



# ASSESSING LEGISLATIVE RESPONSE TO COVID-19 IN NIGERIA



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# Introduction

The world is experiencing one of the worst pandemics in human history. The novel Coronavirus is wreaking havoc on all facets of human existence, and nation-states are mobilizing diverse resources to provide medical, political, economic, and legal solutions. In Nigeria, the government's response thus far has focused on containing the health crisis through the procurement of Personal Protective Equipment (PPE), testing, and treatment. The government has also sought to mitigate the harsh economic and social consequences through the provision of economic stimulus and palliatives, as well as strategizing for accelerated economic recovery.

Over 1000 cases and 40 fatalities have been recorded across 32 states in Nigeria thus far.<sup>1</sup> This presents a gloomy outlook for governance and development. Economic hardship represents a significant concern, as the country grapples with the effects of the pandemic with an economy that was very weak and vulnerable before the crisis. Prior to the detection of the index case,<sup>2</sup> Nigeria's economy was heading into a recession triggered by the falling prices of crude oil in the global market. In March, oil prices plummeted to \$25 per barrel<sup>3</sup> due to a decline in global oil consumption caused by travel restrictions and lockdowns imposed by various governments as measures to contain the transmission of COVID-19. With this significant impact on the nation's revenue, the government is compelled to review the 2020 Appropriation, as the current crude

prices are below the estimated benchmark of \$57 per barrel at the time of the bill passage.<sup>4</sup>

At the epicenter of this crisis are leadership and governance. Public leadership is required in times of crisis like the one imposed by the novel coronavirus; therefore, the government must be proactive in responding to the crisis else the consequences will assume magnitudes that cannot be managed. In other words, the lifeline of this crisis will be determined by the responsiveness, accountability, transparency and inclusiveness of the government's response. This is the moment for democratic institutions to demonstrate that they exist for the collective interest of the people.

Whilst the national response to the COVID-19 outbreak is led by the federal government through the Presidential Task Force (PTF), the National Assembly is constitutionally empowered to provide a legislative response to tackle the pandemic through the development and passage of legislation to mitigate the effects of COVID-19 on citizens and the economy; perform oversight of the executive response to the pandemic; and provide support to constituents to be responsive to their needs during this unprecedented time.

This report by the Yiaga Africa Centre for Legislative Engagement (Yiaga Africa CLE) is a product of monitoring and in-depth analysis of the National Assembly's response to the COVID-19 pandemic since the index case. The analysis is benchmarked by four core principles; Responsiveness,

Accountability, Transparency, and Inclusiveness. The assessment relied on primary and secondary data sourced from interviews with legislators, legislative aides, and constituents; press statements from the National Assembly and media

reports. This report covers the period of January 30, 2020, to April 15, 2020, and provides recommendations for an improved legislative response to the COVID-19 pandemic in Nigeria.



# How the National Assembly is responding

## 1

### Early-Warning Motions and Resolutions

On January 30, 2020, four weeks prior to Nigeria's index case, the Senate drew the nation's attention to the global pandemic through a motion sponsored by Senator Chukwuka Utazi titled 'Coronavirus Outbreak and Preventive Response Towards Stemming its Spread in Nigeria' and urged the Executive, through the Ministry of Aviation, to immediately take steps to ensure that all travelers to China and other countries with COVID-19 cases are isolated for two weeks as prescribed by the World Health Organization (WHO). The motion advised Nigerians who had plans of traveling to Asia to postpone such visits until the public health crisis no longer presents significant risks to travelers' health.

While the Senate was agitated by the outbreak and perceived lackadaisical attitude of the Executive, its Committee

on Petroleum upstream was in the United Kingdom for training from March 13 to 15, 2020. At this time, the reported cases of the pandemic in the United Kingdom had become of serious concern with over 2000 cases.<sup>5</sup> This ran contrary to the Senate's admonition to citizens to curb foreign trips within this period. The visit of the committee to the United Kingdom raised concerns that the Senators may contract the virus and possibly transmit it to their colleagues, staff, aides, family, friends, and communities. The media was also awash with disturbing reports that the legislators refused to self-isolate upon return to Nigeria.<sup>6</sup> This fear partly contributed to the decision to adjourn plenary for two weeks.

In the buildup to the recess, the National Assembly called on the Executive to allocate more funds to the National Centre for Disease Control (NCDC) to enable it to

**The motion advised Nigerians who had plans of traveling to Asia to postpone such visits until the public health crisis no longer presents significant risks to travelers' health.**

respond adequately to the pandemic. The motion unanimously passed and served as a wake-up call for Nigeria to take preventive measures against the importation of the virus to Nigeria, and institute mechanisms for early detection to avoid community spread. Yiaga Africa observed that the Executive only responded to the prayers in the motion in March 2020.

