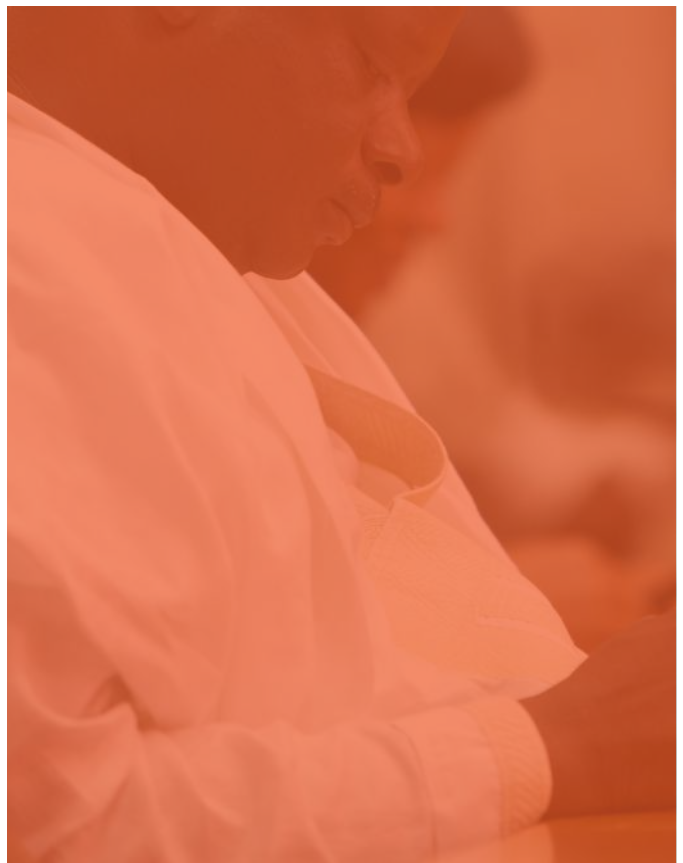

HOW TO GUIDE

RULE OF LAW AND ANTI-CORRUPTION IN NIGERIA

**How to design
and implement
a state
anti-corruption
strategy**



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WHAT IS THE 'HOW TO' SERIES?

The guide is part of a series of products developed by RoLAC to communicate lessons learned from projects and pilots, to provide stakeholders with guidance on how to adapt and replicate the initiative in their own context.

The full series can be downloaded from www.justice-security.ng

WHO IS THIS 'HOW TO' GUIDE FOR?

Influencers and decision makers in the justice sector (judiciary, lawyers, police, anti-corruption agencies, and civil society).

PROBLEM

- Corruption is a systemic problem in Nigeria that is negatively affecting social, economic, and political life.
- Citizens lose faith in government due to corruption.
- The adoption and implementation of the National Anti-Corruption Strategy has not been effective in curbing corruption at a national scale, as it is only implemented at the federal level.
- There is very little effort in states and local government areas (where poor citizens face the realities of corruption) to join the fight against corruption.
- The lack of involvement of other tiers of government stretches the capacity of the federal government and reduces the effectiveness of the fight against corruption.

BACKGROUND

One of the most pressing problems facing Nigeria is corruption. A survey conducted by the Nigerian Bureau of Statistics and the United Nations Office on Drugs and Crime (UNODC) found that 30 percent of Nigerian citizens who had contact with a public official paid a bribe or were asked to pay a bribe to a public official.¹ The country has consistently ranked low in international governance indexes, ranking 154 out of 180 countries in the 2021 Transparency International Corruption Perception Index.²

Corruption impacts negatively on citizens and lowers their standard of living. They are denied access to basic amenities, such as roads and water, because funds are stolen; and they are often asked to pay bribes to access justice.

A National Anti-Corruption Strategy (NACS) was adopted in 2017 to coordinate and guide all sectors and stakeholders in the fight against corruption in Nigeria. The strategy has three levels of implementation, with the third focused on sub-national buy-in to the NACS. But there were no state and local government areas (LGA) buy-in and implementation remained only at the federal level. Without their participation, the effectiveness of the fight against corruption will be limited.

