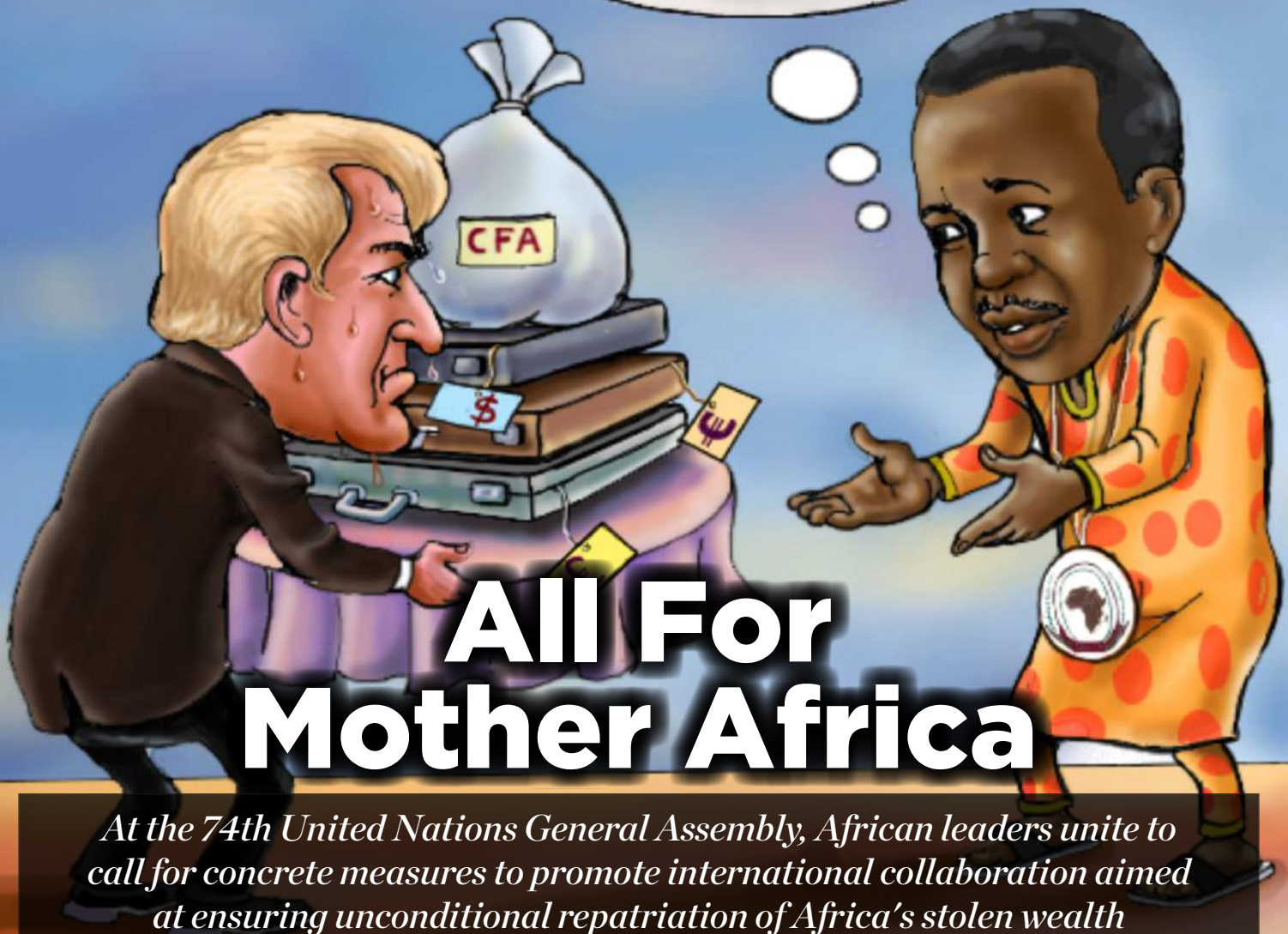




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All For Mother Africa

At the 74th United Nations General Assembly, African leaders unite to call for concrete measures to promote international collaboration aimed at ensuring unconditional repatriation of Africa's stolen wealth

