



# **PART 1**

## Executive Summary

## **EXECUTIVE SUMMARY**

Nigeria acceded to the African Peer Review Mechanism (APRM) in 2003 and was subsequently peer-reviewed in 2008 resulting in the National Programme of Action (NPoA) which Nigeria has continued to implement. The First Progress Report of the NPoA was presented in January 2011. This Second Report highlights progress made so far in the implementation of NPoA, despite the enormous challenges posed especially by the profound global economic crisis of the period.

The Nigerian Government has undertaken a number of needed reforms in the four thematic areas of the APRM as follow:

### **DEMOCRACY AND POLITICAL GOVERNANCE**

Democracy and Political Governance should, among other things, seek to contribute to the strengthening of the political and administrative structure of a country. Achievements have been made particularly in the areas of advancement of gender equality, increased stakeholders and civil society participation, access to information, protection of fundamental human rights, and the fight against corruption, reform of the Judicial and Electoral Systems and public services, strengthening of democratic institutions, and resolution of conflicts, especially in the Niger Delta region.

### **ECONOMIC GOVERNANCE AND MANAGEMENT**

Reforms in the Economic Governance and Management thematic areas are geared towards re-positioning the Nigerian economy on a path of sustainable growth and development. These include the following:

- Power Sector Reform;
- Oil and Gas Sector Reform;
- Tax Policy Reform;
- Investment Climate Reform;
- Banking Sector Reform; and
- Ports Reform.

A major milestone is the establishment of the Sovereign Wealth Fund.

The performance of the Nigerian economy in 2010 was mixed but better than in 2009. The real Gross Domestic Product (GDP) in 2010 grew at 7.8% as against 6.96% in 2009. The performance of the manufacturing sector remained disappointing in 2010 which is attributable to the poor state of infrastructure, especially power supply. The non oil sector grew at 8.81% in 2011, higher than 8.5% and 8.3% in 2010 and 2009 respectively.

## **CORPORATE GOVERNANCE**

Corporate governance emphasizes the balance between economic and social goals of individuals, communities, and corporations within the polity.

At inception, the present Administration embarked upon a transformation agenda based on good governance in all facets of the country's political, economic and social life. The major aim of this agenda is wealth creation through employment generation, infrastructural development, and the rule of law. To improve corporate governance, the Securities and Exchange Commission and the Central Bank of Nigeria introduced new Codes of business conduct. Concrete steps have been taken

to reduce leakages and increase the country's revenue base through the Petroleum Industry Bill and the new Personal Income Tax (Amendment) Bill 2011. Etc.

Also, the Independent Corrupt Practices and other Related Offences Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC), have intensified efforts at combating economic and financial crimes thus sanitizing the country's business environment.

### **SOCIO-ECONOMIC DEVELOPMENT**

The Socio-Economic Development thematic area focuses on visible elements of government policies, impacting directly on the lives of citizens. Recent Reports by the UNDP and the MDGs already show marginal improvements in life expectancy, maternal, health and girl-child education, as well as reduction of incidences of HIV/AIDS and child mortality.

The Vision 20:2020 which is a long term economic transformation blue print, articulates Nigeria's economic growth and development strategies. The Vision is designed to place Nigeria among the world's leading 20 most industrialized nations by the year 2020 by optimizing the utilization of human and natural resources to achieve rapid economic growth and equitable social development.

Concerted efforts are being made by all levels of government at reducing poverty and improving access and quality of education for the citizenry. In the area of gender equality, women participation in governance has improved considerably both in the executive and legislative arms in a determined effort to fulfill the protocol on Affirmative Action.

### **CROSS-CUTTING ISSUES**

Some of the cross-cutting issues identified in the past are gender, HIV/AIDS, peace and security, health, education, conflict resolution, corruption and good political governance. With regard to the Private Sector, the cross cutting issues involved are gender issues, capacity development, and information and communication technology.

Some achievements have been recorded in this area particularly in relation to the mainstreaming of gender in the programmes and legislative framework of the country and HIV/AIDS. Availability of resources, however, remains a main obstacle to the achievement of the APRM goals in Nigeria. Disparities continue to exist between the public and private sectors regarding employment equity targets.

# **PART 2**

## **Main Report**

## 1.0 OVERALL ASSESSMENT OF THE IMPLEMENTATION PROCESS

Nigeria voluntarily acceded to the APRM in 2003 and was peer reviewed in October 2008 at the First Extra-Ordinary Summit of the Forum in Cotonou, Benin Republic. The implementation of the National Programme of Action commenced in 2009 and the First Progress Report on its implementation was presented by Mr. President, His Excellency Dr. Goodluck Ebele Jonathan, GCFR, at the 14<sup>th</sup> Summit of the Forum in January 2011 in Addis Ababa, Ethiopia. The NPoA has been mainstreamed into the national budget and the national development planning processes, including the Vision 20:20:20.

### 1.1 Management Structures for the National Programme Of Action:

The process of domesticating APRM in Nigeria and ensuring diligent implementation of its major deliverables, specifically the NPoA, are the responsibilities of the management structures put in place to achieve its objectives. These structures are provided for in the APRM Base Document and were subsequently approved by Federal Government of Nigeria. These are as follows:

- a. **National Focal Point (NFP):** This is a very high –ranking official of the Nigerian Government charged with the responsibility to coordinate and oversee the process of domesticating APRM in the country. He provides the critical political support that is required to drive the process. The APRM National Focal Point in Nigeria is the Secretary to the Government of the Federation, an office which also coordinates all the Agencies and functions of Federal Government.



- b. **National Council on APRM:** This is a body of highly qualified Nigerians and Nigerian institutions carefully composed to reflect experience/competence in project management as well as expertise in monitoring and evaluation. The Council also reflects the principle of federal character in its composition. It has the responsibility to superintend, as well as coordinate, the implementation of NPoA in Nigeria and report on same to Continental Secretariat on the APRM. It receives, collates and analyses the monitoring and evaluation reports submitted by relevant structures at Federal, State and Local Government levels and submits same to the Continental Secretariat of the APRM in South Africa.
- c. **National Joint Committee on Implementation of NPoA:** It is a body that is composed of broad sections of stakeholders drawn from public and private sectors of the Nigerian society with sufficient professional competence to undertake the implementation of approved NPoA projects. The Committee includes Government Agencies, Professional Bodies, Civil society Organizations and the Organized Private Sector.
- d. **National Committee on Monitoring and Evaluation of the Implementation of NPoA:** It has membership drawn from relevant public and private sector organizations with competence and expertise in project monitoring and evaluation. Its mandate is to diligently monitor and evaluate the implementation of NPoA with a view to ensuring that stakeholders operate within the context of the best practices and standards envisaged in the APRM Base Document and the Review Report

on the country. The Committee is also composed of Government agencies, relevant Professional Associations, and CSOs.

- e. *NEPAD Nigeria* serves as the Secretariat for the above mentioned Committees and has the responsibility to provide administrative, financial and technical support services for these Committees. Furthermore, similar structures are replicated at the state level with a view to facilitating simultaneous effective implementation of NPoA at the Federal, State and Local Government levels.

## **1.2 Issues and Challenges**

### ***i. Harmonization of NPoA with Existing National Plans and Budget***

A central issue of concern in the implementation of NPoA is the need to harmonize its contents within the national development plan and the budgetary process. This concern is however not peculiar to Nigeria as shown by a study conducted by AfDB on the implementation of NPoA in Ghana, Kenya and Rwanda in 2007. The three major issues which are also observable in Nigeria are:

- discrepancies in the cost of the various NPoAs and the information held by the relevant sector ministries and agencies;
- weak co-ordination among the institutions responsible for financing the programmes; and
- the practical difficulty of identifying APRM-NPoA programmes and projects in the national budgets.

In the Nigerian case, some of the agencies identified as implementing agencies do not in fact draw funds from the national budget for the implementation of their programmes. Such institutions in Nigeria include the Central Bank of Nigeria, Securities and Exchange Commission, National Judicial Commission, Federal Inland Revenue Service (FIRS) and the Nigerian Communications Commission.

**ii. Sources of Funding:** The implementation of NPoA envisages three main sources of funding, namely, the national and state budgets; private sector; development partners and the civil society. The main source of funding of NPoA in Nigeria is the budgetary system both at the Federal and State Government levels. Some support is however received from development partners, especially the UNDP and some other development partners such as the UK Department for International Development which are collaborating with Federal and State Governments especially in the areas of education, capacity building and public service reform. The private sector and the civil society are not yet involved in the funding of the NPoA.

**iii. Costing:** Costing of projects and programmes is highly technical yet central to the efficient implementation of projects and programmes. The costing of NPoAs if not done within the national budgetary framework often leads to double counting.

**iv. Monitoring and Evaluation:** Under the APRM structures exists the National Committee on Monitoring and Evaluation which is charged with the responsibility for monitoring and evaluation. There are thus three

institutions for monitoring and evaluation, namely; the National Planning Commission charged with the overall monitoring and evaluation of national projects and programmes; the resident Department of Planning, Monitoring and Evaluation of the NEPAD Nigeria Office, and the APRM Department. This arrangement can lead to conflicts and duplication of functions which need to be carefully managed.

*v. Legislative Process:* The implementation of NPoA is hampered by slow process of domestication inevitable in the procedural stages of the legislative processes in a federal state. Consequently, many protocols and treaties bearing on NPoA projects signed by Nigeria are yet to be ratified, domesticated and implemented by both the federal and state legislatures.

### **1.3 Measures for Overcoming the Challenges**

1.3.1 In spite of these constraints, the Nigerian Government has made important strides in implementing the APRM-NPoA Programme, especially the mainstreaming of the National Programme of Action into the national planning and budgetary processes and domestication of the NPoA in the Federal and States of the Federation. Many of the initial problems that were encountered have been overcome through the establishment of replication of Management structures at the Federal level and their replication at the state level, especially the creation of Focal Point Officers at the Federal and State Ministries, Departments and Agencies. Furthermore, an aggressive capacity building programme that was put in place has bridged the monitoring and evaluation gaps. In fact, manuals containing guidelines on the

implementation as well as monitoring and evaluation of programmes have been produced for use by Federal, States and Local Governments.

1.3.2 As noted earlier, the stock taking exercise carried out by the APRM Department revealed substantial initial lack of in-depth understanding of the NEPAD processes, classification of NPoA projects/programmes, and the various budgets of MDAs. This gap has now been bridged through collaborative efforts and exchange of ideas between NEPAD Nigeria and the various Ministries, Departments and Agencies.

#### **1.4 The Role of Non-State Sector in the Funding of NPoA**

1.4.1 So far, the funding of NPoA in Nigeria has been largely through the national, states and local governments and some development partners. Efforts are being made to secure the commitment of the private sector and civil society in this regard. UNDP had at the initial stage of implementation of NPoA funded a number of activities especially in the areas of public enlightenment programmes and the preparation of APRM Country Report on Nigeria should be noted. Some other development partners such as the UK DFID are also collaborating with Federal and State Governments in the areas of education, capacity building for civil servants and reform of the public service

#### **1.5 Lessons learnt in the Implementation Process**

1.5.1 The implementation process of the NPoA has thrown up a number of issues and challenges which have been discussed in some lessons have also been learnt. These include the following:

- i. establishment of structures for the implementation of the National Programme of Action and their replication at the state level. This has assisted tremendously in the implementation of NPoA especially in a Federalist structure as Nigeria;
- ii. the need for the involvement of resource allocation units such as the planning and budgetary authorities in order to facilitate the harmonization of the NPoA with existing plans and for provision of resources for the implementation of NPoA;
- iii. the need for an enabling law for the operation of NEPAD both at the Federal and State levels; and
- iv. the need for further engagement of the Private Sector, the Civil Society and the development partners for increased commitment to the implementation of NPoA.

## **1.6 Next Steps Planned/Way Forward**

### **1.6.1 The next steps planned involve the following:**

- i. provision of an enabling law for the operations of NEPAD at the Federal and State levels;
- ii. a renewed sensitization of the National Assembly and the States Houses of Assembly; the Federal and State Ministries of Justice on ratification and domestication of Standards and Codes;
- iii. increased training and capacity building at the Federal and States' levels on the implementation and monitoring and evaluation of NPoA;
- iv. streamlining of monitoring and evaluation mechanism;

- v. regular consultative meetings among the established structures for the implementation of NPoA at the Federal and State levels;
- vi. preparation for the 2<sup>nd</sup> Country Self-Assessment review;
- vii. preparation for the production of the third Progress Report on the Implementation of the National Programme of Action.

## **2.0 Methodology**

- 2.1 This Second Progress Report was prepared following a series of activities embarked upon by NEPAD Nigeria, which started with the production of Questionnaires for both State and Local Governments and FMDAs lead implementing Agencies for monitoring and evaluation of NPoA implementation.
- 2.2 This was followed by a stock-taking phase, APRM Desk Officers in NEPAD Nigeria, by letter Ref. No. NEPAD/APRM/RNP/2011 were directed to visit the thirty-six (36) states in Nigeria and the Federal Capital Territory (FCT) as well as the Federal Ministries, Departments and Agencies (FMDAs) designated as lead NPoA implementing Agencies to collect their 2011 budgets and implementation Reports. The officers were further directed to track NPoA projects in the various budgets collected and to ascertain the level of financial commitment therein. Sixty-seven (67) out of seventy-five (75) responded favourably from the states and local governments and sixty (60) out of seventy one (71) responded favourably to the request from FMDAs. Additional data were thereafter from the States, Local Governments and FMDAs.

### **3.0 Democracy and Political Governance**

3.0.1 Democracy and Political Governance theme has nine (9) specific objectives; namely:

- i. Prevention and Reduction of Intra and Inter-State Conflicts;
- ii. Promotion of Constitutional Democracy and the Rule of Law;
- iii. Promotion and Protection of Economic, Social, and Cultural Rights and Civil and Political Rights;
- iv. Upholding the Separation of Powers, particularly the Independence of the Judiciary and of effectiveness of the Legislatures;
- v. Ensuring Accountability, Efficiency and Effectiveness of Civil Servants and Other Public Office Holders;
- vi. Fighting Corruption in the Political Sphere;
- vii. Promotion and Protection of the Rights of Women;
- viii. Promotion and Protection of the Rights of Children and Young Persons;
- ix. Promotion and Protection of the Rights of Vulnerable Groups, including the disabled, displaced persons and refugees.

#### **3.1 Objective 1: *Prevention and Reduction of Intra and Inter-State Conflicts.***

3.1.1 Nigeria is a country of great diversity, with multi-ethnic and multi-religious characteristics. The country has witnessed a series of internal conflicts arising from agitation for resource control, political struggles, ethnic interests, land disputes, and religious intolerance etc. The most recent of these incidents are the Niger Delta crisis; the Boko Haram episode in the North Eastern area of Nigeria; post election violence at the conclusion of the April, 2011 General



Elections; and the ethno-religious crises in Jos, Plateau State, Kafanchan, Kaduna State and other areas.

In its efforts to resolve these crises, the Federal Government has always placed emphasis on dialogue. In most cases, Administrative Committees and Judicial Commissions of enquiry have been set up to find lasting solutions to the crises as well as ways of preventing future occurrences in order to ensure sustainable development and a peaceful and stable society. Some of these Committees are:

- Presidential Advisory Committee on Jos, Plateau State Crisis, headed by Chief (Dr.) Solomon Lar.
- Presidential Committee on Security Challenges in the North-East (Boko Haram), headed by Amb. Usman Galtimari
- Presidential Committee on the 2011 Elections Violence and Civil Disturbances, headed by Dr. Sheik Lemu.

