

ACADEMIC STAFF UNION OF UNIVERSITIES (ASUU)



TEXT OF THE PRESS CONFERENCE OF THE ACADEMIC STAFF UNION OF UNIVERSITIES
(ASUU) HELD AT THE FESTUS IYAYI NATIONAL SECRETARIAT COMPLEX, UNIVERSITY
OF ABUJA, ABUJA, 18TH AUGUST, 2020

I. PROTOCOLS

II. INTRODUCTION

Compatriots of the Press,

You would recall that the Academic Staff Union of Universities (ASUU) addressed you at this same venue on Monday, 23rd March, 2020 after an emergency National Executive Council (NEC) meeting where we declared a total, comprehensive and indefinite strike action to get government to satisfactorily address matters of revitalization fund for public universities, arrears of Earned Academic Allowances (EAA), visitation to universities, proliferation of state universities and issues of governance in them, and conclusion of the renegotiation of the 2009 FGN-ASUU Agreement. These were issues in the 7th February 2019 Memorandum of Action (MoA). As we were tracking the implementation of the 2019 MoA, the Integrated Payroll and Personnel Information System (IPPIS), which ASUU had rejected for good reasons when it was first introduced to the universities in 2013-2014, was suddenly imposed on the universities by the government and the stiff resistance by our members almost overshadowed the union's main demands as from July 2019. Addressing the media at this point has become expedient in order to keep the public abreast of developments in ASUU's ongoing struggle for an improved university system for the transformation of Nigeria. This briefing shall also address emerging issues which have serious implications for university governance and the survival of the country as one indivisible nation.

III. OUR STRIKE ACTION AND UNVEILING OF THE UNIVERSITY TRANSPARENCY AND ACCOUNTABILITY SOLUTION (UTAS)

Comrades and compatriots, each time we explained the basis for rejecting IPPIS, we had always promised that ASUU would produce a robust software solution that would be sensitive to the uniqueness of the university system in addressing personnel information and payroll system, among other things. Following our engagements with the Federal Government over the issues that eventually led to the declaration of the ongoing strike action on 17th March, 2020, government declared that it "accepts in principle the University Transparency and Accountability Solution (UTAS), which is being developed by ASUU and its researchers for the financial administration of the University's FG's staff monthly payroll and accounting processes". In addition, the Federal Government pledged that "When fully developed UTAS will be subjected to various integrity tests in order to verify its efficacy to see whether this final product will pass the necessary technical attribute test as specified by NITDA."

On our part, ASUU had given a timeframe of eighteen (18) months to government to develop, test and deploy UTAS. In keeping with this promise, ASUU is pleased to announce that UTAS is now ready for the "integrity tests" required of it by government. Indeed, the software was unveiled by way of demonstration to the Minister and Senior Management Staff of the Ministry of Education, including the Executive Secretary of the National Universities Commission (NUC), yesterday, 17th August, 2020.

We must however emphasise that UTAS is far more than just an alternative to IPPIS which does not respect the nature, structure and character of the Nigerian University System. It was ill-advised, *ab initio*, to have deployed IPPIS in the universities. All the distortions and disruptions being reported within the payrolls of federal universities in the last six months or so, even by those who initially welcomed IPPIS with open arms, were predicted by ASUU. Unlike IPPIS, however, the UTAS is a web-based Enterprise Resource Planning (ERP) application deployed for the overall management of university resources in an efficient, transparent and accountable manner. It is developed to run on the concept of Software as a Service (SaaS), in which universities maintain sub-domains as tenants. Users are fully identified and authenticated for the purpose of gaining access to any of the aspects of the platforms if such a User is appropriately authorised.



Among other things, UTAS recognises all agreements entered into between the Government and university-based trade unions; ensures simultaneous payment of employees' salaries and third-party deductions (e.g. Tax, Pension, Union dues, Cooperatives, Bank loans) seamlessly; allows for centralized monitoring of staff and staff emolument across universities by the National Universities Commission (NUC); allows university to adapt to the fluidity in nature, type and period of recruitment of staff; and facilitates storage and automated retrieval of personnel records for effective monitoring. UTAS is beneficial to the university system and Nigeria because it is a locally developed software in line with local content policy of the Federal Government; it guarantees automation of Staff and Salary Administration; it allows tracking of staff career progression; it exhibits ease of auditing processes; it permits data mining for intelligent analysis; and it guarantees national security and sovereignty.

