

POLICY BRIEF ON

CORRUPTION

**IN THE CONTEXT OF RESPONSE
TO CONFLICTS AND
INSURGENCY IN NIGERIA**



**CENTRE FOR INFORMATION
TECHNOLOGY AND
DEVELOPMENT**

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in the Context of Response
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By

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FOREWORD

Like building a bridge, building a prosperous society requires serious commitment from government, individual members of the society and community or civil society organizations. It is no longer a caveat that condoning corruption in public and private sectors dismantle society or country, but, a clear justification of shackling every development index from approaching any society or country. Therefore, a country that tolerates impunity whether in conflict or peace time is simply paving way for another underground conflict. When efforts at fighting corruption appear selective and hesitant towards some people, rooting corruption and ridding a country free of corruption will be difficult.

Allowing or giving corruption the ground to flourish is disastrous especially during conflict as the plight of the victims of the conflict will be exacerbated. And the expected outcomes from the interventions may be jeopardized, this by extension translates to yielding no result or impacting on the lives of the people concerned. North East Nigeria is not only a classical example of a conflict region where corruption thrives, but where government has been clearly hesitant to demonstrate its resolve for alleviating the suffering of IDPs through taking proper actions on corruption cases. This lackadaisical attitude has further licensed bad eggs within the relief and emergency channels and interventions in the region to live a lavish life at the expense of the internally displaced persons.

Corruption is a mother to a range of societal ills. At a time when thousands of people lost lives, properties, lacked access to healthcare and educational facilities, forced out of their homes, die of hunger, etc some people walk the streets with pride even though they are partly the reason for the catastrophic lives of IDPs through their heartless actions or greed for accumulating wealth by all means. It is an indication of total negligence to taming corruption for government to turn a blind eye on corruption cases in conflict situations. No country should spare corrupt people big or small if it wants to develop.

In Nigeria, conflicts such as Boko Haram and scandalous corrupt acts which emanated from management of the conflict ought to be a learning base. The resolve of Nigerian authorities in terms of tackling corruption in the way conflicts such as Boko Haram are managed should have been clearly demonstrated if at all we want to get rid of corruption in other sectors. Failing to decisively deal with corruption cases in conflict situations keeps fueling the urge to keep making the situations worse.

The jeopardy of condoning corruption in conflict situations is that those supporting interventions may be discouraged from putting resources, because the resources get diverted and end up in individual pockets. Nigerian government must understand this and deal with corrupt cases in conflicts situations.

Y. Z. Ya'u

Executive Director, CITAD

Quote:

“Every dollar that a corrupt official or a corrupt business person puts in their pocket is a dollar stolen from a pregnant woman who needs health care; or from a girl or a boy who deserves an education; or from communities that need water, roads and schools. Every dollar is critical if we are to reach our goals to end extreme poverty by 2030 and to boost shared prosperity”.

- **World Bank President, Jim Yong Kim**

Executive Summary:

Since 2009 the North-East region of Nigeria has been the theatre of responses against insurgency as perpetrated by members of Boko Haram. Within the north-central region, violent conflicts between farmers and pastoralists have also been responsible for huge deaths and displacements of people. In response to these prevailing security challenges in the context of responses, corruption has featured as a major obstacle to the effectiveness of these responses. In a sense, cases of corruption by both state and non-state actors are a major drawback to accountability. While national and international attention has been focused on the devastating impact of insurgency and violent conflicts in the North-East and North Central or Middle Belt region, corruption that is linked to the defence sector, security sector, as well as the police, is destabilizing and compounding the security challenges in these areas, which account for why the military was unable to defeat Boko Haram. As a result of what was termed profiteering on human tragedy, a UNDP/NHRC revealed that out of the sum of N8.3 billion released to the PINE in 2016, over N6.3 billion was spent, while N2 billion was unaccounted for. In the words of a respondent:

The more people die, the happier our leaders become, as they smile to the banks. The government has conducted no concrete investigation. People linked to corrupt practices (such as Lawal Babachir) are still walking freely. The EFCC only invited him for questioning and released him afterwards.

Despite the victimhood associated with their experiences with conflicts, many Nigerians lack the power to exercise their civic rights in relations to the demand for accountability and transparency as it relates to conflict related responses by state and non-state actors. The conflict trap thesis was developed to explain a situation whereby the long-term risk of a conflict increases considerably after the first conflict onset. The huge outcry over acts of corruption by state and non-state actors, reinforces the utility of the 'conflict trap' thesis as an explanatory tool in understanding the relationship between corruption and conflict in terms of how it has created a value-chain around insurgency and conflict in Nigeria.

Matters Arising in relation to Corruption in the Conflict and Security Landscape:

Humanitarian responses with specific reference to the provision of security as well as relief remain one of the prominent aspects of responses to insurgency and violent

conflicts in Nigeria. There is sense in which several factors have been responsible for the series of humanitarian government.

