

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL COMMISSION FOR PEACE, RECONCILIATION AND MEDIATION; TO IDENTIFY CONFLICTS; AND FOR THE SUPERVISION, COORDINATION AND MONITORING OF ALL PEACEFUL RESOLUTIONS BETWEEN GOVERNMENTS, ORGANISATIONS, ETC. IN NIGERIA AND FOR MATTERS INCIDENTAL THERETO 2015

*Sponsored by Senator Shehu Sani*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 PART I - ESTABLISHMENT OF THE NATIONAL COMMISSION FOR PEACE,  
2 RECONCILIATION AND MEDIATION (ESTABLISHMENT, ETC.) COMMISSION

3 1.-(1) There is hereby established, a body to be known as the  
4 National Commission for Peace, Reconciliation and Mediation of Nigeria  
5 (in this Act referred to as "the Commission").

Establishment of  
the Commission

6 (2) The Commission:

7 (a) shall be a body corporate with perpetual succession and a  
8 common seal;

9 (b) may sue and be sued in its corporate name;

10 (c) may acquire, hold or dispose of any property, movable and  
11 immovable for the purposes of carrying out its functions under this Act.

12 (3) The Commission shall have its corporate headquarters in  
13 Abuja.

14 2. -(1) There is hereby established a Governing Board (in this Act  
15 referred to as "the Board") for the management of the Commission and it  
16 shall consist of the following:

Establishment of  
the Governing  
Board

17 (a) a Chairman;

1 (b) one representative each of the following, who shall not be below  
2 the rank of a Director or its equivalent:

3 (i) Ministry of Interior;

4 (ii) Ministry of Justice;

5 (iii) Ministry of Youth Development;

6 (iv) Ministry of Defence;

7 (v) The Nigerian Army; Navy and Air Force;

8 (vi) The Nigerian Police;

9 (vii) Department of State Security Services;

10 (viii) a representative of the National Youth Council of Nigeria  
11 (NYCN);

12 (ix) a representative each of the Christian Association of  
13 Nigeria(CAN) and Jama'atul Nasirul Islam (JNI);

14 (x) Director-General Institute for Peace and Conflict Resolutions;

15 (xi) One representative of the Non-Governmental Organisations who  
16 shall be nominated by the National Council of Voluntary Agencies;

17 (xii) Six persons of proven integrity, one from each of the six geo-  
18 political zones; and

19 (c) the Executive Secretary of the Commission who shall be  
20 appointed by the President on the recommendation of the Minister.

21 (2) The Chairman and Members of the Board of the Commission shall  
22 be:

23 (a) Appointed by the President, Commander-in-Chief of the Armed  
24 Forces of the Federation, on the recommendation of the Minister subject to the  
25 confirmation of the Senate;

26 (b) be persons of proven integrity, honour and ability; and

27 (c) Part-time Members except the Executive Secretary who shall be a  
28 full time member.

29 (3) The supplementary provisions set out in the Schedule to this Bill  
30 shall have effect with respect to the proceedings of the Board and other matters

1 contained therein.

2           **3.** The Chairman and Members of the Board, shall each hold Tenure of Office  
3 office:

4           (a) for a term of 4 years and may be reappointed for a further term  
5 of 4 years and no more; and

6           (b) on such terms and conditions as may be specified in their letters  
7 of appointment.

8           **4.** -(1) A person shall cease to hold office as a Member of the Board Cessation of  
9 on the occurrence of any of the following: Membership

10           (a) he/she becomes bankrupt, suspends payment or compounds  
11 with his creditors;

12           (b) he/she is convicted of a felony or any offence involving  
13 dishonesty or fraud;

14           (c) he/she becomes of unsound mind or is capable of carrying out  
15 his duties;

16           (d) he/she is guilty of a serious misconduct in relation to his duties;

17           (e) he/she resigns his appointment by a letter under his hand to the  
18 President.

19           (2) Where a member of the Board ceases to hold office for any  
20 reason whatsoever, before the expiration of the term for which he is  
21 appointed, another person representing the same interest as that member  
22 shall be appointed to the Board for the un-expired term.

23           (3) A member of the Board may be removed by the President on the  
24 recommendation of the Minister if he is satisfied that it is not in the interest  
25 of the commission or the public that the member continues in office.

26           **5.** Members of the Board shall be paid such salaries and Remuneration of  
27 allowances in accordance with such rates as the Revenue Mobilisation, Members  
28 Allocation and Fiscal Commission may from time to time approve.

