

Business and Politics in the Muslim World
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China Unicom Denies Involvement In Nitel Bid

•BPE says it stands by exercise

In a curious twist, China Unicom (Hong Kong) Ltd, previously named a member of the New Generation Consortium that emerged the preferred bidder for 75 per cent stake in moribund Nigerian Telecommunications Limited (NITEL) with a \$2.5bn bid, has denied knowledge of the deal.

A report in Financial Times said China Unicom dissociated itself from the bid for NITEL announced by the Bureau of Public Enterprises (BPE) on Tuesday.

Also, Deputy General Manager Corporate Communications of the company, Dr. Sophia Tso, in an email enquiry from THISDAY claimed ignorance of the deal.

“We’ve double checked with our head office and have not heard of the project,” said Tso. The bid, which would have been one of the largest privatizations in African history and rank among China’s highest-priced investments on the continent, has caused consternation among indigenous financiers in Nigeria since it was announced. BPE had announced that GiCell Wireless Limited of Nigeria, China Unicom and Minerva Group of United Arab Emirate (UAE) were members of New Generation Consortium.

However, an authorised representative of New Generation, who is the Managing Director of GiCell Wireless, Mallam Usman Gumi, maintained that China Unicom is part of the group, but as a technical partner.

He supported this assertion with a letter from China Unicom stating that “China Unicom was willing as a technical partner to support New Generation Telecommunication Limited.

The company in a press statement signed by Gumi explained that the financial backbone of the New Generation Consortium is the Minerva Group of United Arab Emirates.

According to him, “they have what it takes to turn around NITEL and give Nigerians good telecommunication services. The Minerva Group, not China Unicom, is the lead financial partner of New Generation Consortium Limited. Other consortium members are GiCell Wireless Ltd, Access Service Licensee, Sumatra Star GT Limited and BGL Private Equity Ltd.”

Gumi further stated that, “the consortium has several other strategic partners with whom New Generation Consortium Limited has signed Memorandum of Understanding, including GIT Affinalia in association with Ring South Europe, Spain, and Xtra Telecom/Phone House Group, Fiber Homes technologies, Huawei Technologies Limited, Operators of the National Rural Telephony Program in Nigeria and China Academy of Telecommunications Technology.”

A source told THISDAY that the Chinese did not use the right language to express themselves on the issue, pointing out that they were part of the deal but as a technical partner.

He added that “China Unicom is actually a technical partner to the consortium and they had a letter written to the Consortium accepting to be their technical partner.”

A letter from China Unicom (Europe) Operations Limited titled “Re: Privatization of Nigeria Telecommunications Plc,” and signed by its President, William So, reads: "We are pleased to inform you that we are willing to be technical partner to support New Generation Telecommunications Limited Consortium to bid for NITEL and to provide technical and managerial support on terms to be agreed later, when the bid is finally won. We will also consider equity participation of not less than 20 percent subject to final agreement with the consortium.”

When contacted, BPE’s Head of Public Communications, Mr. Chigbo Anichebe, said, “we are standing by our bid opening on that day and we have a document to support that.”

The result of the financial bid, which was publicised by Anichebe on Tuesday, also showed that Omen International emerged the reserved bidder with a bid of \$956 million.

He went further to disclose others who bid to acquire up to 75 per cent of NITEL as core investor and its M-Tel subsidiary: Brymedia Consortium, which came third with \$551 million and AFZI/Spectrum Consortium, fourth, with a bid of 375.5 million. The result of the bid was said to be subject to final approval by the National Council on Privatization (NCP), headed by Acting President Goodluck Jonathan.

China Unicom (Hong Kong) Limited (formerly known as "China Unicom Limited") was incorporated in Hong Kong in February 2000 and was listed on the New York Stock Exchange and the Stock Exchange of Hong Kong on June 21 2000 and June 22, 2000 respectively.

Attempts to sell NITEL to core investors had in the past hit a brick wall. In 2001, Investors International London Limited (ILL), made an attempt to acquire the company but defaulted in paying the bid price of \$1.317 billion.

Pentascop of Netherlands was thereafter appointed to revamp NITEL but that attempt also failed. Orascom also attempted to acquire the company with \$256.5 million but lost the bid to Transcorp, which acquired NITEL for \$500 million. The sale to Transcorp in 2006 was the most successful with Transcorp acquiring a 75 per cent share of NITEL/M-Tel, which was later reduced to 51 per cent due to issues of finance.

Transcorp at the time got a \$500 million facility from a consortium of banks led by UBA Plc to acquire the shares. The Transcorp attempt did not revive Nitel and was finally revoked by the Federal Government last year.

Pan-African issues:

- **Niger: UN, African Officials Meet with Coup Leaders during Mission**

A joint mission of United Nations and African officials have met with those responsible for last week's coup d'état in Niger as they visited the capital, Niamey, to assess the situation on the ground.

Participating in yesterday's visit were the Special Representative of the Secretary-General for West Africa, Said Djinnit, as well as representatives of the Economic Community of West African States (ECOWAS) and the African Union (AU).

"The mission met with the junta leaders who reaffirmed their commitment to organize elections and return the country to constitutional order," UN spokesperson Martin Nesirky told reporters in New York.

He added that the UN is working closely with its partners, including ECOWAS and the AU, as part of its joint efforts to help resolve the crisis in the country which began when renegade soldiers reportedly stormed the presidential palace on Thursday with the stated aim of returning Niger to democracy.

On Friday, Secretary-General Ban Ki-moon condemned the coup and appealed for "calm and for the respect of the rule of law and of the human rights of all Nigeriens." In addition, he stressed the UN stands ready to support initiatives aimed at peacefully resolving Niger's political and constitutional crisis.

- **Africa: New HIV/AIDS Plan Would Test, Treat Everyone in High-Risk Regions**

With an estimated 35 million people infected with HIV worldwide, public health officials have begun to look beyond developing a vaccine to stop the epidemic.

By establishing universal, voluntary HIV screening programs and immediate antiviral treatments for individuals infected in high-risk regions, Brian Williams, a research fellow at the South African Centre for Epidemiological Modeling and Analysis, said that global public health officials could eradicate HIV/AIDS in 40 years, and stop HIV infections in as soon as five years.

Speaking Saturday at the AAAS Annual Meeting in San Diego, Williams said that the advances in antiviral treatments have been successful at increasing the life expectancy of someone infected with HIV. But as their life expectancy increases, so does the potential that they can infect someone else.

By testing people in high-risk regions and immediately treating putting the patients on medications that reduce their viral-loads, Williams said that public health officials could "render HIV-infected people not infectious."

"We've been using drugs to save lives, but not stop the infection," he said, adding that a proper treatment makes someone 25 times less infectious. "It's time to look beyond that."

Kenneth H. Meyer, professor of medicine and community health at Brown University, said that public health officials have been moderately successful in getting people onto anti-viral treatments. But as people live longer, the trend of more new infections than deaths will continue, especially in high-risk regions.

He cited statistics that while the number of HIV- infected people in the United States is 1 in 300, it's much higher in hot spots like Washington, D.C., where the prevalence is 1 in 15 people. He added that 20-25% of HIV-infected people in the United States are unaware of their disease.

"The need to treat people with antiviral to improve their life and reduce their ability to infect others will clearly rise," he said. "The question is, can we keep up?"

Dennis Burton, a professor of immunology and microbial science at Scripps Research Institute, said that antiviral prevention is "incredibly important," but scientists should continue to seek a vaccine.

"There have been exciting advances towards HIV vaccine development," said Burton, adding that vaccines and anti-viral treatments are not polar opposites. He added that if scientists are able to create a vaccine, "it will mean great strides for vaccine development that will help our efforts to address the next disease."

Williams said that while universal testing and antiviral treatments would require start-up capital and operational research, "the only thing more expensive than this plan, for health care costs and deaths, is doing nothing."

Ghana:

Politics:

Council of Labour in favour of Single Spine Salary Structure

The Greater Accra Council of Labour Division of the Local Government Workers Union (LGWU), on Tuesday disassociated itself from any move that would hamper the smooth implementation of the Single Spine Salary Structure (SSSS).

The union therefore called on government to remain resolute and ensure that the dateline of July remained unchanged.

Addressing a press conference in Accra, Mr Anthony Oppong, Regional Chairman of the Council expressed the hope that the Memorandum of Understanding (MOU) reached between the Fair Wages and Salaries Commission and other organised labour associations, including the Trades Union Congress could reverse all problems associated with the implementation of the pay policy.

The MOU was a major step towards the implementation of the SSSS. It outlined the framework and guidelines for negotiating the base pay and relativities critical to the execution of the Single Spine Pay Structure.

The key elements of the MOU include name and composition of the negotiating committee, the convener, constitution of a quorum and functions among other engagements.

Boadu Diffuses Change All Propaganda

[Kwabena Amankwah](#)

The National Youth Organizer of the opposition New Patriotic Party, John Boadu, continues to receive massive endorsement from executives of the party in his bid to become the next National Organizer of the party.

Constituency executives of the party in the Greater Accra Region, just like their counterparts in other Regions he has visited, have expressed absolute confidence in his ability to deliver the goods, to support the party's resolve to return to power in 2012.

“John has been a powerful advocate for the party on radio. He is able to reach out to all. He knows his bearing. Organization is not about bully bully – if people fear you because you are ‘patapaa’, they won’t vote for your party. We are in scientific world where the power of reason remains superior to ‘takashie’. ‘Patapaa’ organization belongs to the old CPP days; it has no place in our modern politics. John has acquired lots of experience over the years. Let’s all support him to win and continue to serve us in humility and with dedication.”

This was how one of the most celebrated NPP constituency chairmen in the Greater Accra Region recommended Mr Boadu to his other colleague executives after the aspirant had interacted with them as part of his campaign tour of the Region.

Mr Boadu is contesting the position with Alhaji Moctar Bamba, former Deputy Minister of State at the Office of the President, and Isaac Edumadze, former Central Regional Minister and former Member of Parliament for Ejumako.

Addressing the party executives, the aspiring National Organizer cautioned them against the temptation of voting to change the entire current national officers. “That will be very dangerous for the party so be careful not to buy the ‘change all propaganda’ which has started costing the party dearly in some Regions and constituencies.”

Only three of the incumbent national officers are in seeking to serve the party again in executive positions. Rita Asobayire, the national women’s organizer is among the 1st Vice Chairman aspirants while Nana Ohene Ntow is seeking to retain his position as General Secretary.

He also described as unconvincing the argument of regional balance being trumpeted by some people, causing the delegates to consider competence is the major criterion in the selection of their leaders. “Election of national officers is about competence because the appointment of several people to other positions will take care of the issue of regional balance,” he explained.

Mr Boadu reminded the delegates about the fact that the ruling National Democratic Congress have elected competent officers and the need to elect officers who can match them. “The NDC has elected high profile national officer who are highly competent, intellectually sound and grass root oriented. Let’s get leaders who can face them squarely,” he told the delegates. Opanyin Yaw Boateng Gyan is now the National Organiser of the NDC.

Reminding them of the duties of the National Organiser, as stipulated at page 49 of the party’s constitution, John Boadu noted that it would be an embarrassment for the party to have an Organiser who cannot stand of his feet to articulate the philosophies and achievements of the party when he comes face to face with his counterparts in other parties.

“As a national organizer you need to be strategic in thinking and propagating the achievements of the party, by relating them to local situation with the target audience in mind. As organizer you are charge of training party people. He should therefore be somebody who has been trained. I have gone through the training over the years, and I am a product of the party,” Mr Boadu stated to the admiration party executives at Ayawaso West Wuogonon Friday.

Mac Manu outlines programme for NPP conference

The National Chairman of the New Patriotic Party, Peter Mac Manu has assured contestants and delegates to the party’s National Delegates Conference of a peaceful, just and orderly process come February 27.

In an interview with Myjoyonline.com, the outgoing chairman said adequate preparations, including an elaborate security, have been made to ensure the day-long, two-tiered conference is a resounding success.

The conference will hold at the Baba Yara Stadium in Kumasi and over 4,000 delegates are expected to elect national executives.

Mac Manu said the first part of the programme, a purely intra party matter as per the NPP’s constitution, will involve an address each by the National Chairman, ex-President J.A. Kufuor, the Minority Leader in Parliament and a representative of the party’s youth wing.

“Then we all will cede to the Electoral Commission, the next portion of the event, that is the election aspect of the conference, and the Electoral Commission will take control to conduct the elections and release the results and the newly elected officers will then be sworn in to close the entire programme. The electoral commission in Accra has been written to and together with their officers in the Ashanti Region are feverishly preparing to conduct the elections.”

“I will use this opportunity to inform contestants that the conference is going to be peaceful, orderly and fair and just so that whoever wins will have the overall embracing from the other contestants, that’s what we want and that’s what has happened in all the regional and constituency elections we’ve conducted so far.”

According to Mr. Mac Manu, a national election committee, chaired by Mr. C.K. Tadam, the chairman of the party’s national council of elders, and whose membership includes the Minority Leader in Parliament, Osei Kyei-Mensah-Bonsu and Brigadier Odei, who is chairman of the NPP’s research committee, have been meeting the contestants to elicit their views and to iron out bottlenecks as the build-up to the conference peak.

One of such meetings is planned for Thursday, February 18, and Mac Manu counseled all contestants who have grievances to seek redress at the forum rather than run to the media to lodge complaints, describing the phenomenon as unfortunate.

He also assured that a register of all delegates to the national conference is being collated from all the regions to be readied and presented to the contestants, noting the fact that the very contestants are familiar with the delegates and have been meeting them as they go about the nation in campaigning for their votes.

