

2019

Asset Recovery and Management and the Implementation of GFAR Principles in Nigeria

Newsletter



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ASSET RECOVERY AND GFAR IMPLEMENTATION IN NIGERIA



\$500m

We call on the US Government to expedite action in returning over \$500million stashed in United States of America.

Nigeria is currently considered the world's poverty capital as 89.6 million people live in extreme poverty. Corruption has continued to be a major factor that exacerbates poverty in the country of about 200 million people. Illicit Financial Flows occasioned by looting of the country's treasury by Politically Exposed Persons (Grand Corruption) as well as Petty corruption in terms of bribe-taking have remained major obstacles to both human and national development.

The 2019 Corruption Perception Index (CPI) of Transparency International ranks Nigeria at 144 from 148 countries globally. The Federal Government of Nigeria under the leadership of President Muhammadu Buhari since assuming office on May 29, 2015 therefore made the war against corruption one of its cardinal agenda.

Since then, the tracing, tracking and repatriation of the country's looted assets has been vigorously pursued by the administration, even though some major stakeholders have expressed serious concerns as to the selective application of justice in the war against corruption.

200m

Corruption has continued to be a major factor that exacerbates poverty in the country of about 200 million people.

The 2018 CPI as well as the Basel Anti-Money Laundering Index of 2018 point to the poor performance of anti-corruption initiatives in Nigeria. Also, the EU recently blacklisted Nigeria as a result of its poor anti-money laundry regime and resultant worsening of its ease of doing business framework. However, Nigerians generally expect that all looters, irrespective of their political affiliations or ethnic persuasions must be made to return the loot to finance development in the country and prosecuted appropriately.

The London Anti-Corruption Summit which held in 2016 where Nigeria signed on to the Open Government Partnership (OGP) and committed to participation in the Global Forum on Assets Recovery (GFAR) provided a basis for Nigerian to deepen its war against graft and return of looted assets.

Our review of Nigeria's implementation of its commitments from the London Anticorruption Summit and adherence to the Principles of GFAR show that the country is making considerable progress, although action needs to be intensified to complete ongoing initiatives towards implementation.



\$73m

The apparent success of this programme notwithstanding, ANEEJ continues to call on the FGN to account for the utilisation of the \$73 million recovered from the infamous Malabu Oil scandal which was returned from the UK in 2017.

We are glad to note that the implementation of the GFAR principles has been an important means of generating political will to push the asset recovery agenda forward, not only in Nigeria, but beyond.

The signing of the Memorandum of Understanding (MoU) between Switzerland and Nigeria in December 2017 to return \$322.5 million stolen by former dictator, Sani Abacha is a good example of how to end the culture of impunity in looting of state resources.

We believe that Nigeria must continue to take the opportunity of GFAR to make tangible and measurable steps towards improving its asset recovery streak, and regularly report on how they have met those commitments. We are also pleased with the disclosure of information required by Civil Society in the Independent Monitoring of the use of \$322.5million under the Monitoring of Recovered Assets Through Transparency and Accountability (MANTRA) project of ANEEJ.

We urge the sustenance of such level of cooperation between government and CSOs on the issue of asset recovery and management.

This further underscores the importance of management of the returned loot for the benefit the victims of corruption. It is on this score that we are pleased that the returned \$322.5million is being ploughed into the Conditional Cash Transfer (CCT) of the Federal Government's Social Investment Programme (SIP).

The apparent success of this programme notwithstanding, ANEEJ continues to call on the FGN to account for the utilisation

of the \$73 million recovered from the infamous Malabu Oil scandal which was returned from the UK in 2017.

In the same vein and for the purposes of sustaining the momentum in the implementation of the GFAR commitment in Nigeria, we call on the US Government to expedite action in returning over \$500million stashed in United States of America.

In similar vein, we call on the UK government to keep to the GFAR principles of transparency and accountability in the ongoing negotiations for the return of the funds recovered from the former governor of Delta State, James Ibori, who was convicted for fraud and money laundering, involving about £50 million in the UK in 2012.