3.1.2 To arrest the Niger Delta crisis, the Federal Government of Nigeria granted amnesty to the militant youths in the region. In order to forestall future re-occurrence and as part of the Amnesty Programme, the government has embarked upon large scale socio-economic development of the Niger Delta region, especially massive infrastructural developments in the form of roads, housing projects, electrification and provision of safe drinking water. Over 8,000 former militants and 15,000 non militant youths have been trained in specialized and general skills in the areas of Commerce, Oil and Gas, Dredging, Agriculture, Tourism and Entertainment. The Amnesty Programme of the Nigerian Government is yielding positive results as peace has been restored in

the Niger Delta region. Oil exploration and drilling have improved tremendously.

### **Mechanisms Established for Preventing, Reducing and Managing Intra/Inter-State Conflicts in Nigeria:**

3.1.3 Government in its effort to manage internal conflicts also strengthening the following established bodies/institutions.

- **Nigeria Inter-Religious Council (NIREC):** This came into being as a voluntary association made up of fifty (50) members, comprising 25 Christians and 25 Muslims to provide a platform for high-level dialogue between Christians and Muslims, with a view to promoting public good and mutual respect and understanding among practitioners of the two major religions. The body is co-chaired by the Sultan of Sokoto and President-General of the Supreme Council for Islamic Affairs (NSCIA), and the President of the Christian Association of Nigeria (CAN).

Though a voluntary organization, NIREC receives support and assistance for the pursuit of its aims and objectives from the government.

- **Nigerian Institute for Peace and Conflict Resolution (NIPCR):** This was established to research into the causes of conflicts with a view to mainstreaming the findings and recommendations into peace building efforts in the country.
- **National Boundaries Commission:** The Commission is an institution of Government that is responsible for sustaining mutual and peaceful relationship between the states and among communities over border disputes.

- **Niger Delta Development Commission (NDDC):** the NDDC was established as an intervention agency of Government with the sole mandate of providing infrastructures in the oil-rich Niger-Delta region of Nigeria. It was created largely as a direct response to the demands of the people of the Niger Delta for rapid socio-economic development, and to address the problems of environmental degradation caused by oil exploration, drilling and gas flaring.
- **Federal Character Commission:** The Commission was established to give effect to the 3<sup>rd</sup> Schedule Part 1-c paragraph 8 (1) of the 1999 Nigerian Constitution which provides that the composition of government or any of its agencies and the conduct of its affairs must conform to and reflect the federal character of Nigeria. It was established to promote national unity and command national loyalty through fair representation by ensuring that there shall be no predominance of persons from a few states or ethnic/religious sectional groups in government institutions or any of its agencies.
- **Adoption of Alternative Dispute Resolution Mechanism (ADR):** Towards ensuring effectiveness and efficiency in the dispensation of justice, Alternative Dispute Resolution Mechanisms, such as Mediation, Arbitration and Early Neutral Evaluation were put in place. This was also to reduce the workload of conventional courts, decongest the court dockets as well as limit excessive cost and undue delays in accessing justice. This Multi-Door Courthouse system is being tried in Lagos and

Abuja; it offers the judges a chance to encourage litigants to use the best “door” appropriate to their circumstances.

- **Judicial Reforms:** In order to address the challenges facing the Judiciary such as infrastructural deficiencies, procedural inefficiencies, corruption, poor conditions of service, archaic system of recording and filing, as well as delays in the dispensation of justice, the Chief Justice of the Federation, in October, 2011 constituted a 28 man judicial reform committee made up of retired Chief Justices of the Federation and renowned legal luminaries, to deliberate on the need to restore peoples’ confidence in the judiciary. More courts are also being built across the nation.

3.1.4 Nigeria has not been involved in any inter-state conflict since the International Court of Justice ruling on the dispute between Nigeria and Cameroun over the ownership of the Bakassi Peninsular. On the other hand, Nigeria continues to lead and make enormous human, material and financial sacrifices to resolve sub-regional, regional and international conflicts.

### **3.2 Objective 2: *Promote Constitutional Democracy and the Rule of Law.***

3.2.1 Nigeria has witnessed uninterrupted twelve years of constitutional civilian rule since 1999. There have been three successive civilian to civilian transitions namely; President Olusegun Obasanjo (1999-2003 and 2003-2007), Late President Umaru Musa Ya’ardua (2007-2009), and President Goodluck Jonathan (2009 till date).

- 3.2.1 The National Assembly was able to successfully amend some sections of the Nigerian Constitution so as to reflect the yearnings and aspirations of the people. Indeed, this was the first time the Constitution was amended by the representatives of the people since the return to democracy in 1999.
- 3.2.2 The Nigerian Government, in its commitment to ensure credible and competitive elections, set up the Justice Mohammed Uwais Electoral Reform Panel in 2008. The Report was subsequently forwarded to the National Assembly in March, 2010 by President Goodluck Ebele Jonathan and many of its recommendations accepted and implemented before the General Elections of 2011.
- 3.2.3 In March 2011 the President signed into law, an amended Electoral Act to address some of the various challenges identified in the application of previous documents. This guided the conduct of the April 2011 General Elections.
- 3.2.4 Some of the important highlights of the 2011 Electoral Act are:
- the open secret ballot system in which the ballot box must be positioned at a conspicuous location during voting;
  - The results must be posted in the polling booths;
  - that votes must be counted and announced at the polling units;
  - INEC was given the power to de-register parties that failed to win a seat in either the National Assembly or state legislative bodies.
  - a cap was placed on how much money can be spent on an election campaign: Presidential aspirants- a maximum of N1billion;

Gubernatorial candidates, N200million; National Assembly, N40million and State Assembly, N20million.

- all political parties are required to present their campaign expenses to the INEC six months after the election which must be signed by the party auditors and chairmen; and
- INEC was given powers to take all decisions relevant to the execution of its mandate, including schedules for its elections.

3.2.5 The amended Electoral Act bolstered confidence in INEC. While signing the new Electoral Act into law, President Goodluck Jonathan, reiterated his Administration's commitment to guaranteeing the sanctity of the ballot box by conducting free, fair and credible elections.

3.2.6 The 2011 General Election was a major success as both national and international observers, including NEPAD-APRM observation team, adjudged the election as free, fair and credible. The success recorded in the April 2011 General Elections was rooted in the determination of the Federal Government to institute and implement an electoral reform that would ensure the independence of the electoral body (INEC) and eschew executive interference in the electoral process.

### **3.3 Objective 3: *Promotion and Protection of Economic, Social and Cultural Rights and Civil and Political Rights.***

3.3.1 The Nigerian 1999 Constitution guarantees the fundamental rights of all Nigerian citizens. Nigeria has also domesticated the African Charter on Human and Peoples Rights. The Government, in an effort to promote and protect the rights of citizens, strengthened the National Human Rights Commission with

the mandate to monitor, promote and protect the human rights of all Nigerians. The Commission uses the media to propagate its functions. The Commission is now further empowered to discharge its mandate.

3.3.2 The mandate of the Legal Aid Council was reviewed in the new Legal Aid Act 2011 recently assented to by the President in an effort to enhance its activities in the area of handling cases brought to it by litigants, especially indigent and underprivileged Nigerians who require its services.

3.3.3 Nigerians enjoy a great deal of political rights. The Freedom of Information has been added to the Fundamental Human Rights with the signing into law of the Freedom of Information Bill in 2011. Most importantly, the nullification of the Public Order Act by the Nigerian Court of Appeal has ensured that restrictions and policing of the right to freely assemble are lifted, thereby protecting important civil liberties.

#### **3.4 Objective 4: Uphold the Separation of Powers, including the Protection of the Independence of the Judiciary and the Legislature.**

3.4.1 The Doctrine of Separation of Powers is a fundamental constitutional provision in Nigeria. To ensure the independence of the Legislature and the Judiciary, each of them accesses its budgetary allocation directly as appropriated, without any interference from the executive.

3.4.2 The Legislature in Nigeria is quite independent and has made important strides towards exercising its independence through their oversight activities on the actions of the executive. They have demonstrated total independence in the choice of their leadership without imposition by the executive. The

Judiciary is equally independent in exercising its constitutional powers and responsibilities without undue interference from the executive. It has thus helped to promote the cause of democracy while upholding the rule of law, especially in the handling of civil and sensitive political cases such as the landmark judgments in the following cases:

- the power of the National Assembly to extend the tenure of office of local government chairmen;
- the registration of political parties;
- state control over natural resources; and
- the sacking of some elected officers and reordering of elections in some states, Federal Legislature/State Houses of Assembly elections etc.

Though the three arms of government are independent of each other, they have been working cooperatively to achieve good governance for all. Their harmonious relationship has contributed greatly to the country's socio-political development.

### **3.5 Objective 5: *Ensure the Accountability, Efficiency and Effectiveness of civil servants and other public office holders***

3.5.1 The Federal Government of Nigeria initiated and embarked upon a series of public service reforms to reposition the service and make it more efficient, effective, productive and accountable in government business. The reform programmes cover major of public service, among which are:

- Public Procurement Reform
- Budget Formulation Reform
- Pension Reforms
- Public Revenue/Tax Reform



- Payment System Reforms
- Health Sector Reform; and
- Service Delivery Reform (SERVICOM)

These reforms are based on government's determination to enforce efficiency and effectiveness in resource management, reduce corruption in public service, and improvement of service delivery of public institutions.

3.5.2 The need to reposition the Public Service as a world class service provider that will accelerate national growth and development caused the President to set up a Presidential Committee on the Review of the Reform Processes in the Nigerian Public Service, in March, 2011. Led by Alhaji Adamu Waziri Fika, the Committee was assigned to undertake a study of previous public service reforms, assess their impact and examine the structure of MDAs in relation to manpower utilization for effective service delivery. Also in March 2011, the Federal Government signed into law, a new National Minimum Wage in order to improve the performance of public officers and provide a living wage for Nigerians.

### **3.6 Objective 6: *Fighting Corruption in the Political Sphere***

3.6.1 The present Administration is quite aware of the debilitating effects of corruption on the nation's political, economic and social landscape. This was why, on assumption of office in May, 2011, the President openly declared a zero tolerance on corruption in all facets of the society. The transformation agenda embarked upon by this Administration since inception is targeted at restoring the virtues of transparency, accountability, efficiency, effectiveness and respect for the rule of law, in the conduct of government businesses.

3.6.2 The Administration believes firmly that the essence of government is the promotion of the welfare and well being of the Nigerian people. To ensure that political office holders operate within the ambit of the law and that corruption is reduced to the barest minimum, the transformation agenda of the present Administration focuses on Good Governance. Within the review period, Government and relevant agencies put up the following mechanisms to check the excesses of political actors as well as vigorously prosecute the war against corruption:

- expansion of the mandate of the Bureau of Public Procurement (BPP) in order to enhance performance in curtailing recklessness in the use of public funds;
- signing into law of the amended electoral Act, to serve as a guide and empower the Independent National Electoral Commission (INEC);
- pegging the amount individuals are allowed to donate at electioneering campaigns at a maximum of one million Naira and the maximum amount any contender to a public office can spend on election campaigns. This measure has impacted positively on the electoral system as there was noticeable reduction in electoral fraud and vote buying during the April 2011 General Elections;
- Intensification of security during political campaigns and elections which reduced thuggery and political killings considerably.
- **Government adopted a policy of non interference in the prosecution of corrupt officers by the Economic and Financial Crimes Commission (EFCC) and Independent Corrupt Practices and Other Offences**

**Commission (ICPC).** These agencies have intensified the fight against corrupt public officers as a result of the capacity widening support from government. A lot of former political office holders have been prosecuted by the EFCC, while efforts are being made to repatriate those who flee the country.

- **signing into law of the Freedom of Information Bill** in order to aid investigation by all stakeholders in the fight against corruption, as well as to make room for transparency in information dissemination in the country; and
- reforms have also been undertaken by the judicial arm of government to instill efficiency and effectiveness in the court processes, especially as it relates to the prosecution of corrupt public officers. This is aimed at addressing the problem of incessant adjournments and backlog of cases which have been frustrating the efforts of anti-graft agencies.

3.6.3 The fight against political corruption has also been taken to the grassroots level as a measure for the peoples' reorientation and early inculcation of discipline and other appropriate virtues. The following are actions taken in this regard:

- registration of over two million Nigerians under the National Anti-corruption Volunteer Corps (NAVC) – a voluntary public mobilization platform against corruption;
- approval of a National Values Curriculum for Universal Basic Education (1-3) and Senior Secondary Schools;

- Formation of over 2000 Anti-corruption clubs in secondary schools nationwide;
- engagement of NYSC Members in the Anti-corruption Community Development Services and the National Anti-corruption Volunteer Corps.
- engaging Non-Governmental Organizations (CSOs) in community advocacy under the ICPC/NGO coalition programme.
- launching of the Local Government Integrity Initiative (LGII) in many local Government Areas with the aim of building and promoting the culture of integrity and zero tolerance for corruption in local government administration.
- conducting workshops, symposia and seminars to educate specifically targeted groups across the nation.

### **3.7 Objective 7. *Promotion and Protection of the Rights of Women***

3.7.1 Nigeria is signatory to a number of international protocols on women, and all the standards and codes with regard to women affairs have been ratified and are being domesticated in the country. Besides, the 1999 Constitution of the Federal Republic of Nigeria provides for non-discrimination against women. The country went further to publish a National Gender Policy and National Policy on Women which the Federal Ministry of Women Affairs uses as working documents.

3.7.2 In order to ensure the integration of gender perspectives in policy decisions, the Nigeria Vision 20:2020 document stresses a commitment to gender equality and 35% representation for women in decision-making positions. The present Administration places women in the fore front in all its socio-economic policies as reflected in all the reforms, especially the education and

health sector reforms. These reforms have started yielding expected dividends as girl child enrollments in schools have improved dramatically while maternal mortality rate has dropped significantly since the Federal Government recruited 2000 qualified midwives and mobilized them to various rural communities.

3.7.3 Government is undertaking advocacy programmes in the areas of sensitization and awareness creation to enlighten women on their rights as well as on various health improvement practices and drugs relevant to their daily lives. In terms of domestication of the standards and codes on women related matters, some State Assemblies in the federation have passed laws or adopted the relevant instruments on maternal and child rights.

3.7.4 While some states, like Anambra, Imo, Ebonyi, Nasarawa, Plateau, Ogun, Ekiti, Abia, Rivers, Taraba etc have passed the Child Rights Law, others undertook the domestication and adoption of international conventions based on their peculiar socio-cultural and religious backgrounds. For example, while Cross River and some other states addressed child abuse by prohibiting child marriages and female circumcision and gender violence by prohibiting domestic violence against women and maltreatment of women, states like Edo, Rivers, Delta, Ogun and Osun enacted laws prohibiting inhuman treatment of widows, dehumanizing and harmful traditional practices and abolition of female circumcision.

3.7.5 The Federal Government uses advocacy and persuasion in its efforts at making more States adopt the instruments. With the conviction that

education is the major instrument of women empowerment, some states like Borno, Katsina, Yobe and Zamfara have established all girls' boarding schools to promote girl-Child education, especially in the area of science and technology. These efforts have started yielding results in the area of girl child enrollments into schools.

3.7.6 Already, Federal Government Girls Colleges exist in the 36 States of the Federation and the present Administration has committed reasonable resources in equipping them. The Federal and State Governments also offer scholarships to female students in order to encourage their education. Also, the Federal Government is specially reorganizing the Federal Scholarship Board and Students Loans Board to equip them with gender mainstreaming guidelines.