29           **6.** The Board shall have power to:

30           (a) manage and superintend over the affairs of the Commission;

Powers of the  
Board

1 (b) make rules and regulations for the effective running of the  
2 Commission;

3 (c) employ and pay the staff of the Commission such remuneration  
4 and allowances as the Revenue Mobilisation, Allocation and Fiscal  
5 Commission may from time to time approve;

6 (d) Enter into such contract as may be necessary or expedient for the  
7 discharge of its functions and ensure the efficient performance of the functions  
8 of the Commission; and

9 (e) Receive, disburse and account for funds of the Commission.

10 PART II - OBJECTS, FUNCTIONS AND POWERS OF THE COMMISSION

Objectives of  
the Commission

11 7. The Commission shall have the following objectives:

12 (a) to identify, assess and mediate in all conflicts nationwide;

13 (b) to coordinate all intervention efforts and provision of relief  
14 materials to affected people and communities;

15 (c) to coordinate and implement the National Peace Policy which  
16 provides a framework for building peace, preventing, managing and resolving  
17 dysfunctional conflicts in Nigeria; and

18 (d) to supervise Institute for Peace and Conflict Resolution (IPCR).

Functions of the  
Commission

19 8. The functions of the Board shall be:

20 (a) to create high quality field-based analysis, create policy  
21 prescriptions and engage in advocacy work in collaboration with Non-  
22 Governmental Organisations in Nigeria;

23 (b) to maintain the register of national and international conflicts in  
24 Nigeria, with the precise sectors, affiliations and locations;

25 (c) to receive and discuss the annual reports on conflicts, mediation  
26 and reconciliation;

27 (d) to develop the knowledge and skills to help manage conflicts  
28 effectively and professionally while fostering relationships an successfully  
29 moving parties to agreement;

30 (e) to create awareness by way of citizen education on the need for

1 peaceful co-existence:

2 (f) to provide policy guidelines for pre and post conflict  
3 reconciliation:

4 (g) to work closely with Government and local partners to find  
5 commonalities between conflicting parties through mediation and  
6 facilitation, capacity strengthening, diplomacy, media and the arts:

7 (h) to encourage provide a fertile ground for positive relationship  
8 building that paves the way for peace and reconciliation:

9 (i) to mobilize genuine community, political and religious support  
10 towards prevention and exabation of conflicts; and

11 (j) doing all such things incidental to the foregoing functions  
12 which, in the opinion of the Board are calculated to facilitate the carrying on  
13 of the duties of the Commission under this Act for sustainable peace in the  
14 country.

15 **9.** The Board shall have power:

16 (a) to establish such subsidiary organs as may be necessary for the  
17 performance of its functions under this Act; and

18 (b) subject to this Act, to appoint such officers as may be necessary  
19 for the performance of its functions.

20 **10.** The Board shall establish and maintain a documentation centre  
21 on conflicts in Nigeria and such other information as may be necessary for  
22 the understanding and promotion of peace and reconciliation.

23 **PART III - APPOINTMENT OF THE EXECUTIVE SECRETARY AND OTHER**  
24 **STAFF OF THE COMMISSION**

25 **11.-(1)** There shall be an Executive Secretary for the Commission,  
26 who shall, be appointed by the President and in the exercise of his functions  
27 under this Act, and be responsible to the Commission.

28 **(2)** the Executive Secretary shall be:

29 (a) the Chief Executive and Accounting Officer of the  
30 Commission;

Powers of the  
Commission

Appointment of  
the Executive  
Secretary

Duties of  
Executive Secretary



1 (b) responsible to the Board for the execution of the policies and  
2 administration of the daily affairs of the Commission.

3 (3) The Executive Secretary may, subject to the provisions of this Act  
4 and to any special or general directions of the Commission, delegate any of his  
5 functions to any employee of the Commission.

Tenure of Office  
of the Executive  
Secretary

6 **12.-(1)** The Executive Secretary shall be appointed for a term of 5  
7 years in the first instance and may be reappointed for a further term of 5 years  
8 and no more.

9 (2) The Executive Secretary shall:

10 (a) be paid such remuneration as may be prescribed in his letter of  
11 appointment; and

12 (b) ensure compliance with the provisions of this Act.

Other Staff of  
the Commission

13 **13.-(1)** The Board shall appoint for the Commission, such other  
14 officers and other staff as it may from time to time deem necessary for the  
15 purposes of the Commission.

16 (2) The terms and conditions of service (including terms and  
17 conditions as to remuneration, allowances, retiring benefits and discipline) of  
18 the Executive Secretary and other staff of the Commission shall be such as may  
19 be determine from time to time, by the Commission.

20 (3) The Commission shall determine the remuneration and tenure of  
21 office of its employees.

22 (4) The Commission may accept any member of staff by way of  
23 transfer, secondment or deployment from any public service of the Federal,  
24 State or Local Government approved establishments.