Economy:

- **Why Africa Is Poor: Ghana beats up on its biggest foreign investors.**

President Obama headlined his first trip to sub-Saharan Africa last July with a stop in Ghana. Speaking to the parliament in Accra, Mr. Obama praised the country's growth and its example that "development depends on good governance." Eight months later, Ghana's government is turning the nation into a cautionary tale for foreign investors.

Exhibit A is the case of Kosmos Energy, a U.S. company based in Texas, which has lately seen capricious government meddling in a deal to sell a \$4 billion stake in a Ghanaian oil field to ExxonMobil Corp. Ghanaian Energy Minister Joe Oteng-Adjei suggested in a letter to Exxon reviewed by Journal reporter Will Connors that the government would "support the strategic intent and efforts of [Ghana National Petroleum] to acquire Kosmos's Ghana assets at a fair market value."

By "fair market value," Mr. Oteng-Adjei means fire-sale prices. While the government insisted later that it would not block the Exxon deal, which is still in place, the desired affect was achieved. The strategy lets the government disavow its intention to directly intervene in deals while potentially scaring away potential buyers and making it possible for the government to buy the oil fields cheaply, possibly reselling them to a third party.

That's the kind of official thuggery more frequently associated with the likes of Nigeria, where the vast oil and gas resources have driven corruption and exploitation while the people continue to live in poverty. Until Kosmos's investment uncovered the Jubilee oil field in 2007, there had been little success in exploration in Ghana.

When Kosmos began its project under the then-ruling New Patriotic Party, the business environment seemed relatively stable with adequate protections for foreign investors. Under Ghana law, consent for a deal such as the one between Kosmos and Exxon can't be unreasonably withheld, delayed or denied. Such contract protection began to dissolve in January 2009, with the election of the leftist National Democratic Congress.

Other foreign investors are also getting the Kosmos treatment. In 2008 Vodaphone, the British mobile phone company bought a 70% stake in Ghana Telecom. At the time, the company issued a statement that it was "delighted" to be "working in partnership with the Government of Ghana." By April 2009, the deal was on the rocks, as Ghana's government

set up a "review committee" to question the details. Earlier this month, Ghana Vice President John Dramani Mahama insisted that the government wasn't planning to break the deal despite "concerns."

After getting a license for offshore exploration in November 2008, the Norwegian oil company Aker was told this year that its development license was invalid, though the agreement had been unanimously approved by Ghana's parliament. Aker investment manager Maria Moraeus Hanssen said the government position had "no basis in law or fact."

Attracting foreign investment has been a pillar of Ghana's development strategy, with the government pitching itself as the "Gateway to West Africa." Spooking new investors by repudiating contracts will rapidly ruin the country's prospects for long-term development.

The Obama Administration has so far been silent on the shadows now haunting the country it heralded as a source of hope and leadership in Africa. Getting the country back on the track of moderate good governance and respect for the rule of law would be an important example to set on the poorest continent.

- **Stakeholders say better networking will boost business in Ghana**

A stakeholders meeting on Ghana's investment and business activities on Monday agreed that better networking and access to information among the business community, regulatory bodies and security agencies can significantly enhance business growth.

The meeting, which was organised by International Business Event Management (IBEM) Ghana Limited in partnership with some sponsors and stakeholders ahead of an international conference in March, sought to sensitise the Ghanaian business community and foreign investors to the need for better ways to improve their businesses. The conference dubbed: "IGB-Ghana 2010 Conference," scheduled for March 29 to March 31, seeks to provide a platform to address the difficulties involved in doing business in Ghana and the opportunities and challenges available to potential investors. It is on the theme: "Investing and Growing Your Business in Ghana: The Challenges and Opportunities."

The meeting, attended by representatives from the Ghana National Chamber of Commerce, Registrar General's Department, the Value Added Tax services (VAT), Ghana National Fire Service, Ghana Shippers Authority, businessmen women, among others, shed light on the multiplicity of factors militating against doing and growing business in the country.

Mr Kelvin Fiifi Ampah, Chief Executive Officer of IBEM, Ghana Limited, who briefed the gathering on the purpose of the meeting, observed that a lot of companies and investors had gone through very trying times as a result of their inability to network and

understand the Ghanaian business climate and operations of the security and regulatory bodies.

The conference, he said, would, therefore, provide the right opportunity for investors, businesses, and regulatory bodies to brainstorm to clearly understand the challenges and opportunities open to them so that they can make informed decisions.

It is expected to attract investors and manufacturers from Europe, the United Kingdom, United States and other parts of Africa. Mr Ampah stressed the need for companies and event organisers to package information very well to attract sponsorship, while appealing to sponsors not to hesitate to respond early to requests for assistance.

He deplored the slow and late response by sponsors to requests from event organisers, saying such an attitude did not help in putting up good programmes.

Mr Mircea Boncu, Head of Mission of Romania, said his country was open to lots of areas of business Cooperation, such as oil and gas industry, road construction and transportation. Mr Boncu said Romania companies were eager to form joint ventures with Ghanaian companies in infrastructure and feeder road construction. He said Romania now manufacture tractors of varied horsepower capacities from 60 to 100.

Mr Boncu also touched on other areas of possible trade collaboration or investment such as vegetable, food crops, poultry, alcoholic and non-alcoholic beverage production. He urged Ghanaians wishing to enter into any venture to contact his mission. Other issues that cropped up at the meeting were the need to properly understand the country's tax and insurance laws to prevent their businesses from collapsing.

Some of the participants expressed the need for the country to reduce the high cost of doing business, poor support system and ensure proper housekeeping, and the provision of accurate information to investors.

Health:

- **Fixing Our Broken Healthcare System**

Last week, former President Rawlings lamented the lack of professionalism amongst healthcare personnel that leads to unnecessary deaths. The former President said there are numerous unreported cases of persons dying because of the negligence and insensitivity of health service professionals.

The former President recalled the poor management of state health facilities during the Acheampong era and said the current situation was close to that period. He also added that “such irresponsible behavior is like corruption and when unchecked, it leads to

indiscriminate killing of other healthy people. These deaths deprive us of some of our best and everything possible has to be done to restore the standards of health delivery.” The ex-President, according to news reports, made these remarks when he was informed of the death of Admiral Chemogh Kuukpeng Dzang by the bereaved family.

The former President’s comments raise many important issues. These issues are underlined by the fact that even people as important as Admiral Dzang are not immune to the problems in our hospitals. Obviously, regardless of what happened in this instance, there are cases in which patients are harmed by unprofessional and insensitive conduct.

First, he is right that our healthcare system leaves much to be desired. Indeed, the problems are far, far beyond the negligence and insensitivity of healthcare professionals. It involves infrastructure, including equipment, staffing, systems and the morale of the staff and indeed, reaches far beyond our hospitals into our streets and back into the ranks of governments, past and present.

To buttress the former President’s case, in a survey of hospitals that I completed last year, I found that more than two-thirds of our hospitals are more than 40 years old and that 14% of them lack the equipment to take basic x-rays! Furthermore, more than one in ten of our hospitals have no generators. A few weeks ago, a physician at one of our hospitals recounted operating without electricity at one of our hospitals. That incident is consistent with my findings during the survey.

In addition to these problems of infrastructure, there are significant staff shortages. In the survey that I conducted, only three out of every four doctors required was at post while nearly two out of every three nursing positions were vacant. In addition, a lot of the staff was quite advanced in age, signaling that our staffing situation would worsen in the next decade as these ageing staff retires. These are facts that should concern all of us.

Second, the former President leaves the unfortunate impression that the problems he correctly identifies were with us during the Acheampong era and disappeared under his near two-decade rule only to re-appear after he left office. That, unfortunately, is inaccurate. The problems have always been with us. Indeed, since Nkrumah’ era, our healthcare system has been getting increasingly worse.

The only break in this general march towards lower standards was the introduction of the National Health Insurance Scheme, piloted by the NDC and implemented by the NPP. That Scheme too, is bedeviled by poor planning, inadequate equipment, lack of staffing and all the problems that afflict the rest of our healthcare system.

Unfortunately, like most African countries, our leaders appear to have made the unspoken decision that whenever they are sick, they will, if possible, seek care abroad. With this as a premise, our healthcare system has routinely been neglected. Unfortunately, the strategy of seeking care abroad for the rich and powerful is not a very effective one. Most life-threatening illnesses require precise and competent care in a few very critical minutes and hours. Let me explain. When someone has a Cardiac Arrest, a Stroke or a Motor Vehicle

Accident, their lives will be saved or lost in the first very crucial minutes to hours. Even when these lives are saved, without appropriate care, there is a substantial and negative impact on the quality of the person's life. Regardless of how rich or powerful the sick person or his family is, improper care in the first few hours will doom the sick person to death or significant harm. Thus we have seen the progressive development of a culture where most of our rich and powerful travel abroad to die when terminally ill. Sekou Toure, Kwame Nkrumah, Kofi Busia, Mobutu Sese Seko, Omar Bongo, Baah Wiredu, Courage Quashiga to mention just a few, all died far away from home, away from loved ones and familiar surroundings. As I write Nigerian President Yar Adua, is struggling for his life in far, far away Saudi Arabia. It is breathtaking that Nigeria, after decades of receiving oil revenue, could not have facilities that would provide their ailing President with appropriate and competent care for pericarditis, which he is reported to be suffering from. In addition to these, many, including some who served with former President Rawlings, have gone for medical care abroad at public expense.

Is it really fair for the same people who have been in power and could have improved our healthcare system but did not do so to be sent abroad for care when the masses are dying for lack of care or inadequate care? Do not get me wrong. I am for the best of care at all times but it would appear that the laws of natural justice would require that leaders be subject to the same vagaries of care that they foist on others through their negligence.

Now the big question is "Why can't we improve our healthcare system to provide good care to the rich and powerful--- as well as the man-in-the street here at home?"

The fact is that we can and we must improve our healthcare system. Unfortunately, the former President, in proposing a solution to the problems he rightly identifies, reverts to the unfortunate recourse to finding and dealing with scapegoats that was such an unfortunate part of his stewardship.

We need to have an urgent, summit on our healthcare crisis to develop a National Plan for tackling the crisis outside the scope of our politics as usual approach to problems.

This must include Doctors, Nurses, Politicians, Municipal Officials, Diasporans, Teachers and Sanitation Companies. The summit must discuss honestly the problems in our healthcare and assign responsibility for action from now onwards.

This should lead to a concerted action to improve our health infrastructure and equipment, increase healthcare personnel training and retention and significant investments in our Sanitation and Environment.

It should address a few lingering questions.

Why are Ghanaian Doctors and Nurses who want to return and practice required to take exams when Cubans coming under government to government agreements can come and work without taking such exams? By the way, I will not benefit from this because I have

already taken the required exams. It is just an unnecessary obstacle to getting qualified Ghanaians back into our system.

Along the same lines, our Ghana Health Service should have in place a system for recruiting and encouraging Ghanaian health professionals to come and work for short stints on a frequent basis.

Why does it take as much as 6 months to process applications from physicians and nurses who want to work when we are understaffed? How can applications be trapped in a bureaucracy when people are dying for lack of care?

Why does it take so long to begin paying new Doctors and Nurses when we need to working desperately on their retention?

Why have we not found a way to tax health professionals who were trained with state resources and are working abroad to support healthcare provision at home? Recouping some of the investments made in training health professionals to support healthcare is not only logical. It is fair and in the long run, may be necessary.

Why have we not taken advantage of the large number of excellent health professionals working abroad to establish exceptional centers of care that would cater to the rich and famous in West Africa and Africa in a culturally sensitive way and thus create jobs and local expertise that would care for our people?

Why do we still generate, everyday, more garbage than we pick from our streets?

Why are we building palaces and buying expensive cars for our rulers when we cannot clean our streets of garbage?

Too often, our approach to serious issues is defined by our politics. We approach problems by looking for whom to blame. It is time to reach beyond blame to purposeful, collective action. We must light candles instead of cursing the darkness.

Let us fix our healthcare system so that our rich and powerful as well as the poor can live longer and longer.

Let us fix our healthcare system so that our leaders can die at home in peace, surrounded by family and friends. Let us move forward, together.

Human rights/Gender/Social Issues:

- **Clay figures found in Ghana hints at existence of pre-Islam society**

Reports indicate that archaeologists have unearthed dozens of clay figures in Ghana, shedding light on a sophisticated society which existed before the arrival of Islam. According to BBC News, experts from the University of Ghana found 80 sculptures believed to be between 800 and 1,400 years old.

They believe that the figures, depicting animal and human forms, are part of a burial ground or shrine.

Archaeologists say that the societies that constructed the figures simply disappeared when Islam arrived.

"What is interesting is that the people now living in this area seem to have no connection with the makers of the figurines," said the university's Benjamin Kankpeyeng.

"That would suggest that that they have more in common with peoples living in other parts of West Africa - but we need to do more work before we can be certain," he added.

The statues were found amid hundreds of mounds in a densely packed 30km-square area.

Kankpeyeng intends to analyze the position and arrangement of the statues with Tim Insoll from the UK's Manchester University.

Insoll told the BBC that very little was known about civilizations in the area between 600 and 1200 AD because no written history was kept and the societies ceased to exist when Islam arrived.

He said experts still did not know why the civilizations came to an end, whether the people converted en masse to Islam, or were captured by Arab slave traders.

"The statues could tell historians what kind of people inhabited West Africa in that time," he said.

"Figures have been found in this area before, but what we can do with the latest find is map their arrangement to find out what their purpose was - whether for sacrifice or some other ritual," he added.

