

2019 ANNUAL REPORT

OPENING GOVERNMENT IN A CLOSING CIVIC SPACE



www.plsinitiative.org



@PLSInitiative



OPENING GOVERNMENT IN A CLOSING CIVIC SPACE: THE NIGERIA STATE

The concept of "open government" is one to tackle the challenges with increasing citizens' participation in the governance process across the globe. From global north to south, it is believed that the role of civil society organizations is shrinking so rapidly particularly in relation to enabling citizens to participate in the process of ensuring inclusive governance, exercising accountability, advocating for policy change and delivering essential services to marginalized and under-served communities. This reality led to the formation of the open government partnership in 2011 and between then and now, the movement has attracted 79 countries and 20 subnational governments. The partnership is one that combines these powerful forces of government and civil society to promote accountable, responsive and inclusive governance.

Nigeria responding to calls by local and international advocates to join the global partnership became the 70th member state in 2017 when President Muhammadu Buhari at the London anti-corruption summit announced Nigeria's interest. The country has since implemented one action plan and currently struggling to getting a go at the second. Despite implementing the first national action plan, it still does not appear that Nigeria is unwaveringly committed to the principles of open, accountable, inclusive and responsive governance.

A broad transnational movement for government openness has grown rapidly over the past decade; stimulated by technological advances and the compelling idea that citizens have a right to know what their governments are doing. Also, several advocacy groups in countries all around the world are scrutinizing public finances and service delivery and are pushing for greater transparency in government budgets, contracts, and spending. On the other hand, one less motivating trend that has attracted global interest and garnered increased policy attention is that governments across multiple regions are engaging new legal and extralegal measures to restrict civil society and citizens' rights to organize collectively, protest, and freely express their opinions.

Nigeria over the last five years and particularly in 2019 witnessed increased attack on freedom of speech, expression and association. Many advocates, activists and journalists were and are still victims of indiscriminate arrest and detention both at national and subnational levels despite existing provisions of law and judicial authorities recognizing the fundamental rights of the Nigerian people to freely and in a non-violent manner convene and participate in rallies, demonstrations and protest marches as enshrined in Chapter 4, Section 39 of the 1999 Constitution (as amended) which states that "Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference". One of these unlawful arrests and detentions is that of Omoyele Sowore, founder of Sahara Reporters – an online news platform operating from the United State of America. He was arrested by the Department of State Security (DSS) on 3rd August 2019 for organizing a protest tagged #RevolutionNow and accused of money laundering, treasonable felony, cyberstalking the president, amongst other offences. Although he has now been released, the DSS secured Court permission to detain Sowore for 45 days at first and many days thereafter. He was equally denied bail despite two Federal High Court orders granting him same. The civic community in Nigeria has had very demotivating experiences with government's disrespect for the sanctity of this constitutional provision for civic rights.





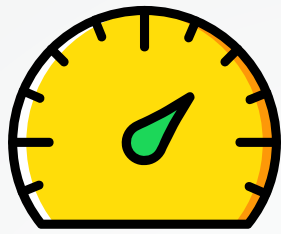
OPENING GOVERNMENT IN A CLOSING CIVIC SPACE: THE NIGERIA STATE

The Nigerian government has since 2015 made numerous totalitarian attempts at shutting down the digital space – the important technology tools that support citizens' right to freely express themselves on governance issues in the country. Anti-social Media Bill was re-introduced by the Senate of the Federal Republic of Nigeria on 5th November 2019 to criminalize the use of the social media in peddling false or malicious information. The original title of the bill is 'Protection from Internet Falsehood and Manipulations Bill 2019' with an earlier version tagged "Frivolous Petitions (Prohibition) Bill 2015" aka Social Media Bill introduced in 2016 during the 8th National Assembly but met heated protests from citizens and was stepped down thereafter.

Furthermore, the Nigerian Senate began preparing a new law that will make it possible to sentence to death by hanging anybody convicted of spreading hate speech. The Prohibition of Hate Speech Bill is being sponsored by Senator Aliyu Sabi Abdullahi who is acting on the guise of curtailing hate speech on social media. While hate speech on social media is a problem affecting the global community, not many countries resort to such extreme measures as are in the case with Nigeria. Many believe is an attempt to further gag free speech and prevent strong criticism.

With the speedy and hasty effort at further shrinking the civic space in Nigeria to limit free and unrestrictive participation by citizens, it is becoming increasingly difficult for leaders of the largest African country and most populous black nation to prove to the rest of the world their unwavering commitment to the tenets of open, responsive, accountable and inclusive governance that is very necessary to catalyzing the much needed sustainable development.





