

CONTROL OF INFECTIOUS DISEASES BILL 2020

REPORT OF THE PUBLIC HEARING OF THE JOINT COMMITTEE ON HEALTH CARE SERVICES, HEALTH INSTITUTIONS AND JUSTICE, ALL STAKEHOLDERS AND GENERAL PUBLIC HELD ON WEDNESDAY 11TH JUNE, 2020.

VENUE: CONFERENCE ROOM 028, NEW HOUSE OF REPRESENTATIVE BUILDING, NATIONAL ASSEMBLY COMPLEX FCT, ABUJA.

- 1. EXECUTIVE SUMMARY:** The Infectious Diseases Bill 2020, which has now passed the second reading, was sponsored by Hon. Femi Gbajabiamilla, the Speaker of the House of Representatives, Hon.. Pascal Obi, Chairman, House Committee on Health Institutions and Hon. Tanko Sununu, Chairman of the Committee on Health Services. The Bill seeks to repeal the Quarantine Act and enact the Control of Infectious Diseases Bill, 2020. It was however obvious that most stakeholders do not want the Bill. Most participants at the public hearing had called for a review of one section or the other, and, the powers vested on the Director General of National Centre for Disease Control (NCDC). It was the general opinion of stakeholders that the bill will infringe on the rights of Nigerians and therefore needed further a review.
- 2. INTRODUCTION:** The proposed Infectious Diseases Bill, 2020 is a controversial issue with the speed at which it scaled the floor of the National Assembly and the fact that it is doctored from the Singaporean Law. Despite these shortcomings, the sponsors are still bent on the bill becoming a law, culminating in this public hearing of health services, health Institutions, stakeholders and the general public. The hearing was chaired by Hon. (Dr.) Yusuf Tanko Sununu; and co. chaired by Hon. Ugonna Ozuruigbe, Chairman, Justice; and Hon. Paschal Obi, Chairman, Health Institutions. The hearing was divided into 2 Sessions; the Opening Ceremony and the Technical Session. The conclusion is based on the writer's observations.
- 3. OPENING CEREMONY:** The public hearing started at 10:50 am. Delays were occasioned by the strict screening procedure allowing for one representative per organization. It was a gathering of different organizations and stakeholders including Dr. Kayode Fayemi, the Chairman Nigeria Governors Forum and the State Governor of Ekiti State, The Directors General of NCDC and National Agency for Food and Drug Administration and Control (NAFDAC), the Nigerian Labour Congress, Catholic Women Organisation, National Association of Catholic Lawyers, Association of Catholic Medical Practitioners of Nigeria, Foundation for African Cultural Heritage and of course, Doctors Health Initiative.

Remarks:

Senator Chukwuka Utazi, the Chairman Senate Committee on Primary Health and Communicable Diseases, said he was in support of the movement for the Bill as a legal framework to enable uniformity in the States and Local Government Areas.

Senator Yahaya Ibrahim Oloriegbe, Chairman Senate Committee on Health, in his remark was of the view that there is a need for the Bill because the 1926 Quarantine Act is obsolete. He was however of the opinion that the law to be established should be within the provision of the Constitution and must be acceptable to all.

The Speaker House of Representatives, Hon. Femi Gbajabiamilla, ably represented by Majority Leader of the House of Representatives, **Hon. Alhassan Ado Doguwa**, gave the opening speech; he welcomed members of the house and the public for coming to air their contributions. He said the Joint Committee will not succumb to negative criticism of the Nigerians and that the bill has no external influence. He also stated that the bill is a reflection of their commitment to Nigerians and for their common good. He reiterated their position in going on with the Bill, claiming they have competent personalities in the Committees.

Dr. Kayode Fayemi, the Chairman of Nigerian Governors Forum and Governor of Ekiti State, in his contributions and on behalf of the 36 State Governors, was of the opinion that the bill infringes on human rights. He stated that there was a need to strike a balance between public health and human rights. He was also of the opinion that the law does not reflect distributive justice, trust and transparency and must involve the three tiers of government. He called for a review of the bill.

Hon. Pascal Obi, the Chairman House Committee on Health Institutions, in delivering the vote of thanks assured the public that the deliberations and contributions will be looked into.

4. **TECHNICAL SESSION:** At this stage the different stake holders were allowed to take turns in making their contributions. Some of the contributions are as follows:
Barr. Ukoh Francis Nnamdi, representative of Doctors Health Initiative, drew the attention of the session to the fact that the bill is sudden, speedy, untimely and will lead to abuse of power. He called on the Committee to work on a modality towards approaching persons presumed infected. He suggested that the committee establish a Medical and Legal Emergency Response Team to ensure due procedure - both medically and legally - and to avoid unnecessary litigation. Section 51 of the Infectious Diseases Bill should be expunged. S.24, is too broad and should be reviewed, S.25 on power of enforcement officer to destroy a property should be revisited S.47. particularly Children's Vaccination should be

revisited with a caveat. S.48. that order persons for vaccination and other prophylaxis should be reviewed because they are clear infringements to personal freedom of Nigerians.

Persons living with disability especially those who cannot account for themselves were not captured by the bill .Finally powers given to the DG -NCDC should be reviewed. If the bill is passed into law it will amount to a plethora litigations.

Suleiman Dawodu, representing the Federal Ministry of Justice, said they have been directed by the Attorney General of the Federation to liaise with the various committees of the House of Representatives. He stated that the Ministry's position is that the bill in the house and the senate be harmonized. Then as to the broad powers given to the DG, this will be looked into integrating the DG into the committee.

Dr. Chikwe Ihekweazu, the Director General Nigeria Centre for Disease Control, craved the indulgence of the Host to be allowed to give his presentations the next day.

Prof. Mojisola Adeyeye, the Director General, National Agency for Food and Drugs administration Control, was of the view that the bill be reviewed but should be done in collaboration with NAFDAC especially as related with control of drugs.

The Nigerian Labour Congress was opposed to the bill. The representative called on the committee to respect the rights of Nigerians. They view the provision of arrest in the bill as unacceptable and urge the government to provide quality health care and adequate standard of living etc.

5. **CONCLUSION:** The bill was opposed by 99% of those present. It is clear that Nigerians do not want this bill. The bill if enacted as law will lead to a number of litigations and uproar by different stakeholders. It is our view that the Government should go back to the drawing board since almost every stakeholder has issues with this bill. The bill will not fly.

Signed:



Francis Nnamdi Ukoh, MCI Arb.(UK).