Anti-Corruption Authorities Initiative: Survey on the Effectiveness of Anticorruption

Background Information

1. Please enter country name in the space below

NIGERIA

2. Name of the agency

ECONOMIC AND FINANCIAL CRIMES COMMISSION

3. Date of establishment (please include any predecessors if relevant)

2003

4. Contact Information

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Telephone: +234 – 8039359375

5. Website

www.efccnigeria.org

Legal Framework

6. What are the main anti-corruption laws in your country? (please include year of entry into force)

1. EFCC Est. Act 2004
2. Independent Corrupt Practices & Other Related Offences Act 2000
3. Advance Fee Fraud and Other Related Offences Act 2006
5. Miscellaneous Offences Act
6. Code of Conduct Act
7. Nigerian Extractive Industries Transparency Initiative Act
9. Fiscal Responsibilities Act 2010

7. Does your Government have a single or primary anti-corruption strategy? When was it last updated?

A national anticorruption strategy document is currently being put together by the Nigerian Government.
8. Does your country have right to information legislation?
   - Yes ☑️ No ☐

9. Does your country have conflict of interest legislation?
   - Yes ☑️ No ☐

10. Does country have a financial disclosure system to help prevent conflict of interest?
    - Yes ☑️ No ☐

11. Does your country have statutory or constitutional provisions granting immunity from criminal prosecution to elected or appoint officials?
    - Yes ☑️ No ☐

12. Is your agency protected from political interference by law?
    - Yes ☐ No ☑️

**Institutional Framework**

13. What functions does your agency perform?
    - ☑️ Research ☐ Prevention ☑️ Investigation ☐ Prosecution ☑️ Forensic ☐ Auditing ☐ Policy

14. Is there one agency in charge of coordinating AC efforts across agencies?
    - Yes ☑️ No ☐

15. Does your agency have the ability to share information or data with
    a) Other agencies within your Government, and
    - Yes ☑️ No ☐
    b) Government partners from other countries?
    - Yes ☑️ No ☐

16. Please enter the current size of permanent staff. Do you have secondees?
    If so, are they counted separately?
    Permanent Staff: **1,273**;  Secondee: **685**

17. Number of prosecutors (if applicable)
    - **126**

18. Number of investigators including legal advisors (if applicable)
    - **1600**

19. Number of support Staff (if applicable)
    - **679**

20. Are staff positions permanent? Or subject to periodic renewal? What percentage of each?
    - Yes (permanent Staff). No (Contract and seconded Staff)
21. Does your agency keep records on its investigative activity? If it does not, go to question 22. If yes, please show the information you have on the following (Please note that Records provided is 2013)
   a) Number of complaints received
      6,089
   b) Number of investigations conducted
      4,453
   c) Number of investigations completed
      2,883
   d) Number of cases recommended for prosecution
      999
   e) Number of cases prosecuted by your agency
      485
   f) Number of convictions
      117

22. Please state the number of learning activities and outreach events organized by your agency (if applicable)
   343

23. Please state the value of assets recovered by your agency (if applicable)
   N 11,276,108,536.81
   $ 4,104,350.00
   £ 76,865.00
   € 16,430.00

24. Please enter names of other agencies with similar functions a this ACA
   Independent Corrupt Practice Commission (ICPC), Code of Conduct Bureau (CCB) & Nigeria Police force (NPF)

25. Does your agency have a system to monitor performance of staff?
   ☐ Yes    ☐ No

26. Are human resource management actions, i.e., recruitment, promotion, and termination based on Staff integrity and professionalism?
   ☐ Yes    ☐ No
27. Are new vacancies for your own agency announced publicly?
   ☑ Yes □ No