Shortly before Nigeria confirmed its index case, the Senate expressed concern at the lack of significant action on the part of the Executive in its preparedness and response to the increasing threat posed by the spread of COVID-19. Ostensibly informed by government's inaction to its earlier motion, the Deputy Majority Leader of the Senate Ajayi Boroffice, relying on Order 43 of the Senate Rules, raised a motion that drew the Senate's attention to the failure of health officials and other government officials stationed at the nation's borders to properly screen travelers coming into the country.<sup>7</sup> In his words, ***"There is no form of screening for Coronavirus by Nigerian officials at the airports."*** The Senate noted that the Federal Ministry of Health had not put into place serious measures to prevent the outbreak of the virus in Nigeria, especially at a time when other nations were taking proactive steps to stop the virus from crossing into their borders. The Senate in its resolution called on the Executive to quarantine all travelers from China and other countries with a high incidence of COVID-19, such as Italy. While adopting the motion, the Senate mandated its Committee on Health to mount pressure on the ministry of health and other relevant agencies to take necessary steps

in managing the pandemic in the country. Similarly, the House of Representatives called on the Federal Executive Council to summon an emergency meeting to address the outbreak of COVID-19 and make emergency funds available to the Ministry of Health to combat the disease. The House also resolved to suspend plenary for two weeks to enable the management of the National Assembly to provide protective equipment in the complex and to allow the legislators to undertake public outreach to raise awareness of the disease in their constituencies.<sup>8</sup> The resolutions were reached after debates on a motion on national public importance entitled: "The need for emergency response and tackling of deadly coronavirus (COVID-19)" moved by Rep. Unyime Idem.

On March 12, the Speaker of the House of Representatives moved a motion on the ravaging impact of COVID-19 on Nigeria and worldwide.<sup>9</sup> Following the Speaker's presentation of the impact of COVID-19 and the threat it poses to Nigeria, the House unanimously adopted the motion and resolved as follows:

1. To direct the Federal Ministry of Education to immediately make available hostels in the now-vacated Federal Government Colleges across the country for use as emergency care centers and isolation units by the Federal Ministry of Health and the National Centre for Disease Control (NCDC) if it becomes necessary to do so to manage high numbers of people requiring treatment from the COVID-19 disease.

2. To mandate the Federal Ministry of Health and the National Centre for Disease Control (NCDC) to immediately develop contingency plans for the establishment of emergency care facilities at the Federal Government Colleges. These contingency plans should include cost estimates for the provision of equipment, material, medicines and other such requirements as may become necessary;
3. To further direct the Federal Ministry of Health, to work with the Association of General and Private Medical Practitioners of Nigeria (AGPMPN) and other such stakeholders to develop plans for the deployment of a corps of doctors and medical professionals to these emergency care centers as the need arises;
4. To urge the Central Bank of Nigeria as part of its Policy Measures in response to COVID-19 to act urgently to fully fund the establishment and operations of these emergency health centers across the country.
5. To invite the Governor and senior management of the Central Bank of Nigeria (CBN) to brief the leadership of the House on the details of the Central Bank's Policy Measures in Response to the COVID-19 outbreak including the procedure and requirements for the disbursement of earmarked intervention funds under the emergency policy measure.

Following President Buhari's long silence amid the rise of COVID-19 cases, the Senate on March 18 asked the President to update Nigerians in a nationwide address on the government's response to the pandemic.<sup>10</sup> The Senate also asked the Executive to establish a testing center in each state of the Federation, curtail mass gatherings, and impose travel restrictions. In response, the Presidency berated the upper legislative chamber for asking the President to address the nation. It termed the Senate's resolution as 'populist advocacies, cheap and sensational.'<sup>11</sup>

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## 2

## Proactive engagement with the Executive on fiscal policy and citizens welfare

Against the background of a crash in oil prices, the Senate on March 10 established a joint committee comprising the Committees on Finance, Appropriation, National Planning and Petroleum (upstream) to foster coordination among relevant agencies of government on possible measures to address the impact on the nation's economy and the 2020 Appropriation Act. The joint committee, which submitted its report on March 17, recommended both long- and short-term remedies, including amendment of the Appropriation Act and the passage of the Petroleum Industry Governance Bill (PIGB) to address the cost of production, gas flaring as well as provide a legal

framework for oil industry operators to work faster. The Senate called on revenue-generating agencies to adhere to the Fiscal Responsibility Act and intensify revenue generation to cushion the impact of the plummeting oil price. The leadership of the National Assembly further met with the ministers of finance, petroleum, Governor of the CBN, NNPC group managing director, and other agencies to discuss the planned review of the 2020 Appropriation Act.

In response to public outcry over poor power supply amidst the lockdown imposed by the Executive, the leadership of the House of Representatives met

The Presiding officers of the National Assembly meeting with President Buhari





with the Ministers of Power and Finance, as well as the CBN Governor and the management of Nigeria Electricity Regulatory Commission (NERC) on April 1, 2020. The meeting resolved that gas companies who suspended supply of gas to power generation companies owing to huge debt, should resume the supply of gas in the interim pending the settlement of outstanding debts. A follow-up meeting was hosted between the leadership of the National Assembly and members of the Executive on April 2, 2020, where the Speaker of the House of Representatives proposed a two-month electricity tariff waiver for Nigerians in a second economic stimulus bill to be brought before the House upon resumption<sup>12</sup>. The proposed Bill, according to the Speaker, is to help in boosting the economy through the informal sector as the country prepares for life in the aftermath of the coronavirus pandemic. It's yet to be ascertained if this intervention paid off with improved power supply across the country.

