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# THE NATIONAL CONFERENCE 2014

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## REPORT OF THE COMMITTEE ON CITIZENSHIP, IMMIGRATION AND RELATED MATTERS

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### **EXECUTIVE SUMMARY**

WEDNESDAY 14<sup>TH</sup> MAY, 2014

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## **PRINCIPAL OFFICERS**

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HRH Dr. Muhammad Zaiyanu Abdullahi, CON, Emir of Yauri  
Chairman

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Dr. Chidinma Uwajumogu  
Deputy Chairman

**SIGNATURE PAGE**

<b>S/N</b>	<b>NAMES OF MEMBERS</b>	<b>SIGNATURE</b>
1.	HRH Dr. Muhammad Zaiyanu Abdullahi, CON, Emir of Yauri	
2.	Dr. Chidinma Uwajumogu	
3.	Hon. Justice Mohammed Uthman	
4.	Dr. Atedo Peterside, CON, FMNM	
5.	Olasupo Shasore, SAN	
6.	Dr. Maryam C. Abdullahi	
7.	Mr. Anthony Akika	
8.	Dr. Abiola Akiyode-Afolabi	
9.	Prof. Olawale Albert	
10.	Hajiya Hauwa Bukar	
11.	Dr. Bilkisu Magoro	
12.	Hajia Maryam Ladi Ibrahim, FCNA	
13.	Mr. John Dara	
14.	Dr. Chukwuemeka Ezeife, CON, FFPO, DAdmin	
15.	Dr. Garba Ibrahim	
16.	Hon. Umar Kareto Lawan	
17.	Aminu Mahmud	
18.	Chief Dr. (Mrs.) Nkechi Okemini Mba	
19.	Chief Isaac Jemide	
20.	Barr. Rommy Mom	
21.	Abdullahi Ali-Kano	
22.	Yusuf Hamisu Abubakar, OON	

## INTRODUCTION

1.0 As part of the efforts to finding a common consensus on issues of national development, the 2014 National Conference, on the 17th of April 2014, set up twenty committees amongst which is the Committee on Citizenship, Immigration and related matters to discuss issues related thereto and generate recommendations as appropriate.

This report therefore is a summary of the views as expressed by the Committee on Citizenship, Immigration and related matters and its recommendations to be presented to the Plenary Session of the National Conference.

1.1 In carrying out its assignments, the Committee deliberated on the following thematic areas:

- Census
- Integrated National Database
- Citizenship and Nationality
- Residency and Indigeneity
- Dual Citizenship
- Movement of persons, goods and services
- Immigration and Internal Security
- Border Control
- Refugee and Asylum
- Internally Displaced Persons (IDPs)

1.2 For effective deliberation, the Committee was therefore divided into three Sub-Committees namely:

- a. Census and Integrated National Database;
- b. Citizenship and Nationality/Residency/Indigeneity/Dual Citizenship; and
- c. Movement of Goods, Persons and Services/Immigration and Internal Security/Border Control/ Refugee and Asylum/ Internally Displaced Persons (IDPs)

## OBSERVATIONS

### 2.0 The Committee observed as follows:

- a. Despite the existence of constitutional and legal framework for census and national identity management, the continued absence of accurate census figure and integrated national database has constituted a major challenge for national planning and security in Nigeria; this has resulted in the failure to have an effective citizens' identification system, which has negatively impacted on crime fighting and prevention.
- b. The non-implementation of the existing framework has often led to politicization of national census program with past figures inflated for the purposes of increased revenue allocation and other advantages from the government at the center.
- c. Institutions such as the National Population Commission (NPC), the National Identity Management Commission and the National Bureau of Statistics are neither well-funded nor equipped with modern technology to be able to effectively deliver on their mandates.
- d. Despite that the 1999 Constitution (as amended) provides for national rights and duties in Chapter 11, the government has failed to articulate its bargain to the citizens under a charter of publicly recited duties.
- e. Some of the provisions of the 1999 Constitution (as amended) are discriminatory particularly in relation to citizenship of foreign spouses and the renunciation of citizenship between the women and men, boys and girls.
- f. Failure to make Chapter 11 of the constitution of Nigeria justiciable and or legally enforceable has impacted negatively on socio citizenship in Nigeria and has been the root cause of community rife as a result of lack of social amenities.
- g. Noted that the problem and solutions surrounding indigenous people is a global phenomenon- the right to be considered as indigenous has been referred as birthrights and co extensive of the rights to self-determination.
- h. Further notes that Chapter 11 of the constitution further recognizes the preservation of cultures that enhances human dignity and all citizens rights and Chapter 4 of the Constitution further protects citizens from non discrimination due to circumstances of birth; however in practice there has been crisis generated over issues of indigenes and settler dichotomy in Nigeria.

