

# CODE OF CONDUCT BUREAU IN MISCONDUCT POT

*Ex- Board Member Opens up*



**T**he Code of Conduct Bureau CCB is a federal Executive body set up by the Federal Government of Nigeria. The history of this body can be traced to the Military Administration of General Murtala Mohammed who appointed late Alhaji Isa Kaita as Chairman. However the Bureau was not functional until 1988 when General Ibrahim Badamosi Babangida'

s administration appointed a ten Member Board headed by late Canon H. Mohammed. It went further to promulgate Decree 1 of 1989 to give legal backing to the Code of Conduct Bureau and Code of Conduct Tribunal. In 1999 the General Abubakar Abdusalami 's administration enshrined the Code of Conduct Bureau in Section 153, Third Schedule, Part 1 and Fifth Schedule,



Part 1 of the Constitution of the Federal Republic of Nigeria.

The Code of Conduct Bureau and Tribunal Act Chapter 58 LFN 1990 gave the Bureau the mandate to establish and maintain a high standard of public morality and accountability. To implement the above mandate, section 3, part of the third Schedule to the 1999 Constitution of the Federal Republic of Nigeria as amended has provided an enabling legal environment for the bureau to;

The CCB is mandated to receive declarations by public officers under paragraph 12 of part 1 of the Fifth Schedule to the Constitution. Examine the declaration in accordance with the requirement of the Code of conduct of any law. Retain custody of such declaration and make them available for inspection by any citizen of Nigeria on such terms and conditions as the National Assembly may prescribe. Ensure compliance with and when appropriate enforce the provisions of the code of conduct or any law relating thereto. Receive complaints about non-compliance with or breach of the provision of the Code of conduct or any law in relation thereto, investigate complaints and where appropriate refer such matters to the Code of conduct Tribunal. Appoint, promote, dismiss and exercise disciplinary control over staff of the Code of conduct bureau in accordance with the provisions of an act of the National Assembly enacted in that behalf and carry out such functions as may be conferred upon it by the National Assembly. The structure of CCB is a Federal Executive body like any Civil service organisation. The Bureau shall consist of a chairman and nine other members who shall be (a)- persons of unimpeachable integrity in the Nigerian society and (b) at the time of appointment not less than 50 years (c) the Chairman and other members shall be appointed by the president subject to the confirmation of the Senate. The structure is perfect enough for the purpose for which it is set; there is cordial

relationship between the superior and the subordinate and there is room for free flow of information in the institution. The CCB Board comprises, Chairman Professor Muhammad Isah. Federal Commissioners, Murtala Aliyu Kamkai, Elder Dr. Ubolo itodo Okpanachi, Ken Madaki Alkali, Dr Emmanuel Enu Attah, Prof. S.F OGUNDARE, Engr. SAAD Abubakar Abdullahi.

In the past four years under the leadership of Professor Muhammad Isah the operations and performance of the Bureau has been everything but transparent and laced with gross misconduct. In August 2022 the Federal Commissioners in the Code of Conduct Bureau, CCB, had accused the chairman, Professor Mohammed Isah, of running the agency as a sole administrator and alleged corruption. The commissioners, who petitioned both the Senate and the House of Representatives, said the chairman, in contravention of the provisions of the Act establishing the CCB, single-handedly transferred staff without reference to the Board. They also alleged that he by-passed the members against the approved organogram of the Bureau, asking the National Assembly to, as a matter of urgency, intervene in the matter to save the Bureau from total collapse. "In the petition, the commissioners said that the allowances and impress due to staff were not paid, alleging also that the cooperative money of the staff amounting to over N60 million could not be accounted for by the chairman." According to them, Board members do not know how many petitions received by the Bureau as well as number of cases under investigation and cases charged to Code of Conduct Tribunal. They equally alleged that high profile cases brought before the Bureau were suppressed by the chairman.