Geo-Strategic issues:

- **NIA's data to end electoral discrepancies**

The National Identification Authority (NIA) has noted that its registration data could help to put to rest disagreements over the credibility of electoral polls, which have been a major challenge to elections in Africa.

It said its registration data was credible enough and would detail the actual number of persons in a place to avoid bloating of election results and thereby make all the parties to accept the final results without having cause to doubt its credibility.

Dr William Ahadzie, Executive Secretary of the NIA said this at a meeting with a 10-member Malian delegation made up of Members of Parliament and political party leaders, who called on him at his office in Accra on Wednesday.

The visit was to afford the delegation the opportunity to learn about Ghana's national identification system and how it could help deepen democracy.

The delegation, led by Dr Amadou Sy, President of the Malian Centre for Inter-Party Dialogue and Democracy (CIDD), arrived in the country last Saturday and had since held discussions with Ghana's Electoral Commission, the National Commission on Civic Education, leadership of Parliament among other institutions to learn about the country's democratic system and replicate it in Mali to improve their governance system.

Mali, a West African country, returned to constitutional rule in 1992 after years of military interventions.

Dr Ahadzie told the delegation that even though Ghana's laws gave the Electoral Commission sole rights to register qualified Ghanaians for national elections, the NIA was hoping that the EC would accept its data for elections assuring that they were 100 per cent authentic.

He said the NIA had the capacity to produce even passports as well as help other countries to produce their national identification cards and urged Mali to contract Ghana when they were ready to implement the identification system.

Dr Ahadzie took the delegation through the processes NIA had instituted to register Ghanaians and to ensure that the data was credible adding that the final data would also be useful in effective economic planning.

Dr Sy said even though democratic governance had taken root in Mali, much needed to be done to improve the system.

He said "that is why we chose Ghana to understudy the democratic practice because Ghana has become an icon in advancing democracy on the continent".

- **ECOWAS urged to address violence and drug trafficking**

[Ghana News Agency](#) ,

Acting President of Nigeria, Dr Goodluck Jonathan, has called on leaders of the West African sub-region to collectively fight against drug trafficking and terrorism.

Speaking at the opening of the 37th Summit of the Authority of ECOWAS Heads of State and Governments in Abuja, the Acting President asked his colleague leaders to explore ways and means of harnessing their collective energies and in partnership with the international community, stemmed the ugly tide of drug trafficking and terrorism.

Ghana's President John Evans Atta Mills is among the Heads of State and Government attending the one-day summit, which is to re-commit the sub-regional body to the integration process and to elect a new chairman for the 15-member nation body.

Also on the agenda for the meeting is how to resolve the escalating crises affecting countries of the sub-region, like Togo, Niger and Ivory Coast.

The baton for the Position for President of the ECOWAS Commission would also change as the current President Dr Mohammed Ibn Chambas is ending his term to take up a new appointment as Secretary General of the African, Caribbean and Pacific Group.

The Summit would also discuss the report of last November's meeting of the ECOWAS Council of Ministers, as well as review internal activities of the group.

Dr Goodluck said West Africa felt the full impact of the international financial crisis, and stressed that it was imperative for countries to re-energise the integration process to arrest the decline in economic growth, which fell from 4.7 in 2008 to 4.4 in 2009.

He touched on the common currency programme (the Eco) for the sub-region and called for the political will to implement it by ensuring that countries work hard to meet the convergence criteria.

Dr Goodluck also called on the leaders to ensure that the institutions of governance worked in their respective countries to pave the way for governments to deliver on the political gains achieved.

Outgoing President of the Commission, Dr Chambas said the prospects for the region for growth remained bright, but underlined the need to sustain the solidarity of the region in the face of threats to regional peace and security.

He said good governance enhances investor confidence and creates the enabling environment for peace and security and economic development of the region.

Dr Chambas expressed again the Commission's sympathy to the Government and people of Togo for the loss of two members of their technical team at the just ended Angola 2010.

"In the face of the tragic loss of life and injuries sustained in the terrorist attack against the team, we are at a loss to understand the suspension of Togo from the next two CAF competitions.

"We join the AU in calling upon the CAF to show compassion and review the decision by rescinding the decision to suspend Togo," Dr Chambas implored.

Nigeria:

Political News:

- **Nigerian troops end cemetery row**

Nigerian soldiers have moved in to halt a confrontation between Christians and Muslims at a cemetery near the city of Jos, where religious tensions are high.

Christians were trying to stop Muslims from burying a dead child in the Naraguta area.

The cemetery is claimed by both Muslims and Christians and the ownership is the subject of a court case.

More than 300 people died last month during days of rioting in Jos between the two religious groups.

Thousands of police and military personnel were deployed to control the violence.

The BBC's Ahmed Idris, in Abuja, says there is still a huge deployment of security forces in the area and tensions between the two communities remain high.

There were reports of stone-throwing and several arrests during the disturbances in Naraguta, which is 15km (9.3 miles) from Jos.

Muslims claim that the land they are now using as a cemetery was sold to them by Christians.

But Christian groups deny this and say they still own the land.

Jos, the capital of Plateau state, lies between Nigeria's mainly Muslim north and predominantly Christian south and has seen several outbreaks of sectarian violence in the recent past.

But analysts say the real cause of the violence is a struggle for political superiority in the city.

- **Buhari's Exit Takes Toll on ANPP**

The recent resignation of former presidential candidate of the All Nigeria Peoples Party (ANPP,) General Muhammadu Buhari (rtd), from the party, is impacting on its fortunes across the country. The relationship between Buhari and the ANPP leadership went sour immediately after the 2007 presidential poll, when Buhari challenged the outcome of the election won by Peoples Democratic Party

(PDP) presidential candidate, President Umaru Yar'Adua, at the Supreme Court. His determination to overturn the electoral victory of Yar'Adua was said to be at variance with the interest of the party's chairman and his running mate, Chief Edwin Ume-Ezeoke.

Instead of joining forces with Buhari, the party's leadership opted to enter into a coalition with the PDP and joined the Government of National Unity (GNU) formed by Yar'Adua. While Buhari was pursuing his petition challenging the declaration of Yar'Adua as the winner of the poll by INEC, Ume-Ezeoke-led leadership had joined the government. Since then, the party has never been free from crisis until Buhari threw in the towel.

In his letter of resignation to the party, Buhari lamented that those qualities which attracted him to the party had now vanished, leaving the party as a shadow of itself. The letter read in part: "The events of those electoral efforts are common knowledge to my fellow citizens of this great nation and the international community. At the time I joined the ANPP on April 15, 2002, the threat to the proper development of Nigeria's democracy, posed by the Peoples Democratic Party (PDP), had already become apparent.

"I therefore opted for the political party which presented to me the best avenue for making my modest input towards the development and sustenance of democracy in our country, Nigeria. In 2003 and 2007, I had the privilege of flying the party's flag as its Presidential candidate in the two elections. I am and shall, remain grateful to the party for the confidence reposed in me by the opportunity to represent its interest on those occasions.

"On 15th April in the year 2002, I joined the All Peoples Party (APP) which was later to transform into the All Nigeria Peoples Party (ANPP). As at that time, the threat to the proper development of our nascent democracy as posed by the ruling party, the Peoples Democratic Party (PDP) had already become apparent. I therefore opted for the political party which presented to me the best avenue for making my modest input towards the development and sustenance of democracy in our country Nigeria".

His exit is already taking toll on some chapters of the party. In Kano State chapter of the party for instance, things are no longer the same. The party is currently bedeviled by the massive exit of members. Buhari was the presidential candidate of the party at the 2003 and 2007 general elections.

A number of party members, who spoke with THISDAY in Kano, explained that their exit from ANPP, would boost the chances of a new political party expected to make its debut at the 2011 general election. A former state Chairman of the party, Alhaji Ahmadu Haruna Zago, while commenting on Buhari's exit said, "ANPP is not an issue now. The party is empty because all its pillars dumped it for another party. Buhari's exit from ANPP is a good omen to us because the party failed to carry along its members."

Speaking further, he said: "We celebrated his exit from the ANPP. General Buhari will join the CPC after consultation with his advisers and well meaning Nigerians. General

Buhari's supporters in Kano, who are in millions, have unanimously withdrawn their membership from ANPP and will join any party that Buhari will join. I and all my supporters in the state dumped ANPP and joined Buhari's resolution to quit the party. I am assuring you that Buhari will join the Congress for Progressive Change (CPC).Kano and other states that betrayed Buhari will now run the party on their own because the era of camouflaging with Buhari is over".

THISDAY learnt that prominent personalities in the ANPP who quit the party along with Buhari included Hon. Umar El-Yakub, a former House of Representatives member from Kano Municipal Federal Constituency and former deputy to Governor Ibrahim Shekarau during his first term, Engr. Magaji Abdullahi; a former Youth Leader of the party, Alhaji Nasiru Adhama; a former local government chairman on the party's platform. Others are Special Adviser to Kano State Governor on Special Duties, Alhaji Sagir Abdulkadir Panshekara, and the National Chairman of Buhari Network for Change (BNC), Alhaji Abdul'Majid Danbilki.

According to Danbilki, Buhari's decision to withdraw his membership from ANPP, was exciting, saying the "gigantic move is a clear testimony of Buhari's concern for the people."

A reliable source told THISDAY that some government officials in Kano who are aspiring for the state's governorship race in 2011 in ANPP are warming up to join Buhari's newly proposed political party. It was also gathered that some members of the State and National Assembly in ANPP are planning to quit the party and join Buhari's new party.

Buhari's exit has been viewed as a major setback to the party, bearing in mind that Shekarau's election in 2003 and 2007 respectively was said to have been possible because of Buhari's membership of the party.

"Shekarau was elected in 2003 as a result of Buhari's factor and even in 2007, it's the same Buhari's factor that Shekarau enjoyed to break the jinx and get re-elected as a two-term governor of the state," said Mallam Abdussamad Hassan, a former ANPP stalwart in the state.

Speaking further, Hassan said: "We were the real members of the party, because we had been in the party since 1999 when it was All Peoples Party and because of the coming of few other people into our party, the party became the property of few people who were always deciding what they wanted in the party instead of allowing party members to decide what was good for them.

"ANPP is now a dead party because the teeming Nigerian masses who were with Buhari have quit the party. It is a great loss. I will call on all well-meaning Nigerians who are still in the party to think well and dump it because those who are in the ANPP are opportunists who are not happy about the unity and development of the party. Their interest is to kill the party and they have achieved the target.

But a leader of the ANPP and former presidential candidate of the National Republican Convention (NRC) at the 1993 presidential election, Alhaji Bashir Othman Tofa,

described Buhari's exit as a welcome development. "Buhari's exit from ANPP is welcome. It is cheering news to all genuine ANPP members and other democrats across the country. Buhari's resignation was meant to pre-empt his dismissal from the party. Buhari's ideology is 'I must be president and no one is better than me in Nigeria.' Those who associate with him will soon find out that they have ideological differences with him.

"He will do well to take his exit from politics all together as he himself has said in his letter that the reasons for his resignation are the ideological differences that he has with party leaders. Another reason may be the unfounded rumours that are circulating that some party members will raise a memo at the next National Executive Council (NEC) meeting in Maiduguri for his suspension and eventual dismissal from the party for anti-party activities. I suggest he (Buhari) goes home and rest and be content with the status of an elder statesman. If he does so, Nigerians will accord him the respect he deserves," Tofa stated.

But in its own reaction, the party's chapter in Kano argued that Buhari's resignation from the party will not in any way alter the party's dominion in the state. The party's Acting Director of Publicity in Kano, Alhaji Ahmed Aruwa, said his exit will rather restore credibility to the party.

"His exit will also add colour to the party. It will help us to clinch more states in the country come 2011. ANPP is intact and all its genuine members are still there and nobody can shake us and the party," Aruwa said. He told reporters in Kano that Shekarau has done well in the implementation of the party's programmes in the last six years. Though he said Buhari's exit may be "painful," he added that the ANPP would move on with its programmes of transforming people's lives for the better.

Again, for more than four years now, the Kaduna State chapter of party has been enmeshed in intra-party squabbles that left the party seriously factionalised. However, the woes of the party have further been compounded by the resignation of Buhari over the twin problems of irreconcilable ideological differences between him and the leadership of the ANPP.

The crisis in Kaduna ANPP has reached a crescendo with the two factions of the party having different party secretariats and each claiming to be the authentic state secretariat of the party. The retired general's exit from the party has extensively demoralised the Kaduna ANPP because the bulk of the party's strength stem from the influence that Buhari has on the masses in the state, especially in Northern Kaduna where he is seen as a 'deity'.

Though Buhari has declined to mention the name of the party he may likely join, he is said to have pitched his tent with the CPC. The CPC is said to be one of the three political parties recently registered by the Independent National Electoral Commission (INEC). CPC members comprise Buhari's supporters including his lawyer, Chief Mike Ahamba, his close associate, Engr. Buba Galadima, among others.

Not a few believed that the major challenge before ANPP now is how it will be able to cope with the exodus from the party in different northern states as a result of Buhari's exit.

- **Fashola: I'm Not Running Elitist Gov't**

Lagos State Governor, Mr. Babatunde Raji Fashola, recently rubbed minds with journalists on several issues. Gboyega Akinsanmi was there

Recently, former Deputy Governor Bucknor Akerele described your projects, mainly beautification projects, as elitist. How would you react to that?

