STATE OF THE NATION

We the undersigned Civil Society groups working on transparency, accountability and governance in the country express utmost worries over the recent but unwary developments invading the nation’s socio-economic and political spheres with propensity to backpedal progress in achieving stable, secured and prosperous country.

Violation of electoral guidelines and internal party instabilities:

We are worried by the persistent violation of the provisions of Electoral Act with the improper use of electoral timetable by political parties and politicians who continue to engage premature campaign activities.

We are not unaware of the violation of various regulations guiding political party financing including deliberate effort to take advantage of individual’s socio-economic situation and buying of votes that resultanty undermine free, fair and credibility in the electoral process.

The on-going recurring unresolved leadership, congressional and conventional conflicts erupting within political parties remain serious concerns that in absence of immediate appropriate measures and intervention may not only erode internal party democracy but also spell doom for electoral credibility in 2019 general elections. We not unaware that all forms of electoral malfeasance are committed including undermining selection of candidates within the political parties, vote buying; electoral violence amongst others.

While we understand that candidate selection is a vital activity to the existence of any political party, we are disturbed by the emerging undemocratic process employed by political party members in the endorsement of political candidates outside laid down party constitution.

Unresolved cases of high profile corruption in the presidency:

While we are aware of the various commitments including 2016 Anti-Corruption Summit in London, Open Government Partnership, and campaign promise by the present administration to combat corruption in all ramifications without fear or favour, we find it disturbing that official corruption is deeply embedded and fast becoming a permanent fixture whose subculture melts seamlessly into the public servants’ daily life.
We are worried over the administration’s continued unwillingness to exert appropriate sanction against high profile erring officials found wanting in cases of silent but illegitimate re-engagement of the former Chairman of the Presidential Pension Reform Task Team, Abdurasheed Maina, who was disengaged from service by the previous administration over N2.7b Pension Fraud; non-investigated N120bn security scam attributed to the serving Inspector-General of Police (IGP), Ibrahim Kpotum Idris; Babachir Lawal, former Secretary to the Government of the Federation attributed to the diversion and mismanagement of about N12 billion North East humanitarian intervention fund; the controversial effort by Amb. Babagana Kingibe-led Presidential Review Panel to siphon $44 million Intervention Fund belonging to the National Intelligence Agency (NIA) that apparently led to the unjust and unconstitutional removal of the immediate past Acting Director General of the Agency, Amb. Mohammed Dauda; former DSS boss, Ita Ekpenyong who partook in corruption and mismanagement of fund amounting to $9million of $30 million operation fund from Sambo Dasuki, former National Security Adviser; and the alleged diversion of over $21million into private by the Director General of the Department of State Security, Lawal Musa Daura.

We are concerned over the administration’s emerging dwindling capability in handling high profile corruption cases, giving chances to culprits to walk freely on the street and positive signal to potential culprits to freely engage in corruption.

We observed that the manners in which systemic corrupt practices are encouraged and celebrated, especially in the public sector, if not rapidly addressed will ultimately erode citizens’ trust and confidence in governance and eventually backpedal the gains and recorded progress from anti-corruption in the country.

**Mismanagement of security votes, poorly motivated security personnel, faulty recruitment and selection processes in the security forces:**

While the present administration continues to commit trillions of naira financial resources to security and defence annually from both internal and external sources, we are worried by the recurring attacks and the emerging kidnapping for ransom by the insurgents.

Similarly, we are surprised at the growing reported scandals around the so-called ‘security votes’, which allow politicians to appropriate millions of dollars behind closed doors simply by evoking ‘national security’. As a result, funds that are meant to buy equipment and even pay salaries go missing, leaving the military badly equipped, demoralized and incapacitated.
We are bothered by the Armed Forces which wallow in poor working conditions and inadequate equipment the poorly paid and non-motivated security personnel exacerbating bribery and corruption, extortion, human rights abuses and violations by security forces in the country.

We are not unaware of faulty recruitment and selection processes in the nation's security forces that are major contributory factors to persistently under-reported human rights violation and abuses by Nigerian peacekeeping troops under in various international and national missions. This continues to undermine the country's image before international community.

We are concerned by the excessive secrecy and needless confidentiality typically employed to halt the disclosure of Defence budget and procurement process, including the weak and exceptional legislative oversight activities associating with the Defence financial system.

Giving the spate of kidnappings, massacres and destruction of property across the country by the insurgents, we observed that upgrading arms and ammunition for the nation's Armed Forces to tackle the insurgents would be of no benefit without constructive strategy to end the unwary attacks.

**The growing verbal attacks and use of hate speech:**

We express unreserved worries over the recurring but unhealthy and divisive verbal attacks and hate speeches which manifest in the utterances of politicians, political supporters, political parties, traditional rules and religious leaders; and if not holistically addressed may pose grievous challenges to the electoral process, peaceful-coexistence, unity and diversity of our beloved nation.