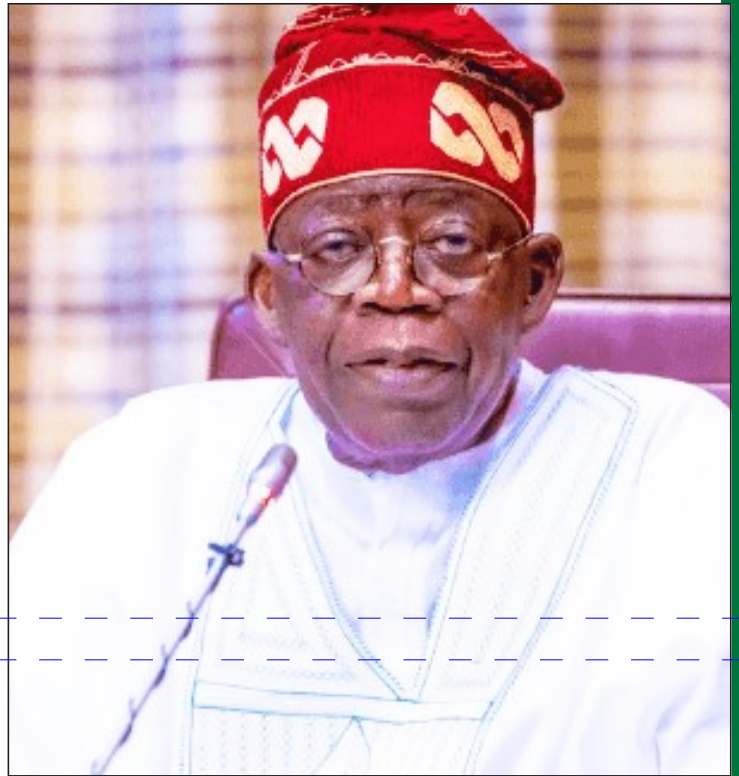
The petition, obtained by Vanguard, dated August 29, 2022, and signed by Dr. Emmanuel E. Attah; Professor Samuel F. Ogundare; Ehiozuwa J. Agbonayinma; Dr. Olayinka Balogun, CP, Retd and Barrister Ben Umeano, was addressed to the Chairman, Senate Committee on Ethics, Privileges and Public Petitions, Senator Patrick Akinyelure, PDP, Ondo Central, and his House of Representatives counterpart, Hon. Ossa Nicholas Ossai. "A member of the Board, Engr. Sa'ad Abdullahi, the Majidadin of Gombe, was also said to have resigned his appointment, citing the crisis created by the chairman. The petition, titled "Maladministration, non-functionality, Corruption and Collapse of Law and Order in the Code of Conduct Bureau, a call for an urgent intervention", read, among others: "We, Federal Commissioners of the Code of Conduct Bureau, wish to bring the following to your attention for your urgent intervention in order to save the Bureau from total collapse. The chairman in contravention of the provisions of the Act, single-handedly transfers staff without reference to the Board and bypasses the Bureau members against the approved organogram of the Bureau. Section 3 of SOP states that "all funds of the CCB shall be under the full control and management of the Bureau. Members of the Bureau do not know anything about the budgeting, award of contracts/procurement processes and every financial transaction in the Bureau. The chairman does not

advertise the award of contracts as required by law.

"In order to cover up for his non-compliance with the provisions of the Public Procurement Act, the chairman fraudulently obtains a 'Certificate of No Objection' and alleges that the contracts in question are for security equipment. The so-called security equipment allegedly procured is not visible, while the internally generated revenues are unaccounted for. Monies meant for monitoring, investigations, training, staff welfare have been diverted by the chairman for his personal use. Non implementation of approval level for federal commissioners, directors, deputy directors, assistant directors, head of divisions, sections and units.

In a move that took the Board by surprise they were invited by the various committees and after the petition was discussed they were giving a period of two weeks to go back and resolve the issue among them. The Board Members left feeling more confused that the issue they had thought should have been resolved and appropriate action taken was jettisoned in such an irresponsible manner. Many of them knew that once again the chairman has used his influence and contacts within the government circle to double cross them. The petition was never attended to neither was the board members called back after the two weeks they were given to resolve the issue. It was obvious that the lawmakers had been compromised.

