

Asset Recovery and Victim Compensation: Recent Experience from Nigeria

A paper presented by CISLAC/TI-Nigeria

A very generous well!



EFCC recovers Emefiele's 753 luxury duplexes



Other assets (in cash) recovered from Emefiele

- Between January and December **2019** in Abuja, Mr Emefiele domiciled **N167million in a proxy account**.
- Between January and December **2020**, Mr Emefiele and co-conspirator, Mr Ocheme, held **N1.23billion** domiciled in Kelvito Integrated Services' account No: 1016232915.
- Between January and December **2021** knowingly had under control the total sum of **N2.94billion** domiciled in Kelvito Integrated Services' account No. 1016232915.
- Between January and December **2022**, Mr Emefiele and his conspirator knowingly had under control the total sum of **N1.98billion** in Kelvito Integrated Services' account No: 1016232915.
- In **fresh charges**, EFCC also said the former Bank Chief allegedly domiciled **N900million** in Ifedigo Integrated Services' account No: 1210750237.
- In **fresh charges**, the prosecution alleged Mr Emefiele kept **N600million** domiciled in Ifedigo Integrated Services' account No: 1210750237 domiciled with Zenith Bank Plc.

EFCC declares former Kogi Governor, Yahaya Bello (A.K.A “White Lion”) wanted



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WANTED



YAHAYA ADOZA BELLO

The public is hereby notified that **YAHAYA ADOZA BELLO** (former Governor of Kogi State), whose photograph appears above is wanted by the Economic and Financial Crimes Commission (EFCC) in connection with alleged case of Money Laundering to the tune of **N80,246,470,089.88** (Eighty Billion, Two Hundred and Forty Six Million, Four Hundred and Seventy Thousand and Eighty Nine Naira, Eighty Eight Kobo).

Yahaya Bello's loots

- In September 2024, EFCC accused Mr Yahaya Bello in the fresh case of dishonestly diverting more than **N110billion** from the Kogi State Government's treasury while he was governor for eight years.
- EFCC had earlier declared Mr. Yahaya Bello wanted for money laundering case involving diversion of **more than N80billion** pending against him at the Federal High Court in Abuja.
- It also alleged in various counts that Mr Bello dishonestly acquired for himself **properties located in choice areas of Abuja and one in Dubai, the United Arab Emirates (UAE)**, with funds he allegedly diverted from the state government's treasury.

Yahaya Bello's loots (2)

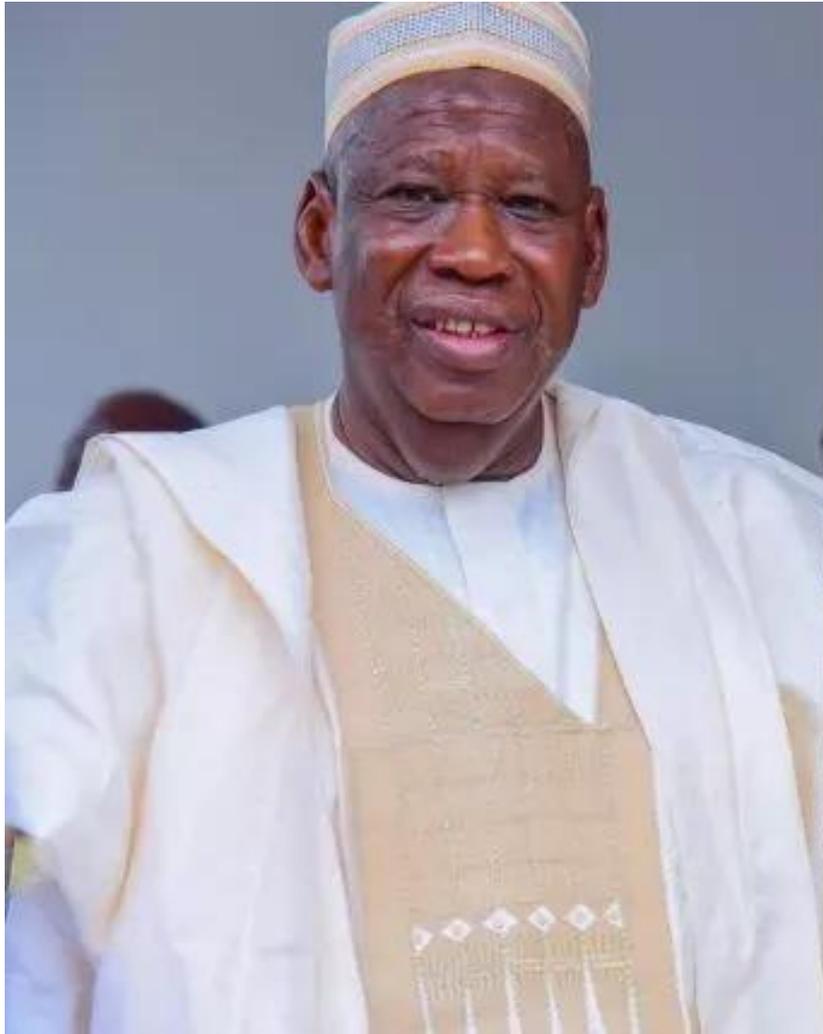
- EFCC said the former Kogi State governor took **N100million** from the government's treasury to buy himself a property at 1160 Cadastral Zone C03, Gwarimpa II, Abuja, in 2021.
- He bought another property at 35, Danubi Street, Maitama, Abuja, for himself with **N950million** belonging to the state in 2023.
- He bought another property at 2, Justice Chukwudifu Oputa Street, Asokoro, Abuja, with **N920million** belonging to the state in 2020.
- Mr. Bello took **N100million** from the Kogi State Government to buy himself a property known as Block D, Manzini Street, Wuse Zone 4, Abuja.