WHAT YOU CAN DO

- Develop a state-specific anti-corruption and integrity strategy that is aligned to the NACS. It should provide the framework for coordinating the efforts of all public and private agencies in the state for more transparent, accountable, and responsive governance and service delivery.
- Establish structures for implementing the state's anti-corruption strategy and build the capacity of the different units.

WHAT YOU CAN ACHIEVE

The development and implementation of a state-level anti-corruption strategy will:

- Improve the legal and institutional framework for the fight against corruption and enhance coordination and cooperation among related state-level institutions
- Reduce the corruption vulnerabilities of public service agencies
- Increase citizen's participation in the fight against corruption resulting from increased knowledge and awareness on the impact of corruption.

“

Corruption is a monster that needs to be fought through a united front - involving government, the public and stakeholders, like CSOs and the media. ”

Dr Amos Edgar, Head of Service,
Adamawa State

“

The anti-corruption strategy is a means of making people see the openness and honesty from public officials in order to maintain faith and trust in government in the state. ”

Anambra State Governor, Willie Obiano

¹ 2019 Survey: Corruption in Nigeria patterns and Trends

² <https://www.transparency.org/en/cpi/2021>

HOW TO DESIGN AND IMPLEMENT AN ANTI-CORRUPTION STRATEGY

Steps for implementation

STEP 1 Initiate and agree on the strategic process

1 The lead ministry, having sufficient autonomy, expertise, and political backing, initiates the development of the strategy; engages the key stakeholders to be involved from within and outside the government; and takes responsibility for drafting the strategy document.

STEP 2 Develop the strategy

2 Set out the vision and mission statement (representing the ‘ideal future situation’ envisaged for the state and how to get there). Also identify a set of strategic objectives for addressing the identified transparency and accountability challenges in the state. The objectives need to be specific, measurable, achievable, relevant/realistic, timely, and challenging. Then determine the strategic actions necessary to achieve the strategic objectives.

The strategy should lay out ambitious but realistic objectives and immediate and longer-term priorities. It should also have an implementation plan with clearly defined roles and responsibilities for each actor/stakeholder and a monitoring and evaluation framework for monitoring implementation and impact. These should include clear reporting channels, obligations, and frequencies.

Strategies from other states can be adapted taking into consideration the state’s socio-cultural and political peculiarities. Stakeholders must agree on the state’s transparency and accountability challenges and strategies to solve it. This is the domestication and the ownership process.

STEP 3 Identify the funding framework

3 An Anti-Corruption Strategy needs resourcing if it is to be successfully implemented and effective. Early consideration needs to be given as to how the lead ministry/Strategy Secretariat and the IUs will access such resources.

STEP 4 Validate and operationalise the strategy

4 After the initial draft is developed by the technical drafting committee, a validation roundtable should be organised for key stakeholders including commissioners, permanent secretaries, deputy permanent secretaries, directors, CSOs etc. The feedback from the validation will be used to finalise the state strategy. It is recommended that further stakeholder roundtables be facilitated to operationalise the strategy.

Operationalisation involves the development of the Implementation Action Plan for the strategy, the

monitoring and evaluation plan and the reporting template to be used by the strategy implementation units in MDAs. Other documents include the operating guidelines for the implementation of the strategy. A public presentation of the strategy document should also be made by the governor to increase public buy-in.

STEP 5 Inaugurate and activate relevant implementation structures

5 Following the public presentation, it is recommended that all implementing bodies, including the Strategy Steering Committee (SSC) be inaugurated by the governor or his assignee. The SSC secretariat should also be established at this time to respond to the needs of the M&E Committee. The secretariat staff can be seconded from relevant ministries and departments of the state.

