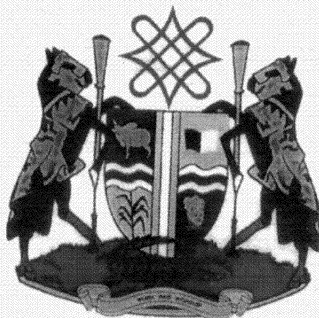


**A LAW TO PROVIDE FOR THE ESTABLISHMENT OF THE
KADUNA STATE PEACE COMMISSION, 2017**



Kaduna State of Nigeria

Law No.⁴..... 2017

(29th May 2017)

Date of Commencement

**PART I
PRELIMINARY**

BE IT ENACTED by the House of Assembly of Kaduna State as follows:

Enactment

1. This Law is cited as the Kaduna State Peace Commission Law, 2017.

Short Title

2. This Law shall come into operation on the^{29th}..... day of^{May}..... 2017.

Commencement

3. In this Law unless the context otherwise requires:

Interpretation

"Commission" means the Kaduna State Peace Commission;

"Committee" means the Local Government Peace Committee;

"Community" means a group of people living in one place, locality or district;

"Grazing Reserve Management" means members of staff of a grazing reserve;

"Herdsman" means a person who rears a livestock;

"High Court" means High Court of Kaduna State;

"Local Government" means any of the 23 Local Government Areas in the State;

"Member" means a member of the Commission and includes the Chairman;

"Pastoralist" means a person who herds livestock, often as nomad;

"Relevant Agency" means the Security Agencies and Government Departments;

"State" means Kaduna State of Nigeria;

"Volunteer" means a person or group of persons who provide services or goods for no financial gain or other gain.

PART II ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE COMMISSION

4. (i) There is established for the State, a body to be known as the Kaduna State Peace Commission which:
- (a) shall be a body corporate with perpetual succession with a Common Seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) may acquire, accept gifts by way of donation and hold any movable or immoveable property.
- (ii) The objectives of the Commission shall be:
- (a) the adoption of proactive measures in the development and implementation of strategies that would promote peace and harmonious co-existence;
 - (b) conflict prevention; and

Establishment of the
Commission

- (c) non-violent intervention, mediation and peaceful resolution of conflicts and disputes at communal and inter-group levels across the State.

(iii) The Commission shall observe the principles of:

- (a) impartiality, fairness, transparency, justice and the protection of human rights; and
- (b) public participation, respect for diversity, and peaceful co-existence.

5. The Commission shall comprise the following members:

Membership of the
Commission

- (a) the Chairman who shall be a person of impeccable character and a respected leader in the society;
- (b) an Executive Vice Chairman who shall be a person of integrity with not less than ten (10) years experience in peace, mediation and conflict resolution, to also serve as the Chief Executive Officer of the Commission;
- (c) two (2) Permanent Commissioners;
- (d) Secretary to the State Government;
- (e) the Attorney-General and Commissioner for Justice;
- (f) Special Adviser to the Governor responsible for Security matters;
- (g) the Commander of the State Vigilance Service;
- (h) three Local Government Chairmen, one from each of the Senatorial Districts of the State;
- (i) one representative of the Muslim community in the State;
- (j) one representative of the Christian community in the State;
- (k) three representatives of the Traditional Council in the State, one from each Senatorial District;

- (l) three representatives of the Youths, one of whom shall be a woman;
 - (m) three other persons of integrity with not less than ten (10) years cognate experience in peace building, mediation and conflict resolution, one of whom shall be a woman;
 - (n) one representative of the Farmers Association;
 - (o) one representative of the Pastoralists Association;
 - (p) the Secretary of the Commission;
6. (a) The Chairman, Executive Vice Chairman and two Permanent Commissioners shall be appointed by the Governor subject to confirmation by the House of Assembly.
- Appointment and Tenure
of Office of the Members
- (b) Other members shall be appointed by the Governor.
- (c) The Chairman, Executive Vice Chairman and two Permanent Commissioners shall hold office for the term of years this Law remain in force.
- (d) The Chairman and all Members of the Commission other than the Executive Vice Chairman, Permanent Commissioners and the Secretary shall serve on part time basis.
7. Members of the Commission shall be paid such remuneration and allowances as the Governor may approve from time to time.
- Remuneration of
Members
8. (a) The Chairman, Executive Vice Chairman and Permanent Commissioners shall be removed from office by the Governor acting upon a Resolution by two-thirds Majority of Members of the House of Assembly on the ground of inability to discharge the functions of the office, whether arising from infirmity of the mind or body or for misconduct or in the public interest.
- Removal of Chairman
and Members
- (b) Other members may be removed by the Governor in the public interest.