Appointment  
and Secondment  
from Public  
Service

25 **14.** Notwithstanding the provisions to Section 29, the Board shall  
26 have power to appoint for the Commission either directly or on secondment  
27 from any Public Service in the Federation, such number of employees (as may,  
28 in the opinion of the Board) be required to assist the Commission in the  
29 discharge of any of its functions under this Act.



|                                  |    |   |
|----------------------------------|----|---|
|                                  | 1  | (e) all other sum as may, from time to time, accrue to the Commission.                |
| Power to Borrow                  | 2  | <b>18.</b> -(1) The Commission may, from time to time, borrow such sums it            |
|                                  | 3  | may require in the execution of its functions under this Act:                         |
|                                  | 4  | (2) the Commission may accept gifts of land, money or other property                  |
|                                  | 5  | on such terms and conditions, if any, as may be prescribed by the person or           |
|                                  | 6  | organization making the gift.   |
|                                  | 7  | (3) the Commission shall not accept any gifts if the conditions                       |
|                                  | 8  | attached are inconsistent with the objectives of the Commission.                      |
| Annual Estimates and Expenditure | 9  | <b>19.</b> -(1) The Council shall, not later than 30th September of each year,        |
|                                  | 10 | submit to the National Assembly through the Minister an estimate of the               |
|                                  | 11 | expenditure of the Commission during the next succeeding year.                        |
|                                  | 12 | (2) The Council shall approve all expenditure of the Commission.                      |
| Accounts                         | 13 | <b>20.</b> The Commission shall:  |
|                                  | 14 | (a) cause to be kept proper accounts and records of the transactions of               |
|                                  | 15 | the Commission;   |
|                                  | 16 | (b) maintain effective control over its assets and liabilities incurred in            |
|                                  | 17 | the discharge of its functions; and   |
|                                  | 18 | (c) prepare in respect of each financial year a statement of account in               |
|                                  | 19 | such form as the Auditor-General of the Federation may direct.                        |
| Audit                            | 20 | <b>21.</b> -(1) The Commission shall cause the accounts to be audited not             |
|                                  | 21 | later than six months after the end of each year by the Auditor-General of the        |
|                                  | 22 | Federation.   |
|                                  | 23 | (2) The Auditor-General of the Federation or any officer authorized                   |
|                                  | 24 | by him is entitled at all reasonable times to full and free access to all accounts,   |
|                                  | 25 | records, documents and papers of the Commission relating directly or                  |
|                                  | 26 | indirectly to the receipt or payment of money by the Commission or to the             |
|                                  | 27 | acquisition, receipt, custody or disposal of assets by the Commission.                |
| Annual Report                    | 28 | <b>22.</b> The Commission shall submit to the President through the                   |
|                                  | 29 | Minister not later than 30th June, of each financial year, a report of its activities |
|                                  | 30 | during the preceding financial year, and it shall include a copy of the audited       |



1 accounts of the Commission for that year and a copy of the auditor's report  
2 on it.

3 PART V - MISCELLANEOUS PROVISIONS

4 23.-(1) The provisions of the Public Protection Act shall apply in  
5 relation to any suit instituted against any officer or employee of the  
6 Commission.

Limitation of  
Suit against the  
Commission

7 (2) No suit shall be commenced against a member of the Board, the  
8 Executive Secretary, officer or employee of the Commission before the  
9 written notice of intention to commence the suit shall be served upon the  
10 Commission by the intending plaintiff or his agent.

11 (3) The -notice referred to in Subsection (2) of this Section shall  
12 state the cause of action, the particulars of the claims, the name and place of  
13 abode of the intending plaintiff and the relief which he claims.

14 24. A notice of summons or any other documents required or  
15 authorised to be served upon the Commission under the provisions of this  
16 Act or any other law or enactment may be served by delivering it to the  
17 Executive Secretary of the Commission.

Service of  
Documents

18 25.-(1) No execution or attachment of process shall be issued  
19 against the Commission in any action or suit without the consent of the  
20 Attorney-General of the Federation.

Restriction on  
Execution against  
property of the  
Commission

21 (2) Any sum of money which may be the judgment of any court be  
22 awarded against the Commission shall, subject to any direction given, be  
23 paid from the general reserve fund of the Commission.

24 26. A member of the Board, the Executive Secretary, any officer or  
25 employee of the Commission shall be indemnified out of the assets of the  
26 Commission against any proceeding, whether civil or criminal in which  
27 judgment is given in his favour, or in which he is acquitted, if any such  
28 proceedings is brought against him in his capacity as member of the Board,  
29 the Executive Secretary, officer, employee of the Commission.