According to a news report in the Leadership Newspaper of 27<sup>th</sup> January 2023 captioned 'Fears over failure by the code of conduct Bureau to prosecute high profile corruption cases, the paper stated that 'There is a palpable fear and general discontent within the rank and file of



Civil Society Organisations and major stakeholders in the Nigerian enterprise over the failure of the authority of the Code of Conduct Bureau to prosecute some high-profile corruption cases on the stable of the Bureau even after investigations have been concluded. It appears that since the advent of the current leadership of the Bureau, Professor Mohammed Isah the organisation have gone

***One of the high profile case allegedly covered by the erstwhile chairman Prof. Isah Muhammad was the petition received from an advocacy group from Portharcourt at the wake of the 2023 elections accusing the Mr Siminalaye Fubara the current Governor of Rivers state who was then the head of Rivers State Treasury under former Governor Nyesom Wike of operating several private companies and accounts with his name and all his family members with evidence of clear diversions of state government fund into these accounts while he was still in an official of the state Government. After thorough investigation the Code of conduct invited Mr Siminalaye Fubara on several occasions to defend the allegations but he never showed up because his principal was allegedly busy compromising all members of the Bureau who were in charge of the investigation. However as a result of pressure from top the Bureau forwarded the case to the Tribunal for trial but at the point of pronouncing the judgement the case suddenly entered into a voice mail and till date nothing has been said again about the matter.***

into comatose. In the past few weeks some civil society groups like the Coalition for a New Nigeria have read out a riot out to President Mohammadu Buhari to focus his attention on the Bureau and do the needful. According to the Chief Scribe of the Coalition, Comrade Donalson Timipre, 'Nigerians can no longer tolerate a situation where public officers who are catered for with tax payers' money will fail in their obligation to the people. How the Chairman can deny Nigerians the opportunity to know about the outcome of investigation carried out about the allegations of corruption and breach of oath of office by public office holders, he asked. It could be recalled that sometimes last year a member of the Board of the Code of Conduct Bureau, Hon. E.J Agbonayinma who was obviously irritated by the lack lustre performance of the Bureau dragged the Chairman Professor Mohammed Isah to the appropriate House Committee in the National Assembly to defend allegations bordering on incompetence and failure to forward high profile corruption cases to the tribunal for prosecution.

At the end of the Committee hearing the Board was mandated to go back to the drawing board and work hard to ensure that every pending high-profile corruption case is investigated and forwarded for appropriate action to the tribunal. He said that following the mandate of the House Committee, the chairman of the Bureau Professor Mohammed Isah scheduled some of these high-profile corruption cases for investigations but to the dismay of Nigerians the concluded cases are yet to be forwarded to the Tribunal for prosecution by the office of the chairman. Findings revealed that the chairman in his usual style has ignored and refused to forward these cases to the tribunal for prosecution several months after the investigations had been concluded and forwarded to him for further actions. According to him speculations are rife and there is

wide spread agitations among some civil society groups that it is most likely that the leadership of the Bureau is hobnobbing with these highly placed personalities who were indicted in the high-profile corruption cases. There is more apprehension that the unusual harmony between the leadership of the Bureau and these highly placed corrupt politicians and Public servants may hinder their being prosecuted and this to a large extent will not be in the interest of the generality of Nigerians. Many of the stakeholders also believed that the Code of conduct Bureau under the current leadership has failed to meet up its statutory mandate of investigating and prosecuting corrupt public office holders and politicians who have not only breached their oath of office but have corruptly enriched themselves through public offices. It is an open secret that since the current leadership of the Bureau came on board; no single high-profile corruption cases have been prosecuted. Speaking also on the issue the President General of Advocacy for good governance a civil society group based in kano Mallam Yakubu Musa berated the chairman of the Code of Conduct Bureau Professor Mohammed Isah for not aligning himself and the Organisation to the anti-corruption posture of President Mohammadu Buhari. He called on the president to replace him with a competent and patriotic Nigerian who will lead the Bureau in line with the anti-corruption mantra of the present administration.' The tabloid reported.