Following public misgivings over the arrival

of Chinese doctors to help Nigeria in the battle against COVID-19, the Speaker of the House met with the Minister of Health on April 6, 2020, to seek clarification on the mission and role of the Chinese doctors despite public criticisms and allegation that China concealed information about the Coronavirus when it first broke. It was at this meeting that the Health Minister informed the Speaker and the public that the Chinese doctors would only share experiences and train Nigerian doctors on the management of the Coronavirus as well as reconfigure the testing laboratories at no financial cost to the country. It was resolved that the Chinese doctors must comply with the WHO stipulated protocol of 14 days quarantine upon arrival in Nigeria and must be monitored and tested for the virus. The Speaker extracted a commitment from the Health Minister that the Chinese doctors will have no direct contact with patients of Covid-19.

The presiding officers of the National Assembly invited the Minister of Humanitarian Affairs, Disaster

Management and Social Development to respond to questions arising from the distribution of palliatives to identified poor households under the Social Investment Programme as part of government's effort to cushion the impact of the coronavirus pandemic. The lawmakers expressed concerns and disappointment with the implementation of the Social Investment Programme (SIP) and its inability to provide palliatives to the most vulnerable and needy for whom it is meant<sup>13</sup>. The presiding officers noted that the programme did not sufficiently capture the poorest of the poor; as such, they will be excluded from the palliatives distributed through the ministry. In the words of the Senate President, ***"the majority of those who are supposed to benefit have no access to power. They have no access to the internet. They have no bank account, so no BVN. In fact, many of them don't even have phones, and these are the poorest of the poor. Yet some of the conditions or guidelines set inadvertently leave them out"***. The National Assembly called for a review of the framework for the disbursement of

the fund and pledged to work with the Executive to ensure its effectiveness and efficiency in meeting the needs of Nigeria's indigent population. Legislation on social security that provides a legal framework for the SIP will be considered by the 9th National Assembly. Similarly, the NASS leadership met with the Minister of Finance, Minister of State for Petroleum, CBN Governor, NNPC GMD and members of the Presidential Task Force committee on COVID-19, on April 9, 2020, to receive briefings on government's response to the pandemic and updates on the distribution of palliatives and relief materials to Nigerians. The presiding officers reiterated the imperative of fairness and equity in the distribution of palliatives. They stressed the need for accountability in the management of all donations received towards the fight against Coronavirus. To this end, they requested that all COVID-19 donations be pooled in a single account, and legislative approval be sought before any expenditure from the fund. This is in line with Section 80 of the 1999 Constitution as amended.

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# 3

## The passage of an Emergency Economic Stimulus Bill (2020)

The House of Representatives passed an 'Emergency Economic Stimulus Bill' on March 4, 2020, in response to the harsh impact of the Coronavirus pandemic' on the nation's economy. The Bill provides for "relief on corporate tax liability, suspension of import duty on selected goods and deferral of residential mortgage obligations to the Federal Mortgage Bank of Nigeria for a fixed term to protect jobs and alleviate the financial burden on citizens in response to the economic downturn occasioned by the outbreak of COVID-19 disease". The principal purpose of the Bill includes;

1. Provision of temporary financial relief on corporate tax liability and to individuals.
2. Protection of the employment status of Nigerians due to economic realities caused by the outbreak of COVID-19.
3. Provision of moratorium on mortgage obligations for individuals.
4. Suspension of import duty on medical necessities required for treatment and management of COVID-19.
5. Catering to the general well-being of all Nigerians pending the eradication of COVID-19.



Companies' taxes constitute part of government plans to shore up non-oil revenue towards funding the fiscal deficit in the 2020 budget. Driven by the need to minimize cost and profits, companies will respond to the shortfall in demand and production by laying off workers, thus, leading to an increase in the unemployment rate. The Bill seeks to reward companies with a 50% income tax rebate provided they maintain the same employee status without retrenching their staff from March 1, 2020, to December 31 2020. It is not clear from the provisions of the Bill if the 50% rebate will cover the salaries of the staff within the period stipulated so employers will only retain the number of staff the rebate can cater for and still lay off a good number of employees. Not providing a detailed guideline on how companies should manage staff retention can lead to salary cuts and use of the rebate from the government to cover losses in revenue.

Unarguably, the potency for Nigeria's low GDP growth to create jobs would be further constrained by the adverse effect of COVID-19. The projected growth of the Nigerian economy for the 2020 budget is 2.93%<sup>14</sup>. While the growth of 2.27% was recorded in 2019<sup>15</sup>, a report from the International Monitoring Fund (IMF) puts the expected effect of COVID-19 on GDP to be about 1% in 2020<sup>16</sup>. With businesses closed, job losses are imminent. Unlike the reports which directly compare the effect of the COVID-19 on the global economy with the 2008 Global Financial Crisis<sup>17</sup>, the situation in Nigeria is likely to reflect the situation in 2014 when the global crude oil price dropped by more than 50% thus,

triggering a recession in 2016. Protecting the employment status of Nigerians who might otherwise become unemployed as a consequence of company management decision to retrench personnel in response to the prevailing economic realities imposed by COVID-19, is therefore essential.

