



REPORT OF THE NIGER-DELTA INSTITUTIONS TRANSPARENCY & ACCOUNTABILITY INDEX



Africa Network for Environment and Economic Justice (ANE EJ)

ABOUT ANEEJ

The Africa Network for Environment and Economic Justice, ANEEJ was established in 1995 but was registered with the Corporate Affairs Commission in Sept, 2006. Specifically, ANEEJ implements projects relating to governance and democracy, peace building and conflict resolution, human rights, anti-corruption and environmental issues. ANEEJ worked with over 100 Civil Society Organisations as the pioneer host of Publish What You Pay (PWYP) Nigeria Campaign and formed the Nigerian Network on Stolen Assets (NNSA).

In 2004-2005, ANEEJ led CSOs monitoring of repatriated Late General Sani Abacha loots under the Public Expenditure Management and Financial Accountability Review (PERMFAR) in a tripartite agreement between the World Bank, Nigerian Government and Civil Society. ANEEJ is currently engaging the Nigerian government, development agencies, multilateral financial institutions, international community as well as local and international Civil Society organisations on recovery of stolen assets to finance development.

For more information please contact:
The Rev David Ugolor
Africa Network for Environment and Economic Justice, ANEEJ
39 Oyaide Street,
Off Benoni, GRA,
Benin City,
Nigeria.

Advocacy Office: Plot 208, Zakariyah Maimalari Road
Off Herbert Macaulay Way,
Central Area, Abuja
info@aneej.org, www.aneej.org
+2348187674339, +234(0)8059880550

DISCLAIMER

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ACKNOWLEDGMENT

This publication was prepared by the Africa Network for Environment and Economic Justice (ANEEJ) implementing the SACE project funded by USAID and PIND with the goal to improve the transparency and accountability mechanisms of targeted Niger Delta Institutions through civic engagement and effective reporting of the agencies activities in the Niger Delta Region

We would like to express our gratitude to the Niger Delta Institutions (NDIs)- Ondo State Oil Producing Areas Development Commission (OSOPADEC), Imo State Oil Producing Areas Development Commission (ISOPADEC), the Federal Ministry of Niger Delta Affairs (FMNDA), the Niger Delta Development Commission (NDDC), the Edo State Oil and Gas Producing Areas Development Commission (EDSOGPADEC), the Abia State Producing Areas Development Commission (ASOPADEC) & the Delta State Oil Producing Areas Development Commission (DESOPADEC) and ANEEJ cluster members- Komuniti in Action Initiative (KAI) Akure, Gender Development Action (GADA) Port Harcourt, Christian Fellowship and Care Foundation (CFCF) Owerri, Future Builders of Persons with Disabilities (Benin), Riverine Communities Health and Development Organisation (RIVCHO)- Warri, Green Concern for Development (GREENCODE)- Calabar as well as our partner in the region, Leadership Initiative for Transformation and Empowerment (LITE-Africa) in Delta state.

ANEEJ appreciation also goes to community members of the oil producing areas of the Niger Delta states, our donors USAID/SACE AND PIND for their support and other stakeholders that participated in this process of creating awareness of the NDITI platform as an assessment tool for engagement.

THE EXECUTIVE SUMMARY

The Niger Delta Region with vast oil reserves and source of Nigeria's wealth accounts for more than 80% of the revenue earnings for the country's annual budget.¹ Yet the effect of the oil exploration in the host communities especially at the creeks had led to serious environmental degradation affecting their primary sources of livelihood which contributes to high poverty rate in the region.

Reversing the resource-curse phenomenon that has been the lot of the beleaguered people of the oil-rich Niger Delta was one of the major reasons why the Niger Delta Institutions (NDIs) such as NDDC, FMNDA and the oil and gas Commissions were set up to correct this error and promote development in the region.

The contribution of ANEEJ to the development of the region and attainment of the mandates of the NDIs introduce the Niger-Delta Transparency and Accountability Index to improve the overall standard and practice of Niger-Delta Institutions through Citizen Engagement. As well as motivate NDIs to adopt measures that will be more effective, transparent and accountable to the people in the delivery of their mandate.

