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S.I. 7 of 2010

**IMPLEMENTATION OF GOVERNMENT WHITE PAPER ON THE
RECOMMENDATIONS OF THE MINISTERIAL COMMITTEE ON KWALI
CHIEFTAINCY IN THE FEDERAL CAPITAL TERRITORY (FCT), ABUJA**

[15th March, 2010]

Commence-
ment.

The Executive Committee considered the memo by the Secretary, Area Councils Services Secretariat.

2. The Executive Committee :

(a) Noted that the Kwali Chiefdom which was the largest of all the existing Chiefdoms in the FCT was before 1997, under the suzerainty of the Emir of Abuja (Suleja).

(b) Noted that the area was occupied by four (4) main ethnic groups with their different cultural traditions, customs and leadership patterns.

(c) Noted that the Gwari chieftaincy institution of "Etsu" had been in place for a long period in the history of the area, but had been under the administration of the District Heads previously appointed by the Emir of Abuja among whom was Adamu Suleiman Katsina who was in charge of the area from 1963 until his death on 10th September, 2009.

(d) Noted that traditional chieftaincy institutions existing in the present Federal Capital Territory were inherited from Niger, Plateau (Nasarawa) and Kwara (Kogi) States.

(e) Noted that the inability of the Federal Government to resettle all the original inhabitants of the FCT led to the institutionalization of the traditional rulers from the federating area of the Territory.

(f) Noted that in 1997 the traditional administrative institutions in the Federal Capital Territory were graded into different classes by the Administration of Lt. General J. T. Useni through "The Chiefs (Appointment and Deposition) Federal Capital Territory Decree (Act) No. 8.

(g) Noted that one of the beneficiaries of the legacy was the former District Head of Kwali, Adamu Sulciman Katsina who was upgraded to a 2nd Class Paramount Ruler of Kwali-Sarkin Kwali on 26th June, 1997.

(h) Noted that the title "Sarkin Kwali" existed side by side with "Etsu Kwali" each with its retinue of king makers who were to be invited to select a new chief in the event of the death of any of the two.

(i) Noted the problems of succession to the Kwali chieftaincy throne at the time the 2nd Class Paramount ruler died as outlined in paragraph 9(i)-(v) of the memo.

(j) Noted that a Ministerial Committee was set up to look into and recommend measures aimed at resolving all the problems associated with succession to the Kwali Chieftaincy throne.

(k) Noted that the Committee completed the assignment and submitted a report with far reaching recommendations which necessitated the setting up of a White Paper Drafting Committee to advise the Government of the Federal Capital Territory.

(l) Noted that the White Paper Drafting Committee had advised Government as appropriate on each recommendation of the Ministerial Committee.

3. The Executive Committee considered the recommendations of the Ministerial White Paper Committee on a clause by clause basis and approved as follows :

(a) To resolve the problems associated with succession to the Kwali Chieftaincy throne towards sustenance of peace, equity, harmony and good governance as well as respect for the traditional institution, the White Paper Drafting Committee recommended as follows :

(i) *Recommendation* : The provision of Section 2 of the Chiefs (Appointment and Deposition) (Federal Capital Territory) Act (1997) should be amended to make appointment of Traditional Rulers to conform to, and in line with the tradition and customs of the people.

Government View : Government accepts the recommendation and directs that the entire Act should be amended to accommodate present day realities.

(ii) *Recommendation* : In line with the observations and recommendations of the Interim Report of the Committee on the Roles, Functions and Entitlements of Traditional Rulers in the Federal Capital Territory, the Committee recommends that the Second Class status of Chief of Kwali should be made personal to late Adamu Suleiman Katsina. In other words, the throne should not be subject to inheritance by the direct male children of the late Second Class Chief.

Government View : Government accepts the recommendation.

(iii) *Recommendations* : In order to ensure recognition to the Gwari population, a new Chiefdom of Third Class status should be created for Kwali which should drive its origin and operation based on the tradition and customs of the Gwari Community in Kwali Town.

Government View : Government accepts the recommendation.

(iv) *Recommendations* : The new Chief of Kwali should be selected through an Electoral College consisting of identified Ward Heads in the area.

Government View : Government rejects the recommendation. Government directs that the selection of the new Chief of Kwali should be in line with the traditions and customs of the area.

