

ADVANCING A FORWARD- LOOKING AND ANTI- CORRUPTION AGENDA AND FRAMEWORK

BEING A PAPER PRESENTED DURING THE INTER-SESSIONAL SESSION OF THE CONFERENCE OF THE STATE PARTIES OF THE UNITED NATIONS AGAINST CORRUPTION ON THE ACHIEVEMENTS OF THE POLITICAL DECLARATION ON CORRUPTION ADOPTED BY THE UNITED NATIONS GENERAL ASSEMBLY.

5TH-8TH SEPTEMBER, 2022

BY ADESINA RAHEEM, DEPUTY DIRECTOR, LEGAL SERVICES DEPT; INDEPENDENT CORRUPT PRACTICES
AND OTHER RELATED OFFENCES COMMISSION (ICPC), ABUJA, NIGERIA



OUTLINE

- INTRODUCTION
- ACHIEVEMENTS AFTER THE POLITICAL DECLARATION ON CORRUPTION AND THE IMPLEMENTATION OF THE RECOMMENDATIONS IN THE NIGERIA UNCAC COUNTRY REVIEW REPORT-PREVENTION, CRIMINALISATION AND LAW ENFORCEMENT, INTERNATIONAL COOPERATION & ASSET RECOVERY
- CONCLUSION

INTRODUCTION

- Political declaration on corruption compliments review of implementation of UNCAC- see para 76, 77, 81 and 83 of the political declaration on corruption
- Nigeria has been reviewed on the two review cycles and the country reports have been completed and the full reports posted on UNODC website
- Some recommendations in the report have been implemented while others are on going

PREVENTION

- National Anti-Corruption Strategy (NACS) is linked to SDGs and national development.
- Enactment of Nigerian Financial Intelligence Agency Act (NFIA) 2018 grants autonomy and independence to NFIA
- Anti-corruption academy of ICPC and EFCC gives training and engage in public awareness
- Adoption of Beneficial Ownership Transparency disclosure; NEITI, PIA and CAMA
- Code of Conduct Bureau Bill before the National Assembly makes provision for public disclosure of asset and on-line asset declaration
- Review of some e-Governance initiatives e.g Integrated Payroll and Personnel Information System (IPPIIS).
- Corruption measuring tools e.g Nigeria corruption survey, Ethics and compliance scorecard, Corruption Risk assessment and System Studies & Review

CRIMINALIZATION AND LAW ENFORCEMENT

- The Administration of Criminal Justice Act (ACJA) 2015 introduces good innovations e.g plea bargain, out of court settlement, limited adjournments, trial in absentia, restitution and victim compensation, non-custodial sentencing, remove stay of proceedings and ACJA Monitoring Committee.
- Court of Appeal and Supreme Court Fast track Practice Directions grant accelerated hearing to appeals relating to corruption, terrorism and human trafficking.
- Whistleblower and witness protection Bill is before the National Assembly

CRIMINALIZATION AND LAW ENFORCEMENT CONT'D

- The new Money Laundering (Prohibition) Act 2022 expanded predicate offences to include illicit enrichment or unexplained wealth and established Special Control Unit against Money Laundering (SCUML)
- Enactment of Cybercrime (Prohibition and Prevention) Act, 2018
- Adoption of sentencing guidelines

ASSET RECOVERY AND RETURN

- Enactment of Proceeds of Crime (Recovery and Management) Act 2022 –civil forfeiture, value-based asset forfeiture, admits hearsay evidence.
- Development of asset disposal guidelines
- Development of data base of confiscated asset
- Participation of society in the disposal of forfeited assets
- Constituency and Executive Project Tracking Group (CEPTG)

INTERNATIONAL COOPERATION

- Enactment of the Mutual Legal Assistance Act, 2018
- Developing case management system on MLA
- Membership of GlobE Network
- Accession to cybercrime convention
- Reciprocity as basis for MLA
- Developing MLA guidelines
- UNCAC as a basis for extradition and MLA
- Inter-agency committee on Illicit Financial Flows

CONCLUSION

- Full Implementation of the recommendations of the Nigerian UNCAC country report will achieve the political declaration on corruption
- THE END