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The petition against Mr Peter Mbah before he was elected as the Governor of Enugu State, was another case in point where it was alleged that the Prof Isah had to write officially to withdraw the trial file the Bureau had earlier submitted to the Tribunal to stop the trial of Mr Peter Mbah over allegations of false declaration of Assets. This was allegedly done after a lot of water has passed under the bridge. Speaking recently on the issue of gross misconduct in the Bureau through a telephone conversation with our correspondent a former Board Member of the Bureau, Engr. SAAD Abubakar Abdullahi who is the Majidani of Gombe confirmed that the



erstwhile Chairman Professor Muhammad Isa was running the CCB like a sole administrator. 'He was working completely outside the operational guidelines of the Civil Service. Although the Board is at liberty to work out its internal guidelines in tune with the operational guidelines of the Federal Government Prof Isah deliberately refused to adopt these guidelines rather he choose to do things on his own and in his own style. According to him, in the normal Civil Service system all Government establishments and MDAs operates through Committee systems where

statutory committees like tender committee, general purpose committee and the rest of it are set up to accomplish specific task for effective and smooth administration. But under Prof. Isah that is not the case. 'What he does is that he will just decide to handpick some people put them together to do his bidding and when they fail to meet up with his personal mandate, he will disband them and hand pick another set of people. All the statutory committees are just there, but this guy refused to use them.' We as Board Members were just there idle and doing nothing. Even though we have Departments we don't know what is happening there at the departmental levels. Everything he does is shrouded in secrecy. He was not relating with us; he was just using some of the directors at his whims and caprices. Even the Commissioner of finance and accounts don't know what is coming in or going out or what is being expended. The Director, Elder Obolo Okpanachi was just there he does know anything about the finances. We did all we could do as a Board to rectify the situation. We went to see the then Secretary of Government, Boss Mustapha and instead of listening to our complaint he directed one of his permanent secretary to see us and yet nothing meaningful came out. The



constitution on operational guidelines was clear but the chairman deliberately refused to adhere to them and nobody up in the authority could caution him to do the right thing. Each time I tried to remind him of the need to follow the government operational procedures, he would respond to me by saying that the guidelines are in conflict with our assignment.' 'There was a time we had a retreat and the organizers of the retreat advised us as a Bureau to ensure that we adhere strictly to the civil service guidelines when they noticed that the way the Bureau is running is completely out of tune but professor Isah refused to comply. They advised that we

sort out all grey areas and align them with the constitutional provisions. 'Another major breach is our schedule as a Board for meeting with the Chairman which is supposed to be monthly as stipulated by the constitution but unfortunately this is not so as the Chairman fixes meeting when it pleases him and in most cases he calls off such meetings abruptly with excuses that he has either been called to the villa by the President or his immediate boss who is the former Minister of Justice and Attorney General of the Federation, Abubakar Malami requires his attention. Prof. Isah does everything possible to ensure that he avoid meeting with the board because he was always scared of probing questions about his maladministration. Each time there is a serious and

controversial issues to be discussed he will just look for an excuse not to attend the meeting. He operates the Bureau like his private business and he feels he is not accountable to anybody.'

On how petitions are being handled by the Bureau, Ex-Board Member has this to say' Petitions are normally addressed to the Chairman of the Bureau after which he is expected to table them before the Council for deliberation before they are either referred to the Legal or investigating Department depending on the content of the petitions and urgency of the matter at stake. But unfortunately what Professor Isah does is to divert