We believe that with sustained tracing, tracking and repatriation of Nigeria's looted assets stashed in various jurisdictions overseas, Nigeria would be in position to execute projects and programmes that would contribute to achieving the SDGs by helping to lift millions of its populations out of extreme poverty by 2030.

Deepening the implementation of both national and international anti-corruption instruments and commitments are imperative to the war on graft and in this wise, we call on whoever that wins the 2019 Presidential election to implement the GFAR Principles and London Anti-Corruption Summit commitments.



\$322.5m

It is on this score that we are pleased that the returned \$322.5million is being ploughed into the Conditional Cash Transfer (CCT) of the Federal Government's Social Investment Programme (SIP).

ANEJ TRAINS MEDIA PRACTITIONERS ON ASSET RECOVERY AND ANTI-CORRUPTION ISSUES IN NIGERIA.

Twenty-four Media Practitioners benefitted from a three-day capacity building workshop on Asset Recovery and Anti-Corruption Issues in Nigeria held in Abuja on the 28-30 January 2019.

The journalists were drawn from different media houses such as Vanguard, Planet FM, Nigeria Tribune, Leadership, Peoples Daily, Premium Times, Guardian, Cool FM/Wazobia FM/ Arewa Radio Kano, TVC News, KISS FM, Armed Free Radio, Global Sentinel,

Business Day, BBC, Premium Times, AIT, Dotunroy.com and DailyTrust.

The training was carried out under the *Improving the Capacity of Media Practitioners on Asset Recovery* project aimed at providing Nigerian journalists/media practitioners the knowledge to undertake investigations on Asset Recovery & Management issues in Nigeria. The project is supported by Switzerland Embassy in Nigeria.



Figure 1 L-R; Rev. David Ugolor, Africa Network for Environment and Economic Justice, Deputy Head of Mission, Embassy of Switzerland, Mrs. Anne-Beatrice Bullingers and Prof. Nick Idoko with participants with Certificate of Participation on the third day of the media workshop.

OUTCOME OF THE GLOBAL FORUM ON ASSET RECOVERY (GFAR) EVENT HELD IN WASHINGTON

Civil society organisations present at this first ever Global Forum on Asset Recovery presented the civil society statement from Sri Lanka, Tunisia, Nigeria and Ukraine.

They urged all countries that are attractive destinations for corrupt wealth to take immediate steps to close down the secrecy loopholes in their jurisdictions and ensure that facilitators of corrupt wealth are prosecuted and sanctioned.

Civil Society also called on the US to adopt public and robustly verified Beneficial Ownership registers for companies, trusts and property and to introduce and proactively enforce legal requirements to conduct proper customer due diligence.

We urge the UK to ensure that Beneficial Ownership information is readily available from its overseas territories and crown dependencies; that the Beneficial Ownership property register is swiftly legislated for and that professional enablers who facilitate the laundering of corrupt wealth are prosecuted and sanctioned.



Executive Director of ANEEJ, Rev David Ugolor reading the Final Closing CSO Statement at the GFAR in Washington DC.

Countries from which wealth is stolen must make sure they have in place the systems to prevent asset theft and ensure the prosecution of corrupt actors.

With particular reference to Nigeria, to ensure swift passage of the Proceeds of Crime Bill; effectively resource the new Asset Recovery and Management Unit; to create a single national body responsible for delivering the National Anti-Corruption Strategy; and to strengthen the autonomy of the Nigerian Financial Intelligence Unit.



The signing of the MOU between Switzerland and Nigeria to return \$321 million stolen by former dictator, Sani Abacha is a good example of this.

Finally, that GFAR has been an important means of generating political will to push the asset recovery agenda forward. The signing of the MOU between Switzerland and Nigeria to return \$321 million stolen by former dictator, Sani Abacha is a good example of this. We believe that States must take the opportunity of GFAR to make tangible and measurable commitments on improving asset recovery, and report within a year on how they have met those commitments.

