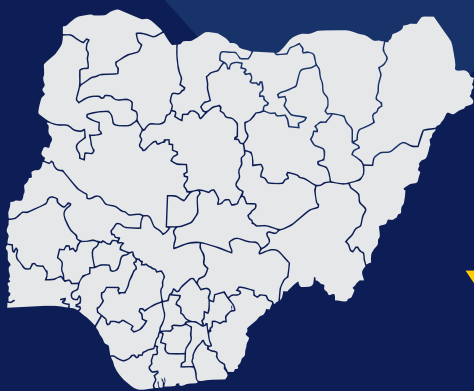


# BUHARI'S

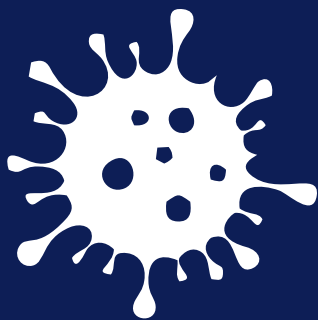
## ANTI-CORRUPTION RECORD AT SIX YEARS:

### An Assessment





# SIX YEARS



N450 million

(\$1 million)

COVID-19 emergency  
procurements to  
briefcase firms



N208.8 Billion

(\$580 million)

Governors' ad hoc security  
spending annually



N18.4 Billion

(\$51 million)

Federal officials security  
votes in 2018





Since the publication of that report, President Buhari also made a strong choice when he appointed Abdulrasheed Bawa—a dynamic and experienced investigator—to lead the Economic and Financial Crimes Commission (EFCC). Independent Corrupt Practices and Other Related Offences Commission (ICPC) chairman Bolaji Owasanoye has also continued to perform well.

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## Buhari's Anti-Corruption Record at Six Years: An Assessment

**A**s he enters his seventh year in office, President Muhammadu Buhari's anti-corruption credentials appear weaker than ever before. As the candidate who rode into office in 2015 on a wave of popular anger with entrenched elite corruption, he has made little effort to reform Nigeria's patronage-fueled, scandal-prone public sector or hold his top officials accountable for their business-as-usual approach. With the 2023 election season already ramping up, and Buhari's hands-off governing style largely unchanged, his government's anti-corruption track record is set to go down in history as one characterised by missed opportunities and, in some respects, outright hypocrisy. His 2016 promise to “demonstrate zero tolerance for corrupt practices” remains largely unmet.<sup>1</sup>

This does not mean that President Buhari has done nothing to address corruption. Last year, the Centre for Democracy and Development (CDD) outlined a handful of his administration's modest achievements. This includes improved financial centralisation, higher conviction rates by anti-corruption agencies<sup>1</sup> and increased forfeitures of stolen assets.<sup>2</sup> Since the publication of that report, President Buhari also made a strong choice when he appointed Abdulrasheed Bawa—a dynamic and experienced investigator—to lead the Economic and Financial Crimes Commission (EFCC). Independent Corrupt Practices and Other Related Offences

Commission (ICPC) chairman Bolaji Owasanoye has also continued to perform well.

However, the study also noted several significant shortcomings. These include Buhari's willingness to appoint individuals of questionable integrity to key positions; his tendency to shield political allies from investigation and prosecution; his disinterest in how the ruling party funds its election campaigns; his failure to make key petroleum sector reforms; and his corruption-prone economic and fiscal policies.<sup>3</sup> Many of these challenges remain largely unaddressed.

This report examines President Buhari's anti-corruption record through the lens of three recent strategic developments facing Nigeria: the global pandemic, rising insecurity and democratic backsliding. Damaging in their own right, these challenges have also hindered anti-kleptocracy efforts and created new corruption opportunities for unscrupulous officials and their enablers. They also illustrate the failure of Nigeria's international partners to rethink their engagement with President Buhari's increasingly repressive, abusive and ineffective government. Having largely tolerated the 2015 Zaria massacre, 2020 Lekki killings, and 2021 Twitter ban, the international community is poorly positioned to press President Buhari to improve his weak anti-corruption record during his remaining time in office.

1 “Full Text of Buhari's Speech At The Anti-Corruption Summit In London”, Open Government Partnership, May 11, 2016, <https://www.opengovpartnership.org/stories/full-text-of-buharis-speech-at-the-anti-corruption-summit-in-london/>.

2. Buhari's Corruption Fight: A Five Year Assessment (Centre for Democracy and Development, 2020), <https://cddelibrary.org/wp-content/uploads/2020/05/Buharis-Corruption-Fight-A-Five-Year-Assessment.pdf>.