The Niger-Delta Transparency and Accountability Index drafted by ANEEJ has 49 indicators under five grouping such as; Access to information and public disclosure, Synergy with other NDIs/Niger Delta development agencies and government agencies, Consultation with communities/other stakeholders and inclusion, Transparency in procurement process and Institutions' integrity.

It was launched December 15th, 2017 hosted on the Dyntra platform <http://www.dyntra.org/en/transparency-indices/niger-delta-institutions/> This was a consequence of the Strengthening Advocacy and Civic Engagement project implemented by ANEEJ/LITE-Africa and her Cluster members in the

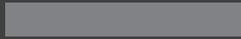


The Niger-Delta
Transparency and
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80%

The Niger Delta
Region with vast oil
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annual budget.

¹Oil Exploration and Poverty in the Niger Delta Region of Nigeria: A Critical Analysis: International Journal of Business and Social Science Vol. 4 No. 3; March 2013 Joseph C. Ebegbulem Department of Political Science University of Calabar, Nigeria Dickson Ekpe Department of Political Science University of Calabar, Nigeria, Theophilus Oyime Adejumo Department of Political Science University of Calabar, Nigeria,



Region. During the first phase, the baseline research on NDIs and survey in some oil producing communities in Edo, Delta, Cross Rivers and Ondo was done and this led to the production of a Citizens Report Card (CRC) some policy briefs as an advocacy tools.

The NDITI is another assessment tool that draws information from the institutions' websites as well as a creation of the same objective standard of measurement to promote transparency and accountability of these NDIs. With an overall aim of sustaining the results achieved in the first phase and at the same time promote an atmosphere of healthy competition amongst the Niger Delta Institutions and interventionists agencies.



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In the first evaluation held in Port Harcourt March 27-28, 2018, five institutions namely: ASOPADEC, NDDC, OSOPADEC, FMNDA & ISOPADEC institution's information were on the NDITI Platform with OSOPADEC being on top having met 14 of the indicators which was the highest as at the time of the evaluation. The information on the two other institutions- DESOPADEC & EDSOGPADEC were not on the platform as both institutions websites were not available for assessment. Efforts made by our advocacy team to get both institutions to get a functional website of their institutions up and running were largely unsuccessful.

Niger Delta Development Commission (NDDC) emerge tops having met 14 indicators at the second and final evaluation as at July 2018. Consequently NDDC is rated overall best in terms of transparency and accountability among the institutions ranked.



INTRODUCTION



The Niger Delta Institutions Transparency Index shows in real time updates of the programmes and performance of NDIs in terms of transparency.



CSOs and communities were trained on budgeting, project monitoring and reporting as well as advocacy and engagement.

The Niger Delta Institutions Transparency Index was conceived by ANEEJ towards the end of the first phase of the Strengthening Civil Society Capacity to Engage the Niger- delta institutions on Resource Management project implementation. This project is supported by Strengthening Advocacy and Civic Engagement (SACE) funded by USAID and PIND through Chemonicsin the Niger Delta Region.

The first two years of the project started in October 2014. ANEEJ and her cluster members within the region and LITE-Africa undertook specific activities to strengthen the capacity of CSOs to engage the Niger Delta Institutions (NDIs) to promote transparency, accountability and effectiveness.

Research on the mandates of Niger Delta Institutions (NDIs) was carried out and the baseline of citizen's perception of the activities and performance of NDIs was established in the Citizen Report Card (CRC).The outcome of the research and CRC was condensed into policy papers and used to engage the respective NDIs. CSOs and communities were trained on budgeting, project monitoring and reporting as well as advocacy and engagement.

The Niger Delta Institutions Transparency Index shows in real time updates of the programmes and performance of NDIs in terms of transparency. It gives the responsibility to the NDIs to prove how transparent and accountable they are in managing the resources at their disposal through public disclosure of information, collaboration with other NDIs and agencies, level of consultation with communities & stakeholders, procurement process and Institutions' integrity.