This Statement was read by David Ugolor, from the African Network for Environment and Economic Justice, ANEEJ, Nigeria on behalf of Civil Society at the Global Forum on Asset Recovery Closing Session, 6th December 2017, Washington DC

ANEEJ PROMOTES POST - GFAR PRINCIPLES AT CSO - ASSET RECOVERY DIALOGUE

The Africa Network for Environment and Economic Justice, ANEEJ, has held a CSO Dialogue on Asset Recovery in Abuja, Nigeria, 27th June, 2018.

The purpose of the CSO Dialogue on Asset Recovery included raising of awareness of the public on the outcome of GFAR, to reach a common understanding common understanding on how Nigeria can take the commitments made at GFAR forward and to clarify stakeholders' role in meeting the commitments made at GFAR.

Participation at the event included representatives of the DFID, the Federal Ministry of Justice, OGP Secretariat, Ministry of Foreign Affairs, Anti-corruption Agencies, CSOs from different parts of the country, Journalists, National Assembly, Development Partners including the World Bank Group.

In a statement the Rev David Ugolor said that *'it is particularly in accordance with Principle 10 that ANEEJ has, through its Monitoring of Recovered Assets through Transparency and Accountability (MANTRA) project, convened this dialogue. At this strategic moment, it is important that we seize on the momentum provided by these global*

initiatives to chart a course for legal, institutional and broader reforms in asset recovery and utilization in Nigeria'.



The Rev Ugolor delivering an address at the residence of the Swiss Ambassador

In a related event at the residence of the Swiss Ambassador, the Rev Ugolor said that a relationship with the Swiss government is relevant to building a collective consensus around issues of asset recovery.

He maintained that there is need for transparency & accountability in the return and management of recovered assets. He appealed to NCTO to engage CSOs in the transfer process to beneficiaries.



The Rev David Ugolor, the Swiss Ambassador, Eric Mayoraz and Presidential Adviser, Juliet Ibekaku



\$1bn

In a response, the Swiss Ambassador to Nigeria Mr. Eric Mayoraz disclosed that his country, Switzerland, was in possession of \$1billion looted by the Abacha Junta.

In a response, the Swiss Ambassador to Nigeria Mr. Eric Mayoraz disclosed that his country, Switzerland, was in possession of \$1billion (One Billion Dollars) looted by the Abacha Junta. Both events, (the CSO Dialogue session and the meeting with the Swiss Ambassador) are in furtherance of the DFID-ACORN supported Monitoring Recovered Assets through Transparency and Accountability, MANTRA Project.

<http://www.aneej.org/aneej-promotes-post-gfar-principles-at-cso-asset-recovery-dialogue/>

SUMMARY OF MANTRA PROJECT



544

Monitoring exercise commenced with 544 individuals trained monitoring funds disbursed to over 32,000s beneficiaries across 11 States of the Nigeria

The Monitoring Recovered Assets through Transparency and Accountability (MANTRA) project is designed to address issues of corruption in Nigeria, to wit: the lack of a clear policy framework for the management of looted assets recovered, the re-looting of recovered assets by corrupt public officials and low public awareness and advocacy on the recovery and use of looted assets.

The Project is being implemented within the broader objectives of the Anti-Corruption in Nigeria (ACORN) programme of the British Government's Department for International Development (DFID) to strengthen the anticorruption regime in Nigeria.

The MANTRA project is monitoring the disbursement of the \$322.5 million Abahca loot which the Switzerland Government returned to Nigeria. The project is also designed to address issues of transparency and accountability in the recovery and use of looted assets as well as the lack of a clear policy framework for the management of looted assets in Nigeria.

The MANTRA project will achieve its goal through the strengthening of CSOs and citizens capacity to monitor the use of repatriated loot, advocacy to improve the policy, legislative and institutional framework for the recovery and

management of looted assets in Nigeria and lastly mobilizing collective action in demanding a "cleaner society". The project commenced in April 2018 and works at the National level a number of states at the subnational level.