Linkage between Corruption and Human Rights Violation:

There are documented evidence on the relationship that exists between corruption and violation of citizens' rights. This is underscored by the logic that corruption produces unequal and discriminatory outcomes in terms of the extent to which citizens access humanitarian and security related aids. In specific terms, there are documented cases related to the diversion of relief materials by government officials and other entities, misapplication of funds by institutions and agencies as evident with the activities of the former National Security Adviser, Col. Sambo Dasuki and the former Secretary to the Federal Government, Babachir Lawal respectively. The primary consequences of these was that citizens were denied the right to access primary aids such as food, clothing, health among others.

Absence of a Social Audit Framework: The absence of a framework for social audit in relations to how funds dedicated for addressing conflicts and insurgencies do not recognize the place and role of communities. Hence, there disconnect between the communities and implementing groups and institutions both state and non-state. Many of the people that are suppose to be the primary beneficiaries of humanitarian interventions are ignorant of their needs. The fact that they are not aware of how much monies have been devoted to a particular project or intervention makes it difficult for them to monitor and track the activities of the organisations or institutions concerned. Such situations of non-disclose continue to create as well as widen the gulf between the communities as beneficiaries of an intervention and the entities that has the mandate to deliver on such tasks. In the words of a respondent in the North East region, “Boko Haram emerged because the state is 'corrupt'. In the eyes of the citizens, the state is also corrupt in way it allocates and uses resources to fight Boko Haram”.

Manifestations of State Capture: The institutions and framework put in place in response to conflict and insurgency are viewed as attempts by the ruling class to create opportunities for the cronies to accumulate resources, thereby consolidating their perpetuation tendencies of corruption and manifestations of state capture. For instance, while several Special Task Forces (STFs) have been established by the military under the guise of internal security operations, with huge amount of money deployed, very little attention has been accorded the police as the primary institutions with mandate for internal security management. In the sense, the notion of state capture connotes aspects of corruption that is linked to poor governance that are reinforced by clientelism and patronage. In the words a respondent:

The many military operations in the north east east and the central region of the country such as the Operation Lafiya Dole, MNJTF, Operation Safe Haven, Operation Ayem Akpatuma (Cat Race), Operation Harbin Kunama (Scorpion Sting) {I}and {II} in the north east region, Plateau, Benue and Kaduna state among others, are consequences of neglect of the police as the primary institution for the management of internal security. Many

citizens view this approach of using the military at the expense of the police as an attempt by the military hierarchy to create opportunities for the commanders to make money.

Duplicity of Initiatives and Efforts as Enablers of Corruption: With government, there were several initiatives and efforts towards responding to emergencies in the country. For instance, the NEMA, the Victims Support Fund (VSF), Presidential Initiative on the North East (PINE), Presidential Commission on the North-East Initiative (PCNI), NEMA, the Bama Initiative, were all geared towards addressing humanitarian crisis in the north east region. The Office of the National Security Advisor (ONSA), was also involved in peace building and security related intervention, which made coordination difficult as a result of the challenge of duplicity and competition between and among government agencies. Recently too, the North East Development Commission (NEDC) was inaugurated by President Muhammadu Buhari. Which multiplicity of initiatives and structures for responding to emergencies by the government further complicates efforts towards transparency and accountability.

Disregard for Due Process and Procurement Guidelines:

Disregard for due process as spelt out in the guidelines for procurements has been a major driver of corruption in both government institutions and non-state entities. For instance, during a public hearing that was convened by the Senate to look into the way and manner monies were spent on issues related to the north-east, it was reported that the PINE was unable to account for \$9.7 million that was spent on contract related expenditure. The former Secretary to the Government of the Federation, Babachir Lawal was also indicted in a Senate Committee report for mismanagement of funds amounting to \$1.4 million under the guise of weeding grass in some Internally Displaced Persons (IDPs) camps.

Diversion of Relief Materials:

The diversion of relief materials meant for victims of insurgency and conflicts in the country has been a lingering issue that has not been accorded serious attention by the government. Across the country, government officials either divert relief materials or some persons who connive with individuals and groups involved in the transportation and distribution as the case may be. For instance, officials of the Borno State Emergency Management Agency in-charge of food and other relief materials were reported to have re-bagged and diverted rice that was meant for displaced persons in the state.