Ibory Loses Again



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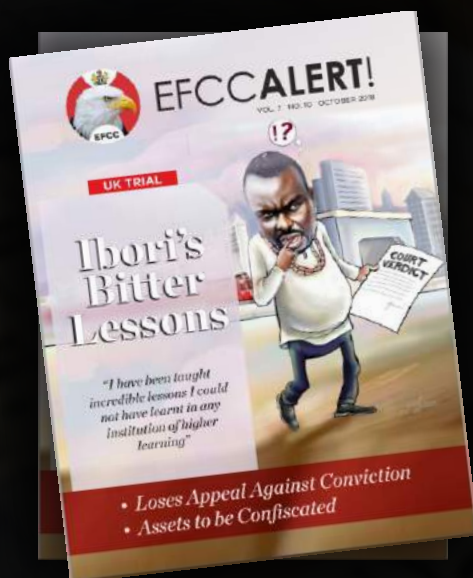
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FROM THE SHELVES



Ibori Loses Again

The October 2018 edition of EFCCALERT!

On October 10, 2019, a European Court of Human Rights, ECHR (First Section) sitting on September 17, 2019 composed of Aleš Pejchal, President; Tim Eicke, Raffaele Sabato, judges; and Renata Degener, Deputy Section Registrar, sat on the application of James Ibori, a former Delta State governor, lodged on April 9, 2019 and April 15, 2019 and unanimously declared it as "inadmissible", making him a loser for a second time.

Ibori was featured in the October 2018 edition of EFCCALERT!, which gave a blow-by-blow account of how he lost his appeal against conviction for money laundering at the United Kingdom, UK Court of Appeal, CoA. It also exposed his

failed orchestrated campaign of calumny targeted at officers of the Metropolitan Police Service, MPS, that investigated him and Sasha Wass, a prosecuting counsel.

The edition had hinted that Ibori planned to take his appeal to the ECHR, where he has now, once again, failed.

In agreeing with the CoA, the ECHR held that Ibori's appeal was "manifestly ill-founded and must be rejected".

The edition is available for download at – [EFCCALERT2018](https://www.efccnigeria.org/EFCCALERT2018)



President Muhammadu Buhari delivering his speech

All for Mother Africa

At the 74th United Nations General Assembly, African leaders unite to call for concrete measures to promote international collaboration aimed at ensuring unconditional repatriation of Africa's stolen wealth

BY SEGUN ADEOYE//NEW YORK

The scores of delegates that thronged the streets and avenues of the buzzing Empire City of New York, United States, between September 23 – 30, 2019 for the 74th United Nations General Assembly, UNGA have long returned to their countries of abode, but this year's annual event of the UN will go down in history as one that will be remembered for the unison of purpose by African countries to call for the unconditional repatriation of Africa's stolen wealth, and the implementation of measures to stop illicit financial flows out of Africa.

Indeed, the key event that copiously characterized the participation of the African continent at the 74th UNGA was the High-Level Side-Event organized by the African Union Development Agency and the New Partnership for Africa's Development, AUDA-NEPAD, in collaboration with the Economic and Financial Crimes Commission, EFCC, which held on Wednesday, September 25, 2019 at the AUDA-NEPAD margins of the 74th UNGA.

Speaking on the theme, "Promotion of international cooperation to combat illicit financial flow and strengthen good practices on assets recovery and return to foster sustainable development", President Muhammadu Buhari, the African Union, AU Anti-Corruption Champion, acknowledged the enormous human and natural resources of Nigeria, and Africa as a whole, and

...Our government has made it a war we intend to win, and we will give all it takes to ensure that there is no hiding place for purveyors of corrupt practices who are truly enemies of the people

- PRESIDENT MUHAMMADU BUHARI

expressed concerns that the massive and illegal flow of funds and assets out of the continent, complicated by interconnected factors including corruption, had resulted in stunted economic development.

"That is why our government has made it a war we intend to win, and we will give all it takes to ensure that there is no hiding place for purveyors of corrupt practices who are truly enemies of the people," he said.