9. (i) A member may, at any time resign his membership by sending a notice of resignation in writing to the Governor, and upon receipt of the letter of resignation, the appointment of the member shall cease. Resignation of Members
and Declaration of
Vacancy
- (ii) The office of a member shall be declared vacant if he is:
- (a) convicted of an offence which disqualifies him from being a member;
 - (b) incapacitated by physical or mental illness or death;
 - (c) found to have conflicting interest which is prejudicial to the objectives of the Commission;
 - (d) absent from three consecutive meetings of the Commission without permission of the Chairman; or
 - (e) found guilty of gross misconduct or deliberately engages in activities that undermines the peaceful and harmonious coexistence of the people of the state.
- (iii) Without prejudice to the procedure on appointment of a member under this Law, if the Chairman or any Member resigns or is removed, the Governor may fill the vacancy by appointing another person for the unexpired residue of the term of office of his predecessor.
10. (1) The primary functions of the Commission shall be to: Functions of the
Commission
- (a) engage in conflict monitoring and mitigation activities organising regular joint interactive meetings in communities, designing and implementing peace advocacy programmes in the mass media, carrying out peace advocacy work in schools and public places including worship centres in the State;
 - (b) serve as intellectual base and resource to support Government in formulating and implementing policies that relate to the promotion of peace and

conflict management and developing a strategy for managing residency and citizenship matters;

- (c) partner with other local and international organizations and agencies involved in peace mediation and conflict resolution work in carrying out its functions;
- (d) develop models of conflict prevention and management for intra-pastoralist conflicts, and conflicts between grazing reserves settlers and host communities;
- (e) promotion of mutual understanding and respect between farmers, herdsmen and pastoralist through sensitization and regular joint interactive meetings with community leaders to settle disputes and resolve common problems;

(2) The secondary functions of the Commission shall include:

- (a) assist the Government in the formulation of policies and measures that promote general security, social stability and compliance with the rule of law, and develop strategies that will check negative social values and vices capable of causing crisis in the state;
- (b) implement and review policies, peace agreements, regulations, standards, guidelines and mechanism governing peace building and conflict management; and
- (c) carry out all such things as may contribute to the fulfilment of the objectives of the commission.

11. The Commission shall have powers to:

Powers of the
Commission

- (a) collate any information it considers relevant and necessary to the performance of its functions;
- (b) liaise with all relevant agencies to cause the attendance of any person before it to answer questions relevant to the subject matter of the hearing before the Commission;

- (c) interview any individual, group or members of organisation or institutions and at the Commission's discretion to conduct such interviews in private or public;
 - (d) collaborate with similar agencies in other States for the purpose of achieving its objectives;
 - (e) issue invitations, summons and subpoenas as it deem necessary for the purpose of carrying out its functions; and
 - (f) require that statements be given under oath or affirmation and to administer such oath or affirmation.
12. (i) All persons, including members and officers of the Government, traditional institutions, religious leaders and groups shall cooperate with the Commission at all times and shall provide unrestricted access to the Commission and its staff in the course of discharging its functions under this Law.
- (2) Any person who wilfully obstructs or otherwise interferes with the activities of the Commission or any of its members or officers in the discharge of its or their functions under this Law commit an offence and shall be liable on conviction to a fine not exceeding one hundred thousand Naira (₦100,000.00) or to a term of imprisonment not exceeding six (6) months or both.
13. There is established for each Local Government Area in the State, a Local Government Peace Committee whose members shall be appointed by the Commission, after due consultation with the Local Government Councils.
- Local Government
Peace Committee
- (ii) The Committee shall perform the functions of the Commission at the local government level.
 - (iii) The Committee shall comprise of the following:
 - (a) the Chairman;
 - (b) the Secretary to the Local Government Council who shall be the Deputy Chairman;

- (c) three (3) persons to represent the diverse demography of the Local Government Area;
- (d) one representative each of the Muslim and the Christian communities in the Local Government Area;
- (e) Vigilance Service Coordinator in the Local Government Area;
- (f) one person to represent traditional institutions in the Local Government Area;
- (g) two (2) representatives of the Youths, one of whom shall be a woman; and
- (h) The Head of Administration of the Local Government Council who shall also be the Secretary of the Committee.

14. A member may be removed by the Commission on the recommendation of the Local Government Council for inability to perform the functions of his office due to infirmity of the mind or body or in the public interest.

Removal of Member by the Commission

15. (i) The Commission or Committee shall hold such number of meetings, at least once in a quarter of the year and submit reports of any such meeting to the Secretary to the State Government.

Meetings of the Commission

- (ii) At every meeting of the Commission, where the Chairman is absent, the Vice Chairman shall preside over the meeting.

- (iii) Where the Commission or Committee desires to obtain the advice of any person on any particular matter, it may co-opt such a person to be a member for those meetings as may be required.

Power to Co-opt

- (iv) The quorum for meetings of the Commission shall be a simple majority of members including the presiding chairman.

Quorum

- (v) At a meeting of the Commission, issues requiring a vote shall be determined by a simple majority of the members

present and where there is a tie, the Chairman shall have a casting vote.