The information generated on the Niger Delta Institutions Transparency Index are derived from the institutions' websites and other online sources that could be justifiably linked to the organisations. While the Citizens Report Card (CRC) shows the current status of projects implemented by NDIs in the different communities and community perception on the impact of projects.



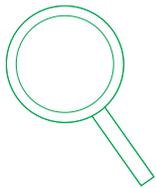
Some of the results achieved during the implementation of the first phase of the project were the publication of NDDC quarterly reports and the Independent CSOs/NDDC Project monitoring committee.

This achievement needs to be sustained by the NDDC and replicated by other NDIs that are currently on track in these regards.

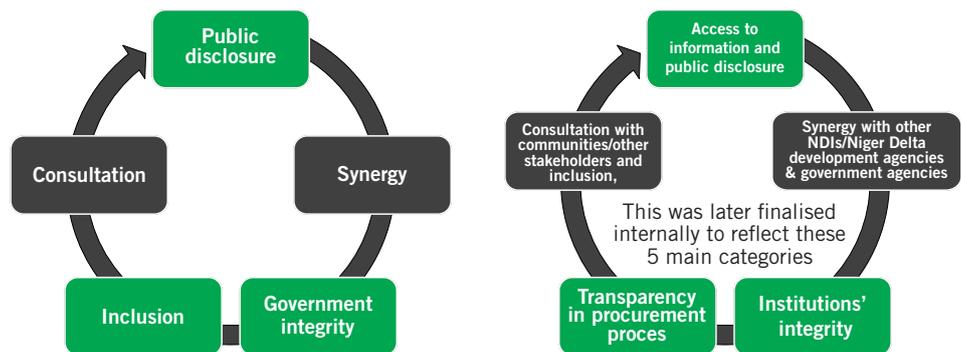
The development of the Niger Delta Institutions transparency index has prompted a new approach that can be adopted to show an holistic assessment of the NDIs activities in the region in real time reporting. It objectively measures the performance of Niger Delta Institutions in real time reporting with regards to the level of transparency and accountability.

There are seven institutions on the platform such as; Abia State Oil Producing Areas Development Commission (ASOPADEC), Delta State Oil Producing Areas Development Commission (DESOPADEC), Edo State Oil and Gas Producing Areas Development Commission (EDSOGPADEC), Imo State Oil Producing Areas Development Commission (ISOPADEC), the Federal Ministry of Niger Delta Affair (MNDA), Niger Delta Development Commission (NDDC) and Ondo State Oil Producing Areas Development Commission (OSOPADEC).

The draft framework for the NDI TI index was developed during the cluster strategy meeting held in Warri, Delta State on 24th February, 2017, where the assessment of NDIs will be based around 5 main areas, namely;



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(i) UNIT OF MEASUREMENT

The unit of measurement is the 49 indicators on the platform that align to the principles of transparency grouped under the above five categories.

TARGET OF THE NDITI PLATFORM

This Index targets the implementation of administrative procedures and guidelines that promote transparency and Accountability of institutions as well as the implementation of the Open Government partnership (OGP) four thematic areas at the institutions level.²

Fiscal Transparency (Indicator 5, 6, 33, 34, 35, 36, 37, 38, 39 &40)

Government financial and budget information should be transparent and made easily accessible to all Nigerians, and allow active citizen participation on Government spending, monitoring to ensure implementation of Government projects.

And Administrative guidelines on public procurement ensures that the procurement for goods, construction and services achieves value for money on a whole-life cycle basis; in terms of generating benefits not only to the government department involved but also to society and economy as a whole whilst minimizing damage to the environment.

Good governance entails effective and efficient services to the people and the use of public resources to secure the maximum welfare for the greatest number of the people.³ It is the provision of essential social amenities and infrastructure to enable the people realize their potentialities. This will increase citizens' confidence and trust in Niger Development institutions

Anti-Corruption (Indicator 40 -49)

A platform for sharing information among Corruption Agencies, Law Enforcement Agencies and all stakeholders should be established to strengthen Nigeria's asset recovery legislation. This platform will ensure a



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<https://www.opengovpartnership.org/about/about-ogp> The Open Government Partnership is a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance



collaborative effort between all anti-corruption agencies in the country's fight against corruption; improve integrity, transparency and accountability.