Tax evasion, he lamented, had become a major source of illicit financial flows, which has resulted in the depletion of Africa's internally generated revenues, foreign exchange earnings, thus draining the continent's natural resources, facilitating corruption and stunting private sector development.

"These flows deplete Africa's internally generated revenues, foreign exchange earnings, reduce tax revenues, drain natural resources, facilitate corruption and stunt



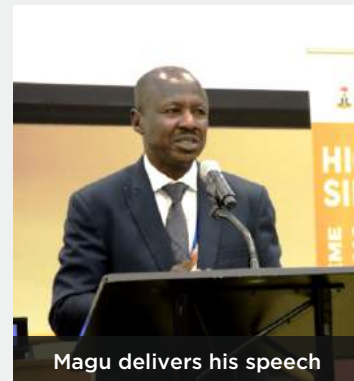
President of Ethiopia delivers her speech



President of Zambia



President of the 74th UNGA



Magu delivers his speech

...Innovative solution requires sustained discussions among countries as well as partnerships and shared responsibilities.

- PRESIDENT SAHLE-WORK ZEWEDA

private sector development,” he said, and called for effective international cooperation between African countries and the international community to ensure that illicit financial flows out of the continent was stemmed.

He, therefore, stressed the need to “find a common ground to promote international cooperation, to combat illicit financial flows and strengthen good practices on asset recovery and return in order to ensure and sustain development growth in Africa”, and to “join hands, so we can bequeath to our children, an Africa that is not defined by corruption”.

In her keynote address, President Sahle-Work Zeweda of Ethiopia, described the high-level event as very relevant and timely, stressing that the meeting will help assist in combating financial flows and ensuring best practices in recovery and return of stolen assets, as well as repatriation, and highlighting the many challenges. She described illicit financial flows and the recovery and repatriation of stolen assets as complex and evolving subjects.

“Therefore, innovative solution requires sustained discussions among countries as well as partnerships and shared responsibilities,” she said, and urged countries to adopt policies that will promote good governance, tackle corruption, go after those money, and implement transparent tax systems.

President Edgar Lungu of Zambia also lent his voice to highlight the adverse effect of illicit financial flows on the development of African countries and stressed the need to take concrete measures in stemming the tide.

“More needs to be done to effectively coordinate public and private institutions,” he said. “It is important for our governments to begin to harmonizing the legal and institutional frameworks so that we can effectively deal with this scourge that robbed us of resources to develop our countries.”

Prof. Tijjani Muhammad-Bande, President of the 74th UNGA, stressed that illicit financial flows had adverse effects on peace, security and development.

“It has long been known that illicit financial flows have caused instability in all regions of the world,” he said. “And therefore, any efforts to develop any country, be it in the North, or in the South, or for it to be an accepted nation, must deal with illicit flows.”

He further noted that adverse effects of illicit financial flows are more injurious to the countries that have little, or that have resources that are exploited.

“Therefore, all efforts that we can make to ensure that no longer will there be excuses for returning stolen assets to countries of origin, without condition, I think, are well worth taking,” he said.

Muhammad-Bande further reaffirmed the commitment of the UN General Assembly, to work alongside all organizations that seek to bring justice and development through return of illicitly stolen assets.

For Ibrahim Magu, acting EFCC Chairman, “there should be understanding [among countries that are recipients of illicit flows], and there should be unconditional repatriation to victim countries”.

It was with panache and unalloyed love for country and continent, that Magu rose to charge foreign nations, to “send back” Africa’s stolen assets, as he warned that illicit flows of funds out of the continent, remained a major threat to global peace.

“The developing countries of the world are the most hit by its implications as funds that could be used for development are illegally ferried offshore,” he said.



Panelists at the event



Panelists at the event

...There should be understanding [among countries that are recipients of illicit flows], and there should be unconditional repatriation to victim countries

- IBRAHIM MAGU

Quoting from a recent report of the Nigeria Extractive Industries Transparency Initiative, NEITI, and Trust Africa, he revealed that Nigeria loses between \$15 billion and \$18 billion annually to illicit financial flows.