MANTRA PROJECT ACHIEVEMENTS

- The Open Government principles has been adopted in Edo State Nigeria
- 350 Organizations engaged on awareness creation activities by the MANTRA project
- Traditional leaders, Political parties, Nigerian Network for Asset Recovery, Civil Society Organizations
- Monitoring exercise commenced with 544 individuals trained monitoring funds disbursed to over 32,000s beneficiaries across 11 States of the Nigeria
- ANEEJ and ARMU working together to establish a framework to push for the passage of POCA
- ANEEJ took the lead in inaugurating an Advocacy Working Group on Anti-corruption Bills before the National Assembly process

GFAR PRINCIPLE

At the Global Forum on Asset Recovery which held in Washington, D.C in December, 2017, participating countries and stakeholders agreed on the following principles to address

approaches and mechanisms for enhancing coordination and cooperation, and for strengthening transparency and accountability of the processes involved.

Principle 1: Partnership.

It is recognised that successful return of stolen assets is fundamentally based on there being a strong partnership between transferring and receiving countries. Such partnership promotes trust and confidence.

Principle 2: Mutual interests.

It is recognised that both transferring and receiving countries have shared interests in a successful outcome. Hence, countries should work together to establish arrangements for transfer that are mutually agreed.

Principle 3: Early dialogue.

It is strongly desirable to commence dialogue between transferring and receiving countries at the earliest opportunity in the process, and for there to be continuing dialogue throughout the process.

Principle 4: Transparency and accountability.

Transferring and receiving countries will guarantee transparency and accountability in the return and disposition of recovered assets.

Information on the transfer and administration of returned assets should be made public and be available to the people in both the transferring and receiving country.

The use of unspecified or contingent fee arrangements should be discouraged.

Principle 5: Beneficiaries.

Where possible, and without prejudice to identified victims, stolen assets recovered from corrupt officials should benefit the people of the nations harmed by the underlying corrupt conduct.

Principle 6: Strengthening anti-corruption and development.

Where possible, in the end use of confiscated proceeds, consideration should also be given to encouraging actions which fulfill UNCAC principles of combating corruption, repairing the damage done by corruption, and achieving development goals.

Principle 7: Case-Specific Treatment.

Disposition of confiscated proceeds of crime should be considered in a case-specific manner.

Principle 8: Consider using an Agreement under UNCAC Article 57(5).

Case-specific agreements or arrangements should, where agreed by both the transferring and receiving state, be concluded to help ensure the transparent and effective use, administration and monitoring of returned proceeds. The transferring mechanism(s) should, where possible, use existing political and institutional frameworks and be in line with the country development strategy in order to ensure coherence, avoid duplication and optimize efficiency.

Principle 9: Preclusion of Benefit to Offenders.

All steps should be taken to ensure that the disposition of confiscated proceeds of crime do not benefit persons involved in the commission of the offence(s).

Principle 10: Inclusion of non-government stakeholders.

To the extent appropriate and permitted by law, individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, should be encouraged to participate in the asset return process, including by helping to identify how harm can be remedied, contributing to decisions on return and disposition, and fostering transparency and accountability in the transfer, disposition and administration of recovered assets.

MEMORANDUM OF UNDERSTANDING BETWEEN NIGERIA & SWITZERLAND ON ABACHA LOOT

Interview with ANEEJ Executive Director,
Rev David Ugolor



\$321m

Nigeria-Switzerland Agreement on the \$321 millions is an improvement and it provides some great lessons for other Countries,

DO YOU THINK THIS IS A GOOD AGREEMENT FOR NIGERIA?

Considering were we are coming from, I will say that the Nigeria-Switzerland Agreement on the \$321 millions is an improvement and it provides some great lessons for other Countries, like the United States and United Kingdom to follow.

For the first time in the negotiation of asset recovery, Civil Society were invited to participate in the drafting of the Memorandum of Understanding (MOU) which we considered as an indication of both Countries willingness to partner with us to ensure the returned assets benefit the people.

We value the opportunity and also congratulate both Governments for accepting to work with civil society. This has never happened before and is something we should all acknowledge and promote as a good practice.