On the well-being and livelihood of the poor, Clause 8 of the Economic Stimulus Bill proposes that, notwithstanding the provisions of the National Housing Act, 2018, or any other Act, all payments of mortgage obligations on residential mortgages obtained by individual contributors to the National Housing Fund, be deferred for 180 days effective from March 1, 2020. Nigeria has a huge housing deficit, and an efficient mortgage system is required to address this challenge. It is estimated that Nigeria has a housing shortage of more than 22 million units<sup>18</sup> and it will require more than N6 trillion annual investment to address<sup>19</sup>. The National Housing Act mandates the payment of contributions to a National Housing Fund. Low-income workers also contribute to the pool of the fund. COVID-19, therefore, raises the level of uncertainty of such funds, thus, necessitating the need to minimize the stakes for low-income contributors. This is important as one of the objectives of the National Housing Fund Act, as provided in section 2 (c), is to provide incentives for the capital market to invest in property development. Global capital markets, through stock exchanges, are one of the worst-hit sectors by the COVID-19 pandemic. With the interlinkages of the Nigerian stock exchange with the global burses, the Housing Funds could

be vulnerable, thus, affecting the funds contributed by individuals.

Part 4 of the Bill makes provision for import duty waiver on medicines and medical goods to allow for availability and affordable access to drugs. It eliminates the

bottleneck on the importation of medical treatment equipment, medications, personal protection equipment, and any other medical equipment as maybe required for the treatment and management of the COVID-19 disease in Nigeria.

## 4

### Suspension of Legislative Activities

To curtail the spread of the Coronavirus, the National Assembly, on March 19, 2020, announced an indefinite suspension of public hearings. The National Assembly also closed the chamber gallery to students on excursion and other observers. Visitors to the Assembly complex were also reduced. On March 24, 2020, both chambers embarked on a two weeks recess to reconvene on April 7, 2020<sup>20</sup>. The decision was partly informed by reports alleging that some lawmakers who returned to the country from highly infected countries did not comply with the protocol of two weeks self-isolation as well as the refusal of members to submit

themselves to checks at the airports. The NASS leadership hinted it wouldn't hesitate to reconvene to address matters of urgent national importance during the recess.

However, this suspension of parliamentary sittings and activities rather than strengthen the government's capacity to respond undermines the nation's response to the pandemic. The 'Emergency Economic Stimulus Bill' passed by the House, was yet to be tabled before the Senate before the break. Other legislative actions required for cushioning the economic impact, were also suspended alongside the legislative



recess. The recess may be interpreted as the decision of the National Assembly to abandon citizens to their plight amidst the coronavirus pandemic. This notion is, however, justified on the basis that the executive branch still performs its constitutionally assigned duties in response to the pandemic without shutting down. The shutdown of the National Assembly will no doubt affect the legality or constitutionality of some executive actions on the COVID-19 pandemic. For instance, the request for 500 billion Naira to tackle the pandemic will not receive the needed legislative approval until the lawmakers resume plenary, thereby endangering the fight against the dreaded virus. The N500 billion fiscal stimulus fund is a holistic interventionist package with various segments, including the improved hazard allowance for healthcare workers, palliatives to vulnerable Nigerians to cushion the impact of the pandemic, upgrade of healthcare facilities, etc. This stimulus fund cannot be expended without appropriation by the National Assembly.

Added to this is the possible mismanagement of financial resources due to the absence of legislative oversight and scrutiny. It is equally likely that the Executive and its agencies may take action outside the law. This has already manifested in the President's approval for the withdrawal of \$150m from the Sovereign Wealth Fund without legislative approval. Also, citizens have been subjected to egregious violations of human rights by overzealous security agencies enforcing the stay-at-home order. The Nigerian Correctional Service, Nigeria Police, Nigerian Army, and the Ebonyi State Task Force on COVID-19 are jointly responsible for the death of 18 citizens.<sup>21</sup> Ordinarily, these abuses would have received legislative attention through public petitions and motions by lawmakers on behalf of their constituents.



## 5

## Salary forfeitures and donations

The National Assembly as part of their response to the pandemic resolved to forfeit and donate the salary of members to help in the fight against the Coronavirus.



While the Senate decided to give

**50%**<sup>22</sup>

of their salary until the pandemic is defeated,



the House pledged salaries for

**2 months**<sup>23</sup>

This donation follows similar steps taken by political leaders and corporate Nigeria to pool resources to combat the pandemic.



