

PRESS RELEASE

CIVIL SOCIETY FORUM DISTURBING SIGNALS ON THE STATE OF THE ANTI- CORRUPTION CAMPAIGN IN NIGERIA

The underlisted civil society organisations met in Abuja on 13th September 2007 to deliberate on a number of disturbing signals that indicate a slowing down or diversion of the struggle against corruption by the Executive arm of government. We note that the war against corruption is central to economic development and good governance. The Umaru Musa Yar'Adua Administration must remain steadfast in the anti-corruption crusade. We express the following concerns:

1. The controversies around the prosecutorial powers of the Attorney-General of the Federation, vis-à-vis the functions of anti-corruption agencies, namely: Economic and Financial Crimes Commission (EFCC), Independent Corrupt Practices and other Related Offences Commission (ICPC), Code of Conduct Bureau, etc seem to indicate a desire by the Executive to exercise political control of anti-corruption cases.
2. We support the position that the “rule of law” should guide the conduct of all corruption cases. The “rule of law” is universally defined as the principle that governmental authority is legitimately exercised only in accordance with written, publicly disclosed laws adopted and enforced in accordance with established procedure. We are thus concerned that the Honourable Attorney-General seems to be using the language of the rule of law to undermine the efficacy of a number of corruption trials in our courts thereby undermining the very principle of rule of law as above defined that he now seeks to invoke.
3. The resort to plea bargain in the cases of some of the highly placed public officials is a dangerous signal that corrupt public officials can escape due punishment in prison by paying back some of their loot.
4. The Executive must be careful not to create the perception that that the President is held hostage to his peers of former governors who helped him to power. The President must demonstrate his commitment to sanction corruption without due consideration to the status of the suspects.

The forum noted as follows:

1. While the campaign against corruption is part of the seven-point agenda of the Yar'Adua administration, there is an urgent need for an elaboration of the anti-corruption programme and methodology of the Government.

2. While Chief Michael Aondoakaa, the Attorney-General of the Federation and Minister for Justice has statutory roles in the administration of justice, the performance of these roles should not encumber anti-corruption efforts.
3. While the respect for the rule of law is critical to the anti-corruption campaign and good governance, emphasis on respect for the rule of law should not be used to whittle down the tempo of anti-corruption efforts and campaign.
4. While the nation has realised some recent exceptional expansion in portfolio investment and international financial credit ratings, it must not be forgotten that this has come in the wake of the confidence in the fight against corruption; and that tampering with the anti-corruption war partly foreshadows grave consequences for the recovery of our economy, and risk damaging afresh, the fragile reputation we are in the process of rebuilding.

The forum resolved as follows:

1. To revamp the anti-corruption campaign, agencies involved in the crusade must build partnership with civil society to make their processes more transparent and sustainable to forestall the whittling down of the anti-corruption campaign.
2. Nigerian anti-corruption agencies must, in their operations, manifest a respect for the rule of law and adherence to due processes.
3. Civil society will engage with the President, the Attorney-General of the Federation and the National Assembly to explore how to strengthen the campaign.

SIGNATORIES

John Ikubaje, Centre for Democracy and Development (CDD)
Ezenwa Nwagwu, Transparency in Nigeria (TIN)
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Hauwa Kazeem, Zero Corruption Coalition (ZCC)
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Clement Wasah, Community Action for Popular Participation (CAPP)
Gambo Zahradeen, Global Rights: *partners for justice*
O'Seun Odewale, Youth Development Forum
Tom Odemwingie, ActionAid Nigeria.