

**MEMORANDUM SUBMITTED TO THE PRESIDENTIAL**  
**ADVISORY COMMITTEE ON NATIONAL**  
**DIALOGUE/CONFERENCE**  
**BY**  
**THE IJAW NATION FORUM (INF)**

**Preamble**

The Ijaws who are the 4th largest ethnic nationality in the present day Nigeria, welcome whole heartedly and commend President Goodluck Jonathan on the setting up of the Advisory Committee on the National Conference. This is in line with the clamor by the people of the country to determine how they live together in peaceful co-existence. It must be noted that the agitation for the convening of a conference by which Nigerians sit to collectively discuss their future, spans several past colonial, military and civilian governments.

While we look forward to the main Conference itself, it is worrisome to note that the Advisory Committee did not deem it fit to site any of its sittings in Ijawland which has the 4th largest ethnic nationality after the Ibo, Hausa and Yoruba. We hope the enthusiasm with which we embrace the process of national dialogue is not being thwarted at the starting block.

Also a cause for concern is the President's pronouncement that the outcome of the conference will be sent to the National Assembly. We want to state that the collective decision reached by the people must not be subjected to a vote, tempered with or jettisoned by the national assembly whose composition does not fully represent the diversity of the ethnic nationalities. The fundamental rights of

Nigerian citizens must therefore not be decided by a few persons nor political institutions.

The Advisory Committee on National Dialogue should resist the temptation to restrict the scope of Dialogue. The fear that the Nation will break up without the designation of "no go areas" is unfounded and amounts to sheer scare-mongering. Fiscal co-existence will be achieved if people are left to decide their faith.

In the final analysis, what is expected is a constitution of the people by the people, ratified by a referendum.

## **TERMS OF REFERENCE**

- **To make recommendations to government on structure and modalities for the proposed national dialogue/conference;**

We propose that the Advisory Committee be the facilitators of the conference for accreditation of delegates, kick-off and secretarial administration of the conference. However, the delegates should have the right to adopt the committee or decide on their own structure and modalities.

- **To make recommendations to government on how representation of various interest groups at the national dialogue/conference will be determined;**

The principle needs to be established that the ethnic nationalities are the ancestral units and basic building blocks of Nigeria. There shall be an equal number of representatives from each ethnic nationality, inclusive of the elected president and secretary of the Ethnic Nationality at the time of the conference. At least one third of the delegates should be women. Notwithstanding, a minimum of one third of the members shall be youths.

*See extract below from MID-WEEK ESSAY: On the Important Matter of the National Conference (NC), Prof. Mobolaji Aluko, PhD below:*

*"ANY ethnic group that has anywhere greater than 200,000 to 400,000 people upwards (we can project this from the 1963 or 1991 census, whichever has the numbers, since later censuses have inscrutably eschewed finding out about ethnicity) will be at the conference table. We really do not expect more than fifty (50) of them.*

*Having decided on the LIST of ethnic nationalities, we have many choices about composition of ethnic delegates: we can require*

- each ethnic nationality; OR*
- each state;*

*to produce EXACTLY the same number of delegates - say 50 or 100 each - with a proviso that the sub-delegation represents the diversity of the ethnic (or even sub-ethnic) groups in each state or zone according to the list.*

*How each chooses its 50-100 sub-delegates should be worked out WITHIN each caucus, which must first be convoked to discuss what AILS them, and to float their issues UP to the next level until they arrive at the national level. Those who wish only their kings and queens to represent them are free to do so. There will be those who wish to choose theirs via elections - INEC is not necessarily needed, but can be called in if requested by the caucus - but the principle of AUTONOMY OF CHOICE and EQUALITY OF NUMBERS and NON-PARTISANSHIP between the sub-nationalities should be strictly adhered to.*

*These three principles by themselves will ensure a different set of representation from the present National Assembly.*

*Note that this method, particularly if done by states (36 states + Abuja)*

*will allow ethnic groups that cut across states or zones or who have migrated in large numbers to other parts of the country (e.g., the Fulanis, Igbos and Ijaws who live in various zones) to have their say in those subdivisions.*

*There shall be a vetting of, and agreement on the number of Ethnic Nationalities prior to commencement of the conference”.*

- **To advise on a timeframe for the national dialogue/conference;**

The Conference should be carried out within the 1<sup>st</sup> half of 2014 while the remaining half of 2014 should be utilized to carry out the referendum and any other legal requirements in the making of a new Constitution for Nigeria. We hasten to state that take off date for the National Dialogue be 1<sup>st</sup> January, 2014.

- **To advise government on a legal frame-work for the national dialogue/conference;**

- **To advise government on legal procedures and options for integrating decisions and outcomes of the national dialogue/conference into the constitution and laws of the nation;**

The key thing is that a referendum should ratify the Conference’s decisions and outcomes and turn them into guidelines for a new constitution to replace the 1999 constitution. The present 1999 Constitution recognizes the sovereignty of the people. Therefore, what the people approve by referendum is the sovereign will of the people, and overrides any National Assembly claims to sovereignty.

And the constitution guided by its referendum-ratified recommendations, will replace all others as the first ever "People's Constitution of Nigeria".

The People's Constitution that results from the Conference will supersede the present constitution, and the existing laws of Nigeria will have to be made consistent with it.

- **To advise government on any other matters that may be related or incidental to the proposed national dialogue/conference.**

The agenda for the conference should include but not limited to the following:

1. Fiscal Federalism, including the following sub topics;
    - Revocation of Land Use Act;
    - Review of Nigeria Inland Waterways Act;
    - Declaration of State of Emergency for Environmental Protection Remediation in the Niger Delta;
    - Citizenship Rights; etc.
  2. Self determination
  3. Resource Control
  4. Creation of additional states
  5. Do we need local government areas, if we remain in the current structure of states or proposed Regions?
  6. Restructuring of the Country into Ten (10) regions.
- It is critical that the Advisory Committee clearly defines the Voting Plan on how decisions are arrived at during conference. In order for minority rights to be protected to the largest extent, that voting should be done by proportional representation.

- The ultimate outcome of the conference should be development of practical and implementable recommendations on “Guidelines for a People’s Constitution for Nigeria”. The guidelines should then be submitted to a referendum and, if ratified, should become the basis for a Constituent Assembly to draw up a new People’s Constitution.
- There should be no “no-go-areas” for the Conference, so that every issue that has bedeviled Nigeria since 1914 can be thoroughly discussed.

Good Luck on Your Assignment

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