STEP 6 Conduct capacity building and sensitisation events

6 Several training and sensitisation events will be required for implementing stakeholders. These include training for the M&E Committees, steering committees, and the implementation units. For instance, the M&E committee members will be trained on the fundamentals of M&E and Managing for Results. Senior officials of the MDAs and the civil society and media will be trained on the strategy, while public sensitisation will engage and educate citizens.

“

That we now have anti-corruption units in our MDAs eager to raise awareness on the need for accountability and integrity in service delivery tells me there is still hope for Nigeria.”

Secretary to the Adamawa State Government

STEP 7 Monitor the implementation of the strategy

7 A critical element to successful implementation of a strategy is the monitoring and evaluation of the progress of the implementation. This is one of the key responsibilities of the M&E committee. Before the commencement of the monitoring begins, a survey should be conducted to understand the baseline against which progress on the level and extent of implementation of the strategy can be measured. Thereafter, the M&E committee members will then commence monitoring visits to their assigned MDAs at least once a quarter and as the need arises. Evaluation should be done bi-annually or annually depending on the resources available.

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The Kano state anti-corruption strategy highlights the desire of the state to ensure transparency and accountability in every area of governance.”

Kano State Governor, Dr Abdullahi Ganduje



IMPLEMENTING PARTNERS AND THEIR ROLES

Body	Roles and Responsibilities
<p>The lead/anchor ministry for strategy development (usually the Ministry of Justice, Economic Planning or Office of the Head of Service)</p>	<ul style="list-style-type: none"> • Provide overall direction and leadership for the development and implementation of the strategy • Support other MDAs to mainstreaming the anti-corruption strategy into their operations • Lead the development of a strategy funding framework and its integration into the state budget • Issue specific guidelines to heads of MDAs for the development and implementation of sector specific strategies in line with the strategy action plan
<p>State Executive Council (State EXCO) made up of the governor and his commissioners</p>	<ul style="list-style-type: none"> • Ratify the strategy • Approve the budget for strategy implementation • Approve the annual strategy implementation report
<p>State Steering Committee</p>	<ul style="list-style-type: none"> • Provide overall policy and strategic guidance for the implementation of the strategy • Review and approve reports (quarterly, bi-annual, annual) from the M&E committee /implementation units and make recommendations to state EXCO • Present the annual strategy implementation report to the state EXCO for approval
<p>Strategy Implementation Secretariat</p>	<ul style="list-style-type: none"> • Responsible for the development and day-to-day management of the strategy under the auspices of the State Steering Committee and the Lead Ministry • Ensure that reports of the M&E committee/implementation units/ad hoc technical committees are available when due • Ensure the operationalisation of the strategy action plan by all ministries and validate the action plans of the MDAs
<p>Monitoring and Evaluation (M&E) Committee</p>	<ul style="list-style-type: none"> • Develop and oversee the deployment of the strategy monitoring and reporting template by all MDAs • Conduct monitoring visits to MDAs, preferably quarterly and conduct an annual review of the progress of implementation. Produce monitoring and evaluation reports (bi-annual and annual) and submit to the steering committee
<p>MDAs Management</p>	<ul style="list-style-type: none"> • Establish anti-corruption strategy implementation units • Provide funding for the unit's activity implementation • Provide a conducive work environment including the promotion of whistle blower culture
<p>MDAs Strategy Implementation Units</p>	<ul style="list-style-type: none"> • Develop and implement the MDAs anti-corruption plan aligned to the strategy action plan • Submit (quarterly, bi-annual and/or annual) implementation progress reports to the steering committee • Create awareness on the strategy and set up a communication mechanism for effective public engagement

LESSONS LEARNED

Support and commitment from the highest levels of government is critical

Successful anti-corruption and integrity strategy development and implementation are backed by strong political will at the highest levels of government. High-level political commitment is essential because powerful vested interests that would like to preserve the status quo may resist, delay, and undermine anti-corruption reform efforts thus hampering the expected impact. Evidence of political includes the provision of staffing and funding, and publicly championing the independence of anti-corruption units.