We demand strict compliance to Section 95 (1-2) of the Electoral Act which forbids the use of political campaign slogan shall be tainted with abusive language directly or indirectly, likely to injure religious, ethnic, tribal or sectional feeling and the use of abusive, intemperate, slanderous or base language or insinuations or innuendos designed or likely to provoke violent reactions or emotions in political campaigns.

We urge religious leaders to abide by the provision of Subsection 3 of the Act which emphasized that “Places designated for religious worship, police stations and public places shall not be used for political campaigns, rallies and processions or to promote, propagate or attack properties, candidates or their programmes or ideologies.”
We call on the media to in the spirit of Section 102 of the Act shun any “candidate or person or association who engages in campaigning or broadcasting based on religious, tribal or sectional reason for the purpose of promoting, opposing a particular political party or the election of a particular candidate.”

We encourage the media to: avoid publishing or airing political adverts, advertorials and sponsored political news that seek to create hatred or incite violence; reject any material intended for publication or airing by parties, candidates and other interests that contains hateful or inciting words and messages; refrain from publishing or airing abusive editorial comments or opinions that denigrate individuals or groups on account of disability, race, ethnicity, tribe, gender or belief.

**Inadequate security presence and politically motivated killings:**

We are disturbed that in spite low security presence to effectively secure citizens’ lives and property at national and state levels, huge quantity of security apparatuses are endlessly attached to politicians, government institutions and officials. This inadequacy has continued to pave way for recurring politically motivated conflicts between farmers and pastoralists across Benue, Taraba, Adamawa and Kaduna states.

While we condemn lack of proactive initiative or appropriate measure by the concerned state governments to curb regular attacks and killings of innocent citizens, we call for the creation of a State and community policing system to bridge the glaring deficiency in police-civilian ratio. In Nigeria, there are 370,000 police officers and a police-to-civilian ratio of 1 to 400. This is grossly inadequate for 370,000 police officers to police about 170 million population as against the United Nations recommendations of 222 policemen per 100,000 citizens.

We demand appreciable proactive and innovative interventions by the state governments in addressing the growing security challenges in states.

**Corruption, transparency and accountability in assets recovery:**

As the issue of corruption remains pervasive in Nigeria, putting in place adequate and effective anti-corruption response mechanisms with a view towards tackling the menace remains imminent. Despite emphasis being placed in the public sector which accounts for an estimated 70% of corruption cases in Nigeria, enthroning integrity and minimizing corruption in both public and private sector continues to remain a priority, featuring prominently in the form of programmes and policies of successive government administrations.
Corruption in Nigeria has assumed worrisome heights, entrenched in a systemic fashion and has become rather symbolic of a colossal failure as a people to devise workable systems. The brazenness of corruption in Nigeria is an indicator of years of immense rot and institutional collapse. With mind blowing effect, the menace has reduced most Nigerians to staggering poverty despite being blessed with vast natural resources and teeming youth population.

On transparency and accountability in asset recovery, in 2016 at the Anti-corruption Summit in London, the administration committed to strengthen asset recovery legislation through the passing of the Proceeds of Crime Bill to provide for transparent management of returned assets and non-conviction based approach to asset recovery; and develop internationally endorsed guidelines for the transparent and accountable management of returned stolen assets. Two years after the Summit, the administration still lags in fulfilling the commitments.

Although the Economic Financial Crime Commission (EFCC) disclosed, during the 7th Session of the Conference of the States Parties to the United Nations Convention Against Corruption (UNCAC) held in Vienna in November 2017, that 2.9 billion USD have been recovered between May 2015 and Oct. 20, 2017, but there is little information and absence of clear guidelines on how these recovered assets are utilized to maximally benefit the common citizens whose interest government had promised to protect.

With the overlapping mandates of anti-corruption agencies on asset recovery management, it is unclear, which of the many anti-corruption institutions takes a lead in the coordination of asset recovery efforts. Crucial legislature with a potential to establish an acceptable asset recovery management framework such as the Proceeds of Crime Bill, 2014 is stalled without explanation.

The suspension of Nigeria from the elite EGMONT group of financial intelligence agencies is ample evidence of chaotic institutional structure in the anti-corruption domain bedevilled by inexplicable inter-agency rivalry and lack of coordination of the anti-corruption effort.

Absence of independent, comprehensive review of how many assets that could be repatriated from all agencies with the power to seize assets, and verifiable information on the end-use and the impact of reinvested assets is a systemic challenge to successful anti-corruption fight.
Absence of legal requirement for Nigerian companies to maintain a register of Beneficial Ownership continues to provide a breeding ground for beneficial owners who hide behind legal person members of a company without being identified. No legal requirements for Nigerian companies to maintain a register of Beneficial Ownership.

The country lacks Central Register of Beneficial Ownership information and clear rules on access for all law enforcement and tax agencies to Beneficiary Ownership information are available. We lack legal framework for prosecution of non-disclosure of beneficial owner is available.