3.7.7 Other efforts of government and other agencies towards promotion of women's rights and empowerment include:

- the establishment of Girls education project (GED) - a joint effort of the Federal and State Governments supported by the United Nations Children Fund (UNICEF) and Department for International Development (DFID) to encourage Girl-Child education. These efforts have increased Girl-Child school enrollment to a significant level and about 20 States of the Federation are now involved in the project;
- launching of State Chapters of the Nigerian Girls Education Initiative in the Northern States of the country in order to address the dearth of female teachers in the region; and

- budgetary allocation to the ministry of education has been on the increase and the present Minister of Education is a woman. She serves as a model to encourage female education initiatives.

### **3.8 Objective 8: *Promotion and Protection of the Rights of Children and Young Persons***

3.8.1 Nigeria acceded to the Convention on the Rights of the Child in April 1999 and domesticated the Convention at the level of the Federal Government. But as at today, only about 22 States have adopted and domesticated the instrument. In its efforts at improving the lot of children and young persons, and with the ultimate desire to mobilize them for sustainable development, the Federal Government developed a National Youth Policy in 2001 and later created a full Ministry for Youth Development. The Ministry is mandated to mobilize the Nigerian Youth and coordinate all youth groups towards effective national development. The Ministry has undertaken several youth advocacy and sensitization programmes, workshops, seminars and symposia aimed at redirecting, reorienting and mobilizing Nigerian Youths towards positive engagement with their country.

3.8.2 Also the Federal Government, through the Ministry of Finance in collaboration with the State Governments, launched a National Youth Empowerment Programme (YES) in November 2011, to develop the entrepreneurial potentials of the youth and empower them for the establishment of small scale industries.

### **3.9 Objective 9: *Promotion and Protection of the Rights of Vulnerable Groups, including the Disabled, The poor, IDPs and Refugees.***

3.9.1 The Present Administration believes that all citizens are important, blessed with peculiar endowments, and therefore has roles to play in the development of the country. In order to avoid stigmatization of groups, the National Assembly is about to pass a bill that outlaws discrimination against disabled persons. The physically challenged are specifically encouraged in the versatile skills and fields of endeavour while those that desire to go to school are encouraged through special scholarship programmes.

During the reporting period, the Federal Government initiated diverse actions aimed at addressing the problems of displaced persons, among which are the following:

- deployment of military personnel for rescue operations in flood devastated areas of the country in 2009, 2010 and 2011;
- deployment of joint military teams to crises-ridden areas to quell the situation and restore peace;
- through the National Emergency Management Agency (NEMA), government has been providing relief packages and compensation to displaced persons and victims of disasters;
- establishment of more centers for NEMA in order to enable the Agency coordinate the vast landscape of the nation and respond effectively to calls for duty as and at when due;
- Approved, in November 2011, the procurement of a helicopter by NEMA, for prompt emergency rescue and ambulance services in disaster situations.



## **4.0 Economic Governance and Management**

### **4.01 The Economic Governance and Management thematic area has five (5) specific**

#### **Objectives, namely:**

- i. Promote macroeconomic policies that support sustainable development.
- ii. Implement sound, transparent and predictable government economic policies.
- iii. Promote sound public financial management
- iv. Fight against corruption and money laundering and
- v. Accelerate Regional Integration by participating in the harmonization of monetary, trade and investment policies.

#### **4.1 Objective 1: *Promote Macroeconomic Policies that support Sustainable Development***

4.1.1 The policy focus of Nigeria's Vision 20:2020 is the promotion of macroeconomic policies that support maintenance of stability with a view to positioning the economy on a sustainable growth and development trajectory. Accordingly, some of the key macroeconomic strategies are based on three pillars, namely, guaranteeing the productivity and well-being of Nigerian people, optimizing key sources of economic growth and fostering sustainable social and economic development. The strategies include the following:

- achieving double digit growth rates and maintaining strong economic fundamentals, including inflation, exchange and interest rates as well as other monetary aggregates;
- achievement of significant progress in economic diversification such as to achieve an economic structure that is robust and consistent with the goals of Nigeria Vision 20:2020;
- stimulating the manufacturing sector and strengthening its linkage to the agricultural and oil and gas sectors in order to realize its growth potentials and serve effectively as a strong driver of growth;
- raising the competitiveness of the real sector to increase the demand for Nigeria's non-oil products and services;
- deepening the financial sector and sustaining its stability to enable it finance the real sector;
- encouraging massive investments in infrastructure and human capital and creating an enabling environment for domestic and private investment; and
- adopting pragmatic fiscal management and implementing appropriate monetary, trade and debt management policies to support domestic economic activities.

4.1.2 During the period under review, considerable progress was made in the areas of growth of the economy. The overall growth of the economy in 2010 was 7.85% as compared with 6.7% and 6.0% in 2009 and 2008 respectively. The major contributors to the improved GDP growth were oil and gas, telecommunications, building and construction, and wholesale and retail

trade. The telecommunications sector remained the fastest-growing sector of the economy. The performance of the manufacturing sector remained disappointing in 2010 due to poor state of infrastructure especially, power supply. The non-oil sector grew at 8.5 percent in 2010 as against 8.3 percent in 2009. The domestic debt/gross domestic product ratio has also generally been on the decline since 2003 from 28.6% to 12.85% in 2010. One of the objectives of macroeconomic policies was to achieve a single digit interest and inflation rates. Although this objective was not achieved during the period under review, inflation rate hovered around 12.1%. Although, the Monetary Policy Rate was 6.25% in 2010, the interest rate was in the double digit.

**Table 1 Selected macroeconomic indicators in Nigeria (2000-2010)**

<b>Economic Indicators</b>	<b>1990</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
GDP growth (%)	8.2	5.4	4.6	3.5	9.6	6.6	5.8	5.3	5.7	6.0	6.7	7.85
Oil sector growth (%)	5.6	11.1	5.2	-5.2	23.9	3.3	-1.7	-3.7	-5.9	-6.2	0.5	4.6
Non-oil sector growth (%)	8.6	4.4	2.9	4.5	5.2	7.8	8.4	9.5	9.2	9.0	8.3	8.5
External reserves (US\$)	-	-	-	-	-	-	-	42,298	51,333.2	53,000.4	42,382.5	32,339.3
External	106.5	64.9	57.3	72.1	61.1	84.5	69.2	7.4	4.0	17.5	9.28	

debt/GDP												
Domestic debt/GDP	31.3	32.2	36.6	26.1	28.6	25.3	20.8	18.6	19.2	15.23	12.85	
Overall BOP/GDP	-2.1	6.9	0.5	-10.3	-2.3	5.2	10.5	12.7	1.4	8.02	9.12	
Inflation rate (%)	7.5	6.9	18.9	12.9	22.2	15	17.9	8.2	5.9	11.6	11.5	12.1
Average Official exchange rate (Naira/US\$)	7.9	101.7	111.9	121	127.8	132.8	132.9	128.5	127.4	139.27	142.89	152.0
MPR								10.0	9.5	9.75	6.0	6.25

Sources: i) CBN Annual Reports and Statement of Accounts  
ii) CBN Statistical Bulletin  
iii) National Bureau of Statistics (NBS)

## Power Sector Reforms

4.1.3 The Power Sector reform which started in 2005 with the 2005 Electric Power Sector Reform Act (**EPSRA**) aims at increasing efficiency in power generation, transmission and distribution. Upon assumption of office, the present Administration launched a Road map for Power Sector Reform which aims at providing ways and means by which Nigeria intends to achieve generation of 40,000 Megawatts of electricity within one decade.

4.1.4 It is expected that by the end of the first quarter of 2012, the Federal Government must have completed transferring its equity in 17 out of the 18 PHCN successor companies to core investors, PHCN workers and relevant state governments. A critical step in this direction was the convening of Electric Power Transaction and Industry Conference on 28<sup>th</sup> and 29<sup>th</sup> November 2011 to review the progress so far made in the reform process.

4.1.5 The international community has shown enormous interest to invest in Nigeria's power sector as over three hundred expressions of interests were received; out of these, 212 companies from 38 countries have been prequalified to bid for the successor companies.

4.1.6 The present Administration also paid 57 billion Naira monetized benefits which had been denied PHCN staff for seven years as well as set aside for PHCN workers, a percentage of the shares in the 17 PHCN successor companies scheduled for privatization. In spite of the nation's current economic challenges, the Federal Government approved a 50% salary increase for PHCN staff, and the conversion of about 11,000 casual workers to regular staff. The ongoing reform in the power sector is expected to create employment and business opportunities as well as attract Foreign Direct Investment in the country. It will enable electricity workers earn competitive wages and generous conditions of service and attract the most modern state of the art technology in the sector. It will boost capacity building and revive the industrial sector as the nation's factories will be supplied with regular power for production and domestic purposes.

### **Banking Sector Reforms**

4.1.7 The banking sector underwent a major reform in the period under review. The reform was designed to ensure a diversified, strong and reliable banking sector so as to ensure the safety of depositors' money and enhance the confidence of both local and international business players in the Nigerian economy.

Other objectives of the reform include the following:

- to enhance the quality of banks;
- to establish financial stability;
- to enable the evolution of a healthy financial sector;

- to ensure that the financial sector contributes to the real economy and;
- to improve financial infrastructure supervision, auditing, accounting and corporate governance.

Some of the key elements of the banking reforms are:

- capital injection of N620 billion into Nine Banks that were found to have significant erosion in capital base;
- minimum reliance of banks on public sector funds;
- adoption of a risk -focused and rule- based regulatory framework;
- adoption of zero tolerance in the regulatory framework, especially in the area of reporting and interactions;
- removal of Managing Directors of eight banks which were found to have significant erosion in capital base;
- establishment of Assets Management Corporation of Nigeria (AMCON) to serve as a veritable vehicle to free banks from the weight of their non-performing assets and accelerate the process of their recapitalization;
- establishment of the Financial Stability Committee (FSC); and
- adoption of common year end for banks.

## **4.2 Objective 2: *Implement Sound, Transparent & Predictable Government Economic Policies***

4.2.1 Stakeholders' participation in policy, planning and budgeting was enhanced during the period under review. The Economic Transformation Blueprint of Nigeria's Vision 20:2020 was produced and launched in 2009. The objective

of the Nigeria's Vision 20:2020 is to launch Nigeria into the league of the 20 largest economies in the world by year 2020.

4.2.2 The visioning process involved active participation and input from a broad spectrum of Nigerians in the public and private sectors of the economy both at home and in the Diaspora. Experts from various Ministries, Departments and Agencies of Federal, State and Local Governments as well as Non-Governmental Organizations and captains of commerce and industry participated in the visioning process.

The various sectors of the economy were mapped out into 29 thematic areas, namely, Agriculture; Business Environment and Competiveness; Corporate Governance; Culture, Tourism and National Orientation; Education; Employment; Energy; Environment; Financial Sector; Foreign Policy; Government; Health; Housing; Human Development; ICT, Judiciary & Rule of Law; Manufacturing; Media and Communications; Niger Delta and Regional Development; Political System; Science and Technology; Security; SMEs; Sports Development; Trade and Commerce; Transport; Urban and Rural Development; Water and Sanitation. Twenty –nine National Technical Working Groups comprising experts drawn across the spectrum of the public and private sectors of the economy were constituted to produce the draft blueprint for the various sectors. The Government also constituted nine Special Interest Groups (SIG), comprising among others, People with Disabilities (PWD); Judiciary; National Assembly; Women and Youth.

4.2.3 The budgetary process also requires that the Fiscal Strategy Paper and the Medium Term Expenditure Framework be laid before the 326 House of Representatives members and the 109 Senate members of the National Assembly for debate. During this period, interested members of the public are free to observe the debate. It is mandatory as part of the procurement process to invite civil society organizations to observe MDAs procurement processes of goods and services. As part of the process of ensuring transparency and accountability, allocations of funds to the three tiers of government from the Federation Account are published for information of members of the public.

#### **4.3 Objective Three: *Promote Sound Public Finance Management***

4.3.1 The Federal Government of Nigeria has introduced series of reforms and measures in the management of public finance. Major policy frameworks in this direction include the following:

- Development of a fiscal policy strategy for laying out priorities and direction of budget and periodic publication of budgetary releases to FMDAs.
- Nigeria Extractive Industry Initiative (NEITI) aimed at ensuring transparency in the extractive industry. The agency is empowered to seek for clarification on how much companies make from their operations, tax paid to government and their contribution to the development of their host government.
- Introduction of the Medium Term Expenditure Framework (MTEF) aimed at projecting revenue and expenditure estimates for a period of



time. This policy framework aligns the budget to specific objectives and makes the budgetary process more transparent. It enhances civil society participation as well as discipline and efficiency in public finance management

- Introduction of Integrated Personnel Payroll System (IPPIS) aimed at the elimination of payment of salaries to nonexistent workers (Ghost workers) This measure has helped the government to save several millions of Naira in the payment of salaries to Federal workers and fishing out ghost workers from its payroll. IPPIS is being extended to more MDAs while the other two tiers of government are being encouraged to adopt it.
- Introduction of e-payment system which is the application of electronic means in financial transactions between government, business entities and citizens. The objective of this system is that it enables easy tracking of payments to beneficiaries' account hence:
  - it reduces cases of corruption;
  - assists corruption fighting Agencies like EFCC and ICPC in cases of investigation;
  - reduces transactions cost; and
  - enhances transparency and accountability in government business and among public offices etc.

### **Sovereign Wealth Fund**

4.3.2 A major milestone in public finance management is the establishment of the Sovereign Wealth Fund, aimed at saving excess revenue from the sale of

crude oil for the future. This will enhance fiscal stability, budget discipline and growth of the country's revenues from external sources.

#### 4.3.3 Other measures include:

- the establishment of Cash Management Committee headed by the Federal Minister of Finance to ensure budget diligence and compliance;
- oversight functions of the Public Accounts Committee of the National Assembly to scrutinize and query any unauthorized expenditure in the FMDAs; and
- strengthening the functions/mandate of the EFCC and ICPC to instill probity in the management of public finance.

#### 4.3.4 There are strong indications that Nigeria's economic reforms are producing positive results particularly in terms of their impact on growth and macroeconomic stability. Achievements in this regard include the following:

- reduction in the level of inflation.
- a general rise in the rate of economic growth.
- moderate decline in poverty index from 65.6 percent in 1996 to 53.4 percent in 2004 and projected to less than 36.6 in 2009;
- improvement in public finance management as a result of appropriate legislation, fiscal and monetary policies (e.g. the Fiscal Responsibility Act, and the Public Procurement Act, etc). Some successes in the fight against corruption, and transparency in governance have contributed to improvement in the country's sovereign rating and increased government spending on infrastructural development.

## Diversification of Sources of Revenue

4.3.5 Governments at the three tiers still rely, to a large extent, on the oil revenue.

As part of the efforts by the Federal Government to diversify the sources of revenue, the Federal Inland Revenue Service has undertaken a number of reforms in the tax system. These include the adoption of a new tax policy, review of tax laws, widening of the tax net, modernization of operations, education and enlightenment of tax payers and registration of taxable persons.

4.3.6 Arising from these aggressive reforms, revenue from taxes has been on the increase. Table 3.0 shows the annual revenue growth from 2008 – 2010.

### 3.0 Percentage Annual Revenue Growth (2008 – 2010).

Tax Type	FG Targets			Actual Collection			Growth (%)	
	2008 (N'B)	2009 (N'B)	2010 (N'B)	2008 (N'B)	2009 (N'B)	2010 (N'B)	2009	2010
Oil Taxes	1,536	639	1,203	2,061	939	1,480	-54.42	57.58
Non Oil Taxes	738	1,270	1,304	911	1,257	1,359	37.95	8.11
Total	2,274	1,909	2,507	2,972	2,196	2,839	-26.10	29.27

**Sources: Federal Inland Revenue Service Report to NEPAD**

4.3.7 A cursory look at the figures in table 3.0 shows that actual tax collections exceeded tax targets from 2008 to 2010. However, tax receipts reduced significantly in 2009 due to the fall in oil prices as a result of the global economic and financial crises. A growth rate of 29.27% of tax receipts was recorded in 2010.