3. Ibid.



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The Niger Delta Development Commission, for example, disbursed 1.5 billion (\$4.2 million) in cash payments to its own staff in the name of COVID relief

## Two Pandemics: COVID-19 and Corruption

**L**ike so many other countries, Nigeria has suffered from the economic fallout caused by the global COVID-19 pandemic. On top of the commercial disruption caused by precautionary lockdowns, Nigeria also lost revenue as crude oil prices fell sharply in April 2020 in response to slumping global demand. Although global prices recovered somewhat in the months that followed, they remained relatively low, forcing Nigeria back into recession in November 2020.<sup>4</sup> At the same time, the Buhari government, and many state governments, made large ad hoc expenditures in the name of COVID prevention and relief. As in many other countries (including the UK and United States) much of this emergency spending was opaquely spent, disbursed to politically-connected contractors or channeled through existing corruption-prone government programmes and entities<sup>5</sup>. The Buhari government awarded over 450 million (\$1 million) in COVID-19 emergency procurements to briefcase firms that were not registered with the Bureau for Public Procurement and thus legally ineligible to receive them.<sup>6</sup>

In addition to turning a blind eye to these red flags, the Buhari government failed to hold officials accountable for well-publicised incidents of COVID-19 corruption. It blamed state officials when it was revealed that they hoarded federally-provided pandemic relief supplies in secret warehouses rather than distributing them to the public.<sup>7</sup> It also did little to ensure that those

supplies were distributed widely and fairly. In some states, struggling families received only token amounts of food; in others, palliatives were distributed solely to ruling party loyalists.<sup>8</sup> Meanwhile, some government agencies used the pandemic as a pretext to spend lavishly on themselves. The Niger Delta Development Commission, for example, disbursed 1.5 billion (\$4.2 million) in large cash payments to its own staff members in the name of COVID relief. When questioned by legislators, the Commission's managing director tried to justify the payments, saying: "we used it to take care of ourselves...we need to take care of ourselves too."<sup>9</sup>

In retrospect, it is clear that the Buhari government did little to stop federal and state officials from embezzling large sums of money meant to shield Nigerians from the pandemic's worst effects or to hold them accountable after the fact. Despite promising to spend pandemic relief funds transparently, the Presidency has disclosed few details about how these funds were allocated or explain why many contracts bypassed procurement laws designed to minimise fraud.<sup>10</sup> Nor can it point to an independent audit or civil society monitoring process that supports its assertion that it spent COVID-19 relief funds accountably and effectively. As a result, it is hard to dismiss rhetorical claims by opposition politicians that "people became billionaires out of COVID funds."<sup>11</sup>

4 "Nigeria slips into recession blamed on COVID-19 and oil prices", Al Jazeera, November 21, 2020, <https://www.aljazeera.com/news/2020/11/21/nigeria-slips-into-recession-blamed-on-covid-19-and-oil-prices>.

5 For more on these distribution mechanisms, see Matthew T. Page and Celestine Okeke, Stolen Dreams: How Corruption Negates Government Assistance to Nigeria's 7 Small Businesses (Carnegie Endowment for International Peace, 2019), <https://carnegieendowment.org/2019/03/26/stolen-dreams-how-corruption-negates-government-assistance-to-nigeria-s-small-businesses-pub-78679>.

6 "Investigation: COVID-19 response projects worth N534.98 million awarded to unverified contractors", International Centre for Investigative Reporting (Nigeria), July 7, 2020, <https://www.icirnigeria.org/investigation-covid-19-response-projects-worth-n534-98-million-awarded-to-unverified-contractors/>.

7 "In Nigeria, looters target government warehouses stocked with COVID-19 relief", Reuters, November 9, 2020, <https://www.reuters.com/article/uk-health-coronavirus-nigeria-f0-od-idUKKBN27POYZ>.

8 COVID-19 Fund: Introductory Report on Fiscal Support, Palliative Analysis and Institutional Response (Lagos: BudgIT, 2021), 26–28, <https://yourbudgit.com/wp-content/uploads/2021/04/Pattern-of-Palliative-Distribution-Web.pdf>.

9 "We used N1.5bn to take care of ourselves as COVID-19 palliative – NDDC MD", Premium Times, July 9, 2020, <https://www.premiumtimesng.com/news/top-news/402101-we-used-n1-5bn-to-take-care-of-ourselves-as-covid-19-palliative-nddc-md.html>.