He noted that traditional sources of IFFs have now emerged including illegal mining, kidnapping, terrorism, militancy, smuggling, crude oil theft, cybercrime and other forms of organized crimes, with the attendant effects of non achievement of sustainable development goals in the country.

Making reference to the recent judgement in favour of the Process and Industrial Development Limited, P&ID, he said, “The recent one is the international conspiracy to defraud Nigeria of over \$9.6 billion, which is about one-third of our budget by people who are completely fraudulent”.

He noted that investigations by the EFCC into the P&ID scandal, revealed that there was “no legality whatsoever” in the purported gas deal agreement allegedly signed between the Nigerian government and the British Virgin Island-based company stressing that “we [the Nigerian government] should not even negotiate with them” at all as not to give legality to an act of illegality tacitly so construed from the outset.

Among other delegates and panelists at the High-Level event who joined their voice to call for concrete measures to stop illicit flows include, Vice President of the African Union, Quartey Kwesi; Dag-Inge Ulstein, Minister of International Development, Norway; Alexander Chiteme, Minister of National Development Planning, Zambia; Calle Schlettwein, Minister of Finance, Republic of Namibia; Prof. Ibrahim Gambari, a former Foreign Minister of Nigeria; Prof. Victor Harison, Commissioner for Economic Affairs, African Union Commission; Dereje Alemayehu, Director, Global Alliance for Tax Justice; Shawn Mathews, Chief Executive Officer of Cantor Fitzgerald & Co; Prof. Eddy Maloka, Chief Executive Officer, Africa Peer Review Mechanism Secretariat; Raymond Baker, Founding President, Global Financial Integrity; a representative of PACAC; and Irene Ovonji-Odida, Commission, Independent Commission for the Reform of International Corporate Taxation and former member of the Mbeki Panel. ■



Akobundu and Magu



Magu with some delegates at the event

International Anti-Corruption Court Beckons

Stakeholders at the 74th United Nations General Assembly, call for establishment of an International Anti-Corruption Court, to bring corrupt leaders to book

BY SEGUN ADEOYE//NEW YORK

It seems a matter of time, and soon, just as there exists an International Criminal Court, ICC at the Hague, Vienna dedicated to prosecuting world leaders for their criminal activities, an International Anti-Corruption Court, IACC specially created to try world leaders for corrupt practices will soon be a reality.

Mark Wolf, Chair of the Integrity Initiatives International, III, a non-governmental organization “fighting grand corruption” at the international level, is at the vanguard of championing this cause.

He is of the firm belief that it is high time an IACC, was created, just as there currently exists the ICC.

“The refugee crisis around the world has been generated by people fleeing failed corrupt states,” he says, and stresses that “indignation and grand corruption is destabilizing many countries”, thus necessitating the need for the creation of such a special court, in order to “prosecute and punish corrupt leaders in countries that are unwilling or are unable to prosecute such leaders because of the clout they have over the system”.

According to Wolf, the IACC will operate on the principle of complementarity, “so that only leaders of countries that are unable to prosecute kleptocrats that rule them will be vulnerable to prosecution at the court”.

“It will also strengthen countries to enforce their own laws in order to keep their leaders out of the anti-corruption court,” he adds.

Commending President Muhammadu Buhari for his anti-corruption stand, Wolf harps on the words of Buhari at the 20th Anniversary of the International Criminal Court, last year, where Buhari noted that: “Strong and effective international criminal court, can also act as a catalyst for other justice efforts, expanding the reach of accountability. This could include serious cases of corruption by state actors that severely compromise the development efforts of countries and throw citizens into greater poverty.”



Wolf acknowledges the efforts of Nigeria, Colombia, Peru, and Malaysia who he describes as great partners in promoting the creation of the International Anti-Corruption Court.

Minister of Foreign Affairs of Peru, Néstor Popolizio, notes that corruption had become an international phenomenon that kills democratic governance and citizens’ trust in institutions.

“Consequently, joint action is necessary,” he says, as he reveals that Peru and Colombia will convene a special session of the United Nations General Assembly Against Corruption, to take place in the first half of 2021.

His counterpart, Carlos Trujillo, the Minister of Foreign Affairs, Colombia, further stresses “the need to address the challenges prevailing against the fight against corruption and

explore international cooperation”.