#### **4.4 Objective Four: *Fight Against Corruption and Money Laundering***

4.4.1 The fight against corruption and money laundering is being pursued vigorously. The EFCC has cumulatively recovered assets valued over US\$11.0 billion and secured over 650 convictions. As part of the efforts to reposition anti-corruption and anti-money laundering agencies, the Money Laundering (Prohibition Act 2004) has been revised. The EFCC currently operates the revised version of the Money Laundering (Prohibition Act) 2011 which addresses the observed loopholes in the 2004 Act, especially as it relates to the Nigerian Financial Intelligence Unit (NIFU) and the Special Control Unit, two units which deal with Designated and Non-Designated Financial Institutions in Nigeria.

4.4.2 For purposes of strengthening the Commission and providing more interfaces with the public, some strategic units were created. These include the following:

- **the Transactions Clearing Platform:** This enables foreign investors seek the EFCC to check out their prospective business partners here in Nigeria before they formalize their business transactions. This is an online interface and has saved many investors from being duped by some unscrupulous businessmen. It is done with assistance from the Corporate Affairs Commission which confirms or otherwise, the corporate status of such organizations and unveils the identities of their Directors;
- **Strategy and Re-Orientation Unit (SARU),** is the advocacy arm of the EFCC which captures every segment of the populace and

designs strategies to reach them, involve them, engage them and get them to own the fight against corruption and economic and financial crimes. Other measures put in place to combat corruption are, passage of the 2011 Anti-Money Laundering Prohibition Act which addresses observed loopholes in the 2004 Act especially as it relates to Nigeria Financial Intelligence Unit (NFIU) and the Special Control Unit under Money laundering (SCUML), two arms which deal with Designated and Non- Designated Financial Institutions (DFIs & D-NFIs) respectively in Nigeria;

- the EFCC leadership has exploited the full potentials derivable from inter-agency cooperation and this has helped immensely by way of:
  - greater synergy
  - information sharing
  - joint training
  - joint investigation
- trainings and competence Development of personnel have been used consistently to equip the staff of the Commission on evolving trends in crime detection, investigation, prosecution and security information management, among others;
- the measures adopted by the EFCC have enjoyed tremendous support through institutional partnership and collaborations with blue-chip companies like Microsoft which has gone into a couple of MOUs with the Commission.

- other such measures put in place by the EFCC include: Mutual Legal Assistance Treaty (MLAT) with countries like the UK, USA;
- Donor support service with NDOCCC, UNDP, for funds/technical support
- compliance with international AML Regimes like, ECOWAS protocol, FATF (Financial Action Task Force), Egmont Group Membership,
- AU Protocol, amongst others

4.4.3 The EFCC, in concert with the Ministry of Justice, is rigorously pursuing and strengthening its confiscatory and forfeiture laws with a view to recovering all stolen funds and assets within and outside Nigerian shores.

4.4.4 The lack of a viable crimes data base and its attendant consequences on crime investigation and record-keeping is unprecedented. Hence, the inter-agency collaboration between the Nigerian Communications Commission (NCC) and the EFCC in the area of SIM card Registration and documentation to help investigators trace crimes in the telephony and internet banking business is being introduced in the Central Bank of Nigeria.

4.4.5 Finally, the passage into law of the FOI Act (Freedom of Information) by the National Assembly is a huge push for law enforcement agencies like the EFCC, Police, ICPC etc. as they enjoy more information flow from the Nigerian public.

4.4.6 The measures enumerated have direct bearing on the following which formed the basis for Assessment:

- The public sector
- The private sector
- Attitudinal change

- Governance
- Followership
- Foreign perception

4.4.7 Percentage of Reduction in Financial crimes in Nigeria in the last two years is here broken down in sector terms for clearer understanding:

	Naira (=N <b>b</b> )	Dollars (US\$m)
Banking Fraud .....	650	4.3
Taxation Fraud .....	3.5	23.3
Fraud in Local Business .....	150	10.0
Multi-National (Penalties).....	36	240
Others:		
Forfeitures	135.5	903.3
Advance free fraud		
Sum Total	975.0	1,180.9

4.4.8 These Figures represent about 60% of all recoveries and prevention of cash in flight within the last two & half years from the entire grand total of ~~N~~11 Billion made since its inception in 2003.

#### 4.5 Objective 5: Accelerate Regional Integration by Participating in the Harmonization of Monetary, Trade and Investment Polices

4.5.1 Nigeria is one the frontline countries within the ECOWAS sub-region. It participates fully in the harmonization of monetary, trade and investment policies of ECOWAS.

### 5.0 CORPORATE GOVERNANCE

5.0.1 Corporate Governance serves a major purpose of aggregating the interests of individuals, corporations and the society. It tries to draw a balance between economic and social goals as well as between individual and community goals.

5.0.2 Corporate Governance is inextricably intertwined with economic and political governance, such that good corporate governance can only be achieved under good economic and good political governance. In that direction, Nigeria has ratified and domesticated most of the international, regional and sub-regional standards and codes relating to corporate governance, and is using them with the aim of promoting effective and efficient business activities.

5.0.3 Some of these standards and codes include:

- Principles of Corporate Governance in the Commonwealth (1990)
- African Charter for Popular Participation in Development and Transformation (1990).
- Conventions on Combating Bribery of Foreign Public Officials in International Business Transparency (1997)
- Guidelines on Corporate Governance of State- Owned Enterprises (2005) (OECD)
- Convention for the Unification of Certain Rules for International Carriage by Air (Montreal 1999)
- Convention on the Establishment of International Fund for Compensation for Oil Pollution, Damage and Protocol 71/92.

#### **Progress on Implementation of the Objectives of Corporate Governance.**

5.0.4 The Corporate Governance thematic area of APRM has five specific objectives namely:

- To provide an enabling environment and regulatory framework for economic activities.
- To ensure that corporations act as good corporate citizens with regard to human rights, social responsibility and environmental sustainability.
- To promote the adoption of codes of good business ethics in achieving the objectives of the corporation.
- To ensure that corporations treat all stakeholders, shareholders, employees, consumers, suppliers and communities fairly.
- Providing for accountability of corporations, Directors and Officers.



## **5.1 Objective 1: *To Provide an Enabling Environment and Regulatory Framework for Economic Activities***

5.1.1 The Nigerian Investment Promotion Commission (NIPC) is established by Act of Parliament to attract, promote, coordinate, encourage and monitor all investments in Nigeria. Its functions include, among others, to:

- provide necessary assistance and guidance for the establishment and operation of enterprises in Nigeria;
- initiate and support measures which shall enhance the investment climate in Nigeria for both Nigerian and non-Nigerian investors;
- promote investments in and outside Nigeria through effective promotional means; and
- collect, collate, analyze and disseminate information about investment opportunities and sources of investment capital and advise on request

5.1.2 The three tiers of Government have undertaken various reforms since the restoration of democratic governance in 1999. These reforms are targeted at repositioning the entire political and socio- economic system on the path to sustainable development. At inception, the present Administration, through its agencies, embarked upon a transformation agenda to ensure good governance in all facets of the country's political, economic and social terrain. The major aim of this agenda is wealth creation through employment generation; infrastructural development; and the rule of law. Among actions taken to achieve these goals are:

- **Repositioning and Renaming the Ministry of Commerce and Industry as Ministry of Trade and Investment** .The Ministry is mandated to take all necessary measures to create a conducive environment for productive, profitable and efficient business endeavours that will spur economic growth and development.
- **Establishment of a Ministry of Information and Communication Technology in July 2011**. The Ministry was created to facilitate the efficient and effective use of information communication technology to

generate employment, revitalize the sector and position it for 21<sup>st</sup> century challenges. It is also expected that the ministry will hasten the convergence of all IT related agencies in Nigeria for a much faster ICT policy implementation.

- **Development of a new Code of Corporate Governance that is more encompassing and more comprehensive.** In the quest to improve Nigeria's corporate governance system and ensure the highest standards of transparency, accountability, responsibility, integrity, fairness, efficiency and effectiveness, the government, through its agencies, designed a new code for promoting good corporate governance practices in Nigeria. The code was published in April, 2011, in line with international best practices, and is expected to address all the issues in corporate governance not addressed by the 2003 code of the Securities and Exchange Commission.
- **Commissioning of a Committee for the Restructuring and Streamlining of Federal Parastatals and Agencies in September, 2011.** Headed by a former Head of the Civil Service of the Federation, the Committee was commissioned to harmonize over 400 existing Federal Government Agencies and Parastatals. The purpose is to streamline their activities, regulations and supervision; reduce overlap and conflict in schedules, as well as insufficiency in the delineation of roles. The Committee has completed the assignment and government is studying the report.
- **Power Sector Reforms:** Appointment of skilled technocrats to the Ministry of Power is designed to resolve the perennial problem of power outage. The main objective is to enhance and facilitate the ongoing reforms in the sector, aimed at increasing efficiency in power generation, transmission and distribution. It is expected that the country's generation capacity of electricity will increase from the present 4500 Mega watts to 10, 000 Mega watts (MW) by the end of the first quarter of 2012. Further reorganization is still going on under the power sector reforms in order to deregulate the sector and stimulate private sector investment in electricity generation. Power challenges have for years been a strong

impediment to the realization of economic objectives in Nigeria, particularly in the manufacturing sector.

- **Railway system development.** The present Administration is committed to developing the railway sector to ensure the movement of people and freights under the aegis of Nigeria Railway Corporation (NRC). The Mass Transit Train Service (MTTS) recently added a Lagos to Ilorin service to its existing routes. This is necessitated by the need to complement road transportation system which has been the dominant mode of transport in Nigeria for over three decades.
- **Massive rehabilitation and extensive expansion of major Highways** all over the country, to strengthen transportation, enhance safety and improve the environment for transport dependent businesses.
- **Establishment of Abuja Bus Rapid Transit (BRT) System:** Impressed by the success of the Lagos BRT that impacted positively on traffic situation in Lagos, and with the aim of easing transport gridlock that is becoming a feature in the Federal Capital Territory, government through the Federal Capital Territory Administration (FCTA), launched the Abuja BRT system on 24<sup>th</sup> May, 2011.
- **Business Registration Reforms:** In order to lessen the burden of investors who hitherto have to deal with multiple agencies during start up and close phases of business in Nigeria, the Federal Government, through the Corporate Affairs Commission (CAC), approved the establishment of a one – stop – center. The CAC now has a desk at the one –stop center that facilitates business incorporation and registration for joint venture and foreign companies. The Kwara State Government also adopted this idea by establishing a one- stop shop where investors interact with the organized private sector and civil society groups. The Bayelsa State Government also created the office of Special Adviser to the Governor on Business Development.

5.1.3 These activities have led to an increase in the number of incorporated Companies, combined share capitals and capitalization. The demonstrable confidence reposed on the Nigerian economy by these moves also manifested in a gradual return of foreign equity which took flight during the recent global recession.

5.1.4 Other efforts of the government and its agencies aimed at providing enabling environment and attracting investors' confidence include:

- **The Companies Regulation Act of 2010** which introduced new statutory forms for parts A, B, &C, developed in line with global best practices. Clear guidelines have been provided by the regulation for all new registration and post registration services.
- **Collaboration with EFCC in a Transactions Clearing Platform:** This is an online interface of the EFCC done with the assistance of CAC in which the CAC has to confirm the corporate status of Local partners to an intending foreign investor to unveil the identities of their Directors and save the foreign investor from any intent to defraud.
- **Issuance of default notices to operators in most of the regulated sectors.** In order to ensure compliance with the provisions of the Company and Allied Matters Act (CAMA) 1990 and related enactments, the CAC also followed up these notices with inspection visits and public enlightenments in major cities of the country. These efforts resulted in improvement in compliance with specific provisions of the CAMA and other related enactments by regulators in the economy.
- **Delisting of dormant Companies from the register.** Discovering that over 400, 000 Companies failed to file annual returns since incorporation, an indication that such Companies are not in business or operation, Corporate Affairs Commission in accordance with the provision of section 525 of the CAMA, de-listed such companies.
- **Tax Reforms:** Through the Federal Inland Revenue Service (FIRS), the Federal Government responded to the need for a strong tax administration in order to attain international best practices in tax

administration and address government concerns about the precarious reliance on oil revenue receipts as the mainstay of the country's economy. Some of the concrete steps taken to reduce leakages and increase the country's revenue base are:

- **A New National Tax Policy;** which is to serve as an all time guiding principle for all taxes in the country.
- **A New Tax Administration Law (TAL).** This serves to simplify tax administration as well as amend all existing tax laws. Efforts are being made to review and to update obsolete ones and abrogate those that have become irrelevant.
- **The New Personal Income Tax (Amendment) Bill, 2011.** The bill aims at introducing wholesale changes to personal income tax administration in Nigeria, so as to bring various provisions of the law up to date.
- **A National Tax Payer Database** is being developed to ensure that all Corporate and individual entities have unique tax payer number across State and Federal jurisdictions. In this regard, every entity is expected to be uniquely identified using Taxpayer Identification Number (TIN).
- **Companies Income Tax/Pioneer Status:** The Companies Income Tax has been amended in order to encourage potential and existing investors and entrepreneurs while the grant of pioneer status to an industry is aimed at enabling the industry to make reasonable level of profit within its formative years. The profit so made is ploughed into the business. It is a tax holiday granted to qualified or eligible industries anywhere in the federation and seven years tax holiday for industries located in economically disadvantaged local government areas of the Federation. Currently, about sixty nine (69) industries are in the approved list of declared pioneer industries that can benefit from the tax holiday.

5.1.5 The reforms in the tax system earned the country an appointment into the United Nations Committee of Experts on International Cooperation in Tax Matters in August 2009. This afforded the country, the opportunity to actively

participate in the affairs of the committee, so as to key into training opportunities in international tax administration.

- **Hosting of the IMF Technical Assistance Mission between 18<sup>th</sup> and 29<sup>th</sup> October 2010.** The mission visited the country to assess the status of its modernization and reform programs and provided advice on some basic steps, such as strengthening the self-assessment system, enhancing tax payer education and services, and developing appropriate regime of taxation for small and micro enterprises.

The Petroleum Industry Bill (PIB) is still pending before the National Assembly, but it aims at simplifying the royalty and tax collection; capture windfall profits; encourage low cost operations; encourage the development of small fields and increase government stake on large profitable fields in deep water. A lot of effort has also been expended in the areas of tax-payer education, public enlightenment, modernization of operations, integrated tax administration system and registration of taxable persons.

- **Commercial Dispute Resolution:** Towards ensuring effectiveness and efficiency in the dispensation of justice, Alternative Dispute Resolution (ADR) Mechanisms have been put in place to reduce the workload of Nigeria's conventional courts. Through the ADR, most small businesses now secure out of court settlement of cases with cost effectiveness. The ADR centers try to mediate commercial disputes thereby reducing the load on courts while at the same time saving the parties the costs of litigation.
- **Judicial Reforms:** In order to address the challenges facing the Judiciary, reforms are also being undertaken by that Arm of government to reposition the system for efficient and effective dispensation of justice. More courts are being built across the nation and efforts are made at liberalization of the jurisdiction of high courts to entertain fundamental rights cases under the constitution, as well as the methods of approaching the courts. The right of action for

enforcement of rights, and liability for violation, has also been extended to companies and individuals.