Indemnity of  
Officers

|   |    |  |
|---|----|--|
| Engagement of Professionals other than Staff              | 1  | <b>27.</b> The Executive Secretary may with the approval of the Board          |
|   | 2  | engage persons with knowledge or experience in matters relevant to the         |
|   | 3  | functions of the Commission to assist otherwise than on basis of full time     |
|   | 4  | employment.  |
| Power of the Minister to give direction to the Commission | 5  | <b>28.</b> The Minister may give to the Commission directives of a general     |
|   | 6  | nature with respect to any of its functions.                                   |
| Interpretation  | 7  | <b>29.</b> In this Act, unless the context otherwise requires:                 |
|   | 8  | "Chairman" means the Chairman of the Commission;                               |
|   | 9  | "Board" means the Governing Board of the National Commission for Peace,        |
|   | 10 | Reconciliation and Mediation (NCPRM);  |
|   | 11 | "Register" means the register of conflicts maintained by the Board;            |
|   | 12 | "Member" means a member of the Commission;                                     |
|   | 13 | "Minister" means the Federal Minister for the time being in charge of Ministry |
|   | 14 | of Interior;   |
|   | 15 | "President" means the President, Commander-in-Chief of the Armed Forces of     |
|   | 16 | the Federation.  |
| Citation  | 17 | <b>30.</b> This Act may be cited as the National Commission for Peace,         |
|   | 18 | Reconciliation and Mediation (NCPRM) (Establishment, Etc.) Bill, 2015.         |

## 1 SCHEDULE

2 *Section 3 (4)*

## 3 SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION, ETC.

4 *Proceedings of the Commission*

5 1. Subject to this Act and Section 27 of the Interpretation Act the  
6 Commission may make standing orders regulating its proceedings or those  
7 of its Committees.

8 2. Every meeting of the Commission shall be presided over by the  
9 Chairman or if the Chairman is unable to attend a particular meeting, the  
10 members present at the meeting shall elect one of their numbers to preside at  
11 that meeting.

12 3. The quorum at a meeting of the Commission shall consist of the  
13 Chairman (or, in an appropriate case, the person presiding at the meeting  
14 pursuant to paragraph 2 of this Schedule) and six other members.

15 4. Where, upon any special occasion, the Commission desires to  
16 obtain the advice of any person on any particular matter, the Commission  
17 may co-opt that person to be member for as many meetings as may be  
18 necessary and that person while so co-opted shall have all the rights and  
19 privileges of a member, except that he shall not be entitled to vote or count  
20 towards a quorum.

21 *Committees*

22 5.-(1) Subject to its standing orders, the Commission may appoint  
23 such number of standing and ad-hoc Committees as it thinks fit to consider  
24 and report on any matter with which the Commission is concerned.

25 (2) Every Committee appointed under the provisions of  
26 subparagraph (1) of this paragraph, shall be presided over by a member of  
27 the Commission and shall be made up of such number of persons, not  
28 necessarily members of the Commission, as the Commission may  
29 determine in each cases.

30 6. The decision of a Committee shall be of no effect until it is

1 confirmed by the Commission.

2 *Miscellaneous*

3 7. The fixing of the seal of the Commission shall be authenticated by  
4 the signature of the Chairman and of the Executive Secretary of the  
5 Commission or such other member authorized generally or specially by the  
6 Commission to act for that purpose.

7 8. Any contract or instrument which, if made by a person not being a  
8 body corporate, would not be required to be under seal, may be made or  
9 executed on behalf of the Commission by the Chairman or by any other person  
10 generally or specifically authorized by the Commission to act for that purpose.

11 9. Any document purporting to be a contract, instrument or other  
12 document signed or sealed on behalf of the Commission shall be received in  
13 evidence and, unless the contrary is proved, be presumed, without further  
14 proof, to have been so signed or sealed.

15 10. The validity of any proceedings of the Commission or a  
16 committee thereof shall not be adversely affected:

17 (a) by any vacancy in the membership of the Commission or  
18 Committee;

19 (b) by any defect in the appointment of a member of the Commission  
20 or Committee; or

21 (c) by reason that a person not entitled to do so took part in the  
22 proceedings.

23 11. Any member of the Commission or a Committee thereof who has a  
24 personal interest in any contract or arrangement entered into or proposed to be  
25 considered by the Commission or Committee shall forthwith disclose his  
26 interest to the Commission or Committee and shall not vote on any question  
27 relating to the contract or arrangement.



## EXPLANATORY MEMORANDUM

This Bill seeks to provide for among other things the establishment of the National Commission for Peace, Reconciliation and Mediation (NCPRM); to identify conflicts; and for the supervision, coordination and monitoring of all peaceful resolutions between governments, organisations, etc. in Nigeria and for Matters Incidental Thereto.