# How Corruption Fuels Rising Insecurity

**P**resident Buhari's sixth year in office has also been marred by a sharp deterioration in security conditions nationwide. In 2020, terrorism, banditry, and violent crime destabilised large swaths of northern and central Nigeria, taxing overstretched, underequipped, and poorly managed security personnel to the limit. Hollowed out by strategic- and operational-level corruption, Nigeria's military and police appear incapable of safeguarding many parts of the country. The normalisation of security sector corruption means that military and police leaders' failures offer them new opportunities to racketeer and profiteer, as well as embezzle from increased emergency security spending. For Nigeria's top brass, peace is much less lucrative than perpetual low-intensity conflict. Yet President Buhari has done little to change their calculus, hold them accountable or exert strong oversight over their activities.

Under President Buhari, security sector corruption has become both a cause and a

consequence of rising insecurity across the country. Defence procurement remains as opaque and graft-prone as it did under his predecessor and largely exempt from due process rules designed to prevent corruption. For their part, federal legislators routinely demand kickbacks and contracts for their cronies in exchange for approving military spending.<sup>12</sup> State governors, meanwhile, have used rising insecurity as a pretext for funding paramilitary (e.g. Ametokun) or vigilante (e.g. Civilian Joint Task Force) groups using corruption-prone slush funds known as 'security votes'. In total, governors' ad hoc security spending totals more over 208.8 billion (\$580 million) annually.<sup>13</sup> Likewise, federal officials' access to security votes increased sharply in President Buhari's first term, growing from about 30 such funds in 2016 (worth 9.3 billion or \$46.2 million in total) to over 190 (worth 18.4 billion or \$51 million in total) in 2018.<sup>14</sup> Yet despite these and other security expenditures, violence, crime, and conflict has increased on President Buhari's watch.

Likewise, federal officials' access to security votes increased sharply in President Buhari's first term, growing from about 30 such funds in 2016 (worth 9.3 billion or \$46.2 million in total) to over 190 (worth 18.4 billion or \$51 million in total) in 2018.

10 "COVID-19 Funds: NCDC spends N202 million on six items without procurement plan", International Centre for Investigative Reporting (Nigeria), 11 August 6, 2020, <https://www.icirnigeria.org/covid-19-funds-ncdc-spends-n202-million-on-six-items-without-procurement-plan/>; "PTF committed to transparency, accountability in managing COVID-19 funds", The Guardian (Nigeria), October 14, 2020, <https://guardian.ng/news/ptf-committed-to-transparency-accountability-in-managing-covid-19-funds/>.

12 "Lawmakers Review Alleged Embezzlement Of COVID-19 Fund, Insecurity, Corruption Report", Channels TV, February 21, 2021, <https://www.youtube.com/watch?v=-uYCzUkZ4iE>.

13 "Generals on the run", Africa Confidential, 20 February 2020, [https://www.africa-confidential.com/article-preview/id/12867/Generals\\_on\\_the\\_run](https://www.africa-confidential.com/article-preview/id/12867/Generals_on_the_run).

Matthew T. Page, Camouflaged Cash: How 'Security Votes' Fuel Corruption in Nigeria (Transparency International, 2018), [http://ti-defence.org/wp-content/uploads/2018/05/DSP\\_Nigeria\\_Camouflage\\_Cash\\_Web2.pdf](http://ti-defence.org/wp-content/uploads/2018/05/DSP_Nigeria_Camouflage_Cash_Web2.pdf).

14 Ibid.



# Democratic Backsliding Fuels Corruption

**U**nder President Buhari, Nigeria's civic space continues to shrink, as demonstrated by his government's violent crackdown on last year's #EndSARS protests against police brutality and its recent edict forbidding Nigerians from using Twitter. These widely criticised moves—along with other moves to stifle dissent, intimidate journalists and ban certain international humanitarian organisations—make it more difficult for the media, civil society groups and everyday Nigerians to hold his government accountable.<sup>15</sup> President Buhari's unwavering support for police leaders as thousands of Nigerians protested abusive and corrupt conduct of the Special Anti-Robbery Squad sent a clear message that he no intention of reforming the country's predatory and corrupt police force but would instead use it to crackdown on widespread calls to do so.

Firmly in the grip of President Buhari's political allies, the current National Assembly has largely become a rubber stamp, exercising weaker-than-usual oversight over government spending and presidential appointments. In addition to being another sign of democratic backsliding, the National Assembly's clientelistic relationship with the Presidency means it does little to question frivolous or questionable expenditures, ask ministers and agency heads tough questions

about their conduct or pass legislation that institutionalises transparency and accountability. Under President Buhari, legislative oversight of the executive branch has reached new lows.

