



2 March 2022

RFA for A Consultant to Review the NDDC Act

1. Introduction

The Africa Network for Environment and Economic Justice (ANEEJ) is an Anchor Civil Society organization implementing the Strengthening Civic Advocacy and Local Engagement (SCALE) project being implemented by Palladium with funding from the United States Agency for International Development (USAID). Under SCALE, ANEEJ Cluster is implementing the *Enhancing Anti-corruption and Social Inclusive Reform Initiatives in Nigeria* project.

The goal of the project is to promote and engage in anti-corruption policy reforms at both the national and subnational levels in Nigeria. One of the objectives is to advocate for reforms in the 5 Oil and Gas Producing Areas Development Commissions in the Niger Delta. One of the objectives of the project is to advocate for reforms of the Niger Delta Development Commission (NDDC).

SCALE's Cluster model necessitates ANEEJ working with 8 other Civil Society organisations based in Edo, the FCT (Abuja), Delta, Imo, Abia, Ondo and Rivers States to deliver the project.

ANEEJ Cluster is focusing on the following key reform activities: Engage Federal Ministry of Justice and National Assembly to advocate for a review of the National Anti-Corruption Strategy which expired July 5, 2021, passage of Proceeds of Crime Bill, Witness Protection Bill, Whistle Blowers Protection Bills, Niger Delta Development Commission Act Amendment Bill, and other relevant anti-corruption Bills currently before the National Assembly. ANEEJ Cluster will also work collaboratively with other anti-corruption-focused Clusters to deliver needed policy reforms.

2. Background and Rationale

ANEEJ Cluster project recognizes that corruption is a major challenge that is hindering the growth and development of Nigeria. Nigeria is consistently ranked one of the most corrupt countries or territories in the world as evidenced by several Transparency International's Corruption Perception Index (CPI) reports¹. The [2021 CPI report](#) indicated that Nigeria scored 24 points out of 100 and ranked 154 out of 180 countries and territories assessed, indicating high level of corruption as in the previous reports. Other reports including the Corruption in Nigeria: Patterns and Trends Second Survey on Corruption as Experienced by the Population, 2019, published by NBS and UNODC² supports this position.

¹ <https://www.pwc.com/ng/en/assets/pdf/impact-of-corruption-on-nigerias-economy.pdf>

² NBS 2019. Corruption in Nigeria: Patterns and Trends Second Survey on Corruption as Experienced by the Population, in collaboration with the United Nations Office on Drugs and Crime and UK Aid

A number of public institutions are not working effectively to deliver on their mandates to the citizens, this has amplified the corruption situation in the country. Nigeria's oil and gas sector scored 53 points in the [2021 Resource Governance Index \(RGI\)](#), placing it in the "weak" performance band. Despite an 11-point score increase since the 2017 RGI, petroleum resource governance has largely stagnated in that time, with the bulk of the increase driven by the first-time inclusion of the Nigeria Sovereign Investment Authority (NSIA) in the assessment. Barring this inclusion, significant governance challenges remain, with deep-seated, and long-standing issues hampering possible improvements.

[ANEEJ National Open Contracting Portal \(NOCOPO\) compliance ranking report 2020](#)³ shows that majority of MDAs are not publishing procurement data on the NOCOPO portal against the directive of the Secretary to Government of the Federation and in line with the Public Procurement Act.

The overall effect of corruption in the Niger Delta and Nigeria at large is negative with serious implications for security, living standard of the people, economic growth and development. This affects both men, women and the vulnerable groups including persons with disabilities, even disproportionately. Expectedly, human development indicators are poor. Nigeria's HDI value for 2019 is 0.539 —which put the country in the low human development category — positioning it at 161 out of 189 countries and territories.

The media was agog with news about high level of corruption at the Niger Delta Development Commission (NDDC)⁴ leading to the dissolution of the board and constitution of an investigative panel while government appointed an interim committee to manage the organization till date. The absence of a substantive board at the NDDC is threatening the peace in the region as the National Assembly is currently reviewing the [NDDC Act](#) vide an Amendment Bill to address some major challenges associated with the NDDC Act which inhibits the realization of the goals and objectives of the interventionist agency.

It is against this backdrop that ANEEJ Cluster is seeking the services of a seasoned consultant with vast experience on the issues of the people of oil-rich Niger Delta and the challenges and weakness associated with the implementation of the NDDC Act with a view to carrying out an analysis of the NDDC Act Amendment Bill that will inform Civil Society engagement with the National Assembly, the Executive Arm of Government and other stakeholders for the passage of the Bill and its eventual signing into law by the president before the end of the 9th National Assembly.

3. Objective of the Assignment

- To review NDDC Act reflecting issues of Gender mainstreaming and social inclusion, propose areas for amendment and compare it to the draft NDDC Act amendment bill currently before the National Assembly

Scope of assignment/ToR

- I. Carry out an expert review and analysis of NDDC Act and identify areas and issues for amendments
- II. Carry out an indebt analysis for the improvement of the services of Niger Delta Development Commission and hence the quest for the development of the region.

³ <https://aneej.org/nocoporanking/#followclassic-shadow>

⁴ <https://businessday.ng/editorial/article/cost-of-corruption-in-nddc/>

- III. Review the Niger Delta Development Commission (NDDC) Act Amendment Bill currently before the National Assembly. This must consider issues of Gender Mainstreaming and Social Inclusion.
- IV. Proffer recommendations to inform Civil Society Advocacy for the passage of the NDDC Act amendment Bill and reforms of the Commission
- V. Write a report with recommendations.

4. Deliverables and Timetable

The assignment is expected to take up to 10-15 consultancy days between March and 2nd week April, 2022. The proposed schedule is set out below:

Conduct review of the NDDC Act and compare it with the amendment Bill as set out in the scope of assignment section	March 23-April 7
Consult with relevant stakeholders on your findings	April 1-7
Deliver first draft report	April 11
Integrate edits from ANEEJ	April 13
Deliver a reviewed report to ANEEJ	April 15

5. Consultant's Qualifications

The consultant should be a firm, organization or individuals that ANEEJ considers to be credible, trustworthy and technically competent.

The consultant must demonstrate:

- Experience and knowledge of the Niger Delta development challenges, the NDDC and issues around the enforcement of the NDDC Act
- Understanding of the NDDC Act and the Amendment Bill currently before the National Assembly of Nigeria
- Excellent written and oral communication skills, including ability to present the report to ANEEJ Cluster, other CSOs and media stakeholders
- Knowledge of the extractive sector and prior working experience and knowledge of the Niger Delta issues.

6. Remuneration

ANEEJ will pay the successful consultants subject to negotiation in line with approved budget for the assignment.

7. Method of Application

Interested consultants should apply with their detailed Curriculum Vitae and a Capacity statement of not more than two pages to: procurement@aneej.org not later than two weeks from the date of this advertisement. Only applicants that satisfy the qualifications above shall be contacted.