- **Capital Market and SMEs' Access to Finance:** The Nigerian capital market which slumped at the pick of global economic recession has started picking up. This is attributed to the present Administration's commitment at achieving the country's Vision 20:20:20 objectives. As a result of the extension of the CBN guarantee of interbank transactions in January and May, 2010, the money market stabilized in the review period. The May 2010 extension of the interbank guarantee was designed to cover up to June 2011. Being aware of the indispensable roles the SMEs have to play in achieving the Vision20:2020 objective, the present Administration, through its agencies like the Small and Medium Enterprises Development Agency (SMEDAN). The Central Bank of Nigeria (CBN) Bank of Industry (BoI), National Economic Reconstruction Fund (NERFUND) National Bureau of Statistics and international partners like United Nations Development Programme, United Nations Industrial Development Organization (UNIDO) etc, engaged in massive capacity widening activities for the SME sector aimed at empowerment and recapitalization. Some of these efforts include the **National Policy on Micro Small and Medium Enterprises Development:** In collaboration with the United Nations Development Programme [UNDP] and all relevant stakeholders, SMEDAN delivered the first national Policy that would sign-post the development of the micro, small and medium enterprises [MSME] sub-sector. The policy effectively resolved the persisting confusion surrounding definitions of Micro, Small and Medium enterprises, [see Table below] as well as provided the platform for achieving institutional synergies in coordination, monitoring and evaluation in a National Consultative Committee on MSME Policy implementation. The national Committee has since been set up, while some states like Edo, Zamfara, Kwara,

Benue, Kebbi, Niger and Cross River have set up similar Committees to facilitate grass roots implementation.

Classification adopted by National Policy on MSMEs is detailed in the table below.

**Table: Classification of Sizes of MSME&SME**

	SIZE CATEGORY	EMPLOYMENT	ASSETS (N million, excluding land and buildings)
1	Micro enterprises	Less than 10	Less than 5
2	Small enterprises	10-49	5 – less than 50
3	Medium enterprises	50-199	50- less than 500

**Source: SMEDAN National Policy.**

- Information Services /Business Awareness Creation and Research: Business Clinic at the Agency’s Head Office.** The Agency set up a Business Clinic at its Head Office to offer specialized one-on-one business counseling to MSMEs and provide general business information on raw materials, machinery/equipment, etc. The Business Clinics at the Head Office Building serve as diagnostic, treatment and counseling centre for ailing businesses. The clinics also serve as incubation centre for business ideas, and are being extended to the local government areas.
- Train-the-Trainers’ Programme** :In collaboration with the International Centre for Entrepreneurship and Career Development [ICECD], Ahmadabad, India, SMEDAN trained over 70 representative of SME-focused Non-Governmental Organizations [NGOs] in Enterprise Development Services, so that they can directly impact on their members. Before the training in Nigeria, two batches of SMEDAN staff and some BDSPs had been trained in India. Two diets of the training were concluded in 2009- 2010 where over 200 trainees benefited.
- Entrepreneurship Development Activities:** The transformation agenda of the present Administration works effectively with SMEDAN to provide information, sensitize the people and deliver entrepreneurship/vocational training to several Nigerians. These services have enabled Nigerians such as, members of the National Youths Service Corps, women, youths etc, to start



new businesses as well as improve on their existing businesses. The statistics are as follows:

**Table: Entrepreneurship Development Activities**

<b>ACTIVITY</b>	<b>2009</b>	<b>2010</b>	<b>TOTAL</b>
Information Provision	1,704	802	<b>2506</b>
Sensitization	9,887	11,117	<b>21,004</b>
Capacity Building (EDP)	5,192	14,062	<b>19,254</b>
Access to Finance	50	110	<b>160</b>
<b>Total</b>	<b>11,641</b>	<b>26,091</b>	<b>42,924</b>

**Source: SMEDAN Report to NEPAD**

Other areas in which major strides have been recorded in the development of MSMEs are:

- Facilitating Access of MSMEs to Critical Resources through the Establishment of Industrial Parks under Public Private Partnership agreements.
- Two billion naira loan disbursement through NERFUND in 2009/2010;
- Collaboration of SMEDAN, NBS, CBN, NPC and UNDP in a national survey to determine the contributions of MSMEs to GDP.
- Provision of Business Development Services: engagement/accreditation of business [enterprise] development service providers (BDSPS)
- **\$500m Sovereign Guaranteed Program:** In view of the fact that the SMEs represent a strategic pillar for Nigeria's quest to modernize and improve its economy, the Federal Government, through the Bank of Industry (BOI), secured a five hundred million US Dollars worth of Sovereign Guaranteed Programme, in May 2011. The loan was approved by the Board of Directors of the African Development Bank (AfDB) and is meant to be channeled to SMEs through BOI by way of a multi- tranche line of credit. The fund is meant to finance domestic-oriented Small and Medium Enterprises (SMEs) through BOI with the aim of

achieving poverty reduction, employment generation and wealth creation through entrepreneurial, social and economic development.

- **Capital Market Development:** Irrespective of considerable resources invested by the Federal Government of Nigeria towards developing the capital market and bolstering investor confidence through effective regulation, the inflow of Foreign Direct Investment into the country remained unsatisfactory. In order to expose the opportunities that still abound and further develop the market, the Securities and Exchange Commission (SEC) Central Bank of Nigeria, Federal Ministry of Finance and Federal Ministry of Trade and Investment, collaborated to host an exclusive investment forum Tagged 'Project 50' on 31<sup>st</sup> October, 2011.

The forum provided a platform for the country's top government functionaries, business leaders, renowned global investors and prominent economic/business journalists to deliberate on the Nigerian Capital Market in the context of the country's development aspirations, fashion out creative pathways that will propel markets into the future. The event drew attention to government interventions for engendering market integrity and posturing for a truly robust and well regulated market.

The major objectives of the forum are to:

- share Nigeria's market regulation scorecard with the investment community;
  - identify and assess latent regulatory and systemic constraints which could potentially undermine market growth, explore creative solutions to such, and suggest modalities for implementation;
  - draw attention to market interventions targeted at enhancing market integrity and high level of compliance with regulatory provisions; and
  - create a platform for all market stakeholders to interact with a view to galvanizing the market for growth.
- The project is expected to make the following impacts on the Nigerian Capital Market:
- increase capital inflow fuelled by strengthened investor confidence.
  - upswing in market capitalization as trading volumes grow;

- listing of companies in the telecommunication /upstream oil and gas sectors on the Nigerian Stock Exchange; and
- generate perspectives and insights into the gaps existing in the revised Corporate Governance Code and other regulatory guidelines stipulated for operators.

5.1.7 The major constraints tending to frustrate the achievement of good corporate governance in line with the major objectives of the APRM process are as follows:

- Inadequate budgetary allocation to the subsector due to steady increase in activities, awareness and demands. In view of a large population of enterprises requiring different forms of assistance, coupled with the challenge of covering a large country like Nigeria, there is the need for more budgetary allocations.
- Prevalent insecurity which seems to have worsened since the conduct of last general elections. Insecurity has become a serious distraction to government's development intents, as the capital which would have been used for development purposes are now being diverted to the installation of security gadgets.
- Apathetic attitude of some members of the Organized Private Sector and ignorance of the informal sector especially at the grass roots level.
- Dearth of reliable and up-to-date data in designing specific intervention programmes for different segments of enterprises.
- The high cost of doing business in Nigeria due to operational infrastructural inadequacies, legal/ regulatory challenges and weak operation capacities of MSMEs. Expenses such as payment of commercial rates for training and capacity building, and mandatory regulatory fees by National Agency for Food and Drug Administration & Control (NAFDAC), Standards Organization of Nigeria (SON) and to a lesser degree, Corporate Affairs Commission (CAC) are hardly affordable, especially by start-ups. The Federal Government is also addressing these problems and hopes to develop a permanent solution in due course.

## **5.2 Objective 2: *Ensure that Corporations Act as Good Corporate Citizens with Regard to Human Rights, Social Responsibility and Environmental Sustainability***

5.2.1 Chapter IV of the 1999 Constitution of the Federal Republic of Nigeria has provisions relating to Human rights enforcement. The issue of Human rights is of general application and the Federal and State Governments have been consistent in their adherence to both the Constitution and relevant labour laws.

5.2.2 In March, 2011 a new National Minimum Wage was approved for the country. Among other benefits accruing to the government and people of Nigeria from the new minimum wage is that, it serves to ameliorate the suffering of the people under the current global economic crises, raise the general standard of living and efficiency of workers as well as have multiplier effects on poverty alleviation.

Though a welcome development, the new wage has provoked controversy between the state and Federal Government on the one hand and the governments and labour on the other.

5.2.3 Breaches of Constitutional human rights and labour laws by corporations, especially essential service providers, have been a recurring decimal in Nigeria and are rarely reported. This may be attributed to the laws that established some of them, which seem to have shielded them from public prosecutions. The massive privatization exercise being implemented in the country since the return to democratic governance in 1999, is gradually addressing this problem, since most of these companies are being privatized.

5.2.4 The Federal Government established the Legal Aid Council to assist the poorer members of the society in securing legal services. Through the Fundamental Human Rights (Enforcement Procedure) rules of 2009, it also addressed the issue of access to justice by the poor, by reducing the filing fees, and streamlining the procedure for human rights enforcement. In spite of all these, the cost of accessing justice in Nigeria remains very high due to gaps in

the location of courts and the fact that most individuals employed in conditions offensive to their human rights are usually too poor or ignorant to seek redress against powerful employers. Government took cognizance of this and is building more courts in different locations to address the problem and bring the courts closer to the people.

- 5.2.5 Most employers of Labour in Nigeria take advantage of the country's high rate of unemployment to employ workers under conditions that breach labour laws and sometimes undermine their fundamental human rights. The Federal Government of Nigeria is committed to liberating the populace, politically, economically and socially. In this regard, the Legal Aid Council which helps the poor to get justice and fair hearing in a law court has opened centers in different locations of the country.
- 5.2.6 The new wage Act may address the issue of underpayment but much is yet to be done in the area of conditions of service and environmental impact assessment of the activities of corporations. The three tiers of government are also addressing the problem of office environment as most public offices are yet to match international standards in terms of environmental friendliness.
- 5.2.7 In the past, Corporate Social Responsibility (CSR) was seen as being driven by philanthropy, but the present Government of Nigeria perceives it in a broader perspective. Companies are now expected to be committed in developing policies that integrate responsible practices aimed at protecting and improving the lives of workers and the communities in which they do business, into their daily operations. They are also expected to be reporting on progress made towards implementing these practices.
- 5.2.8 Most CSR reports in Nigeria reflect on the activities of companies operating in the mainstream oil and gas sector. Institutional investors like Pension Fund Administrators, Banks and Insurance companies have little or no record of integrating environmental, social and governance issues into their investment decision-making and ownership practices. Companies in the

telecommunication industry, especially GSM operators, only engage in promotional offers which cannot be rated as CSR activities.

5.2.9 Corporate Social Responsibility (CSR), heretofore regarded as a matter of corporate conscience, addressed by the new code of corporate governance. The new National tax Policy, has introduced a fair regime for deductible donations under the tax laws to enhance the ability of companies to engage in Corporate Social Responsibility.

5.2.10 Through dialogue and education on social awareness, relevant agencies of the Federal Government and some concerned State Governments, have achieved community awareness in holding business corporations responsible for their actions. Shareholders and investors through their Associations and through socially responsible investing are also exerting pressure on corporations to behave responsibly. Non-Governmental Organizations (NGOs) Community Based Organizations (CBOs) Human Rights Organizations (HROs) Private Sector Organizations (PSOs) and organized youth associations are playing increasing roles to cause several companies to redefine their collaborations with stakeholders.

Multinational Oil and Gas companies in the Niger Delta have of recent started taking CSR seriously, because of the wave of violence and the demands of the restive youths that characterized the later part of 2008.

5.2.11 Similarly, companies operating in the Niger Delta region have started to extend their scope of CSR into skills acquisition programmes aimed at youth empowerment; provision of essential services and education and scholarship programmes. Though adoption and reporting of CSR policies is in early stages in Nigeria, the major problem seems to be with measurement of performance. Government has taken cognizance of this in view of the relevance of CSR to the country's development.

### **5.3 Objective 3: Promoting Adoption of Codes of Good Business Ethics in Achieving Objectives of the Corporation**

- 5.3.1 In demonstrating its commitment to good business ethics, the Federal Government of Nigeria, enacted the Corrupt Practices and other Related Offences Act in 2000. This Act gave legal backing to the Independent Corrupt Practices and Other Offences Commission (ICPC).
- 5.3.2 The Economic and Financial Crimes Commission (EFCC) has been a leading vanguard in attracting Foreign Direct Investment as a result of its strategic moves in combating economic and financial crimes. Its actions led to the recovery of over 11 billion Naira since its establishment. The Commission has also done much in the prevention of cash flight leading to reasonable reduction in financial crimes, especially, money laundering.
- 5.3.3 Other organizations involved in the promotion of codes of good business ethics in Nigeria include the Securities and Exchange Commission (SEC), Nigerian Stock Exchange (NSE), The Central Bank of Nigeria (CBN), National Insurance Commission (NICOM) Code of Conduct Bureau, Institute of Chartered Accountants of Nigeria (ICAN), Association of National Accountants of Nigeria (ANAN) etc.
- 5.3.4 Enforcement of corporate integrity across the three levels of government by these organizations has achieved reasonable level of success. The Central Bank of Nigeria (CBN) is leading the way in the enforcement of corporate governance business ethics in the banking subsector. It went beyond the drafting of corporate governance rules to its enforcement by taking bold measures to enforce the code in Banks as well as unilaterally correcting the breaches.
- 5.3.5 In 2009, the CBN removed the CEO's of five Banks for unprofessional and unethical practices in the banking sector and replaced them with new management. In 2010, the CBN also revoked the operating licenses of 200 Micro Finance Banks (MFBs) following its audit of the sub- sector. The Securities and Exchange Commission (SEC) also sacked the leadership of the

Nigerian Stock Exchange as a result of Board room crisis that engulfed the stock exchange.

5.3.6 Some State Governments have gone extra miles to ensure compliance to business ethics. In Ebonyi State, the State Government created social orientation committees to promote and inculcate ethical standards as well as monitor the activities of public office holders, Managers and chief executives of public corporations. Also in Akwa Ibom State, the State Government convenes periodic meetings, seminars and workshops for Chief Executives and Heads of public and private companies. The Akwa Ibom Investment Promotion Council (AKIPOC) was established to liaise with the Organized Private Sector (OPS) to encourage and promote ethical standards in businesses. In Edo State, a fiscal governance and due process office was established to ensure accountability and monitor unethical practices while Ondo State undertakes regular auditing of publicly owned companies and regularly inspects privately owned companies to ensure compliance. The Bayelsa State Fiscal Responsibility Law 2009, emphasizes best practices for budget transparency.

5.3.7 The newly-published Code of Corporate Governance in Nigeria which replaced the 2003 Code was designed to institutionalize business ethics in indigenous and foreign companies operating in Nigeria. It also addresses most of the perceived weaknesses of the previous code. Most poignant in the new code is the introduction of whistle blowing procedures to check unethical practices in the industry. On the whole Corporate Governance in Nigeria is moving towards strong enforcement which should improve in the years ahead.

**5.4 Objective 4: *Ensure that corporations treat all their stakeholders (Shareholders, Employees, Communities, Suppliers and Consumers) in a fair and just manner.***

5.4.1 Under this objective, the Federal Government of Nigeria undertook the following Activities:



- **Establishment of Shareholders Associations:** In order to encourage public participation in the ownership of public corporations, and to ensure that Nigerians have representation and a voice in the running of the affairs of firms in which they invested, government facilitated the establishment of many shareholders associations. Initially, the associations were funded from interests earned on deposits of shares pending allotment but now, they are funded by the Nigerian Stock Exchange through a per capita levy placed on quoted companies. These levies are determined by the SEC and NSE based on the number of shareholders in each company.

