential system at national and sub-national levels but concerns about corruption and high cost of governance must be addressed with seriousness.</td>
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<td><strong>Legislature</strong></td>
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<td>Bi-cameral legislature, but all elected members of the legislative arms of all the tiers of government should serve on part-time basis</td>
<td>Recommended that the presidential power should rotate between the North and the South and among the six geo-political zones while the governorship will rotate among the three senatorial districts in a state.</td>
<td>The committee recommends that it is inauspicious and politically unwise to tamper with the existing arrangement at the expense of the political stability which the existing system ensures with a measure of success</td>
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<td><strong>Power Sharing/Rotation</strong></td>
<td>Principle of power rotation should be enshrined in the Constitution so that executive positions rotate at federal, state and local governments. The office of the president, governors and local government should rotate in such a way that all the geo-political zones in the federation, states, local governments, as the case may be should have a chance to produce a president, governor and local government. It should not however be included in the constitution because of the emotive nature of the issue. There should be legislation by the National Assembly to ensure that the office of the president should rotate between the north and the south as well amongst the geo-political zones of the country on the basis of equity, justice and fairness. The principle should be applicable to states and local government on senatorial basis for the governorship and at ward or district for the position of chairman of LGs.</td>
<td>The committee recommends that the complexity of power sharing and rotation be managed at the party level rather than it being provided for in the constitution or have a dedicated law.</td>
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<td><strong>Local Government</strong></td>
<td>The Conference retained three levels</td>
<td>Local Government will no longer be the third</td>
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<td>The Local government shall be a third tier of</td>
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<td>The committee notes that the</td>
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<td>government in Nigeria, but in order to save costs, a local government council shall consist of the Chairman, Vice Chairman and elected Councillors without a legislative arm. Each State shall maintain a special account to be called “State Joint Local Government Account” into which shall be paid all allocations to the Local government councils of the state from the Federation Account. State Houses of Assembly to create local governments and the life of local government officials will be three years.</td>
<td>of government comprising federal, state and local government councils</td>
<td>tier of government. The federal and states are now to be the only tiers of government. States can now create as many local governments they want. The Joint State/Local Government Account be scrapped and in its place the establishment of a State RMAFC with representatives of LG and a Chairman nominated by the Governor. The Constitution should fix the tenure for Local Government Councils at three years. Conference recommends the scrapping of State Independent Electoral Commission, SIECs</td>
<td>demand for local government autonomy is as a result of the alleged interference in the management of the monies allocated to LGAs from the Federation Account. LGAs cannot be federating units under the principles of federalism thereby making the whole notion of direct allocation to LGAs from the federation account an aberration. In conformity with conventional principle of federalism, LGAs should be no more than administrative units of states. In view of these, and in line with empirical findings during consultations, the committee recommends that LGA should be removed from the federal constitution and states be allowed to develop a local administrative system that is relevant and peculiar to each respective state.</td>
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| Immunity Clause | Recommended that immunity clause as enshrined in Section 308 should be amended to remove immunity provision for crimes bothering on corrupt practices, economic and financial crimes and other serious offences such as suicide and murder. | The immunity clause should be removed if the offences attract criminal charges to encourage accountability by those managing the economy. | |