These amounts are significant for a poor state like Kogi.

Obstruction of Justice: Gov. Ododo 'rescues' Yahaya Bello from EFCC



Pending Recovery: A coalition of 51 of anti-corruption groups formally petitioned EFCC to arrest Ganduje



Former Governor of Kano state (2015 to 2023)

Current Chairman of the Ruling Party

Pending Recovery: Ganduje's loots

- Ganduje's tenure as governor from 2015 to 2023 has been marred by accusations of corruption, including a recent fraud charge filed by the Kano State government.
- A Kano State High Court also fixed April 17, 2024, for Ganduje's arraignment on eight counts involving an alleged **\$413,000** bribe and misappropriation of **N1.38billion**.
- This charge alleges that he conspired to divert over **₦57.43billion** meant for the 44 local government areas of Kano State, using the funds to acquire **luxurious properties locally and internationally**.

Setting the context

- In 2018, Nigeria led the international cooperation under the African Union umbrella to develop Common African Position on Asset Recovery and Asset Return.
- With asset recovery totalling more than **\$5 billion** over the last 26 years, Nigeria has likewise led the continent in this regard.
- Around **\$5 billion** of Nigerian Assets are still awaiting asset returns from foreign jurisdictions.

Nigeria: Strategy for Asset Recovery

As related to Asset Recover, Nigeria employs a dual strategy:

- Legal forfeiture of assets and
- Administrative restitution

They are both handled by anti-corruption agencies like Economic and Financial Crimes Commission (EFCC), Independent Corrupt Practices and Other Related Offences Commission (ICPC), and many more.

Legal Frameworks for Asset Recovery in Nigeria

Nigeria has developed an extensive legal framework to address corruption and enable asset recovery of misappropriated assets. This framework comprises laws, regulations and institutions specifically developed to tackle the issues of asset recovery. They include:

- Economic and Financial Crimes Commission (EFCC) Act (2004)
- Independent Corrupt Practices and Other Related Offences Commission (ICPC) Act (2000)
- Proceeds of Crime (Recovery and Management) Act, 2022
- Money Laundering (Prevention and Prohibition) Act

Legal Frameworks for Asset Recovery in Nigeria (2)

- Terrorism (Prevention and Prohibition) Act
- Petroleum Industry and Governance Act
- Beneficial Ownership register

Challenges Involved in the Recovery of Proceeds of Crime and Forfeited Assets in Nigeria