Presently, a number of independent shareholders associations have emerged as a function of location and focus, and have registered with the CAC. This shows that Nigerian investors are no longer interested in the economic values of their shares only, but also in the right which share ownership gives them to influence corporate strategy and management.

- 5.4.2 The increase in shareholders activism and the increased number of vocal shareholders associations are testimonies of the Companies and Allied Matters Act (CAMA) 2004 provisions in the encouragement and protection of shareholders' interests. The shareholders' associations have been active in educating and enlightening their members on their rights and responsibilities, promoting solidarity among shareholders, and stimulating interest in the activities of their companies. Numerous court cases have been initiated by shareholders as a result of discontent arising from actions of Board of Directors.
- 5.4.3 CAMA also protects minority shareholders from oppressive conduct of a majority shareholder. Generally, voting in Nigerian corporations is governed by simple majority decisions and shareholders, in general meetings, can overrule the directors and dismiss errant or non-performing directors. The governing document of all companies in Nigeria, the Articles of Association,

can only be altered by the shareholders in general meetings. This gives them the overriding control to determine how companies operate.

- **Establishment of Assets Management Company of Nigeria (AMCON):** This Company was established in July 2010 as a key stabilizing and revitalizing tool to revive the financial system, by efficiently resolving the non-performing loan assets of the banks in Nigeria. It was designed to acquire Eligible Financial Assets (EFA) from Eligible Financial Institutions at a fair value and to put these assets to economic use in a profitable manner.
- **Publication of 2011 Code of Good Corporate Governance:** Government has taken cognizance of the rate at which shareholders' associations are multiplying, and has taken time to address the issue through the Security and Exchange Commission

5.4.4 Nigerian employees are shielded from excessive or abusive actions by labour laws and Nigeria has very active Labour Unions under the umbrella of the Nigerian Labour Congress (NLC) and Trade Union Congress (TUC) whose activities have, from time to time; brought erring corporations into line with legal requirements. The various Labour Unions have been negotiating collective bargaining agreements with employers for the protection of employees. Employers under such agreements are usually forced to the negotiating table or picketed into line when negotiations breakdown. The Ministry of Labour and Productivity also plays a mediating role between organized labour and employees in the public and private sectors.

5.4.5 The Consumer Protection Council (CPC) Act of 1992 provides ample protection for communities and consumers. The Council operates through State Committees established in the 36 states of the Federation. These state committees are empowered to require corporations to make enquiries based on complaints from individuals or communities on the activities of such corporations. Section 6(1) of the Act provides that *"a consumer or community that has suffered a loss, injury or damage as a result of the use or impact of*

*any good, product or service may make a complaint in writing or to seek redress through a State Committee".* A court of competent jurisdiction may fine or give a five year maximum jail term to any corporation that breaches the provisions of the Act in relation to trade, provision of services, supply of information or advertisement which causes loss. The Consumer Protection Council (CPC), Nigerian Copy Rights Commission, National Film and Censors Board and Standards Organization of Nigeria (SON) have all taken up the challenges of good corporate governance by aggressively enforcing compliance in line with international standards of best practices in their various mandates.

## **5.5 Objective 5: Providing For Accountability Of Corporations, Directors And Officers.**

5.5.1 Nigeria has adequate laws, regulatory agencies and professional bodies, established to ensure that the major actors in the corporate governance system operate in accordance with the core principles of good corporate governance. Such laws and bodies include:

- Companies and Allied Matters Act (CAMA)1990/2004
- Code of Good Corporate Governance in Nigeria 2011
- Nigeria Accounting Standards Act
- The Central Bank of Nigeria (CBN)
- Securities and Exchange Commission (SEC)
- Code of Conduct Bureau
- Bureau of Public Enterprises
- National Accounting Standards Board (NASB)
- Nigeria Institute of Management (NIM)
- Institute of Chartered Accountants of Nigeria (ICAN) etc.

5.5.2 To forestall insincerity, corruption and poor disclosure practices in the entire corporate governance system, and with the determination and commitment to strengthen the financial landscape, the Federal Government of Nigeria and its agencies have, within the last few years, embarked upon extensive legal

reforms. On 20<sup>th</sup> July, 2011, the Financial Reporting Council of Nigeria Bill was signed into law to replace the Nigerian Accounting Standards Board Act with new rules. The Council is expected, to among other things:

- harmonize regulatory and professional bodies responsible for corporate governance and financial reporting;
- monitor and ensure the accuracy, veracity and fairness of accounting and financial reports of publicly quoted companies;
- issue a Code of Corporate Governance guidelines aimed at promoting high quality corporate governance and reporting standards in line with international best practices; and
- harmonize various codes of corporate governance in the country to achieve uniformity.

5.5.3 The new Council is expected to align Nigeria with other countries and improve investor confidence so as to attract Foreign Direct Investment (FDI) to the country; produce a more meaningful and decision - enhancing information for financial statements issued in Nigeria, and establish accuracy and reliability of financial disclosures of companies operating in Nigeria.

5.5.4 The establishment of the Financial Reporting Council of Nigeria means that more meaningful and decision enhancing information can now be arrived at from financial statements issued in Nigeria since actuarial, valuation and auditing standards used in preparing these statements, are issued and regulated by the Financial Reporting Council. The Council is also expected to promote high quality corporate governance standards and reports that will foster investment in the country.

5.5.5 The decision of the Nigerian Government to implement wide-ranging reforms and openness in payments and receipts in line with the global multi stakeholders Nigerian Extractive Industry Transparency Initiative (EITI) led to the establishment of Nigerian Extractive Industry Transparency Initiative (NEITI) with the passage of the NEITI Act in May, 2007. This paved the way for the enthronement of a more open, transparent extractive (oil, gas and

mining) industry with the aim of holding government accountable for public revenue. The Nigerian version was designed to insulate the implementation of EITI Nigeria against the vagaries of policy reversals and political manipulations and has been borrowed by EITI implementing countries in Africa.

- 5.5.6 Considering the situation before NEITI, when the oil industry was opaque, the industry is opening up rapidly. One can always visit the relevant websites and see operational processes and actual figures and data concerning the operations of any oil company.
- 5.5.7 The institute of Directors recently promised to partner with the Nigerian Stock Exchange in the campaign for good corporate governance and best practices in work place, for all quoted companies. They reiterated the imperativeness for all stakeholders to fully embrace good corporate governance with particular focus on integrity, accountability, transparency, self regulation and effective internal control system.
- 5.5.8 In conclusion therefore, one can comfortably argue that the implementation of the National Programme of Action (NPoA) in accordance with the specific objectives of good corporate governance thematic area of the NEPAD APRM process is quite on course in Nigeria and has reached an advanced stage. The privatization exercise is still on with special focus on the power and oil /gas sectors, while the Federal and State Governments have embarked on large scale infrastructural development in their areas of competence and jurisdiction.

## **6.0 Socio Economic Development**

- 6.0.1 This thematic area focuses on the visible elements of government policies, the impact of which is observed in the lives of the citizens. It is the manifestation of government policies in the general lives of the citizens. Nigeria has signed, ratified and implemented almost all the international, regional and sub-regional standards and codes relevant to its socio-economic development.

6.0.2 The Socio Economic Development thematic area of the NEPAD APRM process has the following specific objectives:

- Promoting self reliance and building capacity for self-sustaining development.
- Accelerating socio-economic development to achieve sustainable development and poverty eradication.
- Strengthening policies, delivery mechanisms and outputs in key social development areas including education for all, combating HIV/AIDS and other communicable diseases.
- Ensuring affordable access to water, energy, finance (including micro finance) markets and information and communication technology (ICT) to all citizens especially the poor.
- Progress towards gender equality, particularly equal access to education for girls at all levels.
- Encouraging broad-based participation in development by all stakeholders at all levels.

**6.1 Objective 1: *Promoting Self Reliance and Building Capacity for Self-Sustaining Development.***

6.1.1 In order to improve on previous socio-economic development plans and in its commitment towards the transformation of the country, the Federal Government, in collaboration with the 36 States of the Federation, the Local Governments as well as the organized private sector and the civil Society, put in place a long term plan- Nigerian Vision 20:2020 (NV 20:2020).

6.1.2 The NV 20:2020 is a long term economic transformation blue print. It articulates Nigeria's economic growth and development strategies over an eleven year period from 2009 to 2020 and is designed to be implemented in a series of medium term national development plans. This is expected to be

achieved by optimizing human and natural resources to achieve rapid economic growth, as well as translating that growth into equitable social development for all citizens.

- 6.1.3 To realize the Vision, the present Administration in Nigeria has embarked upon a transformation agenda that pursues complete structural transformation of the society from a mono product economy to a diversified, industrialized economy, using the people as the major catalyst for growth and national renewal as well as investing to create an environment that enables the co-existence of growth and development on sustainable basis.
- 6.1.4 In order to bridge the gap between policy decision and policy implementation, as well as to deepen and develop the capability of government to consistently translate national strategic intent into actions and results through evidence-based decision making, the present Administration has constituted a 24-man strong Economic Management Team as the hub of government's economic decision making and a 15 man Economic Implementation Committee that will oversee the effective implementation of government policies.
- 6.1.5 Through various institutions and agencies, Federal, State and Local Governments are undertaking massive public awareness and sensitization of the people towards a national re-orientation. These programmes are targeted at improving the general well being of the entire citizenry and they cover the education, health and environmental sectors.
- 6.1.6 The Federal Government has also embarked upon massive rehabilitation of all the deteriorated federal highways, construction of new highways and expansion of existing ones that have come to be congested due to large traffic. For example, all the major roads that lead into the Federal Capital Territory, Abuja, have been converted to four lanes dual carriage ways in order to ease traffic flow. Also, the major federal highways connecting Abuja to the southern parts of the country are undergoing dualization. Similar efforts are also being undertaken by the Federal Government across the six geopolitical zones of the country.

- 6.1.7 With its emphasis on people, and in order to reinforce the principle that people should constitute the beginning and end motive of any credible and legitimate economic policy and development initiative, the Federal and State Governments have committed large resources to mass literacy and mass transit schemes. Under the Public Private Partnership (PPP) scheme, more than ten thousand mass transit buses have been launched by the Federal and State Governments in collaboration with the National Union of Road Transport Workers, an umbrella association of transport organizations in the country. In view of the dominance of the oil sector and its exposure to the vicissitudes of the international market, the Nigerian Government embarked upon a complete diversification of the economy by developing the non-oil sector.
- 6.1.8 The Government of Nigeria believes in Small and Medium Enterprises (SMEs) as the major engine of growth and has committed immense resources towards the realization of growth in this sector. In 2009, Government made available the sum of two hundred billion Naira (N200B) for agricultural expansion, under the Commercial Agricultural Credit Scheme (CACs). These funds were meant to stimulate the sector and return it to its position as the number one employer of labour, as well as to generate foreign exchange for the nation. Up to 133 Billion Naira had been disbursed as at July 2011 in 22 States of the Federation for various agricultural projects, leaving 66 Billion Naira in the coffers of the lending Banks for disbursement.
- 6.1.9 The Agricultural Credit Guarantee Scheme (ACGS) has been in existence since 1977 and is designed to ensure that practicing farmers can access lending banks through their State chapters of farmers Associations and State Implementation Committees for loans. The loans are given at a single digit interest rate while rebate is given to those farmers that comply with the repayment schedule of their loan facilities. As at June 2011, over 700, 000 Nigerian farmers had benefitted from the scheme.



## **6.2 Objective 2: Accelerating Socio-Economic Development to Achieve Sustainable Development and Poverty Eradication.**

- 6.2.1 The National Poverty Eradication Programme (NAPEP) was created in 2001 with the mandate of monitoring the poverty eradication efforts of the three tiers of Government, Non Governmental Organizations, international Organizations and the private sector. It also engages in special intervention programmes in order to reduce the level of poverty as well as to reach some specifically targeted groups in the country. From 2001 to 2004, NAPEP engaged in four poverty eradication intervention schemes namely, Youth Empowerment Scheme (YES), Rural Infrastructure Development Scheme (RIDS), Social Welfare Service Scheme (SOWESS) and Natural Resource Development and Conservation Scheme (NRDCS).
- 6.2.2 Since 2008, the programmes have been modified to reach the poorest of the poor in the society and address the challenges of trans-generational poverty, by ensuring that children of the vulnerable members of the society in the rural communities, who were of school age, were enlisted in schools. These programmes were implemented in collaboration with the Millennium Development Goals Office of the President, and were of three types: namely, Multi-Partner Micro Finance (MPMF), Conditional Cash Transfer/Care of People ( CCT/COPE ) and Village Economic Development Scheme (VEDS).
- 6.2.3 As the names imply, the MPMF was a micro credit scheme financed jointly by the Federal and State Governments in which beneficiaries were required to make a 10% minimum contribution in whatever project they wished to be engaged. The Federal Government invested more than two billion Naira in this programme, which was implemented in all the States of the Federation and the Federal Capital Territory.
- 6.2.4 The **CCT/COPE** was a grant, a Conditional Cash Transfer (CCT) programme, in which substantive amount of money was given to identified, vulnerable families among the poorest of the poor citizens in the rural communities. This money was paid over a period of one year on the condition that these

families, which must have children of primary to junior secondary school age but cannot afford to put them in school, must guarantee to enroll them into school for the family to continue accessing the payments. At the end of one year, a bulk sum of money was released to a representative of the family for him or her to start a business and continue to maintain the children in school.

- 6.2.5 The NAPEP Village Economic Development Solution (**VEDS**) was another plank in the fight against poverty, with a niche in the SMEs sector as the hub for industrial development. The programme was used to encourage the establishment of small and medium enterprises, known as Anchor Projects, in the rural communities, based on the community's comparative advantage in the production or availability of the major input demand of the enterprises.
- 6.2.6 Nigeria's population and budgetary constraints posed a great challenge to NAPEP in its efforts at making substantive impact in poverty eradication. A close look at relevant indicators in the country shows that the efforts of Government in all the sectors have started yielding positive results. For example, the UNDP 2011 Human Development Report released in November 2011 showed an improvement in Nigeria's human development index from 0.423 in 2010 to 0.459 in 2011.
- 6.2.7 Government in its efforts to achieve sustainable economic development, is making more efforts at improving the situation so as to achieve the target of the Millennium Development Goals (MDG) as regards poverty reduction. Government is also making efforts at harmonizing all the agencies involved in the eradication of poverty in Nigeria in order to instill efficiency and effectiveness in the pursuit of their mandates.
- 6.2.8 The State Governments are also addressing the issue of poverty as they consider peculiar or specific to their social environment. An example of such is the Mother and Child Care Initiative in Ebonyi State, where the State Government takes the responsibility for the health problem of vulnerable women and children, with special emphasis on women suffering from Vesicovaginal Fistula (VVF).

### **6.3 Objective 3: Strengthening Policies, Delivery Mechanisms and Outputs in Key Social Development Areas including Education for All, Combating HIV/AIDS and other Communicable Diseases**

6.3.1 In December 2010, the Federal Government of Nigeria launched a National Strategic Health Development Plan (NSHDP) to cover the period 2010 to 2015. This programme is to improve on the Health Sector Reform Programme (HSRP) that existed between 2003 and 2007. The NSHDP is designed to ensure that Non-Governmental Organizations (NGOs), the private sector, communities and donors work harmoniously to enhance the implementation of essential health services in line with national health policy goals. The HSRP suffered ineffective coordination which resulted in wastage and inefficiencies in the health sector without clear priorities and focus.