Development of UTAS is a concrete attestation to the capacity of Nigerian scholars and researchers to respond to our developmental challenges when tasked to provide solutions. It is our sincere hope that government would not renege on its promise because the benefits of UTAS to the university system (both public and private) cannot be found in any other software in Nigeria today. Now that the Union is close to meeting government's demand on "alternative to IPPIS", it is our sincere hope that the substantive issues in the ongoing strike action would be given the desired attention.

III. PURPORTED REMOVAL OF UNILAG VICE-CHANCELLOR

Compatriots of the Press, the national leadership of ASUU received the news of the purported removal of the Vice-Chancellor of the University of Lagos (UNILAG) by the Governing Council chaired by Dr. Wale Babalakin (SAN) with absolute shock and total disappointment. We are shocked not because we regard Professor Oluwatoyin T. Ogundipe as a saint but for the fact that all available evidence indicates that he was not taken through the due process. In spite of Dr. Babalakin's spirited efforts to defend the indefensible, it is now clear to all and sundry that there is more to the story coming from the senior member of the bar.

In his media appearances, Dr. Wale Babalakin has been clinging tenaciously to his knowledge of the law. Yet other senior advocates like him, including Professors from the



Faculty of Law in UNILAG where he was trained, have told him in clear terms that he goofed because the *due process*, as expressly required by the Universities (Miscellaneous Provisions) Amendment) Act 2003 was not followed in removing Professor Ogundipe as Vice-Chancellor. Even some members of the UNILAG's Governing Council have reported that Dr. Babalakin was economical with the truth in his rendering of what transpired at the Council meeting of Wednesday, 12th August, 2020. Rather than addressing the substance of non-compliance with "due process", Dr. Babalakin has been dismissing anyone that rejected his Council's ill-advised decision. He said the Alumni Association did not care to listen to his own side of the story before issuing a release that called for a return to "*status quo ante*", whereas the Chairman of the Alumni Association, Dr. John Momoh, is a member of the Governing Council and was privy to the trajectory of the UNILAG saga. In the same way he rejected the verdict of the alumni, Dr. Babalakin also claimed that the Committee of Vice-Chancellors (CVC) was "just a phone call away from me" when committee accused Babalakin's Council of not respecting the *due process*.

For the avoidance of doubt, Dr. Wale Babalakin should be reminded that the knowledge of procedures and processes for appointment and removal of Vice-Chancellors is not the exclusive preserve of "legal luminaries" because the sources are out there in the public space. Curiously, he has been quoting a strange law – the "Universities (Miscellaneous Provisions) (Amendment) Act of 2009", which is not known to any other stakeholder, as the basis of his Council's decision. It is public knowledge that ASUU has consistently been at the forefront of the struggle for University Autonomy in Nigeria. As we speak, "University Autonomy and Academic Freedom" is one of the four key items listed for renegotiation in the 2009 FGN-ASUU Agreement which Dr. Wale Babalakin-led Team has unduly dragged for three-and-half years without any concrete results!

What we know as the Autonomy Law in Nigeria today is the Universities (Miscellaneous Provisions) (Amendment) Act 2003 which was officially gazetted on 12th January, 2007 and was further amended in 2012. The Principal Act itself is the Universities (Miscellaneous Provisions) Act No. 11 of 1993. This Act, and subsequent amendments to it, applies to all Federal Universities in the country. Many state universities have equally domesticated the 2003 Act in the University Laws. However, as an eminent Professor of



Law puts it, *"the amendments of 2003 and 2012 not yet formally incorporated are to be read into the enabling laws under the principle of incorporation by reference"*. Dr. Babalakin appears to have been quoting Section 3(8) of the Principal Act (as amended) which states: *"The Vice-Chancellor may be removed from office by the Governing Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process."* However, he has been evasive on two interrelated questions: (1) Did Senate participate in the process as required by the Law? and (2) Was the due process followed?