28. Are the results of these recruitment processes announced publicly by your agency? ☑ Yes □ No

29. Who appoints the head of our agency?
   The President of Nigeria, subject to confirmation National Assembly

30. Who has the authority to remove the head of the ACA?
   The President

31. To whom does the head of your agency report to?
   The National Assembly

32. Is there any term limit for the head of the ACA?
   ☑ Yes □ No
   If yes, please specify: 2 Terms (of 4 years each)

33. Is the agency subject to judicial review?
   ☑ Yes □ No

34. Is the agency subject to expenditure reviews?
   ☑ Yes □ No

35. Does your agency measure “performance”?
   ☑ Yes □ No
   If yes, against which indicators?
   ☑ Number of investigations conducted
   ☑ Number of investigations concluded
   ☑ Ratio of number of investigations / Staff
   □ Percentage of total budget allocated to outreach activities and communication
   ☑ Number of outreach activities delivered
   ☑ Number of Convictions secured
   ☑ Values of Forfeitures (final forfeiture order)
   ☑ Value of recoveries

36. In practice is your agency protected from political interference?
   □ Yes ☑ No

37. Does your agency keep a comprehensive skill list of its Staff?
   ☑ Yes □ No
38. Is the Staff provided with regular training and refresher training to ensure that their skills are up-to-date?
   ☑ Yes ☐ No

39. What training has your agency received from organizations or international agencies in the past year? Several, including:

   i. Financial Analysis & Investigation/Money Laundering Methodology (Nii International U.S)
   ii. Crime Analysis Applications (Alpha Group Center, U.S.A)
   iii. Financial Investigation Course (Canada Police College)
   iv. Combating Cyber Crime (Royal Institute Public Administration (RIPA, UK)
   v. Digital Evidence Training (SOCA)
   vi. West African Regional Organised Crime Investigation Course (US Embassy)
   vii. Rules of evidence training Workshop (UNODC)
   viii. Economic and Financial Crimes Course (Madrid, Spain)
   ix. Senior Financial & Anti Corruption Investigation Techniques (J4A)
   x. Workshop on Transnational Organised Crime & Peace building Efforts (Swiss FDFA)

40. Are employees protected by law from recrimination or other negative consequences when reporting corruption (i.e. whistle blowing)?
   ☐ Yes ☑ No

41. Does your agency have communication strategy?
   ☑ Yes ☐ No

42. Does your agency have a comprehensive corporate plan?
   ☑ Yes ☐ No

43. Is there a strategy for formulating a partnership with outside agencies to fight corruption? ☑ Yes ☐ No

44. Is there a strategy for dealing with the media?
   ☑ Yes ☐ No

45. In practice does your agency has sufficient powers to carry out its mandate? ☑ Yes ☐ No

46. Has your agency request for additional powers or authorities pending in the parliament or before the executive?
   ☐ Yes ☑ No

**Resource Mobilization**

47. Does your agency have budgetary autonomy?
   ☐ Yes ☑ No

48. What is the annual budget of your agency?
   10.5 (NGN)
49. The annual budget is determined by (please choose the answer(s) that best fit(s) your agency)

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<td>Number of Staff</td>
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<td>Number of investigations</td>
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<td>Budget is constitutionally mandated</td>
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<td>Other, please specify</td>
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50. Does your agency receive any financing from donors?

- Yes
- No

51. Does your agency use computerized system to handle cases?

- Yes
- No

If yes, was it developed especially for your agency or was it purchased off-the-shelf? Are you willing to recommend to others? What is its name and where did you obtain?

Social Framework

52. Does your agency provide a mechanism for citizens to report complaints anonymously or provide information on corrupt activities?

- Yes
- No

53. Does your agency or government provide hotline to report corruption?

- Yes
- No

54. Does your agency produce regular public reports of its activities?


- Yes
- No

Innovation

55. Does your agency use any IT tools to

- Facilitate reporting of corruption and fraud by citizens
- Share information with citizens about its own activities
- Share and/or obtain information for its own investigations
- Other – please explain

56. Does your agency use social media to raise awareness on corruption among the public?

- Yes
- No