Nigerian Senators earn

**N1,063,860**<sup>24</sup>

50% of this sum is

**N531,930**

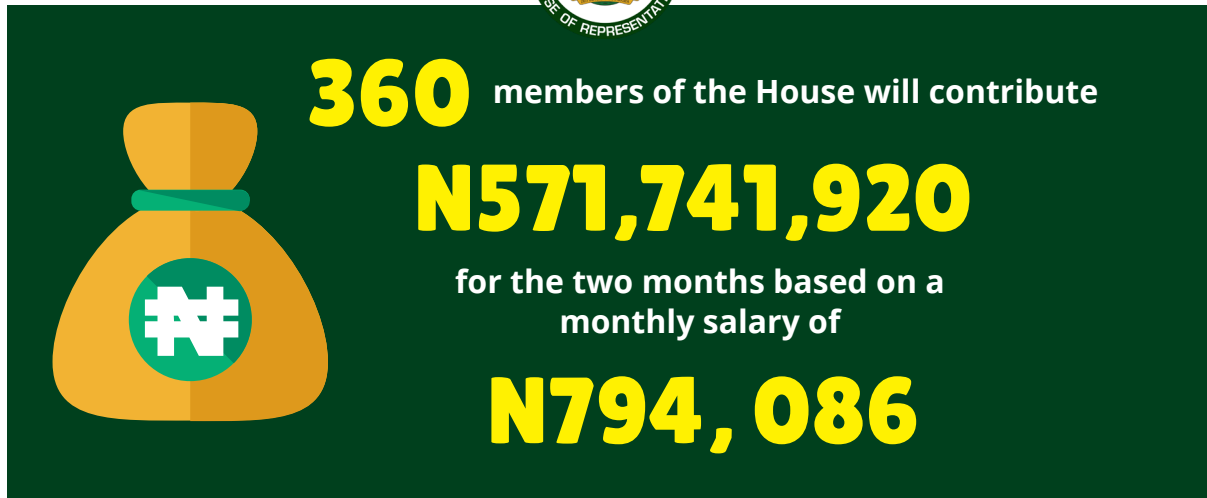


When multiplied by the current **104** members of the Senate,

the Senate will be contributing a total of

**N57,980,370**

This sum, according to the Senate spokesperson, Senator Godiya Akwashiki, will be provided monthly to the fight against the pandemic until Nigeria is Coronavirus free.



It is, however, unclear whether the leadership consulted members before the decision was taken to donate their salaries. There are allegations that the donation was against the wishes of some members.<sup>25</sup>

## 6

### Constituency interventions

In addition to the donation of salaries, some lawmakers distributed relief items to their constituents. The relief items include food, sanitary supplies like hand sanitizers, soap, face-masks, etc. Some lawmakers also sponsored public enlightenment campaigns to educate their constituents on COVID-19. It is unclear whether the palliatives provided by the lawmakers is financed from their income or constituency outreach funds.





Hon Shina Peller, representing Iseyin/ Itesiwaju/Kajola/Iwajole Federal Constituency, Oyo State



# Assessing the National Assembly's Response to COVID-19

In evaluating the response of the National Assembly, Yiaga Africa benchmarked the actions against four core principles;

## 1

### Responsiveness:

The National Assembly is rated high for several proactive steps it took to respond to governance challenges and citizens' needs in the wake of the coronavirus pandemic. As noted earlier, the January 30 motion on the COVID-19, passage of the 'Emergency Economic Stimulus Bill', and the engagement of the NASS leadership with the Executive on fiscal policy and social welfare culminate into proactive legislative actions. It is noteworthy that the Economic Stimulus Bill is an initiative of the House of Representatives sponsored without prompting from the Executive. The engagement with Executive on Social Investment Programme (SIP) and the call by the National Assembly for a review of the framework and criteria for the distribution of palliatives during the pandemic was a direct response to public outcry and constituents' needs. The intervention has equally thrown up the

need for a legislative framework for social security in Nigeria. Although some of these actions are commendable, it has, however, yielded limited or no results. For instance, the Economic Stimulus bill passed by the House of Representatives is yet to be considered by the Senate when it ought to have passed it before proceeding on recess on March 24, 2020. There is still a lack of transparency in the management of COVID-19 donations and distribution of palliatives by the Federal government<sup>26</sup>. The decision to shut down the legislature for over a month undermines checks and balances and weakens the oversight required in the fight against the pandemic. Legislators across the globe, and indeed, countries' worst hit than Nigeria, have continued with the regular legislative business, albeit, with precautionary measures and practices in compliance with WHO protocols.

”  
**There is still a lack of transparency in the management of COVID-19 donations and distribution of palliatives by the Federal government**  
”

## 2

### Accountability:

Although the NASS leadership undertook some actions geared towards holding the Executive to account, it recorded minimal success in ensuring proper scrutiny of the funds expended on COVID-19 or monitored compliance with its resolutions concerning the fair and equitable distribution of palliatives to the vulnerable poor. This can be attributed to the closure of the National Assembly and the inability of its committees to function. Executive actions are taken without legislative scrutiny and approval. For instance, President Buhari approved the withdrawal of \$150m from the Sovereign Wealth

Fund for distribution to states and local governments without appropriation.<sup>27</sup>

Additionally, the response by the National Assembly is yet to address the legal uncertainties trailing the innovation of the Quarantine Act and imposition of lockdown by the President. Furthermore, the reported cases of extrajudicial killings and human rights abuses by security agencies require legislative action. Civil society should be commended for its continuous oversight and demand for accountability in the absence of legislative oversight.