Access to Information (Indicator 1,2,3,4,8,9,10,11,12,13,16,17& 18)

Easy access to all information about government or public institutions should be made readily available through online platform or on request with respect to the Proactive disclosure provisions and improved Freedom of Information Act. Citizens have the right to know how public funds are spent and how institutions are run or any other information about public institutions. Public institutions have the responsibility to ensure the proper organization and maintenance of all information in its custody in a manner that facilitates public access to such information.



Open access to all Government information give the public opportunity to interact and actively participate on government policies, projects and how they are governed.

Citizen Engagement (Indicator 19, 20, 21&22)

The Niger Delta Institutions Transparency and Accountability Index (NDITI) is a technology-based platform that increases citizen's awareness and participation in government institutions. Open access to all Government information give the public opportunity to interact and actively participate on government policies, projects and how they are governed.



Citizens have the right to know how public funds are spent and how institutions are run or any other information about public institutions.

Hence, the NDITI is an assessment tool that promotes the implementation of these administrative guidelines and the OGP at the institutions levels in the region which strongly lies with the goal of the project, to improve the transparency and accountability mechanisms of targeted Niger Delta Institutions through civic engagement and effective reporting of the agencies activities in the Niger Delta Region.

The NDITI was design to promote healthy competition among NDIs by showcasing some standard transparency and accountability measures adopted.

The NDITI therefore promote disclosure of basic information to enable the public understand the activities of NDIs to enable citizen participation and engagement in influencing decision making and holding them to account. The tendency for issues of corruption, inefficiency and mismanagement of funds is most times based on non disclosure of information by the NDIs.

³FISCAL RESPONSIBILITY ACT, 2007 An Act to provide for prudent management of the Nation's Resources, ensure Long- Term Macro-Economic stability of the National Economy, secure greater accountability and transparency in Fiscal operations within the Medium Term Fiscal Policy Framework, and the establishment if the Fiscal Responsibility Commission to ensure the promotion and enforcement of the Nation's Economic objectives; and for related matters.



The idea behind the use of the Dyntra Platform;

The engagement of the services of Dyntra to host the NDITI to achieve its purpose is built upon the goal of Dyntra which is a collaborative platform that aims to measure the public information from governments, public authorities, political parties, elected representatives and the various stakeholders in a dynamic, efficient, transparent, open and collaborative way. The Dyntra platform measures various index of public institutions across the continent.

OUTCOME OF THE FIRST EVALUATION OF THE NIGER DELTA INSTITUTIONS TRANSPARENCY (PHASE 1)

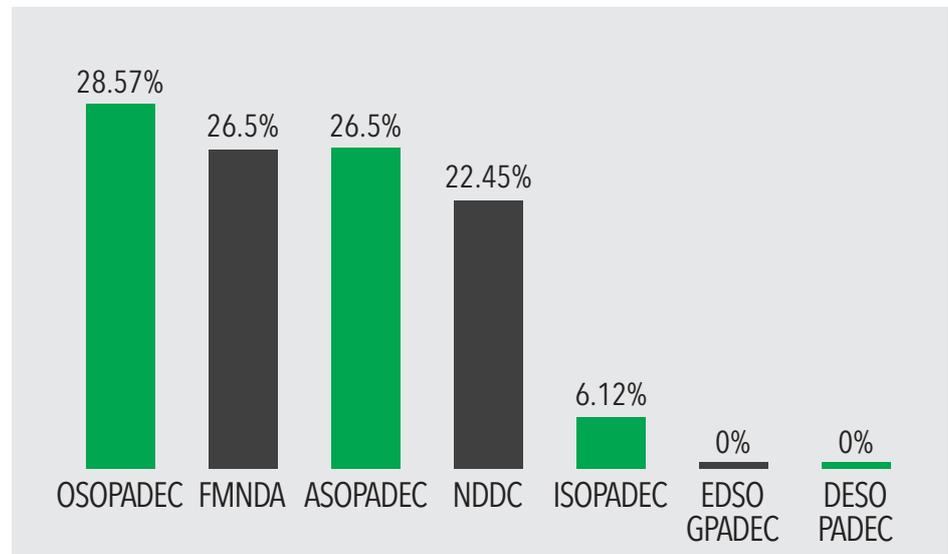
Five of the Niger Delta institutions activity report is currently on the platform, the information are drawn from the institution's official website. Below is the result of the first evaluation conducted in Port Harcourt, March 27-28, 2018, by ANEEJ for NDIs Staff, CSOs and Media.