Also concerning is President Buhari's apparent effort to weaken one of the most robust pillars of Nigerian democracy: its dynamic civil society sector. Since 2015, top government officials have attempted to impose tighter regulations on legitimate civil society groups while at the same time bankrolling hundreds of fake pro-government non-governmental organisations (NGOs). 90% of Nigeria's 360-plus pro-government NGOs have started operating since President Buhari took office, a correlation that suggests many enjoy high-level political support.<sup>16</sup> In addition to heaping praise on top officials and defending them from outside criticism and allegations of corruption, these fake NGOs frequently lambast legitimate civil society groups and sometimes even incite violence against them.<sup>17</sup> At the same time, ruling party legislators have, in recent years, introduced two bills aimed at regulating NGOs through the creation of a new government agency.<sup>18</sup> If they succeed, the Buhari government may be inclined to use such an agency to target civil society voices that criticise its governance, human rights and corruption record.

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15 "Police arraign journalist detained over report on minister", Premium Times, November 10, 2020, <https://www.premiumtimesng.com/news/top-news/425415-police-arraign-journalist-detained-over-report-on-minister.html>; "Nigerian police detain Premium Times journalist, ask him to disclose his source", Premium Times, August 14, 2018, <https://www.premiumtimesng.com/news/headlines/280119-developing-story-nigerian-police-detain-premium-times-journalist-ask-him-to-disclose-his-source.html>; "Nigeria shuts Action Against Hunger aid group 'for feeding militants'", BBC News, September 20, 2019, <https://www.bbc.co.uk/news/world-africa-49767289>.

16 Matthew T. Page, Fake Civil Society: The Rise of Pro-Government NGOs in Nigeria (Washington DC: Carnegie Endowment for International Peace, 2021).

17 "Fake activists, promoters of Boko Haram should die by hanging, group tells NASS", Vanguard, July 10, 2020, <https://www.vanguardngr.com/2020/07/fake-activists-promoters-of-boko-haram-should-die-by-hanging-group-tells-nass/>.

18 Nasir Ayitogo, "House Speaker Dogara speaks on controversial NGO bill", Premium Times, September 26, 2017, <https://www.premiumtimesng.com/news/headlines/244205-house-speaker-dogara-speaks-controversial-ngo-bill.html>; "If passed, the NGO Bill will reduce the ability of CSOs to hold the government accountable and ensure that human rights are respected", Civicus, undated, <https://www.civicus.org/index.php/fr/medias-ressources/122-news/interviews/3043-nigeria-if-passed-the-ngo-bill-will-reduce-the-ability-of-csos-to-hold-the-government-accountable-and-ensure-that-human-rights-are-respected>



# Outlook and Recommendations

**A**s the end of President Buhari's second term approaches, it is increasingly unlikely that he will have the time and political capital to push through lasting anti-corruption reforms, even if he wanted to do so. Despite the near-certainty of his continued inaction, other stakeholders still have some opportunities to advance the anti-corruption agenda he once championed.

Integrity-conscious National Assembly members could, for example, introduce legislation outlawing security votes at the federal, state and local levels. Such a ban should be accompanied by transparent and comprehensive budgeting procedures and criteria for security expenditures that meet international best practices and incorporate robust oversight mechanisms. The National Assembly could also partner with anti-corruption agencies and the Nigerian Law Reform Commission to harmonise, consolidate, and modernise legislation, thereby realising much needed improvements to their establishing acts and other key anti-corruption laws. Legislators could also amend the Code of Conduct Bureau Act to codify the use of online asset declarations, modernise them to reflect new types of assets, set guidelines for their public disclosure and increase penalties for those who fail to make them.

Concerned citizens, civil society organisations and the media can help by gathering information on official corruption and deliver it via formal petitions to the EFCC, Independent

Corrupt Practices and Other Related Offences Commission or the Code of Conduct Bureau. The media can also increase its scrutiny of individual senior officials' and legislators' anti-corruption track records. Journalists should also undertake more due diligence when covering the activities of civil society groups that have a clear pro-government bias. They should treat such little-known groups with healthy scepticism and refuse inducements to attend their events or place stories about them.

As CDD advised last year, Nigeria's international partners—particularly the United States, UK, Canada, Australia and EU countries—need to do more to prioritise anti-corruption in their diplomatic engagement, military assistance, and development strategies toward Nigeria. They should proactively deny visas to kleptocratic officials and withhold cooperation opportunities from agencies engaging in high-risk behaviour or unwilling to address glaring internal corruption challenges. Governments repatriating recovered assets to Nigeria should also set up independent monitoring arrangements, and include transparency and accountability standards as principles for repatriation. Moreover, international partner should begin strategising about how they can expand the scope and scale of their anti-corruption cooperation with Nigeria's next president, assuming he or she is more committed to fighting corruption that President Buhari has been.



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