ASUU fully supports the UNILAG Senate's rejection of the Dr. Wale Babalakin-led Governing Council's ill-informed decision to remove the Vice-Chancellor. We call on Mr. President, as Visitor to University of Lagos, to immediately constitute a Special Visitation Panel to look into the immediate and remote causes of the events that led to the purported removal of Professor Oluwatoyin T. Ogundipe as VC of UNILAG with a view to bringing all found culpable to book.

IV. GOVERNANCE ISSUES IN NIGERIAN UNIVERSITIES

In recent times, ASUU has had reasons to express serious concerns over governance issues in many Nigerian universities. Some Vice-Chancellors were deceiving and defrauding unsuspecting students and parents by pretending to keep the session running during the nation-wide lockdown in the wake of the COVID-19 pandemic in universities bereft of the required ICT infrastructure. We know of universities where students were mandatorily made to pay for matriculation gowns in order to participate in online matriculation and graduation ceremonies. There were also reports that fraudulent online examinations were (and still being) conducted in some universities involving surrogate examiners such as parents and relations of candidates as supervisors. And it is shocking to note that some of these malfeasances against academic standard and university ethos were perpetuated by private as well as public universities (including the federally-owned ones).



We also note with regret that Vice-Chancellors in some universities have been threatening and victimising our members for refusing to participate in activities likely to compromise university procedures and practices during the ongoing strike action and the nationwide lockdown. In collaboration with the IPPIS officials, illegal recruitment of staff without following due process have been going on for months in many federal universities. In both federal and state universities, some Vice-Chancellors have insisted on carrying out promotion exercises which have not been done for upward of five years just to spite our union and its loyal members. We note that persecution of ASUU is indeed heart-wrenching because gains from the union's struggles have always brought added value to the universities and made the discharge of their responsibilities Vice-Chancellors much easier.

With the winding down of COVID-19 lockdown, ASUU calls on the National Universities Commission (NUC) as the regulator of the universities to take immediate steps to investigate all fraudulent practices committed by overzealous Vice-Chancellors who have compromised (and are still compromising) academic standards and subverting university ethos in the name of the so-called "new normal". While we salute the courage and resoluteness of many Vice-Chancellors who have stood their ground in preserving whatever is left of the quality of Nigeria's university education, our Union will not hesitate to expose those who are prepared to sacrifice the system in the name of "IGR".

Meanwhile, ASUU is dissatisfied with some of the recently constituted Governing Councils. Our Union has had cause to do strong petitions against some decisions of the old Councils where some or all members were returned. Examples are the Federal University Oye-Ekiti (FUOye) and Federal University Lokoja (FULokoja) where our members are being persecuted for no just cause in the last couple of years. It is our considered view that all external members of a Governing Council with substantiated evidence of incompetence and corruption should be disbanded as stipulated by law.

Distinguished compatriots it is highly embarrassing that three out of the twelve (12) universities established under President Goodluck Jonathan have been operating for close to ten years without their respective Establishment Acts. We call on the Federal Government to take urgent and necessary steps to remedy the situation. Also, the



Governing Council of the University of Port Harcourt (UNIPORT) should be reconstituted immediately in order to set the necessary machinery in motion for the appointment of a substantive Vice-Chancellor for the University. In the same vein, the new Governing Council of the Federal University Dutsin-Ma should put a stop to the proliferation of Acting Vice-Chancellors by appointing a substantive VC so as to restore administrative normalcy in the new institution.

V. STATE OF THE NATION

Comrades and compatriots, it amounts to stating the obvious to say the ship of our nation has drifted to a frightening precipice. We seem to be losing grip in virtually all key areas of our national life such as education, health, economy, and security. The parlous state of the economy has now been worsened by unanticipated COVID-19 lockdown, leading to another inescapable bout of recession. Recent data from the National Bureau of Statistics indicate that the rates of crime and criminality have not only increased in the last one year, but are likely to further rise with the increasing rates of unemployment and underemployment. For instance, Nigeria's unemployment rate jumped from 23.1% in 2018 to 27.1% by the second quarter of 2020; indicating that as many as 21.7 million Nigerians are unemployed. The unwarranted squabbles over who superintends the employment of some 774,000 temporary workers between the executive and legislative arms of government have also not done much to rekindle hope in the ordinary and helpless Nigerians. This cannot be otherwise with the unimaginable level of looting and diversion of our patrimony by elected and appointed government officials.