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# 3

## Transparency:

To a large extent, the NASS leadership maintained a considerable level of openness in all its engagements and meetings on COVID-19 pandemic through regular updates on its online and offline media channels. However, those meetings were closed to civil society groups and other critical stakeholders. A review of the communication and public engagement of the NASS during this period shows that both chambers utilized their Twitter and Facebook pages to provide information on major interventions undertaken by the National Assembly on COVID-19. What remains unclear is the extent legislators kept their constituents abreast of actions

taken by the National Assembly on the pandemic. Also, the National Assembly lost the opportunity to dispel the misinformation and misconception on the salary of legislators when it announced its salary donation to the fight against COVID-19. It could have gone further to clearly state the exact amount of its contribution in the spirit of transparency. Despite the controversy surrounding the foreign trip undertaken by the Senate Committee on Petroleum (Upstream), the Senate has yet to provide detailed information on the journey to clarify or set the record straight.

# 4

## Inclusiveness

The National Assembly adopted an inclusive approach in responding to the pandemic. This is in relationship to the issues addressed under its response, e.g. economy, health, housing, social security, infrastructure, etc. However, it performed poorly in its engagement with critical stakeholders like constituents, civil society organizations, and faith-based organizations playing essential roles in the fight against COVID-19. Consultations with these stakeholders will enhance

the quality of legislative response to COVID-19.

While the NASS used its online platforms to showcase activities undertaken mainly by the Senate President and Speaker of the House, the platforms were hardly utilized to sensitize or educate citizens on preventive measures against Coronavirus. NASS Nigeria twitter handle made an effort to retweet several updates and precautionary measures by WHO, NCDC, Minister of health, amongst others.

# Pathways for Improved Legislative Response to COVID-19

Yiaga Africa Centre for Legislative Engagement (CLE) recommends the following pathways for improved legislative response to COVID-19 as the National Assembly reconvenes. These pathways require administrative decisions and legislative actions:

1. **Adopt e-parliament in legislative work:**

Given the shutdown of the National Assembly to curtail the spread of the Coronavirus, it has become imperative for the NASS to integrate e-parliament into legislative action fully. Yiaga Africa calls on the NASS to amend its rules to incorporate videoconferencing and teleconferencing to facilitate remote legislative work like committee meetings, public hearings, public petitions etc. to ensure legislative work is not stalled due to social distancing or lockdowns as a result of the pandemic. Legislators and staff of the NASS should be trained on the use of technology in the conduct of legislative business to improve efficiency and effectiveness.

2. **Accelerate the amendment of the 2020 Appropriation Act and passage of an emergency economic stimulus package:**

The Senate should expeditiously consider the Emergency Economic Stimulus bill as passed by the House and transmit to the

President for assent. The NASS should harmonize the bill with the proposed N500 billion fiscal Stimulus package of the executive, as both proposals seek to provide the required resources to mitigate the effects of the pandemic on the economy and citizens. As noted above, the current 2020 budget seems to be rendered unrealistic due to severe decline in the budget benchmark; therefore, the NASS should, without further delay, review and amend the budget in line with current economic realities. The NASS should critically examine all emergency COVID-19 proposals in line with the principles of transparency, accountability, equity, inclusion, and value for money. The NASS should also ensure that proposals are responsive to the needs of all citizens, particularly marginalized groups who are most vulnerable to the effects of the pandemic.

3. **Subject executive actions on COVID-19 to legislative scrutiny:**

Yiaga Africa calls on the National Assembly to mandate its committees to subject all executive actions taken during the recess to legislative review especially enforcement of the COVID-19 regulations, distribution of palliatives to indigent Nigerians, management of COVID-19 funding and coordination and containment of

the health crisis. The NASS should, in the spirit of transparency, engage with critical stakeholders, especially citizens, civil society, media, faith-based organizations, etc. in holding the executive to account for its actions. Publishing a report of the findings of this exercise will enhance citizens' trust in the legislature and faith in the overall government response to the pandemic

4. **Increased Appropriation for Health:**

The COVID-19 pandemic has further exposed the fragility of the nation's healthcare infrastructure and facilities. The National Assembly should use its power of appropriation to increase budgetary allocation to the health sector and deploy necessary legislative oversight to ensure that the country's health infrastructure is prepared to manage health crises like the one posed by COVID-19.

5. **Legislative framework for pandemic management in Nigeria:**

Considering the limitations and anachronistic nature of the Quarantine Act of 2004, the NASS, through legislation, should provide a framework for managing public health crises in Nigeria. Such legislation should also address the legal implications of the force majeure on the conduct of elections in Nigeria.

6. **Investigate and respond to reports of human rights violations and gender-based violence:**

Nigeria has witnessed an increase in the abuse of citizens' rights by security personnel deployed to enforce lockdown measures across the country. This resulted in killings

of innocent citizens. The Nigerian Correctional Service, Nigeria Police, Nigerian Army, and the Ebonyi State Task Force on COVID-19 were jointly responsible for the death of 18 citizens. The country has also witnessed a significant rise in sexual and gender-based violence during this time. The NASS should investigate these abuses and ensure accountability through its relevant committees. The NASS should call on the Executive to introduce special measures during this period to guarantee protection and real-time response to survivors of violence and human rights violations, especially for women and girls.