- **Asset Mismanagement and Depreciation in Nigeria's Criminal Justice System:**

System: One significant challenge facing the recovery of proceeds of crime in Nigeria is the mismanagement and neglect of confiscated assets. In many instances, assets seized by law enforcement agencies or ordered forfeited by the courts are left idle and unattended. The prolonged duration of legal proceedings further exacerbates this problem, as the assets may remain in limbo for years before final decisions are made regarding their disposal or restitution. These assets often deteriorate rapidly or lose essential value due to lack of maintenance, usage and oversight. **This situation presents a critical flaw in the Nigerian criminal justice system. This not only frustrates the victims but also weakens public confidence in the justice system ability to deliver meaningful redress.** The consequence of this systemic inefficiency is twofold:

- ☐ The value of the recovered assets diminishes significantly, undermining their potential to serve as effective compensation for victims of crime.
- ☐ The victims are often left without practical means of recovering their losses, despite the legal seizure of proceeds derived from crime.

Challenges Involved in the Recovery of Proceeds of Crime and Forfeited Assets in Nigeria

- **Corruption within Anti-Corruption Agencies:** A critical impediment to the effective recovery of proceeds of crime in Nigeria is the issue of corruption within the very institutions tasked with combating corruption. Allegations have emerged concerning some officials within the anti-corruption agencies engage in unethical practices, including the unauthorized or non-transparent disposal of recovered assets. **In certain cases, recovered assets are reportedly sold off at significantly undervalued prices, often to individuals within the same agencies or their associates. This undermines the integrity of the recovery process and defeats its primary purpose to ensure that illicitly acquired assets are returned to the rightful victims or redirected for public benefit.** Such practices not only erode public confidence in the justice system but also compromise the economic value of assets to be diverted for personal gain, the opportunity to use those resources for victim compensation or national development is lost.

Challenges Involved in the Recovery of Proceeds of Crime and Forfeited Assets in Nigeria

- **Identifying International Victims of Crime (Cyber Crime):** An emerging challenging in the recovery of crime in Nigeria, particularly in cases involving cybercrime (commonly referred to as “Yahoo Yahoo”), is the difficulty in identifying and compensating victims who reside abroad. Many of these crimes involve complex schemes targeting individuals and entities in foreign jurisdictions, making the process of victim identification and restitution highly complicated. **In most instances, the victims of such crimes are disperses across multiple countries, and there is often limited or no direct contact information available.** This lack of information poses significant hurdles for appropriate authorities attempting to trace and verify the legitimate victims entitled to recovered assets. The absence of bilateral frameworks or efficient mechanisms for cross-border victim compensation makes it even more challenging to repatriate stolen assets to those affected.

Challenges Involved in the Recovery of Proceeds of Crime and Forfeited Assets in Nigeria

- **Cross-Border Transfer of Assets:** Another obstacle in the recovery of assets in Nigeria is the cross-border movement of these assets. They are often transferred unlawfully to other foreign jurisdictions, taking advantages of global financial systems, tax havens and weak regulatory environments in other countries. **Once these assets leave Nigeria, the process of tracing, freezing and repatriating them, become highly complex and resource intensive.** Challenges include differences in legal systems, bureaucratic delays, lack of cooperation from foreign authorities, and the absence or underutilization of effective mutual legal assistance treaties. In many cases, the slow pace of international collaboration, expedited legal frameworks for asset repatriation and increased capacity within Nigerian institutions to engage effectively in cross-border recovery processes.

Challenges Involved in the Recovery of Proceeds of Crime and Forfeited Assets in Nigeria

- **Political and Economic Interference:** Political and economic influences can significantly hinder the effective recovery of assets in Nigeria. **In some cases, individuals involved in corrupt practices or economic crimes may possess strong political connections or wield considerable economic power, which they use to obstruct investigation and asset recovery efforts.** Such interference can show up in different ways, including undue pressure on enforcement agencies, manipulation of legal processes or the use of delays and technicalities to frustrate proceedings. As a result of this, victims are denied justice, as assets that could potentially be used for their restitution remain unrecovered or inaccessible.