- (vi) The Commission, Committee or any ad-hoc subcommittee may make standing orders for the purpose of regulating its own proceedings.
- 16. (1) The Governor shall appoint for the Commission, from the public service of the State, an Officer not below the rank of a Director, as Secretary who shall be the Chief Administrative Officer of the Commission. Appointment of Secretary
 - (2) Subject to the general direction of the Executive Vice Chairman, the Secretary shall:
 - (a) be responsible for making arrangements for meetings of the Commission;
 - (b) be the Head of the secretariat;
 - (c) carry out such other duties and perform such functions as the Commission may from time to time assign to him in order to achieve the objectives of the Commission.
- 17. The Commission may employ such officers or employees as it may consider necessary for the proper and effective performance of its functions upon such terms and conditions as to remuneration or otherwise as it may determine subject to the approval of the Governor. Staff of the Commission
- 18. The Commission or Committee may within itself, set up sub-committees to advise it on any actions or any matter which in its opinion would be better regulated or managed by a sub-committee. Sub-Committees

PART III FINANCIAL PROVISIONS

- 19. The Commission shall establish and maintain a fund into which shall be credited all monies appropriated or accruing to it and from which all expenditures incurred by it shall be defrayed. Funds of the Commission

The monies to be credited to the fund shall include:

- (i) monies appropriated by the State House of Assembly; and
 - (ii) grants, gifts and donations from individuals, local and international organizations and agencies.,
20. (i) The Commission shall maintain proper books of accounts for the purpose of ensuring accountability. Books of Accounts
- (ii) The Commission shall, not later than 30th September in each year, submit an estimate of the income and expenditure for the succeeding year for approval by the State Executive Council in such form and manner as may be appropriate.
21. The accounts of the Commission for each year shall be audited not later than 3 months after the end of the financial year, by an Auditor appointed by the Commission from a list of Auditors approved by the State Auditor General. Audit of Accounts

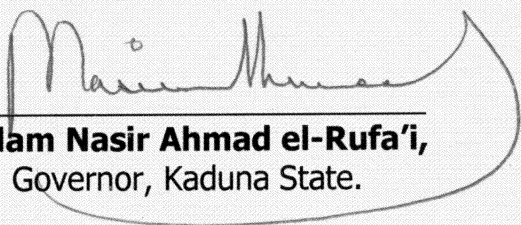
PART IV MISCELLANEOUS

22. The Commission, its members and every other staff or employee shall function without political or other bias or interference and shall unless otherwise provided by this Law be impartial and separate from any political part, government administration or any other functionary or body directly or indirectly represents the interest of any such entity.
23. (a) If at any stage during the course of proceedings at any meeting of the Commission it appears that a member has or may have a financial, personal or other pecuniary interest which may lead to conflict of interest in the performance of his functions, such a member shall forthwith fully disclose the nature of his interest, and excuse himself from that meeting to enable the remaining members decide whether the member should be precluded from participating in the meeting by reason of that interest.
- (b) If a member fails to disclose any conflict of interest as required and is present at a meeting of the Commission or

in any manner participates in the proceedings, such proceedings in relation to the relevant matter shall, as soon as such non-disclosure is discovered, be reviewed and be varied or set aside by the Commission without the participation of the member concerned.

24. The Commission shall submit progress reports on its activities and that of the Local Government Committees every quarter to the Secretary to the State Government. Report
25. The Governor shall have power to issue directives of a general or specific nature to the Commission with a view to ensuring a more effective performance of its functions. Governor to Issue Directives
26. No member, staff or employee of the Commission shall be liable in respect of anything done in the course of the lawful execution of their duties and functions under this law. Liability of Members
27. The Commission may subject to the approval of the Governor make rules prescribing the following:
- (i) The qualifications and mode of appointment of staff of the Commission.
 - (ii) The term and conditions of service of the Commission.
 - (iii) Such other matters relating to operational procedures, duties and responsibilities of employees.
28. Unless otherwise reauthorized or re-enacted by the State House of Assembly, the Commission shall stand dissolved at the end of five (5) years from the date of commencement of this Law and its entire staff shall be transferred to the Office of the Head of Service of the State for re-deployment.

DATED AT KADUNA this 29th day of May 2017.

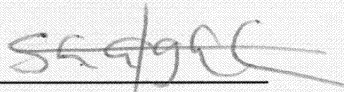

Malam Nasir Ahmad el-Rufa'i,
Governor, Kaduna State.

EXPLANATORY NOTE

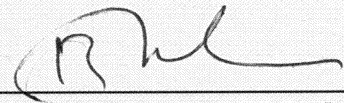
(This note does not form part of this Law and has no legal effect)

The purpose of this Law is to provide for the establishment of the Kaduna State Peace Commission for the monitoring, mitigation and prevention of conflicts with a view to promoting peaceful and harmonious co-existence in the State.

This printed impression has been carefully compared with the Bill which has passed the Kaduna State House of Assembly and found to be true and correctly printed copy of the said Bill.



HON. AMINU ABDULLAHI SHAGALI
(Speaker)



BELLO ZUBAIRU IDRIS Esq.
(Clerk to the Legislature)