Lack of Transparency associated with Security Votes: Though security provisioning is exclusively primarily the responsibility of the federal government, state and local governments have become major spenders on security. In fact, across the three tiers of governments federal, state and local, there has been an entrenched practice of spending public funds under classified expenditures known as 'security votes'. In recent years, there has been a surge in the amount of monies spent by public office holders under the guise of either complimenting the efforts of the federal government on security provisioning, or crafting policies and projects for security considerations. It

was reported that spending linked to security vote in Nigeria amounts to over N241.2 billion annually. The reality today is that security votes have become major conduits for public funds to be expended by the executive outside the oversight of the legislature and anti-corruption institutions such as the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC). While Section 2(3)(d)(v) and 4 of the Freedom of Information Act makes it mandatory for details of spending on security related issues to be made public, the lack of transparency and accountability that characterize how security related funds are spent remain a major source of concern.

Key Pathways for Addressing Corruption in the Conflict and Insurgency:

Strengthen the Mechanisms for Transparency and Accountability in Public Expenditure: Within the framework of democratic governance, transparency and accountability constitute key obligations that both state and non-state entities involved in humanitarian response should abide by. By strengthening the mechanisms for transparency and accountability it allows for greater trust on the part of the beneficiaries of such interventions, which also insulate the processes from undue interferences.

Design a Framework for Social Audit of Humanitarian Responses: For the communities to be directly involved in issues relating to responses on conflicts and insurgencies, as currently witnessed in the country, there should be concrete framework for their involvement in ways that enables them to track and monitor funds dedicated to such issues in terms of how they are utilized, with clarity around how they can seek remedies for infractions by persons, groups and institutions involved. The ultimate goal of the social audit is to ensure that beneficiaries of interventions are fully aware of such interventions with improved knowledge and skills to effectively monitor such interventions and their impact.

Establish and Support Publish What You Spend Campaigns: This represents a public accountability framework that empowers people to be better informed about interventions that are designed to address their needs. In the context of the prevailing challenges in relation to insurgency and conflict, the skills of groups should be built and supported across affected communities as a basis for ensuring they agitate for greater transparency by organisations and institutions involved in humanitarian response, Through campaigns such as publish what you spend, it would be easy for the communities to put pressure on the affected entities to be open in their dealings from a standpoint of knowledge, as against situations of opaqueness. There is sense greater transparency in the way funds are spent by both the state and non-governmental entities would empower communities to demand social accountability through the availability of information as well as the right communication tools and channel for combating corruption. This would also translate into clearer and concrete mechanisms for seeking redress when infractions are identified.

Greater Synergy and Coordination among State Institutions: In the context of humanitarian response, there should be a one-stop-shop for ensuring greater coordination between and among government institutions at all levels of governance so as to checkmate duplicity in government responses particularly as it relates to spending. By working together in a harmonious manner, their combined effect would far outweigh the sum of their individual efforts. The establishment of the office for the coordination of humanitarian efforts, which covers both insurgency and conflicts the country, is an important pillar for engendering such cooperation. Through synergy and collaboration, it would be cost-effectiveness in the way and governmental and non-governmental actors on humanitarian and other peace building deploy manner resources and security related responsibilities.

Ensure End-User Involvement in the Distribution of Relief Materials: In order to address the challenges associated with the diversion of relief materials, such responsibilities should benefit from monitoring by the end-users. As long as they are involved, they would be properly informed about the quantity, the officials involved, the contractor to supply or distribute, as well as the modality for delivery and distribution to the beneficiaries. As long as the citizens are adequately informed and involved in such processes, it instill confidence on the government or non-governmental entity involved. Such citizens' oversight over the distribution of relief materials would inform greater transparency in ways that guarantees end-user reach.

Ensure Greater Transparency in the use of Security Votes: In the light of the fact that the FoI act makes it mandatory for public funds to be made public to citizens as a way of ensure greater transparency and accountability, efforts should be made by both the civil society and the media towards making security votes an unacceptable and criminal act by public officials. One way to achieve this is to put a ceiling in terms of the amount of money that public officials are authorized to spend, from the federal, state and local governments, under a classified budget line of security vote. This represents one of the proactive ways of guaranteeing government's accountability in the use of public resources.

Conclusion:

From a political economy standpoint, there is a thriving value-chain in the conflict and security landscape that is sustained by acts of corruption, which makes the delivery of humanitarian interventions far from the people. This is linked to the vested interests that individuals and groups pursue, which is at variance with the overall national interest of providing safety, security and relief to citizens that are victims of emergencies. Addressing the challenges associated with corrupt practices in the fight against insurgency and other forms of conflicts, as well as humanitarian assistance in Nigeria, would provide a sound pathway towards reducing the pain that victims undergo due to the unpatriotic acts of some individuals, groups or institutions.

ABOUT CITAD

CITAD (www.citad.org) is capacity building civil society organization whose activities covers research, advocacy, training and publicity in all areas of ICTs. Its vision is; a knowledge-based democratic society free of hunger, while its mission is; using ICTs to empower citizens for a just and knowledge-based society that is anchored on sustainable and balanced development.

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