- i. Issues arising from the undefined status of indigenes have led to discriminatory practices with relations to appointments and benefits; marriage and problems of children of mixed marriage, which has continued to remain major claim for injustice.
- j. Recognized that the Nigerian Constitution guaranteed freedom of movements and rights to dignity of human persons as fundamental human rights; however these rights are violated with impunity through trafficking and other illegal movement of persons which continue to dent the image of Nigeria.
- k. Notes the bad state of road across the country and this has hampered free movement of persons and goods and also loss of lives across the nation.
- l. Observed that there exist over 1000 illegal routes in Nigeria giving insurgents and other groups escape routes into Cameroun, Chad and Niger.

## RECOMMENDATIONS

3.0 The Committee recommends as follows:

### 3.1 CENSUS AND NATIONAL DATABASE

- a. The National Identity Management Commission should be listed among the Federal Executive Bodies in Section 153(1) of the 1999 Constitution of the Federal Republic of Nigeria.
- b. Census should remain in the Exclusive Legislative List, the maintenance of the entire machinery for data collation should be included in the Concurrent Legislative List. Consequently, Part I, Item 8 of the Second Schedule of the 1999 Constitution should be amended to read as follows: *“Census and enumeration of Nigerians.”*
- c. The national census exercise should be preceded by the development of a full scale integrated national database which will include:
  - i. Registration of all settlements (including cities, town, villages, hamlets and farmsteads).
  - ii. Registration of all households.
  - iii. Update and sustenance of birth registration.
  - iv. Update and sustenance of death registration.
  - v. Registered information or data of citizens and immigrants in Nigeria.
- d. Laws should be enacted to criminalise any attempt by census officials or members of the public to inflate or distort in anyway, the outcome of the enumeration of people and households in Nigeria.
- e. To supplement the existing legal framework, the Integrated Database should include the records of:
  - i. The Nigerian Communication Commission (NCC) – which should provide telephone registration information.
  - ii. The Federal Road Safety Corps – FRSC which should provide information on drivers licences.
  - iii. State Ministries of Health, which should give information on births and deaths.
  - iv. Universal Basic Education Board should give information on school enrolment figures.
  - v. The Immigration Service should provide information on passport holders, and aliens coming in and out of the country.
  - vi. Other relevant bodies including Banks, Federal and State Civil Service Commissions, Trade Unions and Associations, employers of labour as well as Traditional Institutions etc, should feed the Integrated National Database with information.

- vii. All tiers of Government, i.e. Federal, States and Local Governments should maintain data base and be involved in collating data for the Integrated National Database.
- f. The National Population Commission, (NPC), the National Identity Management Commission (NIMC), and the National Bureau of Statistics should be well funded and equipped with the state of the art modern technology for the purpose of achieving accurate census figures and Integrated Database for Nigeria.
- g. There should be provision of National Identification Number and a multi-purpose Digital Card with biometric information for all citizens above eighteen (18) years. This would also serve as a social security number and card for the provision of welfare services to all citizens. The National Identification Card will similarly serve as a Voters Card as all who are above 18 are also the eligible voters.

### 3.2. CITIZENSHIP /DUAL CITIZENSHIP

- a. Chapter III, Section 26(a) of the 1999 Constitution should be amended to read “*any person who is or has been married to a citizen of Nigeria.*”
- b. A bill should be introduced guaranteeing the granting of special immigrant status with full residential rights to non -Nigerian spouses of citizens of Nigeria who do not wish to acquire Nigerian Citizenship. Above all there is an overwhelming need to liberalise the path to naturalised citizenship.
- c. Section 29 (4) (b) of the Constitution should be repealed in view of the provision of Section 29 (4) (a).
- d. As a means of promoting social citizenship, there is a need to make the provisions on socio-economic rights in Chapter II of the Constitution justiciable. This is derived from the fact that the lack of basic amenities and social mobility is at the root of the various communal strife.
- e. The ideological aspirational intendment of Chapter II of the Constitution represents the basic law of citizens’ rights and duties of the state. They should be given the necessary force of law to – for the first time – build national integration and cohesion.