Really, former Deputy Governor, Mrs. Kofoworola Bucknor-Akerele, is entitled to her opinion. She has served and left. The history about her tenure is there for the record. I cannot quarrel with her for expressing her opinion. Aside, she is an elderly person. I am the one still in the classroom. I do not know what result I will get. I will continue to do my best. She is entitled to her opinion.

But her opinion is with due respect not accurate. The same beautification has provided jobs for thousands of young boys and girls whose parents are poor. It has taken several jobless people out of the streets with an attendant positive impact on crime rate. You will see from every corner of the state whether it is in Gbagada, Lawanson, Ipaja, Victoria Island and Oworonshoki among other areas of the metropolis.

You will see the impact of street cleaning every where in Ijora Badia. More importantly, if you look at our projects, the same contractor building the roads in Victoria Island is the same contractor building roads at Agege and Alimosho. It is also the same contractor that built the one opposite MUSON Centre. It is the same contractor that we took to Ajegunle because our resolve is that if it is good for those on the Island, it must be good for the people in the mainland.

The Chinese firm that we are using to build the Lekki Free Trade Zone (LFTZ) is also the one that constructed the LASU-Iba and Igbo-Elerin roads. So, that is how we have distributed. We have not discriminated; it is the same quality across the state. The Julius Berger that is building Lagos Island is the one that is building Ojuelegba.

Take a look at the projects we have executed; then ask who benefit most from them. Are the elites the most beneficiaries? Or are the masses not benefitting from the projects that directly meet their daily needs? Are the kids attending the schools we built those of the elites? Whose children go to those schools? So, people should not stereotype and lock peoples' thinking on their own assumption and not on fact.

Again, is the BRT for elites? Is it for car owners except for those who wish not to drive? Who are the beneficiaries of our mini medical intervention scheme? Is it elites that are there? You are the people who went there. You answer the question: Who are the people

in the skill acquisition centres? How many beneficiaries there come from elite homes? The beneficiaries of the projects are making money for themselves contrary to the old order. People should stop turning facts upside down.

What about all the drainage channels that we have been through? What about all the road and school projects? Who are those that are building there? Are the labourers earning their living elites? Are the people working at the different sites of various construction firms elites? How many elites did you see at every construction across the state? Between 100 and 1000 people are being employed daily. What about the people we shared N1.5billion among in our micro finance scheme? Are the beneficiaries of the micro-finance scheme elites too?

Of course, they are the real people who really benefit from most of the projects this government has successfully executed. They are the people benefiting mostly. Just think about it, every morning there is traffic on Ikorodu road: Is Ikorodu the choice of elites? Ikorodu is mostly populated by the masses. Yet, we built roads? So, even if we are doing the roads in Victoria Island and Ikoyi because that is where people go and work, we have to make sure they get there as they scheduled.

If they cannot get there as they schedule, it means we have failed them. When we build in a particular place, it does not mean that the road belongs to a particular group. Such road is an asset for the whole state. Who are the real beneficiaries? So, let people stop misleading without facts. I can go on and on. But I think your question has provoked the need to redefine this concept of elite.

Just recently, there was a development that the state government had started evacuating its indigenes from city of Jos in Plateau State. Is it true?

I spoke to Governor Jonah Jang of Plateau State two days after the conflict escalated. He assured me that he was in control. Of course, one cannot turn ones eye to citizens who feel unduly concerned that in spite of the assurance, they still wanted to quit the city. So, we have assisted some people who wanted to come home. But large majority of the people have taken the assurance of Governor Jang.

As far as I am aware, I do not have any information that it had changed. But we have responded to those that have reached out to us for assistance by sending five buses to convey them to Lagos. The reality is that we must do everything to ensure that every part of this country is safe and secure. We want to work with Governor Jang not to create any panic unless it is just a fight. That is a place where people have called home all their life. Wherever it is possible, we should do everything to prevent people from being suddenly uprooted from there.

In some cases, projects have been abandoned in the state. In other parts, contractors executed the projects half-way. Is this situation due to lack of effective monitoring and implementation of the projects?

We do not only have a project officer, but there is also a monitoring team from the ministry of Economic Planning and Budgeting because if they are not satisfied, they will not certify the contractors for payment. We also have reviews regularly with Lagos State Tenders Board that award the contract. The board also goes out. There are so many layers of monitoring. In Governor's Office also, there is a project implementation and monitoring team put in place to also check, resolve issues and certify the projects before handing the projects over.

Sometimes, what you think suggest that a contractor is not there or is there may not be accurate. It is important to know that building technology has also changed massively. In the old time, we use to see them building drains and cast them on site. Now the method has changed. The drainage is cast off-site. So when we actually award a contract and the contractor has been mobilized, what you will probably see is that the place has been marked. The contractors will only be on site to do the dimension and pegging before they finally move to the site.

Then the contractors go back to their yard where they have their concrete mixers to do the rest of the job. They cast all the drains off-site and bring them back to the sites. So, you may not see them for four months after the contracts have been awarded. When they return to the sites, they just dig, put it and roll off. Of course, you did not see all the drainage on Funsho Williams, Julius Berger cast it off-site. When they were through they moved in, the drainages were installed within two months.

The contract was awarded January 2009. The contractor did not move to the site until June. They finished the construction in a few months. The methods of construction have changed tremendously. So, if you do not see the contractors that are not working on sites, it does not suggest that the construction work is not progressing. When compared with the level of monitoring that we do, it will be discovered that we do a lot. You will see that is why we have recorded what we have delivered.

On the Ipaja-Ayobo road, for instance, we made a commitment. We try to see if we could save that road. But the experts have told us that we have to rebuild the road. That involves a huge amount of money. So, we are doing it in phases. We have awarded some section of it. We are using two contractors to attack it from two ends. You know our budget is always limited. We want to do so much. When we see how much is going to cost, then we have to look at where we can get money.

So if we have a responsibility of 10 naira and can only raise N5, then we must cut our cloth according to the cloth. That is the reality. There is no need to make a budget of N10 when you know that you will get N3. That is not realistic, but slowly we will get there. The same thing affects Agiliti. We are at the stage where we are completing the design for Agiliti. We made a promise that we will intervene there. We are working very hard. As soon as the budget is passed, the contractors will move in there for massive construction work as earlier designed.

On the issue of Medina Estate in Gbagada, at least to day, substantial part of Gbagada has been relieved of flooding for the first time in a long time. We are on a journey. We have not reached the destination and the work that we need to do will not finish in the short time. It has to continue. So, there are public buildings such as new general hospital coming up there with the Cardiac and Kidney Centre.

During this period of construction with heavy equipment it is not the right time to build roads. Otherwise when you finish building, the road construction can begin. Hopefully, we should finish that hospital early this year. Then we can come back and complete the road work there. We will not have a hospital there and not do what is right. I think we saw majority of the big drainage channel. There are primary, secondary and tertiary drainages. So, our responsibility first is to start with the heaviest drains and big canals. And then we go back to the street, because if the entire streets are flowing and the canal is not flowing, there will still be flood. So, we have addressed that big storm drainage in Gbagada.

During the rainy season, Lagos often faces the challenge of flood. Is your government prepared for the next rainy season?

The issue of flood relates to drainage and canal construction. I think we have demonstrated our capacity to mitigate flooding in the state. Some parts of Lagos metropolis that have always been under water are now dry. Nobody talks about River Luke again. River Luke has been there since when I have been a child.

Nobody talks about it last year. Nobody talked about it two years ago. We have solved the problem permanently. We will go from area to area like that until we finish. We cannot do everything at once, but if you go to Idi-Araba and Obele. Go and see what we have done there. We are working in Ilasa. We are doing drainage channels in Yaba all through the six drainage system of the state trying to interconnect them.

We are building about 7km of canal from Metropolitan Girls High School all the way down to Ijora because many of those drainages have been blocked. Instead of demolishing houses, churches and mosque there, we are creating new alignment. It is expensive, but that is where all the water hopefully from Iddo, Sabo and Onike. All of that will ultimately come and interlink. This is what we are doing. You will see that as we are clearing this, in Dolphin, we saw the problem.

So, we are working and our sea defence wall which Asiwaju (Bola Tinubu) started and which we extended. The same, some few weeks ago. There was an unusually high tide. Many of you did not know, but I got the report and that was the fallout of the earthquake from Haiti, but that thing protected Victoria Island and Ikoyi. We have one of the best marine engineers consulting for us from Holland.

There has been an extensive study looking ahead on how we can protect this state. There is nothing anybody can do about it. If you choose to live by water, it has consequence. When you choose to live in the desert, it has consequence. We are looking at 50 to 100 years time on how this state will remain save. That is the work we are doing currently to protect this state from flood and water.

When we wake up after long hour of rain, we see flash flood which disappears four hours. One will be amazed at the headlines of the print media caption: Lagos Submerged by Flood. I wonder really what comparative analysis has been done to justify the use of the word “submerged.” As I have always said, Lagos will not be submerged by flood. You can fight fire, but you cannot fight flood. So, if there is flood, everybody will run. Nobody will wait for water. But that is justification. Some have profited from the chaos and disorder that was formerly in Lagos.

The state government acquired several parcels of land for the Lekki Free Trade Zone. But the indigenes are still selling land in the area. What is the hope of those purchasing landed properties in the area?

I will be surprised if that is correct because some parcels of land have been acquired for the development of the Lekki Free Trade Zone (LFTZ) project. Once government acquires any land for public purpose, it means the title of the owner is extinguished. His remedy is compensation. The acquisition was done in two parcels. We have settled the affected land owners for the first parcels.

I think in December I approved the compensation claim for the second parcel. I am not certain if the approval has been implemented. I can not tell you even if it has not been implemented. We will implement it and we will approve it.. It is just a paper work. So, any person who purchases the land from the area stands to lose out.

- **N’Assembly Resolution: Battle Shifts to Court**

With the way the Federal High Court Abuja presided over by Justice Dan Abutu handled the litigations arising from President Umaru Musa Yar’Adua’s long absence from the country, many Nigerians are anxiously waiting to see how the same court would handle the two suits challenging the resolution passed by the National Assembly which culminated in Vice President Goodluck Jonathan becoming the Acting President of the country, writes Davidson Iriekpen

Few days after the National Assembly passed a resolution making Vice President Goodluck Jonathan Acting President of the country, two Nigerians- an Abuja-based lawyer, Ataguba Aboje, and a former Minority Leader in the House of Representatives, Alhaji Farouk Aliyu Adamu, rushed to the Federal High Court in Abuja to challenge the move. Those sued are Vice President Goodluck Jonathan, National Assembly and the Attorney General of the Federation and Minister of Justice.

It would be recalled that President Umaru Musa Yar’Adua was flown out of the country to King Faisal Specialist Hospital and Research Centre in Jeddah, Saudi Arabia on November 23. His absence from the country and failure to properly hand over to his deputy by following the provisions in Section 145 of the 1999 Constitution was alleged to have held back some vital decisions for smooth running of the country.

Matters got to a head when the 2009 Supplementary Appropriation passed by the two chambers of the National Assembly was taken to him on his sick bed for endorsement.

Also, when the then Chief Justice of Nigeria, Justice Idris Kutigi, swore in his successor, Justice Katsina-Alu. The argument was that all these functions and many others, could have been performed by Jonathan had he been sworn-in to act as the country's Acting President.

For instance, in the suit instituted by Aboje, he urged the court to determine whether in his capacity as the Vice-President of the country Jonathan can validly be the Acting President under Section 145 of the 1999 Constitution and temporarily discharge the functions of the President, without the President first transmitting to the President of the Senate and the Speaker of the House of Representatives a letter to the effect that he was proceeding on a vacation or that he is unable to discharge the functions of his office.

He is also asking the court to determine whether the Senate or House of Representatives can, by a resolution, empower Jonathan to act as Acting President, to temporarily take over and discharge the functions of the President without the occurrence of the event under Section 145 of the 1999 Constitution?

In the court document obtained by THISDAY, the plaintiff disclosed that the assumption of the Vice-President as Acting President is without basis and lacks legal justification as the position is predicated on the fulfilment of Section 145 by the President and not the passing of a resolution by the National Assembly, who by Section 4 of the Constitution are charged only with the duty of making laws for the peace, order and good governance of the Federation.

The main issue the plaintiff is seeking determination is whether the rule of interpretation is the appropriate cannon of interpretation for the words of Section 145 of the 1999 Constitution. He said the procedure adopted in taking over and discharging the function of the President by the Vice-President as Acting President was unconstitutional and a violation of Section 1(1) of the 1999 Constitution, the plaintiff argued that Section 145 of the constitution which sought the court's interpretation is unambiguous and explicit and should be given its literal and ordinary meaning.

The plaintiff is seeking the following reliefs: a declaration that the Vice-President can temporarily take over and discharge the function of the President as Acting-President only in accordance with Section 145 of the 1999 Constitution; a declaration that the taking over and the discharging of the function of the President of the Federal Republic of Nigeria by the Vice-President as Acting-President on the strength of the resolution of the National Assembly is an infringement of Section 1(1) of the 1999 Constitution; a declaration that the resolution of the National Assembly recognising the Vice-President as the Acting-President is a violation of Sections 4 and 145 of the 1999 Constitution and to that extent and for all intents and purposes is unconstitutional, null, void and of no effect whatsoever.

Aboje want the court to grant him an order of injunction restraining the Vice-President from temporarily taking over and discharging the function of the President as Acting-President except in accordance with Section 145 of the 1999 Constitution, and an order of

injunction restraining the National Assembly from recognising the Vice-President as Acting-President of the country except in compliance with Section 145 of the 1999 Constitution.