Another features that also attract our support for the agreement is the access to the MOU Agreement which provided opportunity for the public to read and understand the content which also can be considered as a good practice. As soon as the MOU was signed in Washington DC during the

Global Forum on Asset Recovery (GFAR) it was disclosed to the general public and we were able to also share it with all our networks and partners in Nigeria.

The media in Nigeria also use it to engage in public discourse which also attracted national attention. Another interesting feature of the agreement is the instalment disbursement which will also give room to confirm if the resources released is properly used.

As you know we are approaching election next year which can be very risky and so we have adopt an internal operation that will give confidence to both parties.

We also had some concerns in the agreement particularly, the Geneva Court decision that provided the condition that World Bank should monitor the process. We think the Court decision was absolutely unacceptable and it portend danger for a sovereign Country like Nigeria with all the democratic institutions.

I assume that it was ignorance that lead to that decision and we hope it will not happened again. The intention is well noted but the message from it was that Nigerians are capable to oversee the

use of returned assets. That is absolutely not true. We have always insisted that Nigerian civil society is very competent to oversee the monitoring of all returned stolen assets. What we need is for the parties to the asset recovery to agree to a transparent and accountable framework that provide opportunity for citizens and civil society to monitor the process independently.

We also understand that is not all Countries that have such strong civil society and in such situation an alternative framework can be considered.

How is it seen by CSOs and the public?

There are some of our colleagues who were not comfortable with the agreement and they vehemently condemned the Court decision to allow World Bank to play monitoring role.

Also the Nigerian Government was not forthcoming with a clear communication and that provided opportunity for a lot of misinformation and almost damage the whole process.

Another issue that also contributed to the negative perception from the public was the lack of information on all recovered stolen assets. The government was not able to provide the public a coherent information on all the fund recovered and how they have been spent.

This situation created a trust problem and it was really hard for the

government to market the MOU to the public. The National Assembly were not involved in the negotiation of the agreement.

I believe there has been some criticism in the Nigerian media of both the World Bank and Switzerland?

Yes, I think the absence of a credible source of information on the management of recovered assets in Nigeria is partly responsible will have to .The World Bank and Switzerland Government will have to take some of the blame because of some of the reasons I mentioned before.

The court ruling in Geneva is perceived as an attempt by the Swiss Government to dictate how Nigeria should use the recovered Abacha Loot and that for me is not a good thing and it will increase distrust which we should avoid.

For asset recovery to be successful you need trust on both Countries i.e both Nigeria and Switzerland. The problem is that before this current government came the previous regime under President Goodluck Jonathan entered into an agreement with the Abacha family that has set a bad precedent. Another source of criticism was the commission paid to the lawyers who took part in the agreement. The process was not transparent and most Nigerians were not happy with the outcome.

The Swiss Government should not allow such things to happen in their Country. For example, the Swiss



\$321m

We are mobilising network of civil society to monitor the implementation of the MOU and the use of the recovered \$321millions.

Government has already declared that the Abacha family were criminal and to allow them to have access to more resources that was stolen from Nigeria treasury was unacceptable.

The agreement has given the Abacha family some level of legitimacy which was not good. The message from such action is that it pays to commit crime and it also promote the culture of impunity. We should make sure that these who are involve in grand corruption are not allowed to use their influence to undermine the process of asset recovery.

The fact that Abacha family was allowed to negotiate and recoup some of the stolen assets gives a wrong signal.

How much do you think the agreement has taken into account lessons learned from the return of the first tranche of Abacha money?

The idea of involving civil society in the agreement process and also disclosing the MOU content marked an improvement from the previous transfer. The idea of realising the money in tranches also strengthen the accountability mechanism and it will make it impossible for anybody to steal the money. Releasing the money in tranches will help to encourage the government and these who are managing the process to deliver.

How will CSOs work to ensure proper use of these funds?

We are developing an Independent

monitoring programme which UK Development for International Development (DFID) has agreed to fund. The Civil society monitoring scheme will help strengthen the credibility of the entire process.