While sharing from the experience of Malaysia in combating corruption, its Minister of Foreign Affairs, Saifuddin Bin Abdullah, notes that his country “aspires to be among top countries in the world based on integrity and transparency”, and so launched the National Anti-Corruption Plan 2019-2023 “to achieve integrity and become a corrupt-free nation”.

“This fight needs strong political will, and one of the ways forward, is for politicians to among others, declare their assets, and for it to be open for public scrutiny,” he says.

He further notes that the Malaysian government implemented the Political Financial Act, which ensures strict monitoring of donations or sponsorships for political campaigns and activities. On his part, Norway’s Minister of International Development, Dag-Inge Ulstein, notes that corruption was geographically widespread, and so there was a need for national and international cooperation.

“Closer and stronger cooperation and alliance across borders is critical, as well as a broader and stronger coalition, and establishing an international anti-corruption court,” he says. ■

Bubble Bursts

EFCC's critical intervention provides a window to set aside the \$9.6billion judgment debt secured against Nigeria by a two-man UK-based company

BY SEGUN ADEOYE



Mohammed Kuchazi

Adamu Usman

Grace Taiga

“There is no legality whatsoever, it is an international conspiracy to defraud Nigeria of over \$9.6billion, which is about one-third of our budget, by people who are completely fraudulent,” says Ibrahim Magu, acting Chairman, Economic and Financial Crimes Commission, EFCC, while shedding light on the recent judgement in favour of the Process and Industrial Development Limited, P&ID, against Nigeria. He notes that investigations by the EFCC into the P&ID scandal revealed that there was no iota of legality in the purported gas deal agreement allegedly signed between the Nigerian government and the British Virgin Island-based company stressing that “we [the Nigerian government] should not even negotiate with them”.

Magu’s remarks were shortly after a high level team of investigators and lawyers from the EFCC had travelled to the United Kingdom, UK to present a compelling case on behalf of the Nigerian government, against the judgement of the UK Court that awarded the \$9.6billion (N3.2trillion) judgement debt in favour of P&ID, a company incorporated in the British Virgin Island, by Michael Quinn (deceased) and Brendan Cahill.

Shortly after the ruling of the UK Court in August, the EFCC here in Nigeria, opened investigations into the Pandora box that the shady contract has now become. Giving the marching order, Magu constituted a team of crack detectives who forensically

analysed documents involved in the transaction. So far, a significant number of people complicit in the botched gas contract are being made to answer for their misdeeds.

Heads rolling

The EFCC on September 19, 2019 secured the conviction of Mohammed Kuchazi, commercial director of P&ID Nigeria, and company director of process, Adamu Usman, for their involvement in the botched gas contract, which from all intents and purposes, seemed designed to fail.

They had pleaded “guilty” to 11 counts bordering on obtaining by false pretence, dealing in petroleum products without appropriate licence; money laundering and failure to register P&ID with the Special Control Unit against Money Laundering as required by law, amounting to economic sabotage against the Nigerian state.

Based on their guilty plea, Justice I. Ekwo of the Federal High Court, Abuja, found them guilty and ordered the winding up in Nigeria properties traced to the country, and that they should be forfeited to the Federal Government.

Another indicted oil industry bigwig, Grace Taiga, who is a former director in the Legal Services department of the petroleum resources ministry, is also standing trial for her role in the botched gas contract.

Brainstorming for Efficiency

The EFCC holds a two-day retreat for its Public Affairs Directorate to strengthen its public engagement activities

BY TONY EGBULEFU



Media officers of the Commission in a group photograph with Magu who is seated with other senior officers of the Commission

It was a strategic way to begin the fourth quarter of the year 2019 as the Public Affairs Directorate of the Economic and Financial Crimes Commission, EFCC, held a two-day retreat for its media officers on October 4 to 5, 2019 at the Commission's Academy in Karu, Abuja to rejig the Commission's public communication and engagement strategy.

The Acting Chairman of the Commission, Ibrahim Magu in his keynote address, described the training as necessary, noting that it was an avenue to learn new and better ways of thinking and communication. He further identified capacity building as one of the key agenda of his leadership.