### 3.3 INDIGENESHIP /SETTLER DICHOTOMY

- a. Adopt and amend Item No. 26, Page 28 of the Report of the Presidential Committee on Review of Outstanding Issues from Recent Constitutional Conferences (The Justice Alfa Belgore Report), with a caveat to read:
 

*“On the matter of Indigene ship, the Committee recommends that the current Constitutional position should be maintained but that a new provision should be inserted into the Constitution to read: “The right of any Nigerian citizen to be resident or domiciled in any part of Nigeria should be recognised. Such a resident shall enjoy all rights, privileges and facilities in the place of his/her choice, **provided that such a person meets his/her basic civic obligations.**”*

### 3.4 MOVEMENT OF GOODS, PERSONS AND SERVICES

- a. The Federal Government should strengthen its border surveillance in a manner that prevents unlawful entry of persons, goods and services into Nigeria.
- b. Nigeria should take full advantage of the *ECOWAS Protocol on Free Movement of Persons* in a manner that would enhance national economic growth and also address inherent threats to national security by criminal and illegal immigrants.
- c. The implementation of the ‘Transit Code’ system that was developed by the Nigerian Customs Service (NCS) in April 2014 in partnership with Benin Republic, Cameroon, Chad and Niger, should be extended to all other borders outside the North-Eastern part of Nigeria. The new policy requires that all Nigeria-bound vehicles imported from the above-mentioned countries are handed over from the NCS by the country’s Customs Administration after due clearance, putting a stop to the hitherto disorganised car-park system that existed at the Benin end of the border and reduce chances of the second-hand cars being used to smuggle arms and drugs into Nigeria.
- d. Grazing reserves or ranches and new technologies such as the Hydroponic Fodder Solution, should be promoted by the Government and affected stakeholders as well as dedicate funds/efforts for the acculturation/acclimatization of herdsmen in settling down to designated grazing reserves and less nomadic lifestyles.

### 3.5 IMMIGRATION AND INTERNAL SECURITY

- a. There is also the need to have a regional approach to the management of Nigerian borders. Nigeria should establish cooperation with neighbouring states on the movement of persons. As experienced in the other parts of the world, intelligence should be exchanged across borders.

- b. The Public Key Directory (PKD) Infrastructure be installed, having obtained the approval of the Federal Executive Council (FEC) since 2011. This enables countries to authenticate passports presented at points of entry and ensure that people with criminal records are not allowed into the country.

### 3.6 BORDER CONTROL

- a. The Nigerian Government must ensure the strengthening of the country's land, air and sea borders. The most problematic however, is land border control because of the expansive nature of land.
- b. The NIS should be reformed, retrained and kitted for better effectiveness in managing our land borders.
- c. The NIS needs to have a unit known as "Border Guards" or "Border Corps". The capacity of this unit should be built for full combat operations.

### 3.7 INTERNALLY DISPLACED PERSONS

- a. Government should increase the facilities for managing natural disasters.
- b. In the event that citizens are displaced due to no fault of theirs, the Government must be seen to adequately support recovery efforts of affected persons including bringing to justice, perpetrators of man-made displacement of persons.

### 3.8 REFUGEES AND ASYLUM SEEKERS

- a. In this age of asymmetric conflict and international terrorism, the Federal Government must monitor more carefully, those seeking refugee or asylum status in Nigeria.
- b. Refugees should be returned to their countries immediately the causes of their movement to Nigeria have been dealt with.

## 4.0 CONCLUSION

The Committee was able to address the thematic issues under its reference and distilled innovative recommendations for further consideration by the conference. Research, debates and persuasion were all employed in arriving at these recommendations without the need for division and voting.

**COMMITTEE SECRETARIAT**

Jide P. Agwadike	-	Rapporteur
Obiamaka Araka	-	Rapporteur
Kenechukwu Mbajorgu	-	Secretary
Oliver Nwanyanwu	-	Verbatim Reporter