<p>| Independent Candidacy | | | |</p>
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<thead>
<tr>
<th><strong>1994/1995 Constitutional Conference</strong></th>
<th><strong>2005: National Political Reform Conference</strong></th>
<th><strong>2014 National Conference</strong></th>
<th><strong>Committee’s recommendation</strong></th>
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<tr>
<td>The Conference recommended that Independent Candidature should be recognized and should be in the constitution</td>
<td>Recommended the recognition of Independent candidate in election</td>
<td>It recommended that every Nigerian who meets the specified condition in the Electoral Act should be free to contest elections as an independent candidate.</td>
<td>The committee recommends that the party should support popular demand for Independent Candidacy. However, it is necessary to introduce strong eligibility criteria and process checks in order to prevent abuse by unserious candidates as well ensure that INEC is not inundated and overwhelmed by a large number of independent candidates as to imperil the electoral process.</td>
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<td><strong>Governance</strong></td>
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<td>Separation of the offices of the Attorney General and Minister of Justice. The Attorney General for the Federation shall be appointed by the President for a single term of six years subject to the confirmation by the Senate</td>
<td>The creation of the office of the Accountant General of the Federation as a distinct and separate office from the Office of the Accountant General of the Federal Government. The Office of the Accountant General of the Federation shall oversee the accruals of revenue into and disbursement from the Federation Account as and when due; and shall administer these funds as required by the Constitution, while the office of the Accountant General of the Federal Government shall oversee the accounts of the Federal Government.</td>
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<td><strong>Anti-corruption</strong></td>
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<td>Special Courts should be set up for prosecution of cases emanating from corrupt practices and such cases should not last more than 90 days. Secondly, it recommended that the authorities should investigate and confiscate corruptly acquired wealth of past rulers and bring them to justice. Re-introduction of the War Against Corruption</td>
<td>Special Courts to handle corruption cases should be established in the light of undue prolongation in the trials and prosecution of corruption cases in the regular courts. A non-conviction-based asset forfeiture law should be enacted with broad provisions to deal with all issues of proceeds of crimes by the anti-graft agencies and the courts.</td>
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<td>Corruption and EFCC and Code of Conduct should be made members of Screening Committees at all levels of government to screen all candidates aspiring to political office before elections</td>
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<td>Land Tenure Act</td>
<td>Recommended that the Land Use Decree should be reviewed in line with the recommendations made by the Nigeria Law Reform Commission in 1991. It rejected the suggestion that the law should be completely abrogated.</td>
<td>The Land Tenure Act should remain in the Constitution but be amended to take care of those concerns, particularly on compensation in Section 29 (4) of the Act to read “land owners should determine the price and value of their land based on open market value</td>
<td>The committee recommends that the current retention of the law in the constitution prevented unbridled acquisition by local and international speculators. The justice and legal practitioners in Nigeria have developed a strong and successful practice on the law and state governments are also working with it without unsurmountable challenges. Therefore, the land use act should be retained in the constitution in the greater interest of national security and the protection of Nigeria’s arable land from international landgrabbers.</td>
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<tr>
<td>National anthem</td>
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<td>Re-introduce the old National Anthem</td>
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<td>Religion</td>
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<td>The Conference recommended that there will be no government sponsorship of Christian and Muslim pilgrimages to the holy lands. It also resolved that churches and mosques should begin to pay tax to government.</td>
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<td><strong>Demand for affirmation for vulnerable groups</strong>&lt;sup&gt;7&lt;/sup&gt;</td>
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<td>The committee recommends that all categories of vulnerable groups i.e. women, youths, physically challenged persons be given adequate attention in terms of appointment into government jobs and political positions. A dedicated advisory role should be created at all levels of government to ensure that this is acted upon and sustained on in policy and fiscal provision.</td>
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<td>NA</td>
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<td><strong>Citizenship</strong>&lt;sup&gt;8&lt;/sup&gt;</td>
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<td>The committee recommends a comprehensive review of all constitutional provisions on indigeneship and residency status to ensure adequacy for all recent clamouring especially in conflict zones. Where applicable, additional legislation at national and state levels should be promoted through the members and caucuses of the party in all legislatures. Importantly the committee further notes that the resultant amendments and new laws arising from this review should give focal attention to compliance and</td>
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<tr>
<td>NA</td>
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<sup>7</sup> This issue was not considered by previous national/constitution conferences. It was a fresh issue generated by stakeholders during the public consultation process.

<sup>8</sup> Ibid
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<tbody>
<tr>
<td>States Constitution⁹</td>
<td>NA</td>
<td>NA</td>
<td>enforcement mechanism to give effect to these laws</td>
</tr>
<tr>
<td>States realignment and boundary adjustment¹⁰</td>
<td>NA</td>
<td>NA</td>
<td>The committee notes that most of the issues a state constitution would address are adequately covered in the existing federal constitution which would seem to render the development of state constitutions mere academic exercise. The committee recommends that state constitution is not a matter of priority for Nigeria at this point in time and should not be allowed to become an unnecessary diversion from more urgent national priorities.</td>
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<tr>
<td>Secular status¹¹</td>
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<td>The committee recommends a dispassionate review and consideration for all marginal agitation in conflict zones that request for choice of determination of preferred states of residence within the context of the constitution guarantees of freedom of association and in the context of the existing state structure of the federation.</td>
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⁹ This issue was not considered by previous national/constitution conferences. It was a fresh issue generated by stakeholders during the public consultation process

¹⁰ Ibid

¹¹ Ibid
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<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>The committee notes that strict secularism may not be practicable in the current circumstances of the country, but the committee also notes that at some point in future, the federal constitution may give consideration to ceding all matters relating to religion to the states in the spirit of true federalism, self-determination and self-governance by the federating units.</td>
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<td><strong>Provision for referendum</strong>¹²</td>
<td></td>
<td></td>
<td>The committee recommends, that the party and its Federal Government should give consideration to this growing demand for a constitutional provision for referendum as a tool of popular participation in political decisions that affect the country. In dealing this request the committee further recommends a clear definite of conditions and criteria under which it can used bearing in mind the territorial integrity and sovereignty of the nation.</td>
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¹¹ This issue was not considered by previous national/constitution conferences. It was a fresh issue generated by stakeholders during the public consultation process.

¹² Ibid