PLSI SO FAR



PLSI continues to deepen its work in the accountability eco-system in Nigeria and the 2016 Audit Report of the Federation of Nigeria formed a huge part of our work in the year under review. We carried out in-depth analysis of key sections of the Report focusing on performance audit and other audited developmental projects as well as issues relating to loss of tax revenue reported by the Auditor-General for the Federation.

We equally simplified these data to enrich the Nigerian civic space and provide the necessary tools for citizens to demand accountability from relevant government institutions.

We are currently working with other Civil Society Organizations on the recently published 2017 Audit Report of the Federation and we believe this will further deepen transparency, citizens' engagement and accountability in Nigeria.





ANALYSING THE DATA

VALUE FOR MONEY CAMPAIGN

FEDERAL UNIVERSITY OF TECHNOLOGY, OWERRI

CONTRACT FOR THE SUPPLY AND INSTALLATION OF 200 NO. 3-1/4-1 CLASSROOM DESKS WITH IRON FRAME, HDF WOODEN TOP AND IRON CHAIR PADDED WITH BLACK FABRIC ON SEAT AND BACK REST FOR THE PARENTS MANAGEMENT FORUM CENTRE.

Imo State
Status: **NOT EXECUTED**

N23.6m NOT ACCOUNTED FOR

The project was awarded in May, 2016 for N23.6million, which was paid to contractors but no new seats were installed nor supplied to the project site.

Source: 2016 Audit Report of the Federation

PLSI



N218.9m unaccounted for on this poorly executed project nominated by Sen. Agboola for Oyo state.



N33m unaccounted for on this project nominated by Hon. Dimeji Bankole for Ogun state.



N41.8m unaccounted for on this project in Ondo state.

SPECIAL REPORT ON INEFFICIENCY IN TAX COLLECTION/REMITTANCE IN NIGERIA

N4.1bn

TAXES NOT REMITTED

IN 37 FEDERAL MINISTRIES, DEPARTMENTS AND AGENCIES

PLSI

SOURCE: 2016 AUDIT REPORT OF THE FEDERATION

VALUE FOR MONEY

Our "Value for Money" advocacy initiative in 2019 focused primarily on the 30 priority projects contained in our analysis of the 2016 Audit Report of the Federation of Nigeria. We collaborated with the Independent Corrupt Practices and Other Related Offences Commission (ICPC) to pilot for the first time in Nigeria the use of audit data in fight against corruption. We also published the maiden edition of our independent findings which contained evidences gathered from visits to project sites and delivered petitions to ICPC. The Commission is now investigating our petitions and will take further actions as necessary including recovery of funds from erring contractors, sanctions and prosecutions.



TAXES NOT REMITTED

We published our first tax report titled "Special Report on Inefficiencies in Tax Collection/Remittance in Nigeria" in which we revealed how the Federal Government lost about N4.1 billion to tax inefficiencies. This huge money as we found could have effectively implemented 68 of the 2018 Zonal Intervention Projects in 32 states of the Federation. Key sectors that would have been positively impacted include education, health, water, environment and others. Data for this "Special Report" was sourced from the 2016 Audit Report of the Federation of Nigeria. The primary objective of the report was to sensitize both government and citizens on the cost of weak fiscal regulations and poor implementation monitoring to increased revenue and improved quality of life.





ANALYSING THE DATA



OTHER ISSUES IN 2016 AUDIT REPORT OF THE FEDERATION



Other issues in the 2016 Audit Report of the federation were reviewed, analysed and categorised into; Illegitimate charges against public funds, cash advances, illegal procurements by internal staff and direct deductions.



