

3rd December, 2018

**Honourable Justice Walter Onnoghen
Office of the Chief Justice of Nigeria/
The Chief Justice's Chambers,
Supreme Court of Nigeria
Supreme Court Complex,
Three Arms Zone,
F.C.T., Abuja.**

Your Lordship,

**URGENT REQUEST FOR THE ACTIVATION OF SECTION 52 OF THE
CORRUPT PRACTICES AND OTHER RELATED OFFENCES ACT, (as
amended) FOR THE INVESTIGATION OF \$5 MILLION DOLLARS
BRIBERY ALLEGATIONS AGAINST KANO STATE GOVERNOR; DR. AB-
DULLAHI GANDUJE**

The above subject matter refers.

HEDA Resource Centre is a civil society organisation registered with the Corporate Affairs Commission under Part C as an incorporated Trustee for the promotion of governance, accountability, transparency and environmental justice in Nigeria and Africa.

We hereby request your office to give effect to the provision of Section 52 of the Independent Corrupt Practices and Other Related Offences Commission Act 2000 (as amended) in the promotion of accountability, probity and anti-Corruption agenda of the government and the judiciary under your able leadership.

Your lordship, in this particular case, we wish to invite your office to activate this inherent power as vested on you by the ICPC Act to launch a thorough investigation into the lingering scandalous \$5 Million dollar bribery allegations against the current Governor of Kano State, who based on a series of video revelations to the media by one Mr. Jaafar Jaafar, a Journalist and publisher of Daily Nigerian, has been found using his official position to obtain and or extort bribes from contractors carrying out various jobs within the state.

According to a report by the Vanguard Newspaper published on the 1st day of November, 2018, two similar videos were earlier released by the aforementioned Mr. Jaafar Jaafar; wherein the Governor was shown al-

legedly collecting bribes in dollars and stuffing the wads of money in his white "Agbada" also known as "babariga" cloth.

Dr. Ganduje had denied the videos, saying they were photoshops. However, it is worth noting that Mr. Jaafar had last month, honoured the invitation of the Kano State House of Assembly investigating the bribery scandal, where he tendered many other video clips showing the Governor collecting bribes from contractor at different times. Mr. Jaafar also at the said investigative hearing reiterated the allegation, explaining how a contractor working for the Kano State government had agreed to attach cameras to his kaftan in order to capture the videos. He also stressed that the video clips were authentic and had not been doctored in any way.

It is also reported that another shocking video has subsequently emerged showing the Kano State Governor, Abdullahi Ganduje, in black Kaftan, allegedly collecting bribe in wads of dollars from a contractor and though the previous video had no audio, the recent and trending one has the audio voice of the Governor requesting for bribe from a contractor. The video which has interpretations in words claimed the Governor collected over Two Hundred Million Naira. The video shows the Governor darting his eyes, perhaps towards the door every now and then to ensure nobody was coming in. The video also showed the happy governor packing the money into a paper bag under his table just as the names of contractors, the contracts and those who have either paid or were yet to pay up their bribes to him were mentioned in the video. The video which has sparked outrage on social media has got many calling for the impeachment of the Governor.

The Kano State House of Assembly investigative committee set up to probe the allegations has summoned the Governor to appear before it, while also asking the Governor to come with his lawyers if he so wishes and also requested for a written, signed and dated statement of the Governor on or before the date of the hearing. The committee also said that copies of the video clips showing the Governor receiving bribes in dollars were also sent to him for 'perusal.'

It is however disheartening that up until the time of this letter, the Governor has neglected, failed and or refused to appear before the said committee and rather sent the Commissioner of Information, Mohammed Garba to represent him at the hearing.

According to the provisions of **Section 52** of the **Corrupt Practices and Other Related Offences Act:**

52.-(1) When an allegation of corruption or anything purporting to contravene any provision of this Act is made against the President or the Vice-President of Nigeria or against any State Government or Deputy

Governor, the Chief Justice of the Federation shall, if satisfied that sufficient cause has been shown upon an application on notice supported by an affidavit setting out the facts on which the allegation is based, authorize an independent counsel (who shall be a legal practitioner of not less than fifteen years standing) to investigate the allegation and make a report of his findings to the National Assembly in the case of the President or Vice-President and to the relevant State House of Assembly in the case of the State Government or the Deputy Governor.

(2) The Commission shall be enjoined to fully cooperate with such independent counsel and provide all facilities necessary for such independent counsel to carry out his functions.

Learned Law Lord, the foregoing provisions of the **ICPC Act** is self explanatory on the inherent power of the Chief Justice of Federation in matters such as that in reference. It is a very potent instrumentality for curtailing, if not completely eradicating, theft, kleptocracy, misappropriation and all other forms of corrupt practices prohibited by the various national and international legal instruments against corruption and illicit assets.