6.3.2 The new harmonized programme has a framework that prioritizes eight areas for improving the national health system, viz:

- Leadership and governance for health;
- Health service delivery;
- Human resources for health;
- Health financing;
- Health information systems;
- Community ownership and participation;
- Partnerships for health development and,
- Research for health

6.3.3 The problem of HIV/AIDS has been of immense concern to the Federal and State Governments in Nigeria due to the danger it poses to sustainable socio-economic development of the country. In addressing the pandemic, the two tiers of government created Presidential Committee on AIDS- National Action Committee on AIDS (NACA) and State Committees on HIV/AIDS respectively. The Federal Government launched the Universal Declaration of Access in 2005. Among others, this policy seeks to halt and reverse the spread of HIV/AIDS by 2015.

- 6.3.4 In order to effectively tackle the HIV/ AIDS surge in Nigeria, the Federal Government has made screening free in all government hospitals and, in collaboration with all stakeholders, intensified the free distribution of antiretroviral drugs (ARVs) to ensure the availability of the drug to all concerned. The aim is to ensure that 80% of men and women suffering from the virus benefit from the programme; since current statistics by the World Health Organization (WHO) suggest that only 21% of HIV/AIDS victims, are beneficiaries of the free ARV programme. Available statistics show that the incidence of HIV/AIDS is on the decline: Government actions have succeeded in reducing HIV prevalence from 4.6% in 2008 to 4.1% in 2010 and 3.1 in 2011.
- 6.3.5 The Federal Government has conducted a lot of oral polio vaccinations in collaboration with relevant agencies within the time frame of this report and Nigeria hopes to completely eradicate polio by the end of 2012. As the fight against polio is being concluded, the fight against malaria has been intensified with the Federal Government, through the Ministry of Health, embarking upon a nationwide, free distribution of treated mosquito nets to all households
- 6.3.6 In an effort to accomplish education for all in Nigeria, the Federal Government embarked upon Universal Basic Education (UBE) programme for the accomplishment of, amongst other things, the education related aspects of the MDGs. This programme commenced in 1999 but was only given legislative backing in 2004 with the Universal Basic Education Act of 2004, which later translated to the establishment of the Universal Basic Education Commission (UBEC) to coordinate the implementation of the UBE programme at the state and local government levels, through the State Universal Basic Education Boards (SUBEB) of each State and the Local Government Education Authorities (LGEAs).
- 6.3.7 The Programme focuses on supporting the State and Local Governments with additional finance and is designed to provide nine years of basic education for every Nigerian by which time the student should have acquired a level of

literacy, numeracy, manipulative, communicative, and life skills to function in a modern society. The Programme has recorded much success in the training of teachers and education managers for better education delivery and in restoring the people's confidence in public schools. This is evidenced in the increased school enrolments at all levels.

6.3.8 The major challenge facing the programme is the non- payment of matching grants by the states for the purpose of accessing existing funds for educational development. Unaccessed funds from UBEC stood at approximately, thirty four billion Naira (~~N~~34Billion) as of July 2011.

6.3.9 This problem was presented to the Governors, by the Minister of Education, in her address to the Governors Forum in November 2011. The Governors stressed ignorance caused by lack of clarity in the information available to their offices, as being responsible for the backlog but promised to address the issue in their states' 2012 budget. It is believed that other associated problems concerning data submission to UBEC and proper record keeping, would be resolved as the governors start sourcing the funds by making their counterpart contributions.

6.3.10 Government also, through the UBEC, embarked upon the distribution of Laptop and desktop Computers to secondary schools in the country. UBEC has also commenced a nationwide computer training exercise for teachers with the aim of boosting the computer / ICT knowledge of teachers in the country.

6.3.11 The Federal Government, through the National Teachers Institute (NTI), embarked upon large scale capacity building and capacity widening programme for Primary School Teachers. The general objectives of the programme are to:

- update the teacher's knowledge of subject matter;
- contribute to the development of positive attitudes and self concept by the teachers; and;

- enable teachers to make pupils perceive learning as an interesting and pleasant activity that promotes the development of self-understanding, inquiry and critical thinking abilities.

6.3.12 The specific objectives of the programme are:

- To upgrade the knowledge and skills of teachers in the teaching of the four core subjects;
- Disseminate skills on the improvisation and utilization of instructional materials and;
- Enhance the teachers' knowledge and skills in the nature, importance and effective use of School Based Assessment.

6.3.13 The Programme involves the training of 145,000 teachers from August 2007 till date, and covers the 36 States of the Federation and the FCT. The number of teachers trained in each state, under this programme ranges from 1,910 to 7092, depending on the population of primary school teachers in the state.

6.3.14 The fight against corruption in the country took a different turn with the President's declaration of a zero tolerance agenda for corruption in his inaugural speech of 29th May, 2011. The Nigeria Police, The Economic and Financial Crimes Commission (EFCC), Independent Corrupt and other Practices Commission (ICPC) Code of Conduct Bureau and Public Complaints Commission have all been re-equipped and have re-strategized in their methods of combating corruption, to ensure efficiency, effectiveness and transparency in the handling of corruption related cases.

6.3.15 The EFCC specifically, in collaboration with the Central Bank of Nigeria (CBN) and Corporate Affairs Commission (CAC) has substantially reduced money laundering and advanced fee fraud. The fight against cyber crime has also reached advanced stage. Despite these efforts, however corruption remains one of the greatest bottlenecks to rapid economic development and democratization in Nigeria.

**6.4 Objective 4: Ensuring Affordable Access to Water, Energy, Finance (Including Microfinance), Markets and Information and Communications Technology (ICT) to all Citizens, especially the Poor**

6.4.1 Nigeria's current power generation capacity is approximately 4,000 Megawatts of electricity as against immediate national demand of 10,000-15,000MW. In 2005 a Rural Electrification Fund (REF) was created to promote rural electrification and currently, about 600 of the 774 Local Government Headquarters in the country are connected to the national grid. Nigeria is a country of about 160 million people, but only about 40% of the population has access to electricity. This is grossly adequate, but the Federal Government hopes to conclude the on-going power sector reforms by the year 2012. This is expected to raise power generation to about 10,000 mega watts. Also negotiations have been concluded for the construction of a nuclear power plant in the country.

6.4.2 Nigeria is not living in isolation from other African countries when it comes to the problem of portable water. Despite the huge amounts committed to water resources and power generation, only about 72% of urban dwellers and 49% of rural dwellers have access to safe water. The Federal and State Governments, within available resources, have undertaken a series of reasonable investments in the area of water management.

6.4.3 The communication sector has witnessed enormous revolution in Nigeria within a few years. As at 1999, the number of telephone lines in the country was less than 500,000. With the adoption of the GSM, the number of telephone lines has increased to over 80 million. The increase in internet activities also necessitated the establishment of a Ministry of Information and Communication Technology in order to explore and take advantage of the growing sector.

**6.5 Objective 5: Progress towards Gender Equality, Particularly Equal Access to Education for Girls at All Levels.**

6.5.1 The unsatisfactory representation of women in political positions in Nigeria has been a continuous issue of general concern. The 1999 Constitution of the

Federal Republic of Nigeria clearly emphasizes encouragement of national integration and prohibited discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association etc. Nigeria also adopted a national gender policy to address the issue of gender parity and increased school enrollment for the girl child.

6.5.2 In preparation for the April 2011 General Elections, in a bid to ensure that women secured at least 35 percent representations in both elective and appointed positions, so as to form a strong national lobby group, the Ministry of Women Affairs and Social Development inaugurated a 100-women National Consultative Group. The group was saddled with the responsibility for mobilizing women politicians at national, zonal and state levels, for active and effective participation in the political process.

Though the 35% target was not achieved in elective positions, the group succeeded in raising women political consciousness as well as affecting an increase in the number of women occupying appointment positions. The percentage increase in women participation in politics is increasing gradually. The number of women in elective positions increased significantly from 27 in 1999 to 101 in 2011, while the percentage of women participation in politics grew from about 7% in 2007 to about 8% in 2011. The increases are indicated in the table below.

**Women in Elective Positions from 1999 - 2011**

S/N	LEGISLATURE	1999	2003	2007	2011
1	SENATE	3	3	9	7
2	HOUSE OF REPS.	12	21	27	24
3	STATES HOUSES OF ASSEMBLY	9	25	54	69
4	DEPUTY GOVERNORS	1	2	6	1
5	<b>Total</b>	25	51	96	101

6.5.3 In order to ensure greater women participation in politics and public office holding, the present Administration fulfilled its election campaign promise by increasing women representation in public political appointments to 35%. The



number of women appointed into the Federal Executive Council (FEC) increased from 6 in 2009 to 13 in 2011, while the total number of women elected into political offices increased from 96 in the 2007 general election to 101 in 2011. Girl child enrolment into schools has also increased significantly to the extent that in some states, boys secondary schools have been converted to combined secondary schools in order to accommodate the influx of girls in the secondary schools.

6.5.4 The Federal and State Governments are already addressing the issues arising from the above challenges by:

- building more primary and secondary schools to make the classroom conditions more conducive for teaching and learning;
- Introducing a new education curriculum for primary and secondary schools in Nigeria. This enlarged curricular, which includes technological and technical skills' acquisition, is geared towards self sustaining education that will guarantee self reliance instead of the former curriculum that left school leavers and graduates in the job market;
- more capacity widening training programmes for teachers under the UBEB and NTI schemes;
- establishment of nine (9) new federal universities in order to expand the landscape of tertiary institutions that would be absorbing the increased turnout of students from secondary schools.

Women groups, non-governmental organizations (NGOs) and civil society organizations (CSOs) have also intensified their advocacy and awareness creation programmes for women

## **6.6 Objective 6: Encouraging Broad Based Participation in Development by All Stakeholders at All Levels.**

6.6.1 The Vision 20:2020 document which emphasizes decentralization and popular participation in decision making process is being implemented meticulously.

Government encourages popular participation through the representatives of the organized private sector, civil society organizations, non-governmental organizations, civil liberty organizations, traditional institutions and religious

leaders. Other strategies and initiatives adopted by the present administration to further promote broad based participation in development process include:

- Execution of projects through Public Private Partnership (PPP)
- National policy dialogue;
- Involvement of Nigerians in Diaspora Forum;
- Stakeholders meetings and workshops;
- Public hearing on bills by the National Assembly etc.

6.6.2 The present Administration also adopts bottom top approach method of decision making through consultations and interactions in order to have direct access to public opinion with regard to specific policy issues. Increasingly, the perceived and observable disconnect between the people and the government is being bridged through the people oriented policies of the present Administration at both state and federal levels.

# **PART 3**

Highlights of Implementation of Standards and Codes

## **STANDARDS AND CODES**

The Nigerian Government is committed to the ratification, domestication and implementation of all relevant Standards and Codes that it is a signatory. To accomplish this goal, a 14 member inter-ministerial technical Committee was constituted on 18<sup>th</sup> June, 2009 to identify the existing international instruments such as Conventions, Protocol, Bilateral and Multilateral Agreements, Standards and Codes in each of the four thematic areas of APRM. The committee has submitted its recommendation which are already being implemented.

The Part III of the Report on the implementation of NPoA documents the implementation of the Standards and Codes as well as those Standards and Codes yet to be ratified and or domesticated.

	ACTIVITY BY APRM OBJECTIVE	EXPECTED OUTPUT AS SPECIFIED IN THE PoA	REQUIRED ACTION AS SPECIFIED IN PoA	TIMEFRAME	ACTION INDICATORS	PROGRESS TOWARDS OUTPUT/OUTCOME (changes from baseline conditions to desired outcomes)	LEAD M&E AGENCY	KEY STAKEHOLDERS	REMARKS/OBSERVATIONS	PLANNED ACTIVITIES FOR THE NEXT PHASE
DEMOCRACY AND POLITICAL GOVERNANCE										
1	African Youth Charter	Ratified-21/4/2009	Domesticated through the NYSC Corp and Youth Parliament	2011-2012	Establishment of active youth parliament, Youth empowerment scheme		Ministry of youth development	MYD, Youth parliament, NYSC Corps	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention)	Meeting with the stakeholders for the implementation of the convention
2	The Convention Against Genocide	Ratified-09/01/2009	Domesticated through the Criminal Code which prohibits killings of human beings	2011-2012	None yet	Not Available	Ministry of Justice	MJ, NPF, MI,MPA,NHRC,SSS	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
3	International Convention on the Protection of Rights of all migrant workers and members of their families	Ratified-19/01/2009		2011-2012			Ministry of Labour and Productivity (MLP)	MLP,MJ,NHRC	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
4	Optional protocol to	Ratified-19/01/	Work towards domestication	2011-2012	Establishment of National	Pending Bill at the National Assembly	Ministry of Justice	MJ, NHRC, NPF, NPS, NIS and	Non implementation of the recommendation of	Meeting with the

	the convention against torture and other cruel, inhuman or degrading treatment or punishment	2009			Committee on Torture by the Honourable Attorney General of the Federation	for the establishment of an agency to curb torture		security agencies	the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	stakeholders for the implementation of the protocol
5	Demarcation of boundaries in the Lake Chad Basin	Ratified-10/9/2010		2011-2012			National Boundary Commission	NBC	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
6	AU Peace and Security Protocol	Ratified-23/12/03		2011-2012			Ministry of Foreign Affairs	MFA, MOD, MJ, Institute for Peace and Conflict Resolution, NHRC	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the protocol
7	The Vienne convention on the law of treaties 1969	27/1/80		2011-2012			Ministry of Justice	MJ,MFA	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
8	Protocol on the establishment of the African	Ratified-20/5/04	Work towards domestication	2011-2012	None yet	None yet	Ministry of Justice, NEPAD Nigeria	M J, NHRC, Human Rights and Civil Society Organisations	Non implementation of the recommendation of the inter-ministerial technical committee on	Meeting with the stakeholders for the

	Court on human and people's Rights								the domestication of the APRM standards and code has contributed to the present status of the protocol	implementation of the protocol
9	The Geneva convention of 1949 relating to the amelioration of the condition of the wounded, sick and shipwrecked members of the armed forces at sea and the Treatment of (Prisoners of war)	30/09/60	30/09/60	2011-2012			Ministry of Defence (MOD)	MOD, MJ, MFA, NHRC	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
10	Convention on people with disabilities	Ratified-28/5/07	Work towards domestication	2011-2012	Sustained awareness campaign by Disable NGOs for the domestication	Bill sent to NASS and passed but not assented	Ministry of Justice(FMJ)	MJ, NHRC, NGOs/CSOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
11	The Rome Statute on the Internationals Criminal court of 1998	To be ratified	Work towards domestication	2011-2012			Ministry of Justice(MJ)	MJ, NHRC, MFA, MPA,NPF, NGOs/CSOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention

12	Geneva Convention Relating to the protection of civilian persons in time of war	Ratified- 30/09/60	30/09/60	2011-2012			Ministry of Defence (MOD)	MOD, NAF, Navy, NPF, MJ, NHRC & NGOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
13	Instrument of accession of the convention for the protection of all persons from enforced disappearance 2009	Ratified- 19 <sup>TH</sup> Jan 2009	Work towards domestication	2011-2012			Ministry of Interior (MI)	MI, MJ, NPF, NHRC	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention



