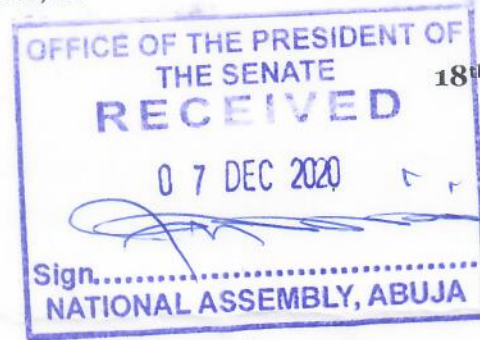




Alhaji Muhammadu Buhari, GCFR
The President
Federal Republic of Nigeria
Aso Villa,
Abuja

Your Excellency,



18th November 2020

Demand for Immediate Disapproval of the Appointment of Mrs. Aisha Dahir-Umar as the Director-General of the National Pension Commission

I write this petition on behalf of HEDA Resource Centre, a non-governmental organization and non-partisan human rights and development league with the mandate to protect and promote universally recognized human rights, accountability, and environmental justice in Nigeria and Africa, following international standards.

The organization is writing based on the report published by Punch Newspaper on the 2nd October 2020¹ on the controversial nomination of Mrs. Aisha Dahir-Umar for a substantive five-year term as Director-General (DG) of the National Pension Commission. According to the report under reference, the nomination by President Muhammadu Buhari stirred controversy amidst the senators, some for and others against the nomination.

The Senate Minority Leader, Senator Enyinnaya Abaribe, spoke against the said nomination of Mrs. Aisha Dahir-Umar as a substantive five-year term as Director-General (DG) of the National Pension Commission (PenCom) stating that the said nomination is in flagrant violation and a breach of the provisions of **Section 20 (1) and Section 21(1) and (2) of the Pension Reform Act (PRA) 2014**. According to the report, The Senate President, Ahmed Lawan, overruled the Senate Minority Leaders position.

On a critical review of the situation and the laws, our organisation aligns with the position of Senator Abaribe. This petition is a demand in favour of the point raised by the Senate Minority Leader, Enyinnaya Abaribe, against the said nomination and confirmation to foster national unity thereby wading away tribalism in appointments and governance.

Nigeria is a democratic state and so it is our belief that our democratic roots should be reflected in the decisions and actions based on obedience for the rule of law. Laws are put in place to prevent lawlessness and anarchy. Chapter 2 of the 1999 Constitution of the Federal Republic of Nigeria emphasizes the need to be united as a nation on subject matters of this nature. Section 14 (1(c) and 14(3) states as follows;

“14 (1)(c) the participation by the people in their government shall be ensured under the provisions of this Constitution.

14 (3) The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty,

¹ https://punchng.com/pencom-dg-appointment-controversy/?utm_term=Autofeed&utm_medium=Social&utm_source=Facebook#Echobox=1601604984

thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in that Government or any of its agencies”

Section 21(2) of the Pension Reform Act, the law that regulates the affairs of the National Pension Commission, provides that **“in the event of a vacancy, the President shall appoint a replacement from the geo-political zone of the immediate past member that vacated office to complete the remaining tenure”**. This goes to show that the replacement for the former DG, Chinelo Anohu-Amazu, who was illegally and summarily removed before the expiration of her tenure, as of right must come from the South East, not the North East where Mrs. Aisha Dahir-Umar hails from.

The appointment of Mrs. Aisha Dahir-Umar as the Director-General of the National Pension Commission is a total departure from the provisions of the Pension Reform Act 2014. At this juncture, we wish to draw your attention to the fact that the Pioneer Director General Muhammad Ahmad was from the North East zone of the country. Aside from the truncated tenure of Chinelo who is south East zone of the country, the Pension Act emphasizes rotation of the appointment of Director General and Chairman for the board of pension Commission.

It is also important to allude to the provision of **Section 42(1) of the 1999 Constitution of the Federal Republic of Nigeria** which expressly forbids discrimination of any sought against or conferring any special privilege or advantage on any Nigerian citizen of a particular community, ethnic group, place of origin, sex, religion or political opinion in the practical application of any law in force in Nigeria or any executive or administrative action of the government.


We are convinced beyond reasonable doubt that the nomination and confirmation of Mrs. Aisha Dahir-Umar would amount to gross breach of the Pension Reforms Act 2014; violation of the Federal Character principle; Violation of the 1999 Constitution of the Federal Republic of Nigeria; and discrimination against other ethnic and zonal groups. With Mrs. Dahir-Umar already spending over 3 years as acting D.G and a confirmation for a first term of 5 years, she is potentially capable of spending 13 years as DG.

It is to this end that we write this petition to demand the immediate reversal of the appointment of Mrs. Aisha Dahir-Umar as the Director-General of the National Pensions Commission within two weeks of this petition, failure to which this organization will proceed with necessary legal action to enforce provisions of the law with regards to the appointment of a DG for the Commission as this appointment if confirmed by the senate will lead to the breakdown of law and order and a complete disregard for the rule of law.

We anticipate your usual prompt action and response in this regard.

Thank you.

Yours faithfully

F 
Olanrewaju Suraju
Chairman

**CC: The Senate President
National Assembly
Three Arms Zone
Abuja**