(v) *Recommendations* : Given the role late Alhaji Adamu Suleiman Katsina had played in the evolution of traditional administrative structure of Kwali, his male descendants should be considered for the following :

(a) the title of Magajin Garin Kwali ;

(b) the Magajin Garin Kwali should be inherited by the descendants of late Adamu Suleiman Katsina only ;

(c) the Magajin Gari should serve as the Chairman of the King-makers of the new Third Class Kwali Chiefdom.

Government View : Government accepts the recommendation.

(vi) *Recommendations* : The Magajin Gari should be appointed by and answerable to the Chief of Kwali.

Government View : Government accepts the recommendation.

(vii) *Recommendations* : Some of the Chiefs should be considered for up-grading as follows :

(a) Chief of Pai to Second Class Chief.

(b) Chief of Ashara, Wako, Kundu and Gomani to Third Class status.

<i>S/No.</i>	<i>Location</i>	<i>Dominant Ethnic Group</i>	<i>Proposed Status</i>	<i>Justification</i>
1.	Pai	Hausa/Fulani	Second Class	Long Traditional Administrative History
2.	Kwali	Gwari Yanma	Third Class	Peace and Justice
3.	Ashara	Ganagana	Third Class	Long Traditional History
4.	Wako	Ganagana	Third Class	Long Traditional History
5.	Kundu	Bassa	Third Class	Long Traditional History
6.	Gomani	Bassa	Third Class	Peace, Justice and Ethnic Balancing.

(viii) *Recommendation* : The process of appointment of Chiefs for Communities recommended for up-grading except Kwali should be done in accordance with the customs and tradition of the people.

Government View : Government accepts the recommendation but Kwali should not be an exception.

(vix) *Recommendation* : In line with Justice Mamman Nasir's report and given the fact that the Chiefs in the Federal Capital Territory have their traditional and ethnic backgrounds, the Committee considered the need for them to use traditional titles unique to their ethnic groups. This will give them a sense of belonging, self esteem, identity and pride.

Government View : Government accepts the recommendation.

(b) The Committee recommends the following processes of selecting/appointing a new Chief at Kwali :

(i) *Recommendation* : The appointment of a new Chief as a result of death, resignation, removal/deposition, should be concluded within thirty (30) days.

Government View : Government notes the recommendation.

(ii) *Recommendation* : The selection process should be presided over by the Secretary of the Area Councils Service Secretariat in strict compliance with the Tradition and customs of the community and in accordance with relevant laws.

Government View : Government rejects the recommendation. It is the considered view of the Government that the King-maker among the peer group should preside over the selection process with the Chairman of the Area Council concerned in attendance or his/her representative, bearing in mind the customs and tradition of the Community.

(iii) *Recommendation* : The selection should be witnessed by the Divisional Police Officer within the location, representatives of the Department of State Security Services, the Civil Defence Corps, the Nigerian Drug Law Enforcement Agency and Area Council Chairman.

Government View : Government rejects the recommendation and directs that only the Chairman of the Area Council or his representative should be present as an observer.

(iv) *Recommendation* : Submit three nominated candidates to the FCT Traditional Council of Chiefs who will advise the Honourable Minister of the Federal Capital Territory.

Government View : Government accepts the recommendation.

(c) Having examined the recommendations of the Interim Report of the Committee on the Roles, Functions and Entitlements of the Traditional Rulers in the Federal Capital Territory, the Committee further recommends that the FCT Administration should consider :

(i) *Recommendation* : The need for developing a standard Code of Conduct and Order of Precedence for the Traditional Institutions in the Territory as a matter of necessity and priority. This will bring about effective handling of disciplinary matters of the traditional administration system for all categories of traditional rulers.

Government View : Government accepts the recommendation.

(ii) *Recommendation* : Clearly redefine the roles of the Traditional Institution so that they can justify their continued relevance and be more accountable.

Government View : Government accepts the recommendation.

(iii) *Recommendation* : The need to enhance their entitlements to put them at par with their counterparts in other States of the Federation.

Government View : Government notes the recommendation, subject to the financial strength of the Area Councils concerned.

(iv) *Recommendation* : Abolition of the Tier of District Heads in the Traditional administrative set up in the Federal Capital Territory.

Government View : Government rejects the recommendation and directs the continued existence of the District Heads through whom the subjects relate with the Chiefs among others.

(v) *Recommendation* : Delineate the boundaries of traditional jurisdiction for each Chiefdom.

Government View : Government accepts the recommendation.