"Despite the fact that international organisations have rated us as the leading anti-graft agency in the country and on the continent, we should not relent but continually bring forth new thinking and ideas that will benefit the society," he said.

Speaking on "**Effective Communication Strategy for Anti-corruption Campaign**," Dapo Olorunyomi, publisher, Premium Times Newspaper, an online newspaper identified monitoring and evaluation as tools which help in understanding if the intended outcome of communication was achieved and how well or not resources deployed for communication were utilized.

Olorunyomi established a link between a good anti-corruption communication strategy and democratic values of good governance, accountability, transparency, orderliness and public good.

According to him, a communication strategy that combines raising awareness against corruption, informing citizens of their rights, empowering the public and encouraging demand for

good governance would contribute immensely in the fight against corruption.

He tasked anti-corruption communication experts on the need to ask and answer questions concerning their audiences; their behaviours; the kind of message they want to send to the audience, and to be prepared to evaluate and see whether success has been achieved.

To further achieve the desired goal, anti-corruption messages he said, could be supported by a research-based definition of the issue of corruption.

A good communication strategy according to him, gives the public reasonable hope that change can come and would generate interest and support that strengthen anti-corruption coalitions.

Director, National Council for Arts and Culture, Bauchi and President, Association of Nigerian Authors, ANA, Denja Abdullahi, while speaking on "**Untapped Potentials of Theatre and Music as Communication Strategy in Corruption Fight**," highlighted the potentials of theatre as communication and advocacy tool. He noted that the impact of theatre and music in communication is immediate and as such, has strong potentials to be used in societal re-orientation and advocacy.

He equally touched on the concept of Theatre for Development, TFD, which he characterized as time-tested democratic method of participatory theatre communication that can be applied in the fight against corruption. Theatre for Development, he said, "encourages critical thinking in the mass of the people and allows the people to themselves suggest ways of overcoming identified problems."


Magu delivering his keynote address

Dapo Olorunyomi

Denja Abdullahi

He recommended that the TFD approach should be adopted by the EFCC in unleashing the potentials of the theatre to communicate preventive anti-corruption messages to the public. He suggested adopting or adapting the “travelling theatre” format of TFD to take anti-corruption plays to the communities, sponsoring production of anti-corruption plays with targeted messages to be staged before live audiences of the ruling elites; commissioning television and radio play series on anti-corruption and syndicating their airing across media stations.

In addressing **“The Role of CSOs, Citizens Engagement in the Fight against Corruption,”** Olanrewaju Suraju, chair, HEDA Resource Centre noted the power, derivable from the mandate of the EFCC to engage stakeholders. He advised the Commission’s mapping of civil society organisations for engagement and the need for constructive engagement of the citizens in defining corruption and the existential dangers it poses.

Peter Oyeneeye, Chief Executive, Advanced Management Academy, Abuja, who spoke on **“The Role of Public Relations in the Fight against Graft,”** identified the pillars of public relation policy, practice and attitude and how public relations can be deployed in fighting corruption.

Speaking on **“Managing Public Confidence: is the Media a Friend or Foe?”** Azubuike Ishekwen, Managing Director and Editor-in-chief, The Interview, whose paper was delivered by a representative, observed that the EFCC enjoys huge public confidence, noting that, “public confidence is trust, which is earned”.

Director, News, Federal Radio Corporation of Nigeria, Sani Suleiman, examined **“The Role of Radio as a Communication Tool in the Fight Against Corruption.”** The radio he said is a great instrument for mobilisation because of its reach, adding that its impact on the audience is immediate and direct.

He, however, noted that for effective communication, freedom from censorship, reach and the target audience should inform the choice of a given radio station in a communication strategy.

“Radio communication can influence societal value in all ramifications because communication on radio provides direct citizenship engagement,” he added.