7. **Improve citizens' engagement and communication:**

The National Assembly continues to be negatively perceived by Nigerians ostensibly due to poor communication and image perception management. The negative perception arises from the opaque nature in which activities and information relating to the parliament are handled. The negative perception often gives credence to misinformation. In the wake of the coronavirus pandemic, the NASS should improve its communication and engagement with citizens to build trust and mobilize the necessary support to win the battle against COVID-19

8. **Prioritize the passage of the Petroleum Industry Governance Bill (PIGB):**

The PIGB is one of four parts of the proposed Petroleum Industry Bill (PIB), which seeks to update and replace the outdated Nigerian Petroleum industry



governance structure with a more comprehensive and current petroleum industry law that aligns with global standards. This bill seeks to provide for the governance and institutional framework for the petroleum industry and other related matters. The bill is considered critical to the reforms of the petroleum industry in Nigeria and, indeed, the stability of the Nigerian economy, given that the oil represents the largest source of revenue for

the country. Though the current 9th Assembly had slated it as priority legislation to be passed in June 2020, the suspension of plenary owing to the COVID-19 pandemic has affected this timeline. The National Assembly should consider its passage as a response to the COVID-19 pandemic given the massive impact of the pandemic on the international energy market.

”  
**The National Assembly continues to be negatively perceived by Nigerians ostensibly due to poor communication and image perception management.**  
 ”



## Conclusion

The COVID-19 pandemic has exposed the vulnerability of countries around the world in navigating a public health crisis of this magnitude. Most nations and their institutions were caught off guard, but the variations in the responses of governments are remarkable. While legislatures in some societies adapted to the new operating realities of the pandemic, this did not occur in others. In Nigeria, the parliament shut down its operations for a month, with skeletal activities for the leadership of both chambers. The pandemic has shown that the legislature must operate as a dynamic institution and demonstrate the capacity of not only changing but in leading change itself. The National Assembly has not done this, as it suspended legislative activities when they were needed most to lead the fight against the virus and its consequences on the economy, citizens, governance, and the entire fabric of the nation. The decision to reopen the National

Assembly after one month of the recess is a welcome development; however, the leadership must accelerate its processes to provide the required legislative response to strengthen the fight against COVID-19.

The National Assembly must seize the opportunity of this pandemic to evolve and adapt to new ways of conducting legislative business like its counterparts in other climes. The Assembly needs to explore the potentials and benefits offered by E-Parliament. Also, revelations from its engagement with the Executive on the Social Investment Programme reiterates the need to improve the capacity of legislative committees to conduct effective oversight on the Executive. Lawmakers should no longer be content with making laws and appropriating funds. Effective legislators raise the bar by ensuring legislation and appropriations serve its intended purpose through monitoring and evaluation.

**The National Assembly must seize the opportunity of this pandemic to evolve and adapt to new ways of conducting legislative business like its counterparts in other climes.**

## Media Activities by National Assembly as related to COVID-19 Pandemic

Legislative Arm	Original Tweet/ Retweets	Original Facebook Post/Share	Press Statements	Remark
House of Representatives	62 Tweets/ 90 retweets	6 facebook posts / 4 posts shared	3 Press statements With news stories published by conventional traditional media	There is no citizens education messages or graphics released by all the branches of legislature. Social media posts are mainly from plenary and press statement.
Nigerian Senate	18 tweets/46 retweets	2 Facebook posts made	1 statement	There is no citizens education messages or graphics released by all the branches of legislature. Social media posts are mainly from plenary and press statements.
National Assembly	1 tweet/216 retweets		0 Press statements	NASS Nigeria handle tweeted once which is a graphics by NCDC advising against fake news during COVID-19. Every other activity on the twitter handle are retweets of other stakeholders and most notably retweets of activities of WHO, NCDC and other health related issues.

## A breakdown of activities

Date	Legislative Arm	Twitter	Summary	Statement	Facebook	Remark
8thApril 2020	NASS NIGERIA		COVID-19: Ensure fairness, equity in stimulus package to Nigerians - Lawan urges Executive			34 Retweets from senate President handle , speakers, and some lawmakers
8thApril 2020	Nigerian Senate		Lawan, Gbaja faults SIP , want scheme backed by law			30 retweets of Senate President,s page
7thApril 2020	NASS Nigeria		COVID-19 and Social investment program			40 retweets from Senate Presidents handle
6thApril 2020	Nass Nigeria		Remark about Chinese doctors in Nigeria			Retweets of Housenrg
6th April 2020	House of Representatives	Twitter thread 17 Tweets	Remark about Chinese doctors in Nigeria	One Press statement	1 video on facebook	28 retweets of speaker, housenrg, senate president and some lawmakers tweet on covid 19
6th April 2020	Nass Nigeria		Meeting with Chinese doctors			3 Retweets from speakers handle
5thApril 2020	Nass Nigeria		Prevention of covid19 spread			7 retweets of ncdc handle
4thApril 2020	Nass Nigeria		Economic stimulus amongst others			41 retweets of Ahmad Lawan, Ovie Omo agege, Gbaja amongst other handles
3rdApril 2020	Nass Nigeria		Apology by The punch on suspension of plenary			2 retweets
31stmarch	Nass Nigeria		Statement on Covid 19 by NILDS			14 retweets of NILS statement on COVID 19, house of reps tweet on support for COVID 19
30THMarch 2020	Nass Nigeria					12 retweets of senate handle on 50 percent donation of salary for covid 19
27th-28thMarch	Nass Nigeria					12 retweets of NCDC tweets on update, preventive measures and others

