



8th September 2020

The Acting Chairman
Economic and Financial Crimes Commission
EFCC Headquarters
Idu
Abuja



Dear Sir,

Demand for Probe and Investigation on the Rochas Okorocho, Rochas Foundation on the Ownership of the Eastern Palm University, Imo State

We write concerning the above subject matter.

Our Organization wrote a Freedom of Information Request dated the 5th June 2019 to the National Universities Commission requesting information on the ownership of the Eastern Palm University, Imo State. The request was write based on the reports published by The Heartlander on the 22nd June 2018¹, titled, "Legal battle looming over ownership of Eastern Palm University" and the report by the Difference News also published on 5th March 2018² titled, "The Grand Design to Take Over Eastern Palm University."

The crux of both reports revolved around the ownership of Eastern Palm University and the controversies around the said ownership of the University. The report conveyed that the university is partly owned by the Rochas Foundation and Imo State Government. It also conveyed that the university was built in the hometown of the immediate past Governor, Orlu, Imo State. The reports further conveyed a looming legal battle likely resulting from the controversy of ownership of the university.

Our request was based on the Freedom of Information Act, 2011 which makes provision for the institution being requested information to respond within 7 days. The 7-day period given by the Act lapsed and our organization was left with no choice according to Section 20 of the Act to institute an action before the Federal High Court, Abuja. The action was instituted on the 23rd August 2019 before Justice I.L Ojukwu and in between the court not convening; on the 7th July 2020, the National Universities Commission was served with Hearing Notice for the matter coming up on the 29th of September 2020. On the 8th of July 2020, our organization received a letter dated the 15th June 2020 from the National Universities Commission supplying information on the ownership of the Eastern Palm University as requested in our Freedom of Information Request dated the 5th June 2019. A copy of the letter is attached.

The letter from the National Universities Commission supplied the information that the Eastern Palm University, Imo State is jointly owned; 10% owned by the Imo State Government, and 90% owned by the Rochas Foundation. The Rochas Foundation and the Eastern Palm University is alleged to be owned by the former Governor of the Imo State, Rochas Okorocho. Also, we believe this situation falls within the ambit of misappropriation of public funds and conversion of public funds for personal use; this position is a conflict of interest and same is contrary to the provisions of the Code of Conducts for Public officers, Part 1, of the fifth schedule in the 1999 Constitution of the Federal Republic of Nigeria (As Altered).

The above allegations run afoul of the **Code of Conducts for Public officers, Part 1, of the fifth schedule in the 1999 Constitution of the Federal Republic of Nigeria (As Altered)**, Rule 1 of the Code states that a public officer shall not put himself in a position where his interest conflicts with

¹ <https://www.theheartlander.com/legal-battle-looming-over-ownership-of-eastern-palm-university/>

² <https://thedifferencenews.com/the-grand-design-to-take-over-eastern-palm-university/>

his duties and responsibilities. Also, **Section 6** states that a public officer shall not ask for or accept property or benefits of any kind for himself or any other person on account of anything done or omitted to be done by him in the discharge of his duties. And **Section 6 (2)** further expatiates **Section 6(1)** that the receipt by a public officer of any gifts or benefits from commercial firms, business enterprises, or persons who have contracts with the government shall be presumed to have been received in contravention of the said sub-paragraph unless the contrary is proved. **Section 9 of the Code** also covers that a public officer shall not do or direct to be done, in abuse of his office, any arbitrary act prejudicial to the rights of any other person knowing that such an act is unlawful or contrary to any government policy. The above highlight allegations of various contravention of the code of conduct and the said former Governor of the state held a position that warranted a high level of transparency and accountability, however with the above relayed his accountability and transparency whilst in the office is questionable and should be probed with immediate effect.

It is against this backdrop that we hereby request the Commission to invoke its powers as vested in **Section 6(h) and Section 7(1(a)) of the Economic and Financial Crimes Commission (Establishment) Act 2004**. **Section 6(h)** of the Act states one of the functions of the Commission as the examination and investigation of all reported cases of economic and financial crimes to identify individuals, corporate bodies, or groups involved. Also, **Section 7 (1(a))** of the Act states that the Commission has the power to cause investigations to be conducted as to whether any person, corporate body, or organization has committed an offense under this Act or other law relating to economic and financial crimes.

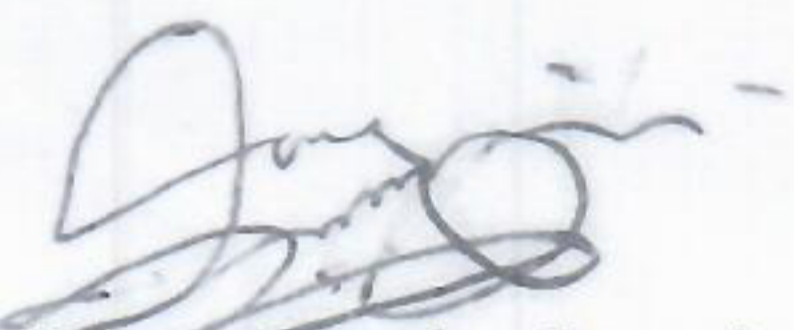
We write for an investigation to be carried out on Rochas Okorochoa, Rochas Foundation, and the Eastern Palm University based on the information supplied by the National Universities Commission on the Eastern Palm University being 90% owned by the Rochas Foundation.

Our demand is founded on our mandate as a non-governmental organization and non-partisan human rights and development league to protect and promote universally recognized human rights, accountability, and environmental justice in Nigeria and Africa, following international standards.

Whilst we anticipate your prompt response and action, do accept our sincere regards

Thank you.

Yours faithfully



Olanrewaju Suraju
Chairman

CC: The President of the Federal Republic of Nigeria
Muhammadu Buhari, GCFR
Aso Villa
Federal Capital Territory
Abuja