He argued thus: “My Lord, Section 145 of the 1999 Constitution provides for the procedure by which a Vice-president may become empowered to assume the function of the President as Acting-President. This section is explicit in that the President himself must transmit both to the Senate President and the Speaker of the House of Representatives a written declaration stating that he is: proceeding on vacation; or unable to discharge the function of his office.”

He noted that until this was done, the Vice-president cannot assume the position of an Acting-President, adding that anything short of this is contrary to the clear provision of Section 145 of the Constitution.

“The constitution is so clear and specific on the procedure that must be followed. The incongruous statement of the Senate President that the declaration under Section 145 was transmitted on BBC by the President is not sustainable by the clear provision of Section 145 of the Constitution of the Federal Republic of Nigeria 1999 or any portion thereof, as by no stretch of the imagination would the legislature have contemplated under any circumstance that such declaration would be made to the National Assembly over a foreign radio or television broadcast. To hold otherwise we submit, would be absurd and unreasonable.

“We therefore submit that, the assumption of the Vice-president as Acting-president is without basis and lacks legal justification as this position is predicated on the fulfillment of the Section 145 by the President and NOT the passing of a resolution by the National Assembly, who by Section 4 of the Constitution of the Federal Republic Nigeria 1999 are charged only with the duty of making laws for the peace, order and good governance of the Federation.”

The Abuja-based lawyer is not alone in the litigation. A former Minority Leader in the House of Representatives, Adamu, last week, instituted a suit at the court challenging the resolution of the National Assembly making Jonathan the Acting President pending the recovery and return of President Yar'Adua.

The former lawmaker wants the court to declare that, "having regard to the provisions of Section 145 of the Constitution of the Federal Republic of Nigeria 1999 and the circumstances of this suit, the Senate of the Federal Republic of Nigeria has no constitutional powers to pass a resolution mandating the Vice President Goodluck Ebele Jonathan, to assume full presidential powers as Acting President pending the return of President Umaru Musa Yar'Adua."

He prayed the court to decide whether the National Assembly has the powers to mandate the Vice President to become Acting President pending the return of President Yar'Adua. Against this development, the plaintiff asked the court to make an order to invalidate the

said resolution of the National Assembly on February 9, this year on grounds that such a resolution was unconstitutional and of no effect.

Similarly, he prayed the court for an order "directing the Senate and House of Representatives to cause compliance with Section 145 of the Constitution by waiting for a written declaration to be transmitted by the President before passing any resolution to that effect."

Adamu also asked the court to order the Vice President to forthwith "stop parading himself" as the Acting President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria." In a written affidavit of urgency deposed to by Adamu himself, the court was told that the President of the Federal Republic of Nigeria traveled since November 23, 2009 and that the matter must be determined in time to avoid constitutional and economic crisis.

Also with the way and manner the Federal High Court in Abuja handled the litigations arising from President Yar'Adua's long absence from the country, many Nigerians are anxiously waiting to see how the same court, which may be presided over by Justice Abutu, would handle the two suits challenging the resolution passed by the National Assembly which culminated in Vice President Jonathan becoming the Acting President. For instance, the former AGF got two judgments from Justice Abutu's court. While it is not clear whether the new AGF would plead the concept of locus standi which many judges in the country had used to throw out suits instituted against the Federal Government. The former AGF had raised the issue but later abandoned it.

Aondoakaa, it would be recalled, personally appeared in all the cases filed by interested persons in the course of Yar'Adua's absence from the country, as a defendant. A National Youth Corps Service (NYSC) member, Christopher Onwuekwe, in an application filed before the Federal High Court in Abuja, urged the court to declare that going by the combined provisions of Sections 5(1) and 148 (1) of the Constitution, the Vice President can exercise the executive powers vested in the President in the absence of the President and that the Vice President can lawfully discharge all the functions of Mr. President in the absence of the President in the interest of the country pending when the President resumes and takes over.

He asked the court to determine whether the Vice President, under the provisions of Sections 5(1) and 148 (1) of the Constitution, can exercise the executive powers vested in the President in the absence of the President and whether the Vice President can lawfully discharge any or all of the functions of the President in the absence of the President in the interest of peace, order and good governance of the federation pending when the President resumes and takes over.

In the suit, Justice Abutu had effectively foreclosed the chances of Jonathan becoming acting president, irrespective of how long Yar'Adua stays out of the country and away from office on health grounds. He held that Vice President Jonathan, having been delegated with the power and having regard to the fact that he has been working in the

absence of the president, should exercise the powers of President Yar'Adua in line with Section 5 of the constitution.

The judge, who is also the Chief Judge of the Federal High Court, declared that since President Yar'Adua did not submit any letter to the National Assembly informing the legislative body of his absence, the vice president cannot become the acting president but can only carry out the functions of the president in his absence which he has been doing and should continue to do as enshrined in Section 5 (1) of the 1999 constitution. While delivering judgment in another case involving the Nigerian Bar Association (NBA), Justice Abutu also declared that there was no room for an offshore president in our constitution and that the president cannot operate in abeyance.

He however held that Section 145 of the 1999 Constitution did not impose a duty on the president to transmit a written declaration to National Assembly whenever he is proceeding on vacation or is otherwise unable to discharge the functions of his office.

According to him, no word or parenthesis imposing an obligation is used in the section. The judge held that the doctrine of necessity cannot be invoked in the absence of the condition precedent. Ironically, it is the same doctrine of necessity that came to the rescue last week when the National Assembly passed a resolution to make Jonathan the acting president.

- **Buhari, Atiku Endorse Jonathan**

Falae, Tinubu rivalry stall mega party project

More endorsements came yesterday for Acting President Goodluck Jonathan. Former Head of State and All Nigeria Peoples Party (ANPP) presidential candidate in the 2003 and 2007 presidential elections, General Muhammadu Buhari (rtd); former Vice-President, Alhaji Atiku Abubakar, and other politicians under the aegis of the National Democratic Movement (NDM) backed Jonathan's emergence and called on him to confront the challenges facing the country.

The endorsement was made at an enlarged meeting of the NDM, where the political differences between former Lagos State Governor Bola Tinubu and former Secretary to the Government of the Federation Olu Falae stalled the formal adoption of the South-west into the proposed new political party.

A statement signed by the Head of the NDM Secretariat, Mallam Sule Hamman said Buhari, Atiku and former Sokoto State Governor Attahiru Bafarawa have backed Jonathan's emergence.

“It is our hope that with the Acting President the country will now recover from all the encumbrances of the immediate past and face the numerous challenges waiting to be addressed. We wish to urge this leadership to focus on the most critical of these challenges, which is electoral reform,” the statement said.

NDM, however, picked holes in the just-concluded Anambra State governorship election saying, “The Independent National Electoral Commission (INEC) has always bungled voters’ register consistently and with impunity. NDM condemns this criminal activity that has gone on unchallenged. We must, as a nation, stand up to these breaches and ensure that the country is not taken for a ride forever on such an issue that is critical not only to democracy but to the existence of this otherwise great country.”

According to their statement, “the Anambra election where 83 percent registered voters were disenfranchised and where a governor is said to be elected by only 5 percent of the registered voters only underscore the urgency for these reforms.

“We are not alien to the fact that electoral reform is key to the future of democracy, indeed the country itself. NDM calls for the immediate commencement of fresh voters’ registration, so that at last we can have a credible voters’ register.”

NDM also called on the Federal Government to fast track and conclude the process of electoral reform.

The meeting was attended by Buhari, Atiku, Falae, Tinubu, Hamman, Lawal Kaita, Mrs. Titi Ajanaku, Chief Tom Ikimi, Ambassador Yahaya Kwande, Senator Ben Obi, Chief Dapo Sarumi, Alhaji Yusuf Ali, Chief Mike Ahamba and Saleh Shehu.

At the meeting, the feud between Falae and Tinubu stalled the formal adoption of the protocols and procedures for the announcement of a mega political party.

The meeting, however, gave a deadline of February 25, 2010, for the political misunderstanding to be resolved, so as to pave way for the formal announcement of a new political party.

According to sources at the meeting, the Buhari, Atiku, Bafarawa-led NDM rejected the position of the Action Congress (AC) that it would only form alliances. Rather, the meeting said it would prefer the idea of joining a new political party enbloc.

Both AC National Chair-man Bisi Akande and National Publicity Secretary Lai Mohammed, had severally said AC would not be part of the mega party but would prefer an alliance with any political party.

But at yesterday’s meeting, Buhari, Atiku, Bafarawa and other leaders of NDM clearly told Tinubu that their platform is not ready for any alliances, as the best option is the joining of any of the existing political parties enbloc.

The next meeting of the group where a formal decision will be taken is slated for February 25.

In a brief chat with newsmen, one of the initiators of the NDM, Bafarawa, said “we are ready to join any party. In politics, unlike religion, we can join any party.”

Economy:

- **Contract Scam: EFCC Protests UBEC Directors’ Move’**

The stage was set for the commencement of the trial of four directors of Universal Basic Education Commission, UBEC, and three others yesterday when the Economic and Financial Crimes Commission, EFCC stormed the court with all six witnesses together for the prosecution .

The expectation was however dashed when the defence counsel came up with an application to stall the trial.

In a release signed by the Commission's spokesman, Mr. Femi Babafemi, the prosecution counsel, Wahab Shittu, who had arrived the court alongside the six witnesses ready for the commencement of the trial however expressed his shock to the trial judge, Justice Adamu Bello over an alleged fresh plot by the defence counsel to delay the trial through an application seeking to quash the 64 count charge against the seven accused persons.

The EFCC had filed an amended 64 count charge against Prof. Bridget Omotunde Sokan, former Executive Secretary of UBEC and three directors, including Molkat Manasseh Mutfwang, Michael Mtonga Aule and Dr. Andrew Ekpunobi. Three other accused are Intermarkets USA; Intermarkets Nigeria Limited and Alexander John Cozma, a foreign contractor.

When the matter came up for hearing yesterday, the prosecution counsel told the court that counsel to the 4th, 5th and 6th accused (Intermarkets USA, Intermarkets Nig. Ltd and Alexander Cozma) had filed an application which was served on him in court to quash the charges.

He said he was in court to proceed with the trial of the case as he has all his witnesses present in court. He described the defence application as an attempt to ambush justice.

Counsel to the 4th, 5th and the 6th accused persons, J. O Ogundeye confirmed the application to quash the case but expressed regret that the short notice was due to the fact that they applied to certify some of the documents attached to the application since February 2, 2010 but were not able to get approval until three days ago. He further stated that the prosecution counsel also served him with an additional proof of evidence which is about 100 pages and as such he needed to time to file a further affidavit.

- **HP Ready to Fight Fake Printing Supplies'**

Technology firm, Hewlett Packard (HP) has announced plans to step up its battle against counterfeits in Nigeria and the region this year, in response to the increasing incidents of fake printing supplies.

The company said while counterfeit printing supplies for HP's LaserJet, Color LaserJet and Inkjet printers has remained a global issue; Africa has remained an area where organised counterfeit activity is especially rampant.

HP Anti-Counterfeit (ACF) Programme Manager for Europe, the Middle East and Africa (EMEA), Tina Rose, said: "Counterfeiters and fraudulent traders frequently deceive customers into thinking they are buying genuine goods, with print cartridges either

packed in copies of original HP boxes or in reused original HP boxes. Buyers of counterfeit print cartridges run several risks, ranging from substandard print quality to printer downtime due to damage by inferior counterfeit supplies.” She said HP routinely cooperates with law-enforcement authorities across the region to identify and destroy fake printing supplies.

This, she said, became manifest, for instance, during HP’s 2009 fiscal year (November 1, 2008 through October 31, 2009), when HP oversaw about 320,000 seized finished counterfeits and components intended for illegal re-use, 55 substantial leads, 27 investigations, 20 enforcement actions and 77 Channel Partner Anti-Counterfeit Audits (3 partners failed as counterfeits were found).

This included 14 substantial leads received in Nigeria where HP conducted eight investigations and 15 Channel Partner Anti-Counterfeit Audits in this period. The latest large seizure in Nigeria was in April 2008 and consisted of more than 4,200 finished counterfeits and components intended for illegal re-use.

HP’s cooperation with local authorities in EMEA) led to the seizure of nearly 2 million counterfeits and components intended for illegal reuse, more than twice the number of items confiscated during the previous year.

HP’s overall track record for EMEA during fiscal years 2007-2009 (November 1, 2006 through October 31, 2009) includes 5.9 million seized counterfeits and components, more than 1,500 substantial leads, close to 850 investigations and around 550 enforcement actions.

Globally, from 2005-2008 HP conducted 4,620 investigations in 55 countries resulting in 3,528 enforcement actions (raids and seizures by authorities) seizing a total value of more than \$795 million USD worth of counterfeit HP supplies products. (Investigations and actions have occurred on every continent except Antarctica.) During HP’s 2009 fiscal year, local authorities in Africa seized 320,000 fake print cartridges and components. Major raids took place in Egypt, Ghana, Kenya and Tanzania.

The Organization for Economic Co-operation and Development (OECD) estimates the annual value of international trade in counterfeit goods at \$200 billion. The World Customs Organization (WCO) and the International Chamber of Commerce (ICC) believe that counterfeiting drains an estimated EUR 500 billion per year from the global economy, equivalent to the loss of about 5-8 per cent of trade in brand-name goods worldwide, including the illegal trade in fake printing supplies.