2017 AUDIT REPORT OF THE FEDERATION

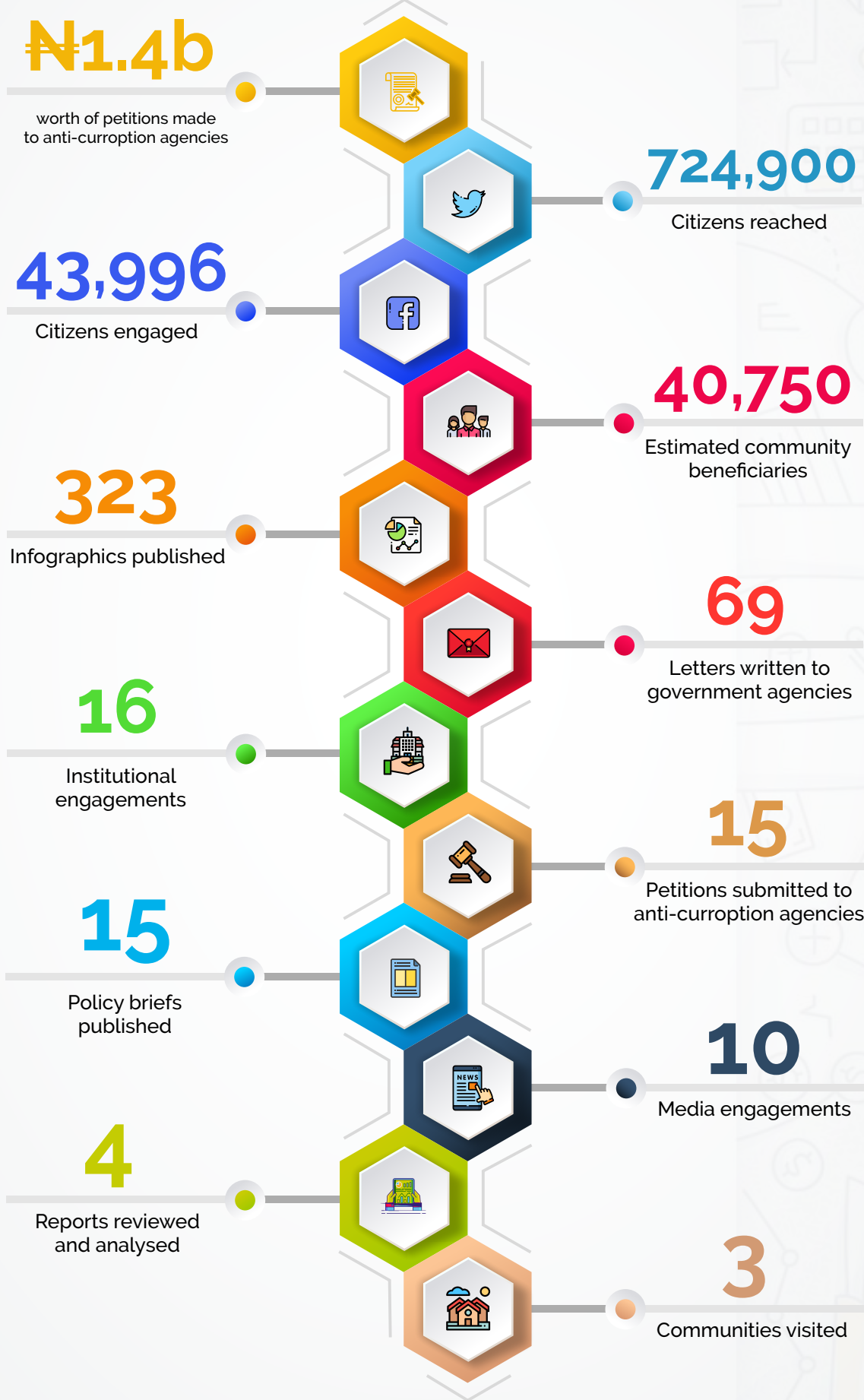


The 2017 audit report was reviewed, analysed and summarised with focus on irregularities with contracts awarded, taxes and Internally Generated Revenue (IGR) not collected/remitted within ministries, departments and agencies of government.





VISUALISING THE NUMBERS





PARTNERSHIP/COLLABORATION

Our “Value for Money” advocacy project received a boost in 2019 when Nigeria's foremost anti-corruption agency – The Independent Corrupt Practices and Other Related Offences Commission (ICPC) requested to partner with us alongside other key transparency and accountability projects in the Nigerian civic space to jointly monitor/track implementation of constituency and other capital projects in the country.

Bureau of Public Procurement (BPP) also wrote to acknowledge the growing impact of our “Value for Money” project towards ensuring fiscal transparency and public accountability in Nigeria.

PLSI collaborated with other Civil Society Organizations to organize press release calling on the President to sign the “Audit Service Commission Bill 2018” into law to support the present administration's fight against corruption. Also, PLSI with other civic organizations and ministries, departments and agencies attended a meeting to validate Nigeria's Open Government Partnership (OGP) Second National Action Plan.