For a improved awareness of the Commission’s anti-corruption fight in the rural areas, Suleiman challenged the EFCC to develop and broadcast content in indigenous languages. ■


Magu with Prof. Ladi Hamalai, Commandant, EFCC Academy

Peter Oyeneeye

Suraj Olanrewaju

Cross-section of media officers at the retreat

Media officers of the Commission in a group photograph

Media officers of the Commission



Justice at Last

A former permanent secretary bags five years in prison for a N14.1million fraud

BY **BABATUNDE SULAIMAN//LAGOS**

For Clement Onubuogu Illoh, a former Permanent Secretary in the Ministry of Labour and Productivity, whose trial began on October 16, 2017 it was justice at last on October 3, 2019 for the many innocent Nigerians, who ought to have benefited from the N14.1million funds he diverted to personal use from the Subsidy Reinvestment and Empowerment Programme, SURE-P as he was convicted for the offence.

Among other things, Illoh was accused of using Clement & Bob Associate, to dishonestly convert to his personal use the sum of N14,176,000 from the Nigerian Maritime Administration and Safety Agency, NIMASA. He was responsible for supervising numerous projects under the SURE-P programme, but betrayed the trust bequeathed in him. Indeed, investigations of the fraudulent deals in NIMASA, had linked him to certain misdeeds, which were further probed by the EFCC, resulting in his prosecution on a three-count charge.

He pleaded “not guilty” setting the stage for his trial. The EFCC had on March 7, 2018, closed its case against him, following the cross-examination of the fourth prosecution witness, Theresa Braimoh, a retired Director in Productivity, Measurement and Labour Standard.

He had through his lawyer, Bolaji Ayorinde, SAN, argued a no-case submission, which was afterwards dismissed by the trial judge.

Delivering judgment Justice Taiwo held that the prosecution had proved its case beyond reasonable doubt, and convicted him of “gross violation of the financial regulation”, and sentenced him on counts one and two to five years in prison, while discharging him of count three. He was not given an option of fine. ■



Many Woes for Obi

A former acting Director-General of Nigerian Maritime Administration and Safety Agency, convicted for fraud, loses temporary ownership of some of his assets

BY BABATUNDE SULAIMAN//LAGOS

For Calistus Obi, a former acting Director-General, Nigerian Maritime Administration and Safety Agency, NIMASA, who was convicted for money laundering charges, and conspiracy to fraudulently converted N136million public funds, it not only rains, it pours.

Justice Mojisola Olatoregun of a Federal High Court, Ikoyi, Lagos, had on May 23, 2019 found him guilty of counts five, six, seven and eight out of the eight counts for which he had been standing trial since April 12, 2016. He was subsequently sentenced to seven years on each count to run concurrently, with an option of N42million on each count as fine totaling N252million.

However, on October 7, 2019, another judge of the Federal High Court, Lagos, Justice Saliu Saidu, ordered the temporary forfeiture of four bank drafts totalling N37.5m and a hotel, La Diva, belonging to him.

Justice Saidu gave the order, following an ex parte application filed by the Economic and Financial Crimes Commission, EFCC, through its counsel, Rotimi Oyedepo.

The hotel, which is located at Block V, Phase V and Plot11, Core Area, Asaba, Delta State, comprises 22 rooms, a lobby bar, a restaurant, a kitchen, a swimming pool, a 350-seater hall, a gymnasium and a parking lot sitting on a 3000-metre square of land.

The EFCC argued that the money used to purchase the property was fraudulently converted by the Obi, from the account of NIMASA. In the EFCC's affidavit in support of the application, it was stated that Obi used the funds he received from the Agency's Committee on Intelligence Gathering and Technical Committee on Ratification to purchase the hotel. Furthermore, the drafts – a Zenith Bank Plc draft and three Diamond Bank Plc draft, were fraudulently acquired from the NIMASA and meant to pay back part of the money he diverted to personal use from the Agency.

In granting the order, Justice Saidu, directed the publication of the interim forfeiture order in any national newspaper for the respondent or any party who is interested in the property to appear before the court and show cause within fourteen days why the final order of forfeiture of the said property should not be made in favour of the Federal Government. ■



La Diva Hotel (Image credits: niteslay.com)



La Diva Hotel (Image credits: niteslay.com)



Big or small, rich or poor; Nobody is above the law.
Say **NO** to corruption.