We are mobilising a network of civil society organisations to monitor the implementation of the MOU and the use of the recovered \$322.5 million. We have entered into an agreement with the Ministry of Justice and they have formally introduced us to the Cash Transfer Office that will be managing the whole process. So far, we have also held meetings with the Federal Government and the Swiss Embassy discussing how we can all work together to ensure that the MOU is properly implemented.

Over 100 NGOs representatives will be trained on the monitoring framework and we will develop a platform to track and report the monitoring and also release information in real time. The Cash Transfer Office has promised to cooperate with us in the monitoring and they have also invited us to help lobby other state governments to sign on to the initiative and also train the beneficiaries on how to use the grievance redress mechanism to resolve any problem.

Are you also working with Swiss CSOs? (which ones?)

Yes, from time to time we also reach out to Swiss NGOs for sharing of intelligence and also feedback on how we can influence the process before the MOU was signed. I will say that the Swiss NGOs really helped us in achieving whatever we have today.



100

Over 100 NGOs representatives will be trained on the monitoring framework and we will develop a platform to track and report the monitoring and also release information in real time.

The Switzerland Embassy has also provided support through exchange of information and clarification whenever we ask. The Swiss NGOs provide technical support to the Nigerian Network on Stolen Assets (NNSA) and also help to increase our advocacy message towards the Swiss Government.

Do you think this agreement could serve as a model for other countries, or for the restitution of other funds to Nigeria?

The agreement can serve as a model, but we should not allow the court to decide who monitor the recovered assets. The role of World Bank in the monitoring of recovered assets requires proper interrogation and context for effective impact. The lessons from the Abacha 1 and 2 will certainly help to improve asset recovery regime in Nigeria and globally.

What do you think will be the main challenges?

The 2019 Presidential Election and the information on fund released. We need to encourage the Nigerian Government to take steps that will improve trust and confidence in the cash transfer process.

https://www.swissinfo.ch/eng/business/switzerland-and-nigeria_is-the-abacha-accord-a-model-for-returning--dictator-funds--/43938016?fbclid=IwAR2OgyCTJ6rEYm5j_kD0LOzVrHABvyi69EmFUa2_CgrjHSR5K_uPV0aTzcM#.XFrxEiXkXB0.facebook

PUBLISHED ARTICLES ON ASSET RECOVERY ISSUES IN NIGERIA

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WHAT EVERY NIGERIAN NEEDS TO KNOW ABOUT THE USE OF THE \$322.5 MILLION ABACHA LOOT.

By Dr. Matthew Ayibakuro (Director of Research and Policy, ANEEJ)

CONTEXT

Over the last week or so, there has been heightened interest amongst Nigerians about the use of the most recently repatriated \$322.5 million Abacha loot.

The questions raised around the issue include the choice of using the money for the conditional cash transfer programme of the Federal Government, the fairness of the choice of states benefitting from the programme, the usefulness of a monthly transfer of N5,000 to poor Nigerians and concerns about the re-looting of the funds.

As a CSO that has been primarily involved in the processes for the repatriation of the loot and the ongoing monitoring of the use of the funds, we find it expedient to provide clarity on most of these issues from the perspective of civil society – based on our engagement with all the stakeholders in the process – to avoid misinformation and ensure meaningful engagement with the issue.

So, let us deal with these questions sequentially:

WHY ARE THE FUNDS BEING USED FOR THE CASH TRANSFER PROGRAMME?

As civil society, we share the concerns of most Nigerians about the use of the \$322.5 million dollars for the conditional cash transfer programme, instead of a legacy project with more visibility and impact.

However, the use of the funds for cash transfers is an outcome of months of negotiation that enabled the repatriation of the funds in the first place.

The court order in Switzerland that commenced the repatriation process was made conditional on the involvement of the World Bank in supervising the use of the funds to prevent their mismanagement and re-looting, as has been the case in the past.

To enable the mandatory involvement of the World Bank in the process, the money had to be used in a subsisting programme of the Bank in Nigeria to enable it to use its existing monitoring and broader institutional resources to monitor the use of the funds.