In line with the current administration's commitment to zero corrupt practices by public officials, we therefore call your office to invoke this power and authorise an independent Counsel to investigate these allegations and the report of such investigation be submitted to Kano State House of Assembly timeous action to serve as deterrent to other corrupt officials.

We look forward to your usual positive response and action. Attached is an affidavit in support of this petition, as required by section 52 (1) of the ICPC Act.

Please accept assurances of our warm regards.

Yours faithfully,



Olaprewaju Suraju
Chairman



IN THE HIGH COURT OF LAGOS STATE OF NIGERIA

IN THE LAGOS JUDICIAL DIVISION

HOLDEN AT LAGOS

SWORN AFFIDAVIT

I, **OLANREWAJU SURAJU**, Male, Adult, Muslim, Chairman of HEDA Resource Centre of No. 20, Mojidi Street, Off Toyin Street, Ikeja, Lagos State do hereby make oath and state as follows:

1. That I am the Chairman of Human and Environmental Development Agenda Resource Centre; a Civil Society Organization registered with the Corporate Affairs Commission under Part C as an incorporated trustee with the objective of promoting of good governance, accountability, transparency and environmental justice in Nigeria and Africa.
2. That I hereby depose to this affidavit pursuant to the requirements of Section 52 (1) of the Independent Corrupt Practices and other Related Offences Act, (as amended) and state as follows:
 - a. That following wide spread information and media leakage of the Ganduje bribery scandal, I wrote a letter dated 3rd December, 2018 to the Chief Justice of Nigeria; Honourable Justice Walter Onnoghen requesting for the CJN's activation of the provisions of Section 52 of the Independent Corrupt Practices and other Related Offences Act, (as amended) with respect to the investigation of the \$5 million dollars bribery allegations against Kano State Governor; Dr. Abdullahi Ganduje.
 - b. That the request made in the said letter was to activate the inherent power as vested on the office of the CJN by the ICPC Act to launch a thorough investigation into the lingering scandalous \$5 Million dollar bribery allegations against the current Governor of Kano State, who based on a series of video revelations to the media by one Mr. Jaafar Jaafar, a Journalist and publisher of Daily Nigerian, has been found using his official position to obtain and or extort bribes from contractors carrying out various jobs within the state.
 - c. That I know personally according to a report I read, as published by the Vanguard Newspaper on the 1st day of November, 2018, two similar videos were released by the aforementioned Mr. Jaafar Jaafar; wherein the Governor was shown allegedly collecting bribes in dollars and stuffing the wads of money in his white "Agbada" also known as "babariga" cloth. I have also personally watched the said videos on social media.
 - d. That I am also aware that Dr. Ganduje had however weakly and without substantial effort to substantiate his claim, denied the videos, saying they were photoshops.
 - e. That I know that Mr. Jaafar had last month honoured the invitation of the Kano State House of Assembly investigating the bribery scandal, and he

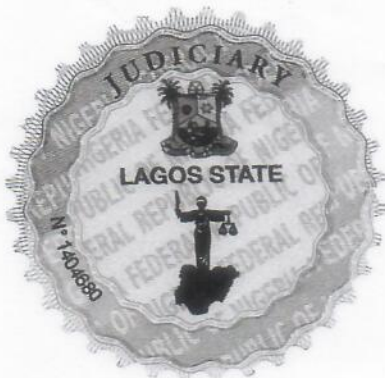
tendered many other video clips showing the Governor collecting bribes from contractor at different times.

- f. That I also know that Mr. Jaafar also at the said investigative hearing reiterated the allegation, explaining how a contractor working for the Kano State government had agreed to attach cameras to his kaftan in order to capture the videos. He also stressed that the video clips were authentic and had not been doctored in any way.
 - g. That I am aware that the Kano State House of Assembly investigative committee set up to probe the allegations also summoned the Governor to appear before it, having also sent to him copies of the video clips showing the Governor receiving bribes in dollars for 'perusal.'
 - h. That I know that up until the time of this letter, the Governor has neglected, failed and or refused to appear before the said committee and rather sent the Commissioner of Information, Mohammed Garba to represent him at the hearing.
3. That I believe that the provisions of Section 52 of the Independent Corrupt Practices and other Related Offences Act, (as amended) is a very potent instrument for curtailing, if not completely eradicating, theft, kleptocracy, misappropriation and all other forms of corrupt practices prohibited by the various national and international legal instruments against corruption and illicit assets, thus my request for the invocation of same with respect to the Ganduje case stated above..
4. That this affidavit is made for record and official purposes to satisfy the requirement of the ICPC Act.
5. That I depose to this affidavit solemnly and in good faith, believing same to be true and in accordance with the Oaths Act currently in force.

[Handwritten Signature]
.....
DEPONENT

SWORN TO AT THE HIGH COURT OF LAGOS STATE REGISTRY

THIS *7th* DAY OF *December*, 2018



BEFORE ME
[Handwritten Signature]
COMMISSIONER OF OATHS