We demand immediate development of clear policy actions on asset recovery as recommended by Global Forum for Asset Recovery in 2017 to revert current trend and successfully combat corruption in Nigeria. The inclusion of CSOs in the nation-wide discussion on the management and the end-use of recovered assets is imperative.

We call on the government to make the 2017 Anti-corruption strategy public, assign responsibilities for its implementation with a detailed and costed action plan monitored by civil society organizations; prioritize anti-corruption courts and nominate judges with proven record of high integrity and no controversies; prioritize international cooperation and usage of international agreements to repatriate Nigerian assets abroad and use foreign jurisdictions’ legal instruments such as recently passed Unexplained Wealth Order in UK to expose Nigerian illicit financial flows.

We also encourage the administration to get rid of absurd privileges for elected public officials and senior civil servants including insisting on the public submission of asset declarations of the executive, legislative and judiciary officials.

We call on the government to strengthen anti-corruption institutions, ensure adequate protection and encouragement for whistle-blowers, and intensify media and public consciousness in demanding transparency and accountability in governance.

We are concerned by the dreaded attacks and threats by an unknown armed group on the Economic and Financial Crime Commission (EFCC)’s operatives and facilities across the country. We are disturbed but not surprised at such sponsored immorality and dubious move by some individuals or groups to divert the Commission’s
attention and frighten anti-graft operatives from the progressive struggles at digging deep into and uprooting the major corruption cases in recent times.

We demand protection for the operative and facilities of EFCC to encourage sustainable anti-corruption fight.

**Delayed confirmation of key appointments:**

We are disappointed at the apparent disproportionate refusal by the Nigerian Senate to confirm Ibrahim Magu as the Chairman of Economic and Financial Crime Commission (EFCC), as recommended by President Muhammadu Buhari.

While express deep concern over the position of the Upper Chamber—which has the fundamental mandate to protect and allow citizens’ interest prevailed in its legislative activities, towards anti-corruption fight and the progress of the country in generality, we are worried by such unjustified resolution by the Chamber ousting the exceptional anti-graft boss, whose performance in the last one year has been commended both at local and international community.

We are aware that the dogged effort by Magu in the fight against corruption has led to the recent remarkable achievements in the nation’s anti-corruption fight, ranging from the persistent repatriation of the whopping looted funds, uncovering judicial corruption, and outright stealing from within and outside the country. These among other things prompted the decision by President Buhari nominating Magu for reappointment to sustain anti-graft fight.

We therefore, call on Nigerian Senate to redeem its integrity and reconsider its decision on Magu’s appointment, as such if not retracted, would backpedal the nation’s achievements in the anti-corruption fight and pave way for another era mass looting and mismanagement of the tax payers’ monies that will consequently stagnate the already depressed Nigeria’s economic.

Also, the continued reluctance exhibited by the executive and legislative arms towards confirmation of other key appointments and re-appointments in the country remains a major concern that if not promptly addressed will frustrate the good efforts and resources hitherto committed to the fulfilment of the present administration’s promises and mandates.

Among the other key appointments awaiting confirmation by the Senate includes the Chairman, Director General and Members of Pension Commission, Nigeria Electricity Regulatory Commission (NERC), Director General of the Lottery Regulatory
Commission, the reappointment of Chairman, Revenue Mobilisation Allocation and Fiscal Commission (RMAFC).

**Deliberate delayed significant anti-corruption bills by the National Assembly:**

We find the delayed passage of 2018 Appropriation Bill worrisome. As at this day, the 2018 budget is not close to being passed and the month of April is being projected for its passage. For a pre-election year, this is a recipe for economic crisis and avenue for corruption and approved spending which could be diverted for political, party or selfish uses by the various MDAs. This must be avoided. This administration promised Nigerian a zero-budget system to promote efficiency, cost-effectiveness and project delivery. This has remained a mirage.

We are worried by the continued violation of Public Procurement Act by the National Assembly through lack of transparency and accountability in its procurement activities.

We call on the National Assembly to expedite action on the passage of the Appropriation Bill to ensure to resuscitate the poorly funded social sector of the economy, giving cognizance to the dwindling donors’ resources in the country.

We call on the legislature to deploy appropriate legislative process and hasten the passage of Whistleblower Protection Bill to discourage potential victimisations against whistle-blowers; Proceed on Crime Bill; continuous legislative oversight activities to interrogate corruption without fear or favour.

We call on the National Assembly to ensure strict compliance to the provisions of Procurement Act in its procurement processes and activities.

**The commendable progress by judicial institutions:**

While we commend the judicial institutions with appreciable progress in the recent trial of high profile corruption cases, we call for more proactive and vibrant judicial system for judicious prosecution of politically exposed persons and proper interpretation of anti-graft legislation.

Signed:

1. Civil Society Legislative Advocacy Centre (CISLAC)
2. State of the Union (SOTU)
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