Since the Bank already had a social investment programme running in the country, the decision was taken to channel the funds to the cash transfer component of this programme. This

would also mean that the funds would be “used for the benefit of the people of Nigeria”, which was another condition in the MOU.

The use of the funds for the cash transfer programme is therefore largely a result of the preconditional involvement of the World Bank. Whilst we advocate for and hope that the meaningful use of these funds would make such conditions unnecessary in the future, this is now the case and the conversation needs to move towards ensuring a transparent, accountable and equitable use of the funds for the designated purpose; providing safety nets for the poorest Nigerians amongst us.

It is worth noting that this objective to use the funds transparently and accountably would be no less expedient if the funds were used for a legacy project, especially in the light of the issues of corruption that continue to plague procurement processes of such projects.

HOW FAIR AND RELIABLE IS THE PROCESS FOR CHOOSING THE POOR BENEFICIARIES OF THE CASH TRANSFER PROGRAMME?

The beneficiaries of the cash transfer programme are households contained in the National Social Register which is developed by the National Social Safety-Nets Coordinating Office (NASSCO) in collaboration with and support from the World Bank. This register is built employing three targeted mechanisms to identify poor and vulnerable people across the country.

The mechanisms include Geographical Targeting (using a poverty map of

existing classifications of poverty across all states of the Federation), Community-Based Targeting (using community members and leaders to decide local eligibility for the poorest and vulnerable households in their communities) and Proxy Mean Test (using observable household individual characteristics such as location and quality of the household's dwelling, education and occupation of its adult members, etc).

For more details on this process, please visit the social media page of the NASSCO at

<https://web.facebook.com/notes/nassco-national-social-safety-nets-coordinating-office/overview-of-the-process-of-identifying-the-poor-and-vulnerable-on-the-programme/266368647438679/>.

It is the households identified through these processes and included in the National Social Register that are eligible to receive the cash transfers from the National Cash Transfer Office (NCTO).

WHY ARE ONLY 19 STATES BENEFITTING FROM THE CASH TRANSFER PROGRAMME?

It is our understanding that 19 states are currently benefitting from the cash transfer programme and that plans are in place to ensure that all 36 states and the Federal Capital Territory will benefit from the programme by the end of July 2018.

The inclusion of States in the programme is dependent on a number of preconditions, including the readiness of the social register for each state following the processes described above, and the state government providing

basic infrastructure and manpower for the implementation of the programme in the State.

Unfortunately, certain states have been slow in fulfilling the latter condition, whilst the NASSCO has also been unable to complete the process of getting the social registers for all states ready in satisfactory time.

In accordance with the momentum generated by the recent heightened interest in this issue and the ongoing advocacy of civil society nationally on the subject matter, we will be holding the NCTO accountable on its promise that the programme will be implemented in all states of the Federation by the end of July, 2018.

There is also ongoing advocacy in states that have not met requisite conditions to do so and sign onto the cash transfer programme, to ensure its citizens start benefitting.

HOW USEFUL IS N5,000 FOR POOR HOUSEHOLDS IN NIGERIA?

This is a question that has been of major concern to many Nigerians since the introduction of the cash transfer programme. The relevant institutions of government implementing this programme such as the NCTO and the National Social Investment Office (NSIO) has rationalized the choice of this amount by reference to empirical research which informed the choice and the real impact being made by the amount on the ground.

Reference has also been to other donor-funded cash transfer programmes in certain parts of the country with similar

sums that has had an obvious positive impact on poor people.

As civil society involved in monitoring the use of these funds, we are not only concerned about the transparent and accountable use of the funds but also ascertaining the impact the utilization of the funds is making on the lives of Nigerians.

On the premise that these funds are being transferred to the poorest Nigerians who are often more rural than urban dwellers, we are keeping an open-minded and cautious attitude towards this question and will look to ascertain the real impact of this sum as the programme progresses.

Importantly, rather than viewing impact from our own perspectives, we will need to focus on directly capturing the views of the beneficiaries themselves.