Health:

- **Raising Standards for Healthcare Delivery**

The Lagos State government is yet to lose focus in its commitment to the development of certain critical sectors of the economy like healthcare delivery. As a result of this commitment today, some say the state boasts of one of the best medicare systems in the country. MARY EKAH writes

The universal understanding of the acronym, MDGs is Millennium Development Goals. But Governor Babatunde Fashola (SAN) prefers a coinage that aptly suits his vision- Minimum Development Goals. For the Lagos State Governor, whatever is deemed to be of global standard on the average is what would serve as the minimum starting point in the state of aquatic splendor. And, since his assumption of office in May 2007, this has formed part of his guiding principles in the development of the state- across board.

Perhaps, because of its importance to any economy, the health sector has benefited immensely from this mind-set. That the Fashola administration understands the importance of sound healthcare delivery in the pursuance of economic prosperity is therefore not in doubt. This is why the state has committed huge financial, material and technical resources to the health sector of the state with a view to improving whatever is left of the healthcare system.

For instance, the predicted life expectancy in Nigeria is put at 45 and 48 for the male and female populations respectively. But this is a far cry from the 75 and 78 prediction in developed societies. This prediction is no doubt, enhanced by the healthcare delivery systems in such developed countries.

Globally, the maternal mortality ratio is 400 per 100,000 live births. But in Nigeria, the figure is about 1500 per 100,000. By implication, a woman dies approximately every 3 minutes from childbirth in Nigeria. And, for every maternal death, there are 30 morbidities arising from serious ailments. Also, with every maternal death, there are more child deaths. The mortality ratio for children under 5 years old in the country is 230 per 1000 live births while 16 children under 5 years die every 10 minutes. Newborn deaths are believed to account for more than a quarter of the deaths, especially within the first week of life due to pregnancy and delivery-related complications.

Understandably therefore, there is a closely knitted relationship between the well-being of the mother and the health of the child. This is why some world renowned organisations now partner with a view to arresting the scourge. And as part of the resolution from the partnership, there is the need to integrate newborn care, child health and maternal care interventions through the integrated Maternal, Newborn and Child Health Strategy such that would help bring down the death rate drastically by 2015.

It is against this backdrop that Fashola came up with a home grown concept designed to address the problems associated with infant and maternal mortality rates in the state. Already, the state government has designed 110 bed integrated Maternal and Child centres (MCCs) that are being built in strategic areas across the state. Today, there are eight MCCs in Ikorodu, Ifako, Isolo, Gbaja, Ajeromi, Amuwo, Alimosho and Ibeju-Lekki parts of the state.

While those in Ikorodu have already been commissioned, others are nearing completion and would be commissioned before the end of June. Each of the MCCs has four clinics for mothers, their babies and children with emergency cases; labour ward with delivery rooms; a theatre for caesarian operations in case of complicated deliveries; wards for mothers with complications before delivery; wards for mothers with their babies after deliveries; wards for babies and children as well as a neonatal unit for premature babies.

Doctors and nurses from LASUTH and the General Hospitals across the state are also being trained in emergency obstetric care. Another aspect of the Lagos healthcare vision is infrastructure development and upgrade of projects. This includes capacity development in the healthcare system of the state over a period of time. Although this initiative had commenced since the days of former Governor Bola Tinubu, the vision has further been expanded and improved upon by the present administration. Disaster management and emergency care in the state is one other area in which the state has invested immensely. In Lagos today, the state boasts of an appreciable degree of disaster management capacity owing to the steps so far taken by the Fashola administration. This is particularly so when mishaps such as road accidents, collapsed buildings, gunshot wounds and burns are frequent experiences in the society.

As part of efforts geared towards strengthening emergency services, the state government has since February 2008, provided 10 mobile intensive care units to enhance the initiative. These are to serve as upgrade to the emergency vehicles already in existence in the LASAMBUS fleet. Each of the vehicles is supplied with state of the art emergency resuscitation and monitoring equipment.

By March last year, one mobile field hospital had arrived Lagos State with such facilities as the core operating room and a critical care ward for 23 patients. It is also supported by laboratory services, hospital grade water as well as power. With this, immediate and adequate care is guaranteed at disaster sites such that would stabilise patients before their transfer to major hospitals. And, as a prelude to a complete overhaul of services in this area, an international disaster management consultant has been engaged to audit the state's emergency services and its ability to respond to disasters.

To complement efforts in this area, there is an ongoing construction of a 3-storey 50 bed Integrated Surgical Emergency and Burns Centre at LASUTH annex, Gbagada, which will be commissioned later in the year. In addition, an emergency centre has been built at the Lagos toll gate end of the Lagos-Ibadan expressway. The project is ready for commissioning. More importantly, training on pre-hospital and hospital emergency care is periodically provided by no less than six international trainers.

There is no gainsaying the fact that today, Lagos has the best (and the only internationally certified) public emergency training centre in the country. As at the last count, over 2,500 doctors, nurses, paramedics and drivers (who are referred to as first respondents) amongst others, have been trained. Advanced training in disaster management has also been extended to several other agencies of the state government including the road traffic managers, fire service and the police.

Interestingly, the attention accorded primary and community-based healthcare delivery appears to have paid off as a result of the investments in that critical sector. And as a result of the enhanced change in the approach to primary health care, the Lagos State government has supported community health care with several preventive programmes including the diabetes and hypertension initiative, immunization programmes, HIV/AIDS programmes and breast screening for cancer. Besides, innovations such as the mobile dental clinic, mobile clinics and mobile field hospitals have been helpful in ensuring effective primary healthcare in the state.

Owing to this vision and its careful execution, it is believed that the state has not only raised the standards of healthcare system, the Fashola healthcare vision is also tipped as seeing far into the future, especially in the area of disaster management in the event of the unexpected because in Lagos today, the standard is world class.

- **Healthcare: Rekindling the Hope of a People**

Without doubt, the biggest asset all living things can have in life is health. Health care is one of the most important components in life, because disease or illness can really mean a down turn in people’s lives. Health care is normally defined as the management or treatment of any health problem through the services that might be offered by medical, nursing, dental or any other related service.

When you talk about the care of health, you are talking of all goods and services that are produced to improve on your health. They may be curative, preventative or even palliative solutions. A system of health care is one that is organized to give health services to a population or a group of people. It is generally agreed that one of the most fundamental functions of government in every society is the creation of necessary enabling environment for the facilitation of good health of the citizens. Many have argued that “the state system” came into being as a result of the need to protect and ensure security of life and healthy living.

The 1988 National Health Policy (NHP) set the goal of achieving “a level of health that will enable all Nigerians to achieve socially and economically productive lives,” asserting that, “the National Health System shall be based on primary health care.” To this end, it made provision for a health system with three tiers: primary, secondary and tertiary.

The primary tier, consisting of health centres and clinics as well as outreach services, focuses on health promotion, preventive health services and basic curative services. The secondary level, which is mainly composed of general hospitals, provides curative services and some preventive services, while the tertiary tier provides more specialized curative, rehabilitative and reconstructive services.

Indeed, the National Health Policy envisaged that each state would have one tertiary facility, namely a specialist hospital, medical centre or teaching hospital. These institutions would serve the secondary tier, which in turn would provide referral and other back-up services for the primary level facilities closest to the grassroots. This would

ensure that each state has a fully articulated health system, with the three tiers of services functioning inter-dependently.

It was, therefore, against this backdrop that Governor Namadi Sambo of Kaduna State, on assumption of office on May 2007, accorded top priority to the health care system in the state, which is the third most populous in the federation. He listed the healthcare system as one of the topmost on the Eleven-Point Agenda of his administration. Besides, he vowed to transform the state best described as the microcosm of the nation into a modern, prosperous and economically viable geo-political entity with equitable distribution of its human and natural resources.

Consequently, in his maiden broadcast to the citizens of the state on Tuesday, May 29, 2007, the governor pledged to improve the healthcare delivery system in the state. “We shall ensure that there are more primary and secondary health care facilities spread all over the state for the benefit of our citizens,” he promised.

“We shall also evolve a system of producing doctors that will meet the level of, at least, one doctor to every one hundred persons as recommended by the United Nations. Major health care specialist diagnostic centres shall be established in each Senatorial District of the state with the provision of a major general hospital facility in the state capital with a deliberate attempt to arrest the outflow of our patients to other countries seeking for good health facilities,” the governor.

In his spirited effort to boost the number of medical doctors in the state, the state government engaged the services of nineteen Egyptian doctors to complement those of the indigenous ones. The doctors enjoy over 300 per cent enhanced pay package to boost their morale. This move has recorded modest achievement in the health sector in particular and the other sectors generally. He declared free medical services for children below the age of five years and pregnant women.

The scheme, which commenced in September 2007, was targeted to address mortality related problems and improve life expectancy. Furthermore, pregnant women enjoy free caesarian section performed at these primary and secondary health centres throughout the state.

Over N400 million was spent in the construction and rehabilitation of hospitals across the state. In addition, contract for the construction of a 200-bed specialist and teaching hospital, valued at over N4b at the New Kaduna Millennium City has since been awarded with a 30-month completion period. At the moment, Kaduna State boasts of 750 hospitals, out of which 28 are general hospitals and 115 health care centres spread across the three senatorial districts in the state.

Presently, the Sambo Administration spends over N100 million monthly on the provision of free treatment for children under five years of age and pregnant women in 150 hospitals in the state. According to the governor, health has remained the right of every

citizen of the state, hence free healthcare for pregnant women and children under five years old, which constitute about 40 per cent of the population.

While presenting the 2010 Budget to the State House of Assembly on Tuesday, December 29, 2009, the governor emphasized the fact that there has been a tremendous progress of work on the 300-bed specialist hospital physical development. On completion it will be a state-of-the-art structure that will cater for the healthcare needs of the citizens. “There is a tremendous progress of work on the 300-bed specialist hospital’s physical development. Our request for equipment leasing from the Islamic Development Bank has received their blessings and the sum of \$45million has been approved for the provision of state-of-the-art equipment and other necessary facilities at the hospital, which is due for completion at the first quarter of 2011.

“The sum of N1.38billion has so far been expended towards the realization of the project. This project, we believe on completion, will arrest the capital flight of our citizens traveling abroad seeking for good health medical services. Similarly, the sum of over N400million has been expended for the construction and rehabilitation of hospitals and Primary Healthcare Centres (PHCs) across the state. The Free Maternal and Child Welfare Programme for women and children under five years of age has already benefitted over three million people through our 28 hospitals and 115 Primary Healthcare Centres at the cost of about N2.8billion only,” the governor said.

There is also free malaria treatment and prevention for all citizens in the state. Other free medical services by the Sambo administration include cost of drugs, heamodialysis, laboratory and catering services in the General Hospitals in the state. Other free health care programmes include tuberculosis and leprosy control, eye care, avian influenza, free malaria tests, drugs for treatment of malaria and prevention and mosquito nets. Worried by the scourge of malaria attack in the state, the Sambo administration declared total war on the killer disease in the state, which was launched in 2008.

He said, “In our determination to arrest malaria, as it constitutes about 50 per cent of cases reported in our hospitals, we have declared war on malaria.” After the war against malaria declaration, the war commenced immediately with the attack on all malaria-infested sites, so as to eradicate mosquitoes that were responsible for its spread.

Part of the war against malaria was to get rid of refuse that abound in urban as well as rural areas; at municipal streets and express highways, depicting a story of refuse anywhere and everywhere. So, Sambo administration had not only made concerted efforts at improving hygiene and health environment to complement its drive towards beautifying the state but to equally sensitise people to the fact that indiscriminate disposal of solid wastes, including hazardous wastes from health institutions and industries, without due regard to hygiene and sanitation accounts for outspread of diseases. To give the state a hygienic facelift the state government introduced an affordable waste disposal system.

Apparently worried by the current rating of Kaduna State as one of the states having high rate of HIV/AIDS pandemic, government, in collaboration with some non-governmental organizations and development partners, waged war on the dreaded disease. It intensified the war by establishing the Kaduna States AIDS Control Agency (KASACA), which serves as a full-fledged government agency with adequate funding to fight the scourge of the deadly disease in the state. The administration has, since the establishment of KASACA, been supplying free anti-retroviral drugs to hospitals for patients.

Recently, the Bishop of the Anglican Communion of Kaduna Diocese, Dr. Josiah Idowu-Fearon, while addressing journalists at his annual 'New Year Press Conference' described Sambo, as "The most purposeful and visionary leader the state has been blessed with since its creation in 1967." This eulogy from the clergyman is a testimony to, among others things, Sambo's commitment towards providing a better healthcare for his people as basic necessity for development.

The importance of good health care can be seen in the hopes of a people who are yearning for health. To become rich or to produce something in life, you have to have that ability or strength. If you are sick, you are likely not to develop yourself in any way. Therefore health is wealth and it does appear as if this is the biggest lesson the Kaduna State government wants its citizens to understand.

Human rights/Gender/social issues:

- **House Reject Bill to Repeal Child Rights Act**

The House of Representatives has shot down a bill seeking to repeal the Child Rights Act of 2003. The bid to repeal the legislation was premised on the argument that there were procedural errors in the passage of the Child Rights Act and that the said errors contravened certain provisions of the 1999 Constitution.

The controversial bill to repeal the Child Rights Act was sponsored by Hon. Samaila Mohammed (ANPP Plateau) and Hon. Ahmed Idris (AC Plateau). The duo said they wanted the law repealed because the Constitution provides for a specific procedure in the enactment of laws and failure to follow the laid down procedure renders the law unconstitutional.

Mohammed, who led the debate, traced the origin of the Child rights Act to the United Nations Convention on the Right of the Child which was adopted by the United Nations General Assembly on November 20, 1989 and came into force on January 26, 1990. According to him, the National Assembly passed the law in 2003 pursuant to an Executive Bill presented to the parliament in a bid to implement the UN Convention on the Rights of the Child of which Nigeria was a signatory.