POSITION	ENTITY	INDEX	PERCENTAGE
1	 Ondo State Oil Producing Areas Development Commission (OSOPADEC)	14 out of 49 indicators	28.57%
2	Federal Ministry of Niger Delta Affairs (FMNDA)	13 out of 49 indicators	26.53%
2	Abia State Oil Producing Areas Development Commission (ASOPADEC)	13 out of 49 indicators	26.53%
4	Niger Delta Development Commission (NDDC)	11 out of 49 indicators	22.45%
5	Imo State Oil Producing Areas Development Commission (ISOPADEC)	3 out of 49 indicators	6.12%
6	Edo State Oil and Gas Producing Areas Development Commission (EDSOGPADEC)	0 out of 49 indicators	0%
6	Delta State Oil Producing Areas Development Commission (DESOPADEC)	0 out of 49 indicators	0%

GRAPHICAL INTERPRETATION OF THE FIRST EVALUATION RESULT AS AT MARCH 2018





1. Ondo State Oil Producing Areas Development Commission (OSOPADEC)

A total of 14 Indicators: 1, 3, 4, 5, 6, 7, 8, 9, 10,11 ,12, 13, 15, 17 & 18 (Access to Information and Public Disclosure and consultations with other communities/stakeholders)

2. Federal Ministry of Niger Delta Affairs (FMNDA)

A total of 13 Indicators: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 18, 23, 25, 27, & 28 (Access to Information and Public Disclosure, Consultations with other communities/stakeholders and Institution's Integrity)

3. Abia State Oil Producing Areas Commission (ASOPADEC)

A total of 13 Indicators: 1,3,4,7,8,9,10,11,12,17,18,19 & 22 (Access to information and public disclosures and Synergy with other NDIs/Niger Delta Development Agencies and Government)

4. Niger Delta Development Commission (NDDC)

A total of 11 Indicators: 1, 3, 4, 6, 7, 8, 10, 11, 12, 17 & 18 (Access to information and Public Disclosure)

5. Imo State Oil Producing Areas Commission (ISOPADEC)

A total of 3 Indicators: 1, 2, & 12 (Access to information and Public Disclosure)