There is no substitute for institutional leadership

Unless the process is anchored by a strong and powerful state office or agency, it is likely to founder. Effective institutional leadership will motivate and guide the state through a successful strategy development and implementation process. State institutions that have played this role include the Office of the Secretary to the State Government, the State’s Head of Service, the Attorney General of the state and the Commissioner for Budget and Economic Planning

A process champion is important

Strategy development will not succeed unless someone champions the process. The champion should believe in the reform and command the respect of stakeholders, galvanizing and coordinating everyone until the strategy is developed and fully functional. It is helpful if the process champion is a highly placed leader (in a strategic ministry such as finance, budget and economic planning, or justice) or even a respected external consultant.

Effective communication is essential

Sensitisation of top government officials is essential to the implementation of a State Anti-Corruption Strategy. Additionally, an informed citizenry including an active civil society and media are important elements in successful

implementation. Their participation and interest will keep implementing bodies on their toes and thus contribute to sustain the fight against corruption.

High turnover of implementation unit members

During the pilot phase, the transfer of personnel, particularly implementation units’ officers, slowed down implementation progress especially in the MDAs. To avoid this and ensure continuity, heads of units should be the permanent staff of the MDAs.

EVALUATION

Once the state anti-corruption strategy has been adopted and ratified (by the State Governor) and the key implementation structures set-up, the stage is set for the implementation of a simple survey to establish the implementation baseline. The baseline survey is led by the M&E committee working with the strategy implementation secretariat and should be conducted preferably in the last quarter of the state’s financial year. The result of each future year’s survey is then compared to the baseline and preceding years surveys to determine progress or otherwise.

Most strategies make provision for an annual review. Such annual reviews should look at the extent to which strategy implementation is resolving the issues identified at the outstate as problems and challenges for the state. Measures should also be put in place to gather data and analysis of corruption cases identified through the implementation of the strategy and the impact of prevention / detection mechanisms that may be set up pursuant to the strategy, such as the Anti-Corruption and Transparency Units, which serve as “whistle blowers”.

“

The new anti-corruption strategy documents are produced to prevent corruption, ensure enforcement and sanctions, and recovery, and management of the proceeds of corruption. ”

Kano State Governor, Dr Abdullahi Ganduje



POLICY DEVELOPMENTS

- The establishment of anti-corruption implementation units in state MDAs comply with provisions of the strategy and by extension Article 6 of the UNCAC.

COSTS

Printing and dissemination of the strategy and its operational tools:

- After the ratification and adoption of the strategy by the State Executive Council, resources are required for the printing and dissemination of the strategy and its operational tools. This will cost about N1.2Million.

Basic running costs:

- The implementing units at the MDAs and the implementation secretariats require offices and equipment for start-up as well as continuing overheads for the running of their offices. The secretariat needs funding for support to the implementation units (trainings and capacity building, oversight functions, etc.) and steering committees meeting (refreshments, sitting allowances, etc.). Indicative annual running costs are estimated at N15Million.

Publicity:

- Adequate resources for the sensitisation of private and public stakeholders, publicity of the strategy and its implementation should be provided for. The cost is included in the basic running costs.

Funding for MDAs activities:

- Even though most activities in the action plan fall under the traditional activities of the MDAs, budgetary provisions should be made for new initiatives or reforms that fall outside their activities. This can be funded from existing budget lines.

Monitoring and evaluation activities:

- Adequate resources for M&E activities are vital if the implementation of the strategy will be effective. Funding is required for monitoring visits (transport allowances), sitting allowances, meetings, etc. The cost is included in the basic running costs.

“

Unless the process is anchored by a strong and powerful state office or agency, it is likely to founder. Effective institutional leadership will motivate and guide the state through a successful strategy development and implementation process. ”



Find out more

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The Rule of Law and Anti-Corruption (RoLAC) Programme is working to strengthen the application of law and curb corruption. We work at the federal level and in five focal states: Adamawa, Anambra, Edo, Kano and Lagos.

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