He however, argued that the Convention on the Rights of the Child being a multi-lateral treaty of the United Nations needed to be domesticated and ratified by the National assembly in order for it to become binding and enforceable in Nigeria. He also faulted the

procedure of the Child Rights Act being sent to the 36 states of the federation for ratification after it had been enacted by the National Assembly, stating that this was a violation of the principle of federalism.

Mohammed further argued that going by the provisions of Section 12 (1,2 and3) of the 1999 Constitution, the National assembly ought not to have presented the bill for the President's assent until it had been ratified by a majority of all the Houses of Assembly in the federation.

“Section 12(30 has not been complied with; the National assembly passed the bill, presented it to the President who assented to it. The Act was later sent to the states for ratification. Some states have ratified, others have adopted it while the majority of the states have vowed not to have anything to do with it,” he said.

He stated that this procedural lapse has made the Act worthless and lacking in universal applicability and enforceability throughout Nigeria, adding that this posed a major threat to federalism and constitutionalism in the country.

Mohammed was supported by Hon. Ubale Jakada Kiru (ANPP Kano) who also urged the House to repeal the Act and allow the state Houses of Assembly to ratify the convention first before the Act because of the plurality of the Nigerian society.

However, these arguments were punctured when the Chairman, House Committee on Rules and Business, Honourable Ita Enang and Chairman House committee on Police Affairs, Honourable Abdul Ningi took turns to correct the position of the law on treaties and conventions in relation to laws passed by the National Assembly.

According to Enang, the bid to repeal the Act was not only improper but the arguments were belated because the Federal Government, the National Assembly and the United Nations Children's Fund (UNICEF) went through a rigorous process to get the law enacted. He said the Act was passed to ensure that the rights of the Nigerian child were guaranteed under the law in line with the trend across the civilised world.

On his own part, Abdul Ningi said that contrary to the earlier argument in support of the repeal of the Act, all international treaties and conventions are usually ratified by the National Assembly and does not need to be passed through the states. Ningi said individuals and interest groups not comfortable with the Child Rights Act have the option of seeking redress in a court of law. When the question was put on the bill being read for a second time, the voice vote was overwhelmingly against it.

- **consumption Tax: Gov't Explains Clampdown on Hoteliers**

Lagos State government said it clamped down on hotels and restaurants in the state due to flagrant violation of the 2009 Hotel Occupancy and Restaurant Consumption Law of Lagos State by their operators.

Special Adviser to the state governor on Revenue and Taxation, Mr. Adeola Ipaye, told THISDAY at the weekend that no court had repealed the state Hotel Occupancy and Restaurant Consumption Law.

He acknowledged that some hoteliers and restaurant operators had dragged the state government to a Federal High Court in Lagos, seeking an abrogation of the state Hotel Occupancy and Restaurant Consumption Law on the ground that its enforcement would amount to double taxation.

He added that the state government did not seal the hotels and restaurants whose managers and operators “are parties to the on-going litigation” at the federal high court. He however said the law was enforced on the hotels and restaurants whose managers and operators “are yet to comply with the provisions of the law”. Ipaye explained that since the court has not abrogated the law, it has to be enforced.

"Truly, some hoteliers and restaurant operators sued the state government. The matter is in court. The court has not heard it at all. We did not tamper with the operations of the hotels and restaurants that sued the government.

“We respect the court and law. We only clamped down on the hotels and restaurants whose managers and operators refused to comply with the 2009 Hotel Occupancy and Restaurant Consumption Law of Lagos State and who have no case against the state government in court,” the special adviser further explained.

It would be recalled that last week, the Lagos Hoteliers Association (LHA) had protested the clampdown by officers of the Lagos State Inland Revenue Service (LIRS) for alleged failure to operate in line with the provisions of the 2009 Hotel Occupancy and Restaurant Consumption Law of Lagos State.

In a statement, LHA Chairman, Mr. Tola Odunuga, said what the state government did amounted to “disobedience to court orders”, since the Federal High Court sitting in Lagos last year restrained it from enforcing the said law pending the determination of the substantive suit on the controversial tax.

- **For National Growth, Empower Women’**

Women’s empowerment is an integral part of a nation’s greatness and this realization has propelled a body to empower as many women as possible. Designed as a forum to teach women skills of self-sustenance, the promoters also impart divine messages as well as ideals of patriotism to members. GODWIN HARUNA writes

“People are often complaining about the failings of those in leadership positions, but individually, they do nothing. So, I challenge you today, in the midst of the array of challenges the country is facing, what have you done in your personal capacity to effect a change? I demand answers now if anyone is ready.”

These were the words of Mrs. Olajumoke Adenowo, founder and coordinator of the Awesome Treasures Foundation during the quarterly meeting of the group at the MUSON Centre penultimate Sunday. With the ushers moving the microphone from one side of the room to the other, there were responses from the capacity filled Agip Recital Hall of the MUSON Centre on actions some members of the audience had taken to better the lot of their country men and women. From health advocacy to teaching skills imparted here and there and supporting the education of indigent students, the respondents were not many.

Like the famous American President, JF Kennedy told his countrymen many years ago, Adenowo asked the congregation to begin to conceive what they could do for their country, Nigeria to make the nation greater. Rather than sit on the fence and make endless complaints, she urged them to volunteer their time and skills for other less endowed people, especially, the womenfolk, who are recognized as nation builders in any society. With women's overwhelming presence in the audience, which spilled into the ground floor of the hall, Adenowo tasked them not to rest on their oars. She reasoned that the result of inactivity on their part as the middle class of this society, would spell doom for future generation.

In an interview with *THISDAY* after the meeting, she said Awesome Treasure is the female outreach of Sovereign Flame Mission and was founded in April 2001 with a mandate to raise the female Kingdom builder. She said the forum is for all women who identify and actualize their God-given purpose and assignment; with a clear understanding as to how to relate to God's corporate vision.

Adenowo added that in 2005 as the Summit celebrated its fourth year, the vision became clearer with a distinction to raise builders who were mothers in the nation. "Women who take responsibility for the healing and regeneration to their community, society, and nation after the order of the biblical Deborah," she stressed. However, she was quick to point out that the forum is non-denominational as well as inter-religious. According to her, women from all shades of opinion and backgrounds are invited and even the men, who want a better future for their children. Tall in physical features as well as in her dreams for the society, Adenowo believes everyone must take a positive step before the nation could move on well.

She expressed profound thanks to the women, who have been the backbone of support for the project adding: "This is our way of honouring God sparing no cost. We go the extra mile to make the atmosphere as beautiful as we can to welcome you and clearly demonstrate that we value you."

Speaking on the vision of Foundation, the mother of two, who is an architect said: "ATF's mission is to promote entrepreneurship and skills acquisition in a bid to eradicate extreme poverty and hunger, to provide informal microfinance facilities where needed to enhance the female entrepreneurs' small businesses."

Adenowo said the organisation also seeks to aid as many as possible in Nigeria achieve primary or basic education, to empower women mentally and financially, to enlighten

families on preventing and curing diseases that threaten their lives and that of their families, and to provide basic primary health care and health screening. She said the organisation currently functions from two broad units. Among them is the Resource Centre, which forms the base of the non-governmental organisation. It houses the secretariat and serves as the venue for most of the training and skills acquisition programmes as well as 'The Wellness Clinic' of its health resource group and supports budding entrepreneurs with facilities for meetings, presentations and events. All these activities, she added, are driven by groups of volunteers organised into 5 Focus Groups.

She also added that there are the Focus Groups, which are charged with the responsibility of participating and successfully achieving the goals of the NGO in the rural and semi-urban areas within Nigeria.

These include; Health Resource Group (HRG); Education Resource Group (ERG) which provides basic primary and adult education with emphasis on literacy and numeracy skills; and Solace (the Microfinance and Skills Acquisitions Group) responsible for training and empowering women through various skills acquisition programmes as well as providing short and medium term loans.

There is also the Legal Resource Group (LRG) which is responsible for enlightening women on their fundamental Human Rights, providing legal advice etc.; and Awesome Princesses, a young girls club with a membership of over 150, working from the tenements in the slums of Lagos, teaching young girls at risk (for sexual abuse) about morals, sexuality and HIV /AIDS.

The organisation also has outreaches. These are meetings with attendees numbering over 46,000 in the last ten years, held with the main purpose of creating awareness, empowering members and recruiting volunteers. Two of such outreaches are Awesome Treasures Summit for women, which hold quarterly and Awesome for the Youth.

Adenowo stressed that the objective of the Foundation is to impact society through the Millennium Development Goals (MDGs). According to her, the educational resource group targets Universal Basic Education (UBE) and seeks to improve and enhance learning abilities of children and to join forces with government agencies to ensure UBE in line with the MDGs.

Adenowo is many things to several people; motivational speaker, minister of the word of God with awesome influence on her congregation, patriotic and above all, a compassionate professional with a zeal to propel the womenfolk to actualize their developmental dreams. She has both the human drive and the divine inspiration to excel alongside others in her group. Her desire, she told THISDAY last week, is to create a class of change agents from the womenfolk to serve the community.

For her efforts, she said about 3000 women have so far been trained on various skills. She stressed that they have many plans for 2010 despite the paucity of funds. Therefore, she calls on public-spirited organizations and individuals to sow seeds for the advancement of the womenfolk. The next summit holds in April and there's no criteria for attendance just find time and be part of the middle class revolution that aspires to eradicate poverty.

- **Sectarian Crisis: Inter-religious Effort to Promote Peace**

Jolted by the sectarian crisis in Jos, capital of Plateau State recently, inter-religious bodies are meeting across the country in order to promote peace and harmony instead of bloodshed and hate. HAMMED SHITTU who attended such a meeting in Ilorin, Kwara State, writes

The effects of the recent Jos, Plateau State crisis and other reported ones in some parts of Nigeria like Borno, Bauchi, among others where many lives and property were allegedly lost have continued to give individuals, groups, government and stakeholders across the country some concern.

The federal government in collaboration with the Plateau State government has put in place a committee led by the former governor of that state, Chief Solomon Lar to work out the way out of the crisis in order to enhance peace and development in the once tourism state, because, no development can come to any society prone to crisis.

It is on this premise that Christian Association of Nigeria (CAN) took a giant stride to find permanent solution to the crisis by embarking on peace move across the six-geo political zones of the country. The move according to CAN would enable them to offer suggestions to the committee set up by the federal government to resolve the crisis once and for all.

The event took the national leadership of CAN to the North Central zone of the country, choosing Kwara State as its delivery point of their proposals to the government and more importantly the other governors of the zone on the need to ensure peace and growth in their respective states.

The message which was delivered to Governor Bukola Saraki at an impressive ceremony that took place at the Ilorin Government House, was attended by the leadership of the CAN in the state led by its chairman, Rev. J.O Folaranmi, and Secretary, Rev. Cornelius Fawenu. The Chief Imam of Ilorin, Sheikh Muhammad Bashr, led the Muslims leaders while the leadership of the Joint Inter-Religious Committee in the state was led by the former Secretary to the State Government(SSG) Alhaji Musa Koro among others.

Presenting CAN's position paper titled 'National Appeal for Eradication of Ethno/Religious Crises in Nigeria' to Saraki, CAN Secretary in Kwara State, Rev. Fawenu said as the chairman of Nigerian Governors Forum CAN demands "your proactive intervention on the incessant religious crisis in the north and Nigeria at large."

According to CAN "the recent Jos crises like others in the past are unfortunate in many fronts. It is so unfortunate because of the senseless killings that have resulted into lost of human resources." He said that, apart from this, it is unfortunate, because of the damage it has further done to the international reputation of our country.

CAN explained that, "if we must talk straight without fear of favour, it must be pointed out that perpetrators of the crises have succeeded to make religion less attractive for

choosing to cause more agony for the nation at the time the country requires prayer from religious institutions to get the country out of the woods.

“Compared to other nations being confronted with natural disasters of unimaginable magnitude, Nigeria is extremely lucky, it is however unfortunate to note that whereas God spared us from such natural disasters, we have continued to subject ourselves to avoidable man-made disasters such as mis-governance, induced poverty and more pathetic of them is the ethno-religious conflict that has claimed thousands of lives in Bauchi, Borno and Plateau States in recent times,” the association said.

The CAN stressed that, this issue therefore calls for serious concern because things must not continue like this, otherwise a state of perennial anarchy that may eventually consume the country may be ignited. While pointing out that, ethno-political crises may be easily and naturally fade away, once the political climate change and re-alignment of political interest occurs, among top political leaders and traditional rulers, CAN said the case of ethno-religious crises may not likely to be so.

They emphasised that, it was for this reason that all the relevant stakeholders and particularly the government cannot continue to pretend or trivialise the issue of incessant ethno-religious crises that is fast becoming a common phenomenon in the northern part of the country. CAN stressed that they are more concerned because the brethren in the north constitutes the largest percentage of the victim of this man-made disaster and “we feel the government should be more concerned because of its constitutional duty to protect all citizens of Nigeria without discrimination of any form.”

They however said that, in order to put a permanent solution to this problem, the porosity of Nigeria border should be tackled because machineries that are sometimes used to perpetrate religious crises are non-Nigerians; government should be courageous and patriotic enough to bring perpetrators of religious crises that may be indicted both in the present and past crises to book to serve as deterrent to others who may have such sinister motives, while registration of religious organisation should not be left to the corporate affairs commission alone.