RESOURCE BENEFITS PAYMENT TO GOVERNMENT

Yes! We are intervening to promote extractive revenue accountability to further maximize benefits of natural resources particularly to extractive affected communities in Nigeria. With technical support from Natural Resource Governance Institute (NRGI), PLSI now has on its extractive web platform; data focused on payments to government entities in Nigeria. This currently is the only indigenous platform that houses Nigeria specific payment to government data and its gradually enabling demand for accountability in the extractive industry by citizens. With funding support from the British Council through the European Union – Rule of Law and Anti-Corruption (RoLAC) programme, we analyzed and visualized 30 payment cases involving key agencies of government including Nigerian National Petroleum Corporation (NNPC), Department of Petroleum Resources (DPR), Federal Inland Revenue Service (FIRS), Niger Delta Development Commission (NDDC), Federal Ministry of Mines and Steel Development and others. PLSI will also organize workshop to strengthen capacity of civil society organizations and citizens to utilize payment to government data to hold relevant government institutions accountable hence catalyzing positive changes in affected communities.

PLSI equally reviewed and analyzed 2012-2016 NEITI's Fiscal Allocation and Statutory Disbursement report focused on the analysis of the expenditure and utilization of funds allocated on select federal ministries, departments and agencies.

Another review exercise was on the Share of Derivation and Ecology Funds report which focused on funds released to the federal government, state governments, office of the Secretary to the Government of the Federation, National Emergency Management Agency (NEMA), Ministries, Departments and Agencies.

Additional activity for our extractive team was the review and analysis of 2012-2016 Natural Resources Development report centered on key findings which revealed that the special intervention funds were approved and disbursed for Hydro-Power, to the Office of the Senior Special Assistant to the President (OSSAP), Consolidated Revenue Fund, Federal Ministry of Agriculture and Rural Development (FMARD) and Federal Ministry of Water Resources (FMWR).





INSTITUTIONAL ENGAGEMENTS

Our organization engaged the Independent Corrupt Practices and Other Related Offences Commission (ICPC) with our Independent Findings on issues identified from review and analysis of 2016 Audit Report of the Federation. We submitted fifteen (15) petitions which the Commission is currently investigating.

PLSI through its "Resource Benefits" project to promote accountability in the management of extractive revenue engaged select ministries, departments and agencies of government including Central Bank of Nigeria, Department of Petroleum Resources, Ministry of Mines and Steel Development, amongst others on payments to Nigerian government entities by international oil companies. Also, PLSI visited Nigeria Extractive Industry Transparency Initiative (NEITI) secretariat to discuss partnership opportunities for our "Resource Benefits" Project. We also attended NEITIS's Inaugural High-Level Policy Dialogue on "Stemming the Cost Oil Theft to Nigeria".

We visited the Auditor General for the Federation in 2019 to discuss salient accountability issues such as the implementation of commitments in the Open Government Partnership Second National Action Plan.



PLSI meets Auditor General for the Federation; Mr. Anthony Ayine





WORKSHOP AND TRAINING

We held a workshop within the period under review to sensitize journalists, media influencers, civil society organizations and relevant ministries, departments and agencies of government on the key issues highlighted from 2016 Audit Report to dialogue, collaborate and leverage on the support of these stakeholders to deepen public accountability in Nigeria.



Stakeholders' sensitization workshop on 2016 audit findings of the federation in Abuja with ICPC, @BPP, Fiscal Responsibility Commission, former Chairman Public Accounts Committee (HoR), CSOs, Journalists & social media influencers.



TV PROGRAMME



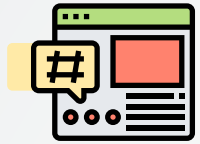
L-R: Olusegun Elemo (PLSI), Mr. Jesse-Martin Manufo (SDN) and HRH Livingstone Fortune (Elebele Community, Bayelsa) on the Value for Money TV Show



L-R: Olusegun Elemo (PLSI), Sarah Muyonga (NRG Institute), Joshua Olufemi (former Director, PTCLJ) and Patrick Fubara (Community rep from Rivers State on the Value for Money TV Show)

With support from the British Council through the European Union – Rule of Law and Anti-Corruption (RoLAC) programme, we recorded our first “Value for Money” TV series to air on a national television. The show was aimed at drawing attention of policy makers to highlighted audit issues affecting citizens from the 2016 Audit Report of the Federation and discuss the effect of inefficiency in revenue collection to mobilizing adequate funds for effective implementation of annual budgets and highlight developmental cost of these revenue losses to citizens. This TV program was equally targeted at bringing together representatives from affected communities, relevant MDAs and other Civil society organizations to discuss how to demand accountability from public officials and government entities using Payment to Government data capturing payments to Nigerian government entities by international oil companies.





MEDIA ENGAGEMENTS



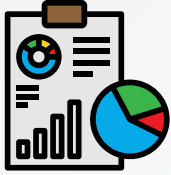
PLSI speak on a radio programme; *Talking Points* which airs on Splash FM, about citizen participation in demanding public accountability

We sustained our partnership with "Talking Points" – a radio programme airing on Splash 105.5 FM to continue the #AwakenTheCitizens segment which airs last Tuesday of every month. On this programme, we share data with citizens and encourage them to demand accountability from relevant public officials and democratic institutions.