6. Edo State Oil and Gas Producing Areas Development Commission (EDSOGPADEC)

Zero Indicator

7. Delta State Oil Producing Areas Development Commission (DESOPADEC)

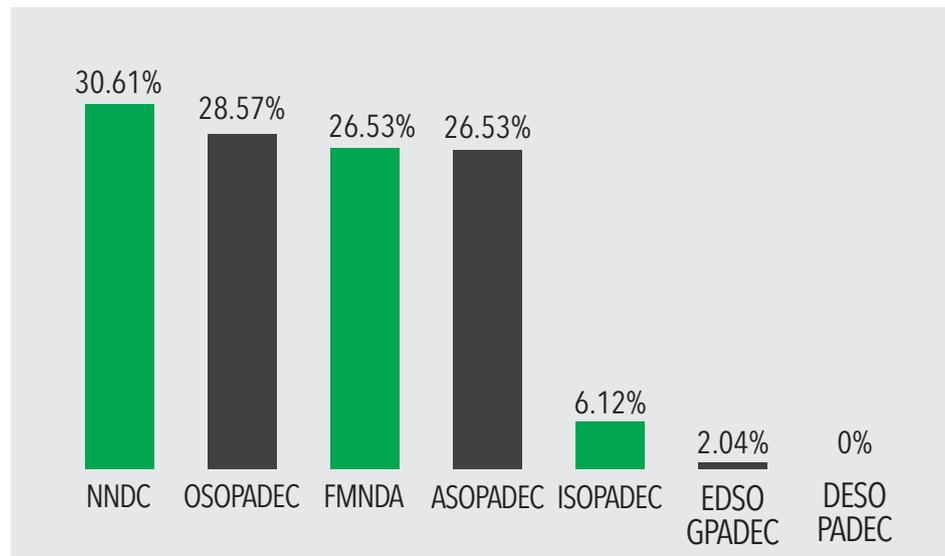
Zero Indicator



Ondo state oil producing Areas Development Commission emerge top at the first evaluation as at March 2018 in terms of information disclosure on their official website.



POSITION	ENTITY	INDEX	PERCENTAGE
1	 Niger Delta Development Commission (NDDC)	15 out of 49 indicators	30.61%
2	 Ondo State Oil Producing Areas Development Commission (OSOPADEC)	14 out of 49 indicators	28.57%
3	 Federal Ministry of Niger Delta Affairs (FMNDA)	13 out of 49 indicators	26.53%
3	 Abia State Oil Producing Areas Development Commission (ASOPADEC)	13 out of 49 indicators	26.53%
5	 Imo State Oil Producing Areas Development Commission (ISOPADEC)	3 out of 49 indicators	6.12%
6	 Edo State Oil and Gas Producing Areas Development Commission (EDSO GPADEC)	1 out of 49 indicators	2.04%
7	 Delta State Oil Producing Areas Development Commission (DESO PADEC)	0 out of 49 indicators	0%



Niger Delta Development Commission (NDDC) emerges top at the second/final evaluation as at July 2018 in terms of information disclosure on their official website.

1. Niger Delta Development Commission (NDDC)
A total of 15 Indicators: 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17 & 18 (Access to information and Public Disclosure)
2. Ondo State Oil Producing Areas Development Commission (OSOPADEC)
A total of 14 Indicators:1, 3, 4, 5, 6, 7, 8, 9, 10,11,12, 13, 15, 17 &18



(Access to Information and Public Disclosure and consultations with other communities/stakeholders)

3. Federal Ministry of Niger Delta Affairs (FMNDA)
A total of 13 Indicators: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 18, 23, 25, 27, & 28 (Access to Information and Public Disclosure, Consultations with other communities/stakeholders and Institution's Integrity)
4. Abia State Oil Producing Areas Commission (ASOPADEC)
A total of 13 Indicators: 1, 3, 4, 7, 8, 9, 10, 11, 12, 17, 18, 19 & 22 (Access to information and public disclosures and Synergy with other NDIs/Niger Delta Development Agencies and Government)
5. Imo State Oil Producing Areas Commission (ISOPADEC)
A total of 3 Indicators: 1, 2, & 12 (Access to information and Public Disclosure)
6. Edo State Oil and Gas Producing Areas Development Commission (EDSOGPADEC)
Indicator 11 (Access to information and public Disclosure)
7. Delta State Oil Producing Areas Development Commission (DESOPADEC)
Zero Indicator

CONCLUSION/ RECOMMENDATION

Technology and information empowers society to attain rapid development, the Niger Delta Institutions Transparency Index is a tool that provides administrative guidelines that promote transparency and accountability of public institutions.

It equally opens access to information from NDIs to citizens and Civil Society Organizations to fully participate and engage in an informed way that are expected to lead to greater development of the region in line with the mandates of the Niger Delta Institutions

The Niger Delta Institutions Transparency and Accountability Index (NDITI) platforms gives an update of the NDIs activities from the institutions' perspective just like the Citizen Report Card (CRC) shows the outcome of the projects implemented by NDIs in community and the community perspectives on the operations of the NDIs.

The NDITI promotes the idea that institutions have the primary responsibility to show how transparent and accountable they are with regards to resource management in a way that it is easily accessible to the public.

This exercise clearly fits into supporting the Open Government Partnership to which Nigeria is a signatory.