The association suggested that an umbrella of religious organizations such as CAN and our Islamic counterpart should be allowed to make recommendation to avoid recognition of dissident groups such as Boko-Haram sect, that CAN and other Islamic counterpart bodies should be empowered to demand for de-registration of any religious sect that is capable of constituting security threat.

CAN further canvassed for the appointment of two honorary special advisers on religious affairs (non-politicians) from among top Christians and Muslims leaders by chief executives of states, while local governments should be encouraged to allow government to have clear and unbiased view on religious crises, such honorary advisers. According to CAN there is need for an integration of leadership of non-indigenes into ethno-political affairs of their host communities in order to create a sense of belonging and avoid living as a second-class citizens in their own country, while government at all

levels should be sensitive to issues of religion in the distribution or rotation of political offices. Equity and justice in line with the federal character should be the watchword and not an attitude of winners takes all.

The association also suggested for establishment and proper funding of Nigerian Inter-religious council (NIREC) in all the 36 states of the federation with mandate to see to the eradication of religious crises in Nigeria as well as putting more effort towards eradication of illiteracy and poverty which constitute the greatest reason miscreants are available to perpetrate religious crises.

In their submission to governor Saraki also, the state chairman, Inter-Religious Committee, Alhaji Koro said a committee that comprises 17 members that cut across Christians and Muslims faith came into being December, 2004 through the magnanimity of Saraki to keep the reputation of the state in peace.

He said it was meant to nip in the bud potential causes of religious upheaval among the adherents of different religious faiths in the state. Koro added that this committee was able to reduce any form of religious crises in the state through various strategies put in place by the committee. He stated that part of the strategy was the opening up of communication network among the different religious faiths, especially introduction of media chats and provision of poverty eradication programmes.

He also said that the committee adopted the strategy of dialogue, consultation as well as participation in the activities of different religious faiths in the state. While commending the CAN for visiting the state and for taking the state where their proposals would be delivered to the appropriate authorities, Koro therefore assured that, the committee would continue to support them in the task of promoting peace and development in order to move the nation forward.

Responding, Saraki said that the recent Jos crisis was more of ethnic and political crisis rather than religious. He said it was high time, the people at community levels in the country continued to enlighten their wards against being used by some perpetrators of crisis. "There is failure of leadership particularly at the community level. All community leaders in Plateau State should take responsibility of the crisis," Saraki told his guests. He however called on Nigerians at all level not to allow people to use them for whatever agenda adding that as Nigerians, "we must be ready to live as one."

Other West African States

Cote d'Ivoire:

- **Crisis within a Crisis Delays Elections Again....H1**

Abidjan — A week after President Laurent Gbagbo dissolved the government and the electoral commission, thousands marched in the city of Bouaké, damaging cars and shops. There have been almost daily demonstrations in cities across the country as Côte d'Ivoire's political crisis deepens.

Feb. 19 saw the first fatalities, in Gagnoa, in the country's southwest, when security forces shot at demonstrators; the military told state television that five protesters were killed and nine others injured. Opposition parties continue to boycott Prime Minister Guillaume Soro's consultations over forming a new government.

"Until this problem is solved with the reinstatement of the CEI (the independent electoral commission) and its President (Robert Mambé), we will not participate in any government and we no longer recognize Mr Gbagbo as head of state of Côte d'Ivoire. We are not accepting this coup d'état," prominent opposition leader Alphonse Djedje Mady told IPS in a phone interview.

On Feb. 14, Ivorian President Laurent Gbagbo, dissolved the government and the CEI, claiming the authority under special powers conferred on him under Article 48 of the Ivorian constitution.

According to Gbagbo, the dissolution was in response to the stalemate between the CEI and the president's party over the supposedly fraudulent addition of 429,000 voters on electoral rolls. In an interview with IPS, political scientist Herbert Aka stated that the move was more or less predictable and the decision to dissolve the government was actually taken much later than might have been expected.

Aka says "some ministers place too much emphasis on their membership in a political party. This makes their presence in the government untenable as they regularly making scathing criticisms against the government they're a part of."

This has caused members of the president's party to call for the creation of a government whose membership would mostly be technocrats with little or no affiliation to any party.

"We're only too aware of the political vacuum. It must be filled as quickly as possible to preserve the gains of the electoral process," said Patrick N'Gouan, president of the Abidjan-based Ivoirian Civil Society Coalition.

"We've stated repeatedly that the government should have 20 members and the CEI should be reconstituted with a majority of members drawn from from civil society institutions," he told IPS.

As prime minister continues working to form a new government, Gbagbo announced that he had temporarily reinstated inance minister Charles Diby, minister of the interior Désiré Tagro, and the defence minister, Michel N'Guessan Amani, to carry out essential functions.

Elections planned for the beginning of March are now unlikely to be held on schedule. This is the sixth time that elections have been rescheduled.

- **Uneasy Calm after Wave of Protests...H1**

Abidjan — An uneasy calm has been restored in cities across Côte d'Ivoire following fresh protests over the past few days, according to aid workers.

The latest protests in the central-western city of Gagnoa left five dead and a dozen injured on 19 February. In the rebel-stronghold of Bouaké in central Côte d'Ivoire protesters set fire to cars, smashed up shops and looted a government office on 20 February, according to the defence minister.

Angry protests have affected Korhogo in the rebel-held north, Divo in the southwest, Man in the far west, Toumodi in the centre of the country, as well as the commercial capital Abidjan.

"The situation has become so alarming so quickly," Abidjan-based teacher Patricia Konan told IRIN. "We have reached the stage where there is a large risk of wider conflict, with each further protest just adding more fuel to the fire."

Teachers and children across Abidjan are too scared to turn up to school, she said.

Alfred Kobenan, an Abidjan-based government tax collector, witnessed the violence in Kumasi, a district in southeast Abidjan. "The demonstrators burned everything in their path and many I saw looted anything they could find. We can no longer go to work because we are too scared."

Context

The demonstrations followed President Laurent Gbagbo's dissolution of the government and electoral commission on 12 February, delaying long-awaited presidential elections that had been set for March 2010 after six delays since 2005.

In mid-January Gbagbo accused electoral commission head and opposition party member Robert Mambe of adding more than 400,000 names to the voter register. The president said their Ivoirian identity had not been cross-checked.

Because of the draw of cocoa production, much of the population has roots in neighbouring states and the question of national identity, or "ivoirité". Around 2,000 politicians cynically fomented xenophobia for their own ends. The issue helped bring on the civil war that broke out in 2002 and continues to fuel inter-communal tensions over land rights.

Prime Minister Guillaume Soro will announce the make-up of the new Ivoirian government on 22 February, according to a statement. A group representing Côte d'Ivoire's leading opposition parties, Rally of Houphouëtistes for Democracy and Peace (RHDP), are insisting they be included in the new government.

"We have asked the militants to confront the dictatorship that has been established in our country. Gbagbo's decision to dissolve the independent electoral commission and the

government is unacceptable, and we have already said we will no longer recognize him as head of state," RHDP spokesperson Alphonse Djedje Mady said in a 20 February communiqué.

Protests have taken place amid deteriorating living conditions country-wide, with unemployment rates at 70 percent; chronic malnutrition at 40 percent in the north; and a series of power cuts across the country.

The number of people living on less than US\$1.25 a day has risen from 10 percent in 1985 to 49 percent in 2008, according to the World Bank.

Liberia: warlord's Arrest in US Shows Need for Justice....H7

The arrest of a former Liberian warlord in the United States underscores the need for prosecutions of serious crimes committed during Liberia's civil wars, Human Rights Watch said today. George Boley, whose arrest was announced today, is the former leader of the Liberian Peace Council, one of several armed factions implicated in heinous abuses during 14 years of armed conflict that ended in 2003.

Human Rights Watch's research in Liberia found that the [Liberian Peace Council was responsible](#) for torture, rape, extrajudicial executions, arbitrary detention, and forcible recruitment. Liberia's Truth and Reconciliation Commission (TRC) recently identified Boley as one of eight leaders of warring factions during Liberia's conflicts who should be prosecuted for serious crimes.

"Boley's forces were implicated in rape, torture, and killings during Liberia's wars," said Elise Keppler, International Justice Program senior counsel at Human Rights Watch. "Whether in the United States or Liberia, he should be criminally investigated for these horrific offenses."

Boley faces proceedings to remove him from the United States on the basis of invalid immigration documents and involvement in extrajudicial killings overseas. It is unclear, though, whether the abuses in which Boley is implicated can be prosecuted in the United States under federal laws prohibiting torture and war crimes committed abroad. In 2008, the United States [tried and convicted](#) Charles "Chuckie" Taylor, Jr., the son of former Liberian president Charles Taylor, in the first US case for torture committed abroad.

Liberia currently lacks credible justice mechanisms to prosecute serious crimes committed during its internal conflicts between 1989 and 2003. The Truth and Reconciliation Commission, in its final report in December 2009, highlighted problems in the Liberian justice system and called for the establishment of a hybrid international-national tribunal with Liberian and foreign judges to try past crimes.

"Liberia's Truth and Reconciliation Commission has called for a new court that can bring justice for atrocities committed during Liberia's conflicts," Keppler said. "This arrest

underscores the need for the Liberian government to act without delay to enable fair, credible trials of past crimes."

Human Rights Watch supports a hybrid tribunal for Liberia with a majority of internationally appointed judges, but has concerns about some elements of the commission's proposal. These [issues should be addressed](#) to ensure prosecutions in accordance with international fair trial standards, Human Rights Watch said.

Boley has lived in the United States for various periods since 1970, and in 2006, he was arrested for visa fraud, but the charges were dismissed.

Niger:

- **Military coup ousts Niger president....H1**

A coup has taken place in Niger and the president has been captured after a gun battle in the capital, Niamey.

In a television announcement, a spokesman for the plotters said Niger's constitution had been suspended and all state institutions dissolved.

The country was now being led by a group called the Supreme Council for the Restoration of Democracy (CSR), the spokesman said.

President Mamadou Tandja is believed to be in captivity at a military barracks.

Reports say government ministers are also being held.

Making the announcement on television, the spokesman for the coup leaders, wearing a military uniform, was surrounded by a large group of soldiers.

He called on the people of Niger to "remain calm and stay united around the ideals postulated by the CSR", to "make Niger an example of democracy and good governance".

"We call on national and international opinions to support us in our patriotic action to save Niger and its population from poverty, deception and corruption, " he added.

Tensions have been growing in the uranium-rich nation since last year.

Mr Tandja was widely criticised when he changed the constitution in August to allow him to stand for a third term.

- **Constitutional Crisis Deepens.....H1**

Niamey — Small vendors abandoned their stalls as the typical lunch hour break opened with gunfire at the presidential palace shortly after 1pm local time in Niger's capital, Niamey.

Firing continued intermittently with the military blocking all roads leading to the palace. Government helicopters were circling the city and fired in the afternoon, according to residents.

"I left my bookstore rather than risk getting hit by stray fire," Ismael Issaka told IRIN from his home in Niamey. He told IRIN he heard gunfire near the hospital after 3pm, which is across from a military base.

A private clinic doctor in the capital, Amadou Boureima, told IRIN he had treated five patients with light gunshot wounds.

Elsewhere in the country, traffic and markets continued uninterrupted.

Military music

Former government information minister, Mariama Gamatié, told IRIN that state television and radio were still active as of 3pm. "We hear gunshots still, but if there has been a coup attempt and someone has taken over, the first thing that happens in Africa is that news goes off the air." Shortly before 6pm local time, military music replaced news broadcasts on national radio.

Gamatié was the information minister at the time of the assassination of President Ibrahim Baré Mainassara in 1999 and is now a civil society member contesting President Tandja's rule.

"We are paying the price for President Tandja's power grab...We cannot afford his ego. We are in the middle of a famine. No one wants to use that word here because of the controversy in 2005. It is not a hunger crisis as government operators may call it. It is a famine."

Admissions of malnourished children to feeding centres were 60 percent higher in January than at the same time last year, according to the US early warning network, FEWSNET.

The European Union, the largest bilateral donor supporting Niger government spending, has frozen its non-humanitarian aid until there is a return to "constitutional order" in Niger; the Economic Community of West African States (ECOWAS) has suspended Niger's membership.

Vice president of the opposition Democratic and Social Convention party (CDS) and government minister until he exceeded the term limit for holding ministerial positions in 2007, Abdou Labo, told IRIN he would not comment on presidential palace violence.

"These are just rumours now and nothing has been confirmed. There is no use speculating."

IRIN could not reach members of government or the ruling party.

Negotiations?

A contested 4 August 2009 referendum changed the constitution to extend presidential terms indefinitely, allowing President Tandja to stay in power after his allotted step-down date of 22 December last year.

The president assumed emergency powers after he dissolved parliament last May, followed by the constitutional court in June, which had twice ruled the referendum to be unconstitutional.

A twice-postponed ECOWAS meeting to consider the constitutional impasse in Niger - among other regional crises - took place in Abuja, Nigeria on 16 February.

In that meeting, ECOWAS appointed Senegal's President Abdoulaye Wade as mediator, who was to join former Nigerian President Abdusalami Abubakar and an African Union representative in negotiating the stand-off between President Tandja and the opposition.

When asked how he felt about the recently revived negotiations with the government, opposition leader Labo told IRIN the opposition has made concessions and remains hopeful Niger can find a peaceful way out of crisis. "We welcome the mediators' help and await the government's counterproposals."

Civil society member Gamatié was less optimistic President Tandja will cede any power.

"I am opposed to using military force to unseat President Tandja and will continue fighting democratically no matter what happened at the palace today. But this coup attempt was inevitable. If you tighten a noose long enough, the choked will cut it loose."