WHAT SHOULD BE THE ROLE OF CIVIL SOCIETY GOING FORWARD?

There are a number of events that have taken place with respect to the repatriation and utilization of this Abacha loot that could have been done better, including the mandatory involvement of the World Bank and seemingly forced choice for the use of the funds.

This can be attributed to a number of factors, including the unaccountable use of previously repatriated funds. However, the most important factor that has led us here is the lack of an established legal and institutional framework for the recovery and management of looted assets.

Exerting our efforts in trying to undo most of what has been done so far with regard to the current tranche of repatriated \$322.5 million will achieve little if the framework built on transparency and accountability is not established.

Going forward therefore, as civil society, our interest will be best served in proactively monitoring the use of these funds for the purpose for which they have been appropriated to ensure that the money actually gets to the poorest Nigerians as expected.

Social safety-net programmes like conditional cash transfers have proven to raise people out of poverty and positively impact the lives of poor people in other parts of the world.

The use of the Abacha loot for this purpose will also provide a good case study of this in the context of Nigeria.

Questions about the selection and “poor” status of the people benefitting, the impact of the money, the fairness of the distribution, sustainability of the programme, etc can all be interrogated from this month of July when the use of the Abacha loot in the cash transfer programme is expected to commence.

Our role as civil society in monitoring this process is prominently recognised in the MOU signed for the repatriation of the funds, providing a strong foundation for doing so.

Furthermore, we should leverage on the awareness and momentum created by the return and use of these funds to advocate for the passage of the Proceeds of Crime Bill and other

complementary legislation that will establish the requisite institutions and enhance the overall framework for the recovery and management of looted assets in Nigeria.

The result from civil society's role in strengthening domestic accountability and transparency will be the extent to which we can help improve trust and confidence in Nigeria's ability to manage recovered assets, without conditions being imposed by other countries and international institutions.

OTHER ARTICLES PUBLISHED BY ANEEJ ON ASSET RECOVERY AND ANTI-CORRUPTION IN NIGERIA

- WORKING AGAIN OR NEXT LEVEL: PROSPECTS OF ANTI-CORRUPTION IN 2019 (PART 2)
- WORKING AGAIN OR NEXT LEVEL: PROSPECTS OF ANTI-CORRUPTION IN 2019 (PART 1)
- ASSET RECOVERY & 2019 ELECTIONS,
- THE OTHER ABACHA LOOT(S)
- WHAT HAS BECOME OF THE \$73 MILLION MALABU FUNDS?
- FIGHTING DIRTY PROPERTY ACQUISITION IN NIGERIA: LEGAL HURDLES & SHENANIGANS,
- AS THE DUST SETTLES ON EXECUTIVE ORDER 6 OF 2018: CRITICAL LESSONS ENDURE
- THE FOREIGN MINISTER'S VILIFICATION OF SWITZERLAND AND THE DIPLOMACY OF ASSET RECOVERY

Press Release;

Switzerland working to prevent violence in Nigeria's upcoming presidential elections.

<https://www.admin.ch/gov/en/start/documentation/media-releases.msg-id-73982.html>

ABOUT ANEEJ

The Africa Network for Environment and Economic Justice (ANEEJ) is a non-government organization whose goal is to amplify the voice of the weak, the less privileged and the marginalized groups in the society including women, youths, and People Living With Disabilities in order to increase their participation in the democratic decision-making process.

As its basis, ANEEJ believes in a democratic system for managing human interest and operates within two broad focal areas namely environmental and economic justice. Specifically, ANEEJ implements projects relating to governance and democracy, human rights (including migration and development issues) and anti-corruption, peace building and conflict resolution, development effectiveness, environment including water, sanitation and hygiene among others.

Our Vision

Africa without Poverty

Our Mission

To contribute to the emergence of a just and equitable African society through socio-economic and environmental rights protection, institutional strengthening and peoples' empowerment.

Contact Us

Phone: +234 906 688 3269

Email: info@aneej.org

Website: www.aneej.org

Twitter: [@aneejnigeria](https://twitter.com/aneejnigeria)