Our team also featured on Inspiration 100.5 FM among other radio stations. Our Executive Director, Olusegun Elemo appeared frequently on TV Continental (TVC) to speak on various national issues.

PLSI in 2019 equally engaged other media platforms such as Leadership Newspaper, The Nation, The Guardian, Daily Trust, Channels Television, Nigeria Television Authority (NTA) and Core TV.





SUB-NATIONAL AUDIT TRANSPARENCY REPORT



Mr. Olusegun Elemo (PLSI Executive Director) making a presentation at an Open Government engagement in Kaduna State

Having seen the need to increase citizens' access to sub-national government's audit data, we visited Kaduna state in the period under review to pilot this approach. Our team engaged with CSOs and government agencies in Kaduna state and shared with them the Citizen Participatory Audit (CPA) approach to public accountability at sub-national level. We also went further to integrate a sub-national audit data page on our web platform to enable citizens access available audit reports of sub-national governments which we hope will deepen citizens' engagements in different states.





PLSI HIGHLIGHTS



Open Data Day

PLSI participated in the Open Data Day 2019 to promote open data across the globe. Although we did not hold any formal event this time around, we published posts on social media to support the global advocacy for open data.



Publications

On 30th January 2019, we launched our very first Independent Findings report on highlighted audit issues in Abuja, Nigeria. The report focused on priority projects highlighted from our review and analysis of 2016 Audit Report of the Federation and it is a compilation of findings from field investigation by the PLSI team.



Community Visits

Our team embarked on an exploratory visit to the Niger Delta (Rivers and Bayelsa states) to investigate environmental impact of extractive activities on host communities. It was an opportunity to see first hand the dearth of infrastructure in the Niger Delta region. The negative environmental impact of oil drilling activities was seen in Ogu and Elebele communities. These host communities' basic social amenities make living difficult for them.

Our VfM reporters also visited a project site in Enugu State to ascertain status of rehabilitation of 6.6km Amugo-Uno-Oriemba market, Amugo-Isiorji-Onuani road for which sixty-six million naira is said to be unaccounted for.





PLSI HIGHLIGHTS



15 Days Social Media Advocacy

As part of outputs from our Stakeholders' Sensitization Workshop held within the year, we collaborated with other CSOs on a 15-day social media advocacy to mobilise publicity and also deepen investigative reportage on key findings from 2016 Audit Report of the Federation.



Technology Support - Website Upgrade

We upgraded our technology platforms including two websites and one mobile app to ease citizens' engagement and interaction with our work. The web platforms upgraded include www.plsinitiative.org and www.resourcebenefits.ng



Donor Support

Donor support to PLSI increased in 2019. We have now so far been supported by from Open Knowledge Foundation, TrustAfrica, The British Council, The European Union and Open Society Initiative for West Africa (OSIWA).



Challenges

We experienced few challenges with our work in 2019 among which are lack of institutional commitment to advancing accountability using audit data, limited capacity on the part of citizens, civil society and media to engage effectively with audit findings of the federation as well as inadequate funding for community outreaches.





PLSI PHOTO SPEAK



Staff celebrate PLSI 3rd year anniversary



Olusegun Elemo (PLSI Executive Director) at a community engagement organised by National Orientation Agency



South West Zonal OGP rally held in Ibadan to raise awareness on OGP principles.



Sanjay Pradhan, CEO of Open Government Partnership (OGP) and Olusegun Elemo, Executive Director, PLSI at an OGP event in Abuja, Nigeria



Abandoned project at Okene, Kogi State with N51.1m not accounted for



N257.6m not accounted for on this abandoned project in Kwara State





PLSI PHOTO SPEAK



Olusegun Elemo (PLSI Executive Director) making a presentation at an Open Government Partnership (OGP) programme in Kaduna State



Olusegun Elemo (PLSI Executive Director) and panelists at the Value for Money TV Show



Olusegun Elemo (PLSI Executive Director) speaking at a community engagement on Open Government Partnership (OGP) principles organised by the National Orientation Agency (NOA) in Ibadan, Nigeria



Olusegun Elemo (PLSI Executive Director) at OGP Global Summit Debriefing meeting in Abuja, Nigeria



Olusegun Elemo (PLSI Executive Director) and other partners at a joint press briefing urging President Buahri to sign the Audit Bill into law.