Opportunities for change

- The first is the national/regional/regional consensus that corruption needed to be fought
- Many development partners are willing and ready to support the country in its fight against corruption
- Fighting daily corruption to create a condition for national reorientation
- There are a couple of initiatives such as the assets declaration, the single treasury, payment system that if fully enforced and complied with, it will help to reduce some of the leaks in government which graduate to become mega corruption
- Nigeria is one of the most successful national in terms of the quantum of looted money the international community has helped it to recover
- Possible amendments to enrich legal provisions

Court Order on asset recovery proceeding

- Order 11 rule 1(1) of the Federal High Court (AMCON) Proceeding Rules 2018 in its effort to handle the issue of delay in proceedings provides that “when a matter comes before the court for the first time, the Judge shall in the circumstances where it is appropriate, grant to the parties time not more than 21 days within which the parties may explore possibilities for settlement of the dispute.
- Where the parties fail to settle within 21 days or such other period as the court may grant, the case shall without more, proceed to trial.” This provision mandates the judge in a trial case to grant parties to an asset recovery proceeding time to settle dispute out of court. This mostly applies in civil proceedings.

Recent notable achievements in victim compensation and asset recovery by the EFCC and ICPC

- The EFCC handed over the the forfeited **753 luxury apartments** to the Minister of Housing and Urban Development on Tuesday, May 20, 2025 in Abuja. EFCC has secured multiple court orders for the forfeiture of assets linked to him, **marking one of the most substantial asset recovery efforts in the country's history.**
- In April 2025, EFCC disclosed that it has used the sum of **N50billion** recovered looted funds to support the Nigerian Education Loan Fund (NELFUND), a Federal Government initiative aimed at providing financial aid to students in tertiary institutions.

Recent notable achievements in victim compensation and asset recovery by the EFCC and ICPC

- The ICPC uncovered a case involving a primary school teacher, Mrs. Roseline Egbuha, who, despite earning a modest salary, had ₦540 million stashed in her bank account. Investigations revealed the funds were proceeds of money laundering activities. The Federal High Court in Abuja ordered the final forfeiture of ₦120 million and vehicles linked to Egbuha and her accomplices to the federal government in July 2022.
- The ICPC announced the recovery of ₦13 billion in diverted public funds within a single month in September 2024. This achievement was part of the commission's strategic action plan and highlights its proactive approach to asset recovery and restitution.

Recent notable achievements in victim compensation and asset recovery by the EFCC and ICPC (2)

- In February 2025, EFCC returned \$130,000 and ₦70 million recovered from fraudsters to foreign victims through the American, Spanish, and Swiss embassies in Nigeria. Assets returned included funds, vehicles, and real estate properties. Notably, the EFCC handed over a residential bungalow in Kaduna and luxury vehicles to American victims, and substantial funds to Spanish and Swiss nationals.
- After a prolonged legal process initiated in 2007, the EFCC returned 14 assets, including real estate and broadcasting equipment, to the Enugu State Government in April 2024. These assets were initially forfeited to the federal government following the conviction of individuals involved in fraudulent activities.

Recommendations (1)

- Legal and institutional reforms that prioritize the proper management, preservation and timely restitution of confiscated assets for the benefit of victims and the wider population.
- Robust oversight systems through public reporting systems, explicit management protocols, and severe penalties for officials who abuse their positions, to revive trust and ensure that recovered assets serve their intended purpose.
- Systems should be put in place that strengthens international cooperation, enhancing investigative capabilities, and developing mechanisms for victim identification and restitution.
- Enhanced international synergy, expedited legal frameworks for asset repatriation and increased capacity within Nigerian agencies to engage effectively in cross-border recovery processes.
- It is mandatory to enhance institutional independence, enforce strict anti-corruption mechanisms, and ensure that recovery efforts are protected from political and economic control.

Recommendations (2)

- Immediate review of the Code of Conduct Law
- Full implementation of relevant legislation on asset recovery
- Management of recovered asset must be improved
- All agencies with the mandate to recover assets must publish disaggregated data of interim/final forfeitures, types of assets seized, ongoing cases
- Civil Society representatives should be involved at institutional and individual levels of asset recovery
- Immediate formulation, passage and Presidential assent into a comprehensive whistleblower protection Bill
- Cascading lessons learnt and localising Civil Society international engagements on asset recovery

Conclusion

- To enhance effectiveness, there is a need for streamlined processes, increased transparency, and robust legal frameworks. By addressing these challenges, Nigeria can further its commitment to justice and ensure that victims of corruption are adequately compensated.