The OGP is a co-creation on equal basis of both State and Non- State actors and given the numerous advantages derivable from this global initiative, it becomes expedient to call on all Niger Delta States to step down OGP in their states.

Going forward, ANEEJ would scale up the NDITI to a Niger Delta Governance Index and would continue releasing this report on an annual basis. This means the indicators would be expanded to cover other aspects of good governance and we look forward to deepening our engagements with the Federal



Government, the Niger Delta State Governments and the various Niger Delta Development Institutions.

Given the contents and responses from the Niger Delta Development Institutions, we wish to make the following recommendations:

1. The Niger Delta Institutions should publish their budget and quarterly report on their websites
2. The Niger Delta Institutions should regularly update information on their official websites
3. Information disclosure by NDIs through their official websites can influence citizens perception on their activities as well as lead to productive citizens participation and engagement.
4. Federal and state governments should ensure that all public agencies and institutions are internet-compliant through functional official websites where information that clearly shows transparency and accountability of the organisations are posted.
5. EDSOGPADEC AND DESOPADEC which trail behind in the rung of the NDIT ladder should as a matter of urgency establish their websites for use to disclose information to citizens of their states and members of the public who will be interested in the development activities of their agencies and key into modern governance practices that borders on integrity, probity and accountability of public institutions.

APPENDIX

THE 49 INDICATORS

Access to information and public disclosure

1. The institution has a website
2. The institution website is adaptive to mobile devices
3. The institution has at least 3 social media accounts (twitter, face book, Instagram etc)
4. The institution uses the social media accounts to share updates on activities
5. The institution budget is on the website
6. The institution uses her website to share annual reports or quarterly reports
7. The institution built a feedback mechanism on her website
8. The institution displays active email address, phone number and twitter handle on her website
9. The institution leadership (Minister, Chairman, Managing Director) have active twitter and/or other social media handle
10. The institutions leadership (Board Chairman, Departmental heads) have active twitter and/or other social media handle
11. The institution shares projects status update
12. The institution officially displays an active email and phone number on the website
13. Available document with current strategic plan
14. Document reflecting the policy for monitoring and evaluation of projects and programs
15. List of training programs in communities
16. Number of timely response of the institution to FOI request
17. Publish objectives to be meant by the institution
18. List of profiles and roles of staff



Synergy with other NDIs/Niger Delta development agencies and government agencies

19. The institution reaches out to State government to discuss interventions
20. The institution reaches out to oil commissions to discuss and plan
21. The institution reaches out or collaborate with other institutions like NDDC, Ministry of Niger Delta Affairs
22. The institution cites complementary projects with other institutions or government agencies

Consultation with communities/other stakeholders and inclusion

23. The institution has a community relations department or desk
24. The institution conducts needs assessment
25. The institution holds periodic town hall meetings with host communities
26. Does your organisation consult/work with civil society organisations?
27. Are projects jointly monitored in collaboration with communities/CSOs representatives?
28. The institution consults with established leadership structure of communities
29. The institution has a forum to interface with diverse groups such as women, men, youths, persons with disabilities
30. The institution has a policy or administrative procedure regarding gender
31. Do your projects mainstream the needs of women, youth and persons with disabilities?
32. Minutes of meeting with communities/CSOs representatives

Transparency in procurement process

33. The institution has a procurement plan
34. The institution advertises for pre-qualification or requesting for bidders in newspaper
35. The institution has a notice board where procurement notices are placed



36. The institution invites observers including CSOs to her bid opening ceremony
37. The institution has standard bidding documents
38. The institution's adverts contain time and place of bid opening
39. The institution announces the final winner of a procurement process
40. The institution properly identifies her project on site

Institutions' integrity

41. The head of the institution declares asset
42. The institution has a functional anti-corruption and transparency unit (ACTU)
43. The amount of debt of the institution is public
44. Audit report of institution's account done by external auditors are published
45. List of payments and debts to contractors
46. The institution publishes recruitment process for personnel
47. Publish commitment template agreement with contractors
48. Total amount awarded to contractors
49. Initial amount disbursed to contractors