S/N	ACTIVITY BY APRM OBJECTIVE	EXPECTED OUTPUT AS SPECIFIED IN THE PoA	REQUIRED ACTION AS SPECIFIED IN PoA	TIMEFRAME	ACTION INDICATORS	PROGRESS TOWARDS OUTPUT/OUTCOME (changes from baseline conditions to desired outcomes)	LEAD M&E AGENCY	KEY STAKEHOLDER S	REMARKS/OBS ERVATIONS	PLANNED AC TIVITIES FOR THE NEXT PHASE
ECONOMIC GOVERNANCE AND MANAGEMENT										
1	United Nations convention on the law of the sea	Ratified-16/11/94		2011-2012			Ministry Of Transport (MT)	MT, NIMASA, MFA,NPA, FMJ, NSC	Non implementation of the recommendati on of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementatio n of the convention
2	Agreement on cooperation in the fields of Mining Hydrocarbons and Energy Nigeria and Algeria	Ratified-19/12/03		2011-2012			Ministry of Petroleum Resources (MPR)	MPR, MT&I, RMRDC, M P	Non implementation of the recommendati on of the inter-ministerial technical committee on the domestication of the APRM standards and code has	Meeting with the stakeholders for the implementatio n of the agreement

									contributed to the present status of the agreement	
3	United Nations Framework convention on climate change (UNFCC)	Ratified-22/10/04		2011-2012			Ministry Of Environment (ME)	ME, NMA, NESREA	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
4	ECOWAS Energy protocol	Ratified-22/10/04		2011-2012			Ministry Of Power (MP)	MP, FMM&S, FMT&I	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the protocol
5	Treaty Establishing The African Economic Community			2011-2012			Ministry of Foreign Affairs (MFA)	MFA, MJ, NEPAD Nigeria	Non implementation of the	Meeting with the stakeholders

									recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the treaty	for the implementation of the convention
6	A/P1/7/89 Cultural Framework Agreement for the ECOWAS signed in Abuja 9 <sup>th</sup> July, 1987			2011-2012			Ministry of Foreign Affairs (MFA)	MFA, MJ, NEPAD Nigeria	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the agreement	Meeting with the stakeholders for the implementation of the agreement
7	Instrument of ratification of the statute of the international renewable energy agency (Irena) 2010	Ratified-25/08/10		2011-2012			Ministry of Power (MP)	MP, ECN	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication	Meeting with the stakeholders for the implementation of the convention

									of the APRM standards and code has contributed to the present status of the convention	
8	Instrument of ratification of the agreement on simplification of visa procedures for the business men of the developing 8(d-8) member states.	Ratified-14/07/10		2011-2012			Ministry of Foreign Affairs (MFA)	MFA	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the agreement	Meeting with the stakeholders for the implementation of the agreement
9	Instrument of ratification of the agreement between the African finance corporation and the government of the federal republic of Nigeria regarding the head quarters of the Africa finance corporation.	Ratified-17/06/10	Non-treaty	2011-2012			Ministry of Finance (MF)	MF, MFA	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the agreement	Meeting with the stakeholders for the implementation of the agreement

10	Instrument of ratification of the multilateral agreement among the developing (d-8) member countries on administrative assistance in customs matters.	Ratified-14/07/10	Non – treaty	2011-2012			Ministry of Foreign Affairs (MFA)	MF, MFA,FMJ	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the agreement	Meeting with the stakeholders for the implementation of the agreement
11	Instrument of Ratification of the International Coffee Agreement, 2001	Ratified-31/12/01	Non-treaty	2011-2012			Ministry of Agric (MA)	MA, MT&I, FMF	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the agreement	Meeting with the stakeholders for the implementation of the agreement

S/N	ACTIVITY BY APRM OBJECTIVE	EXPECTED OUTPUT AS SPECIFIED IN THE PoA	REQUIRED ACTION AS SPECIFIED IN PoA	TIMEFRAME	ACTION INDICATORS	PROGRESS TOWARDS OUTPUT/OUTCOME (changes from baseline conditions to desired outcomes)	LEAD M&E AGENCY	KEY STAKEHOLDERS	REMARKS/OBSERVATIONS	PLANNED ACTIVITIES FOR THE NEXT PHASE
CORPORATE GOVERNANCE										
1	International Convention on the Removal of Wrecks 2007-	Ratified-9/6/2009		2011-2012			Ministry of Justice (MJ)	MJ, NIMASA	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
2	The Banker convention of the International Maritime Organisation (IMO)	Ratified-10/9/2010		2011-2012			Ministry of Justice (MJ)	MJ,CBN, Community Banks and others	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of	Meeting with the stakeholders for the implementation of the convention

									the APRM standards and code has contributed to the present status of the convention	
3	The 1996 protocol to he 1972 London Dumping Convention	Ratified-10/9/2010		2011-2012			Ministry of Justice (MJ)	MJ, ME	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the convention
4	Investment promotion and protection Agreement between Nigeria and the following countries respectively, Spain, Algeria, Sweden, Yugoslavia, Uganda and Jamaica	Not ratified		2011-2012			Ministry Of Investment and Trade (MT&I)	MT&I, NIPC, CBN, Chambers of Commerce	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has	Meeting with the stakeholders for the implementation of the convention

									contributed to the present status of the agreement	
5	Articles of Agreement of the Islamic Cooperation for the Insurance of Investment and Export Credit (ICIEC)	10/9/2010	To be domesticated	2011-2012			Ministry Of Finance (MF)	MF, NICOM	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the agreement	Meeting with the stakeholders for the implementation of the convention
6	African Charter for popular participation in Development and Transformation (1990)	Not ratified	To be domesticated	2011-2012			Office of the Secretary to the Government of the Federation (OSGF)	OSGF, All MDA's	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention



7	Convention on the International Recognition of Rights in Aircraft (Geneva Convention)	Ratified-31/12/01	To be domesticated	2011-2012			Ministry Of Aviation (MA)	MA, All Parastatals under MA	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
8	Convention for the suppression of unlawful seizure of Aircraft (Hague) 1993	Ratified-31/12/07	To be domesticated	2011-2012			Ministry Of Aviation (MA)	MA, All Parastatals under MA	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
9	Convention on International Interest in	Ratified-13/05/05	To be domesticated	2011-2012			Ministry of Finance (MF)	MF, NCS	Non implementation of the	Meeting with the stakeholders

	Mobile equipment (Cape Town Convention and Protocol) 2001								recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	for the implementation of the convention
10	Convention on preventing and combating corruption (2003)	Ratified-26/09/06	Domesticated through EFCC and ICPC Acts	2011-2012			Ministry of Justice (MJ)	MJ, ICPC, EFCC	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
11	Special Recommendations on Terrorist Financing (2004) Paris, France	Ratified	Domesticated through money laundering Act	2011-2012 "			Ministry of Justice (MJ)	MJ, ICPC, EFCC	Non implementation of the recommendation of the inter-ministerial	Meeting with the stakeholders for the implementation of the

									technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	convention
12	Convention against corruption (2003) UN	Ratified-22/10/04	Domesticated through EFCC and ICPC Acts	2011-2012			Ministry of Justice (MJ)	MJ, ICPC, EFCC	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
13	UNIDROIT Convention on International Finance Leasing (Ottawa) 1988.	Not ratified	Not domesticated	2011-2012			Ministry Of Finance	MF, FMT& I	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of	Meeting with the stakeholders for the implementation of the convention

									the APRM standards and code has contributed to the present status of the convention	
14	Agreement and Charter for the Establishment of the African Export			2011-2012					Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the agreement	Meeting with the stakeholders for the implementation of the agreement
15	Articles of Agreement of the Islamic corporation for the Insurance of Investment and export credit	Not ratified		2011-2012			Ministry Of Finance (MF)	MF, CBN, Islamic Organisation , NICOM	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has	Meeting with the stakeholders for the implementation of the agreement

									contributed to the present status of the agreement	
16	International convention on the Removal of Wrecks 2007	Ratified-9/06/09	Domesticated by Merchant shipping Act	2011-2012			Ministry of Transport (MT)	MT, NIMASA, NPA,	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
17	Articles of Agreement of the Islamic corporation for the Development of private sector			2011-2012			Office of the Secretary to the Government of the Federation (OSGF)	OSGF, Islamic Organization	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the agreement	Meeting with the stakeholders for the implementation of the agreement

S/N	ACTIVITY BY APRM OBJECTIVE	EXPECTED OUTPUT AS SPECIFIED IN THE PoA	REQUIRED ACTION AS SPECIFIED IN PoA	TIMEFRAME	ACTION INDICATORS	PROGRESS TOWARDS OUTPUT/OUTCOME (changes from baseline conditions to desired outcomes)	LEAD M&E AGENCY	KEY STAKEHOLDERS	REMARKS/OBSERVATIONS	PLANNED ACTIVITIES FOR THE NEXT PHASE
SOCIO-ECONOMIC DEVELOPMENT										
1	UN convention on the political Rights of Women (1952)	Ratified-17/11/80		2011-2012			Ministry Of Women Affairs (MWA)	MWA, NCWD, NCWS, NGOs and CSOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
2	UN International convention on Economic, Socio and Cultural Rights (1966)	Ratified-20/05/92		2011-2012			Ministry Of Culture and Tourism (MC&T)	MC&T, NCAC, NAG, NCMM	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM	Meeting with the stakeholders for the implementation of the convention

									standards and code has contributed to the present status of the convention	
3	UN International convention on the protection of Rights of A/C Migrant Workers and Members of their families (1990)	Ratified-19/01/09		2011-2012			Ministry Of Foreign Affairs (MFA)	MFA,FMI, NIS	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
4	UN Optional Protocol to the convention on the Rights of the Child of the involvement of children in Armed conflicts (2000)			2011-2012			Ministry of Defence (MOD)	MOD, MWA, NAPTIP, NGOs & CSOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the protocol
5	Resolution on women in conflicts (2000)	Non-treaty		2011-2012			Ministry OF Women Affairs (FMWA)	MWA, NCWD, NCWS, NGOs & CSOs	Non implementation of the recommendation of the inter-ministerial	Meeting with the stakeholders for the implementation of the

									technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	convention
6	International conference on popular participation in the recovery and Development process in Africa, African Charter for popular participation in Development and transformation (1990) Arusha, Tanzania).						Office of the Secretary to the Government of the Federation (OSGF)	OSGF, NEPAD Nigeria, All MDAs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
7	Optional protocol to the convention on the Right of the child on the sale of children, child prostitution and child pornography (2001)		Domesticated through the NAPTIP Act	2011-2012			Ministry Of Women Affairs (MWA)	MWA, MJ, NAPTIP, NIS, NGOs & CSOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the protocol
8	General convention A/C 1/01/03 on the			2011-2012			Ministry of Education (ME)	ME, NUC, NCCE, NBTE, ETF, UBEC,	Non implementation of	Meeting with the



	Recognition and equivalence of Degrees, Diplomas, Certificates and other Qualification in ECOWAS Member5 States.							ECOWAS Secretariat, ASUU NGOs & CSOs	the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	stakeholders for the implementation of the convention
9	Protocol A/P.3/01/03 on Education and Training			2011-2012			Ministry Of Education (ME)	ME, Education Institutions, NGOs/ CSOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the convention
10	Supplementary protocol A/SP.1/01/06 amending Articles VI-C, VI-L, XI-8, XI-2 and XII of protocol A/P2/7/87 on the Establishment of the West African Health organizations (WAHO)			2011-2012			Ministry Of Health (MOH)	MOH	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the	Meeting with the stakeholders for the implementation of the protocol

									present status of the protocol	
11	UN International convention on the elimination of all forms of Racial Discrimination (1965)		Domesticated by 1999 Constitution	2011-2012			Ministry Of Justice (MJ)	MJ, NHRC, NGOs & CSOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
12	General Convention on privileges and immunities of ECOWAS signed in Lagos on 22 <sup>nd</sup> April, 1978	Ratified-09/03/79		2011-2012			Ministry Of Foreign Affairs (MFA)	MFA, ECOWAS Secretariat, FMI	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
13	Protocol on Non Aggression signed in Lagos on 22 <sup>nd</sup> April, 1978	Ratified-17/05/79		2011-2012			Ministry Of Foreign Affairs(MFA)	MFA, FMI	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of	Meeting with the stakeholders for the implementation of the protocol

									the APRM standards and code has contributed to the present status of the protocol	
14	Protocol A/P1/5/59 Relating to the Definition of community citizen signed in Cotonou on 29 <sup>th</sup> May 1982 (ECOWAS)	Ratified-31/03/83		2011-2012			Ministry Of Interior	MI, MFA	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the protocol
15	Protocol A/P1/5/59 Relating to free movement of persons Residence and Establishment signed in Dakar on 29 <sup>th</sup> May, 1979	Ratified-12/09/79		2011-2012			Ministry Of Interior	MI, MFA, NIS, FMJ	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the protocol

16	Supplementary protocol A/SP1/7/85 Relating to the codes of conduct for the implementation of the protocol on free movement of persons, the Right of Residence and Establishment signed in Lome 6 <sup>th</sup> July, 1985 (ECOWAS)	Ratified-18/04/88		2011-2012			Ministry Of Interior	MI, MFA, NIS, FMJ	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the protocol
17	Supplementary protocol A/SP1/7/86 on the Second phase on Free movement of persons (Right of Residence) signed in Abuja, 1 <sup>st</sup> July, 1986 (ECOWAS)	Ratified-16/08/88		2011-2012			Ministry. Of Interior (MI)	MI, MFA, NIS, FMJ	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the protocol
18	A/P1/7/87 Cultural Framework Agreement for the Economic Community of West African States (ECOWAS)	Ratified-07/09/89		2011-2012			Ministry Of Culture and Tourism(MC&T)	MC&T, MFA, FMF, NCAC, NAG	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and	Meeting with the stakeholders for the implementation of the agreement

									code has contributed to the present status of the agreement	
19	A/P2/7/87 protocol on the establishment of a West African Health Organization signed in Abuja, 9 <sup>th</sup> July 1987	Ratified-16/08/89		2011-2012			Ministry Of Health (MOH)	MOH,NGOs and CSOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the protocol
20	Supplementary protocol a/Sp1/6/89 Amending and complementing the provisions of Articles of the protocol on free movement, Rights of Residence and Establishment signed in Ouagadougou on 30 <sup>th</sup> June, 1989	Ratified-18/04/90		2011-2012			Ministry Of Interior	MI, MFA, FMJ, NIS,	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the convention

21	Supplementary protocol A/SP2/5/90 on the Implementation of the third phase (Right of Establishment) of protocol on free movement, of persons, Rights of Residence and Establishment signed in Banjul 29 <sup>th</sup> May, 1980	Ratified-27/08/90		2011-2012			Ministry Of Interior	MI, MFA, MJ, NIS,	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the protocol	Meeting with the stakeholders for the implementation of the convention
22	Convention A/P1/8/94 on extradition (ECOWAS)	Ratified-20/11/00	Domesticated by 1999 Constitution and the Extradition Act	2011-2012			Ministry Of Interior	MI, MJ, NHRC, NGOs and CSOs	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and code has contributed to the present status of the convention	Meeting with the stakeholders for the implementation of the convention
23	INSTRUMENT OF RATIFICATION OF THE SECOND AGREEMENT 2010 AMENDING THE PARTNERSHIP AGREEMENT BETWEEN THE MEMBERS OF THE AFRICAN,	22/11/10		2011-2012			Ministry Of Finance	MF, MT& I	Non implementation of the recommendation of the inter-ministerial technical committee on the domestication of the APRM standards and	Meeting with the stakeholders for the implementation of the agreement

	CARIBBEAN AND THE EUROPEAN COMMUNITY ('THE COTONOU AGREEMENT')									code has contributed to the present status of the agreement	
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**CONCLUSION**

The analysis of the above table shows that 76% of the reported Standards and Codes have been ratified and 24% domesticated. It is believed that subsequent reports will show improvement as more resources will be committed to the sensitization and generation of data and information from all relevant MDA's. NEPAD Nigeria shall intensify efforts towards the implementation of the recommendations of the Inter-ministerial Committee mentioned above, this being one of the processes for the actualization of the Transformation Agenda of the Federal Government and a major catalyst for the enthronement and consolidation of good governance.