Little wonder that the security challenge has escalated beyond apprehension of state authorities. From Northeast through the Middle-Belt to South West, and from Northwest to South East and South-South, the stories have been the same tales of woes. Beside the hydra-headed attack of *Boko Haram* and armed banditry traditionally associated with the north, reports of herdsman-farmers' conflicts, inter- and intra-community warfare, and ethnic militia and terrorist activities in almost every part of the country have made nonsense of Nigeria's security architecture. Quoting a published report, *The Premium Times* of 13 February reported that as many as 3188 people lost their lives between January and December 2019 due to violent incidents which include gang wars, clashes,



extra-judicial killings, resource crises, kidnappings and, Boko-Haram/ ISWAP attacks. The source further stated that 2707 out of the number of deaths were those of civilians, while 481 belonged to security agents.

The duty to protect citizens is the basis for legitimacy of any state or government. The fundamental objective of any state is to ensure security of lives and property for all people living within its territory. We call on the Nigerian government to live to its responsibility as captured in Chapter 2, section 14(b) of the 1999 Constitution (as amended) which states that "The security and welfare of the people shall be the primary purpose of government". A situation where regional authorities and groups have to resort to self-help is symptomatic of a failing state and it may be a recipe for anarchy.

ASUU, as a union of intellectuals, finds it unacceptable that the Presidential Task Force would discuss issues relating to prevention, control and possible cure of COVID-19 in Nigeria without reference to universities and university-based scholars. It is no longer news that ASUU members across the country were actively involved in the production and distribution of hand sanitizers, radio/TV jingles, handbills and posters, handwashing buckets and other items supportive of government efforts to prevent and control the spread of coronavirus (COVID-19) in Nigeria. At the same time, our medical and paramedical professional members were (and are still) involved in frontline activities as members of COVID-19 State Taskforces and volunteers in the isolation centres and clinics where their services were (are) critically required in critical moments. Deploying ASUU members for medical and social emergency at a time the Nigerian government was (is) withholding salaries of our colleagues in federal universities over discredited IPPIS is a decision borne out of our sense of history.

History teaches us that in a time of extraordinary adversity, extraordinary demands are made on the will of humankind, both in relation to our sheer courage and determination to survive, as well as in terms of the wisdom and ingenuity which we must bring to bear on the existential task of surmounting the adversity that we are confronted with. The COVID-19 pandemic is one such moment of supreme adversity in the career of humankind, and we as a union are proud of our heritage of demonstrating courage and resourcefulness in a moment like this.



As at today, we are in receipt of letters of appreciation from more than 10 state governments of the federation which attest to the positive roles our intervention meant in the COVID-19 prevention and control efforts. However, we view the Federal Government's failure to acknowledge the intellectual and research community in the national discourse on COVID-19 as a continuation of the trajectories which brought our universities to their knees and deprive them of capacity to respond to national challenges. We call on the federal and state governments to reverse these trends for Nigeria to witness genuine development.

VI. CONCLUSION

We cannot end this address without a brief response to numerous enquiries on the position of ASUU on re-opening of universities. As we have continually stated in recent weeks, our demands in the ongoing strike action pre-dated the COVID-19 pandemic or even the resurgence of government's insistence on forceful migration of lecturers to the IPPIS platform. As we speak, five months' salaries of our members at the University of Maiduguri (UNIMAID) and Michael Okpara University of Agriculture, Umudike (MOUUAU) are still withheld by the Accountant-General of the Federation (AGF) on account of non-registration on IPPIS. Thousands of other academics across the universities are suffering the same fate. So, while we counsel that government at both the federal and state levels must meet the Taskforce specified guidelines for reopening of educational institutions, we insist that all the arrears of the withheld salaries of our members in federal and state universities must be paid immediately to pave for further discussion on the outstanding issues in the Memorandum of Action of 7th February, 2019. And so, for now, the struggle continues!

Thank you for listening.


Biodun Ogunyemi
President

18th August, 2020