27thMarch	Nass Nigeria		Approval of funds for COVID 19			12 RETWEETS OF HOUSE OF REP HANDLE and state commissioner of health
26thmarch	Nass Nigeria		Relief material for the poor			16 retweets of senate handle
25thMarch	Nass Nigeria	1 tweet	Do not spread fake news			7 retweets of WHO graphics
24thMarch	Nass Nigeria		Preventive measure			16 retweets of WHO, NCDC, Ministry of health, Commissioner of health
5thApril 2020	House of Rep	10 tweets thread	Two months free electricity	One Press statement	1 facebook post statement	
4thApril 2020	House of Representatives	2 tweets	Apology by The Punch on mistake about when House of rep went on recess		1 facebook post Shared speakers page	
30thApril 2020	Nigerian Senate	12 tweets thread	THE Nigerian Senate has announced the decision by Distinguished Senators to contribute 50 percent of their salaries to the efforts to respond to the spread and treatment of Corona virus in Nigeria		1 facebook post	1 retweet
31stMarch	House of Representatives	11 Tweets thread	Donation of 2 months salaries to fight COVID-19		1 facebook post Also Shared Speakers page	Retweeted a video and 2 tweets from the speaker's handle
29thmarch 2020			an emergency meeting of the Body of Principal Officers of @HouseNGR today Sunday, where we deliberated on the effects of the Covid-19 pandemic.		Shared Speakers page	

27thMarch	House of Representatives	10 tweets thread	Debunks distributing cars. Also approval of funds for NCDC, Lagos state and health workers	One Press statement	One facebook post	11 retweets from the handle of speakers's special assistant
26thMarch 2020			CORONAVIRUS: Rep. Benjamin Kalu explains Economic Stimulus Bill passed by @HouseNGR			Retweet
25thMarch 2020	House of Representatives		COVID-19: Reps propose duty waivers, new tax regime – Punch Newspapers		Shared Speakers page on meeting with senate leadership	13 retweets from speaker's handle, and couple of other lawmakers handle
25thMarch	Nigerian Senate		Social investment program			15 retweets from Senate President's handle
24thMarch 2020	House of Representatives	12 tweets on economic stimulus as a result of COVID-19	proposed Emergency Economic Stimulus Bill which operates on a tripod			5 retweets about tax waiver for some health companies
24thMarch 2020	Nigerian Senate	4 retweets	Senate Committee on Health and Committee on Communicable Diseases to collaborate with the Presidential Task Force on COVID-19 as well as other stakeholders both within and outside government in fighting the pandemic;			
March 19	Nigerian Senate	1 Video tweet	New greeting style due to Coronavirus			
March 19 2020	Nigerian Senate	1 tweet	Suspend proceeding due to Covid-19			

## Endnotes

<sup>1</sup>NCDC COVID-19 Case Update as of April 26, 2020, at 11:55pm

<sup>2</sup> February 27, 2020

<sup>3</sup>Financial Times <https://www.ft.com/content/d63d0618-6928-11ea-800d-da70cff6e4d3>

<sup>4</sup>2020-2022 MTEF & FSP, (Budget Office of the Federation)

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<sup>6</sup>The Punch (2020) 'Anxiety as National Assembly members resume plenary' March 24 (accessed April 15, 2020), available at <https://punchng.com/anxiety-as-nassembly-members-resume-plenary-today/>

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<sup>11</sup>Channels Television (2020) 'COVID-19: Presidency Berates Senate Over Demands For Buhari To Address Nigerians' March 19 (accessed March 20, 2020), available at <https://www.channelstv.com/2020/03/19/covid-19-presidency-berates-senate-over-demands-for-buhari-to-address-nigerians/>

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<sup>13</sup>National Assembly (2020) 'COVID-19: Ensure fairness, equity in the stimulus package for Nigerians - Lawan urges' April 8 (accessed April 10, 2020), available at <https://www.nassnig.org/news/item/1487>

<sup>14</sup>2020-2022 MTEF & FSP (Budget office of the Federation)

<sup>15</sup>NBS GDP Report for Nigeria (Q4 & full year, 2019)

<sup>16</sup>Policy responses to Covid-19 (IMF policy brief) <https://www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19>

<sup>17</sup>Congressional Research Service (CSR) Report on Global Economic Effects of Covid-19. March 26, 2020

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<sup>20</sup>National Assembly (2020) 'National Assembly adjourns for two weeks...' March 24 (accessed April 19, 2020), available at <https://www.nassnig.org/news/item/1475>

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