

**The Text of a Press Conference Addressed by the Executive Director of Civil Society Legislative Advocacy Centre (CISLAC) Abuja, Auwal Musa Rafsanjani on Pending Bills in the National Assembly of the Federal Republic of Nigeria, held at the National Assembly Complex on February 12, 2007.**

***Preamble:***

Distinguished ladies and gentlemen of the press, you are welcome to this important press briefing aimed at urging our legislators to consider and hasten the passage of some critical transparency and accountability Bills pending before them as the legislative calendar is fast running out.

The Civil Society Legislative Advocacy Centre (CISLAC) works towards bridging the gap between the legislature and the electorate; by enhancing lobbying strategies; engagement of bills before their passage into law; manpower development for lawmakers, legislative aides, politicians and the civil society, as well as civic education on the tenets of democracy.

We are worried that the executive arm of government has continued with the unwholesome tactics of diverting the attention of our legislators from focusing on the Bills and issues that would ensure good governance in Nigeria. This has been demonstrated through the controversial illegal third term or tenure elongation bill, and the recent unconstitutional attempt to remove the vice president from office which distracted our legislators from paying the needed attention to some of these vital legislations.

The National Assembly remains the heart of democratic process anywhere in the world and Nigeria in particular, and therefore should continue to provide leadership in terms of formulating laws that will create an enabling environment for transparency and accountability in Nigeria.

**PENDING BILLS:**

**1. *Fiscal Responsibility Bill (FRB)***

We believe that the passage and implementation of a Fiscal Responsibility Bill (FRB) as proposed in the National Economic Empowerment and Development Strategy (NEEDS) document is central to the implementation and sustainability of a prudent fiscal policy, which can lead to reduction of the risks posed to macroeconomic stability by Nigeria's fiscal federalism. The Bill clarifies inter-governmental fiscal relations and the role of the executive and the legislature in the budgetary process and sets out transparency requirements, sanctions for non-compliance, guidelines for budgetary practices, and a fiscal framework centered on an oil price-based rule.

The activities on the FRB clearly brought some salient, but critical issues that have direct bearing on the success of ongoing efforts to enable Nigerians embrace democracy in all its ramifications. The first is the low level of consciousness among key stakeholders on the processes of civil rule, which is linked to the country's many years of military rule.

CISLAC at the onset noted that one of the major challenges facing the FRB was its poor understanding and appreciation by the Nigerian public, politicians and government functionaries, hence the desire to raise the level of awareness and education among the people so that all sentiments among the population could be induced to buy into this important legislation. That was why series of interactive sessions with civil society organizations, legislators and the media were organized by CISLAC. The occasions afforded us the opportunity to acquire first hand information on the principle and logic of the draft legislation, the events also provided participants the opportunity to understand the basic tenets of the FRB, its implication for the country's development, transparency and accountability in the country's burgeoning democracy.

Among amendments proposed to the FRB by CISLAC includes; recommendations of punishment for violations of the fiscal responsibility regime, irrespective of who is found culpable; the President, Governors and Local Government Chairmen, and to hold Finance Minister, Commissioners, Accountants-General and LG Treasurers accountable for any culpability under the draft legislation; The bill must be gender sensitive to tally with global trend, and in line with government desire to reduce poverty and enhance prosperity among the people.

In spite of the joint public Hearing on this Bill by both Chambers, the Bill is still at committee stage. CISLAC appeals to our lawmakers to ensure its passage before their next recess. History will bear witness with them for taken steps to save Nigeria from wanton looting of public funds by the passage of this Bill. We therefore encourage them to do so and in good time too.

## **2. *Public Procurement Bill:***

Again, since the Executive arm of government initiated a Public Procurement Bill and sent it to the National Assembly for almost three years now, the Bill has not been passed and those public officers who are opposed to a transparent system in Nigeria are happy with the delay to pass the bill into law by the National Assembly.

Although, this bill was initially rejected in the House of Representatives, CISLAC's efforts to institutionalise the culture of transparency and accountability in Nigeria resolved to embark on advocacy visits to the offices and homes of some legislators on the issue and that brought the bill back to life. CISLAC led other civil society organisations from different parts of Nigeria, which visited the deputy chairman, House of Representatives Committee on Budget Monitoring and Price Intelligence Unit (BPMIU), National headquarters of All Nigeria Peoples Party (ANPP), Alliance for Democracy (AD), as well as the Nigeria Television Authority, African Independent Television, The Leadership Newspapers and Media Trust Newspapers. The visits were deliberately organised ahead of the public hearing on the Bill arranged by the lower chamber of the federal legislature for April 26 and 27, 2006, which CISLAC participated and presented a memorandum on behalf of other CSOs.

We are happy to say that the Bill was considered and passed and that the House of Representatives also mainstreamed our recommendations into their final draft. The

Senate is yet to do the same and even if the Senate passes this bill it will require harmonisation of both chambers. Given the intensity of fraud in procurement and lack of due process in contract awards, we urge our legislators to consider the passage of this Bill in the interest of saving Nigeria from inflation and unwholesome contract scam.

**3. *Nigerian Extractive Industry Transparency Initiative (NEITI) Bill 2006:***

This Bill seeks to encourage Nigeria to embrace the global version of the EITI law, which intends to enforce openness and disclosure in the revenue of extractive activities in Nigeria and to reverse the negative tendencies inherent in the oil and solid mineral sector of the economy.

CISLAC ventured into this legislative reform by engaging stakeholders on the Nigerian Extractive Industry Transparency Initiative (NEITI) Bill. Between June 29 and 30, 2006, CISLAC, with the support of PACT-Nigeria through a grant from USAID, in collaboration with the Senate Committee on Establishment and Public service and the NEITI Secretariat, organised a civil society forum and the CSOs - Legislative interactive Session on the NEITI Bill in Port Harcourt, Rivers State. Representatives of the CSOs, relevant committees of the National Assembly, the media, women and government functionaries, attended the two events.

For the first time in the history of Nigeria, stakeholders had the opportunity of making popular inputs into the draft legislation, including proposed amendments to provisions of the Bill and its implementation. Participants expressed the need to expand the level of engagement on the Bill through such inclusive mechanisms as Town Hall meetings and Advocacy programmes; the need to provide for a mechanism that ensures that local audit firms continue to partake in the NEITI Audits; and that there should be a provision in the NEITI Bill that compels Extractive Industries Operators to comply with relevant environmental laws, particularly the Environmental Impact Assessment legislation. Both programmes attracted impressive attendance by all those concerned, and provided the lawmakers the opportunity to feel the sentiments of the civil society on their activities, especially with specific reference to the draft legislation in question.

Again, we are pleased with the House of Representatives committee on Petroleum and the entire House of Representatives for the passage of this Bill. We equally appeal to the Senate to make a historic record by passing this Bill in order to ensure transparency and Accountability in the extractive sector.

In conclusion, CISLAC commends the legislators for discharging their legislative responsibility effectively over the years as we struggle to deepen the democratic process in Nigeria. However, we also call on them to expedite action on the passage of the above Bills and other related bills that support government's transparency and accountability initiative, such as the Freedom of Information Bill, which requires quick harmonization by both chambers.

Thank you for the attention as we continue to collaborate on the need to strengthen our legislative process in Nigeria.