the petition to his own private investigating team instead of allowing the Council to deliberate on it. He appoints his own private investigation team tagged Task Force to carry out the investigation and compromise the entire process to the detriment of the bureau and to his own advantage. I guess he has been using the petition to advance his personal interest. He keeps petitions on his table and takes charge of both the legal and investigation processes and everything. Only that he uses one of the Directors, Murtala Kankia as his stooge to do surreptitious letters to those who have been petitioned. Even when some of these letters get leaked to the public he will never tender it to the board. It is Professor Isah and the Director that are in charge. He does this deliberately as if he was the Alpha and Omega. That is how he runs the Bureau. You can confirm from other staff and Directors. Whenever he is confronted on the issue he will use the secrecy oath as an excuse but I have always explained to him that we all signed the secrecy oath in the presence of Mr. President and so there was need for us to follow the established guidelines and follow these petitions the right way. Even as full time Board Members we had no job because he rendered us useless. Most times we may not hold a single meeting for three or four months whereas our guideline stipulates that we meet once in a month as a Board. We have tried several times to tell him that this is not how the civil service operates and that he needs to establish the various statutory committees but he would not budge. He refused to establish them throughout his tenure. Sometimes if something comes up he will establish an ad-hoc committee and the moment the issue is over he will disband the committee. That is how he runs the place for the over three years I was there.' On what he thinks is the way forward now that Professor Isah's tenure has ended. Engr. SAAD said, 'whoever should replace him should be given a good orientation. The major challenge that

we had was that since we came in as a Board there was no orientation. During the tenure of Olusegun Obasanjo the Board Members and Chairmen used to be given an orientation where the duties and assignment of everyone are outlined and specified. But very sorry to say that in the Buhari's administration nothing like that was done but we had expected that a professor in law like Professor Isah knew what to do, he just deliberately sidelined the board to achieve his selfish desire. The Federal Government guideline for operations was never used for a single day. As Board Members we established committees on papers and passed over to him but he never implemented. There was always a vacuum and he alone decides what should be done and how it should be done. He believed he had a godfather who brought him into the Bureau. He was just living and acting in the shadows of his godfather. In fact it is not only in CCB that this is happening. If you closely at Buhari's administration, it is the same across board, there is no supervision. President Tinubu should be careful not to fall into the same trap. You give people jobs without supervising them. During Buhari's tenure there was no supervision, everybody does what he or she likes. This is exactly the same thing that was happening and still happening at the Federal Character Commission. That woman there is doing the same thing. She just handpicked one of the commissioners and uses her to do her bidding while running the whole place like a sole administrator. *Even the recent probe by the House of Representatives has not amounted to anything because these people have godfathers in government who influence their direction. These appointees who are called Chairmen acted as if they are the Alpha and Omega. They believe that the big people in government brought them in there and that they are above board and not accountable to anybody. In the CCB retired and*



*experienced civil servants were appointed to constitute the Board so we can advise and lead the Bureau by putting the chairman on the right course but because of the influence of their godfathers they feel they are not responsible to us. My hope is that President Tinubu will have checks and balances on all his Board appointees. Buhari missed it there he never had checks and balances. But fortunately for President Tinubu his Secretary of Government Chief George Akume is a core civil servant and had all the knowledge and experience to ensure that proper supervision is instituted to ensure that all appointed government board Members and Chairmen perform according to Federal Government guidelines.*

Our investigation revealed that three of the Directors, Engr SAAD Abdulahi. Elder Okpanachi Obolo and Murtala Kankia resigned their appointments from the Bureau to vie for elective positions in the 2023 elections. But unfortunately none of them was elected. However one of them Murtala Kankia was

surreptitiously re-instated into the Bureau through the instrumentality of the connivance between the chairman Professor Isah, the former Attorney General and Minister of Justice and the personal secretary and nephew to former President Buhari, Tunde Sabiu. This act is contrary to the civil service regulation that forbids any officer who voluntarily resigned or sacked from being reabsorbed into the service. This same scenario played out during 2013 Pension Saga when the sacked former Chairman of the Presidential Task force on

Pension Reforms Alhaji Abdulasheed Maina was secretly recalled to the service and promoted to head a directorate in the interior Ministry without the knowledge of Mr. President. The only difference in this case is that Murtala Kankia voluntary resigned to contest in an election while Alhaji Abdulasheed was sacked but both of them were elevated to higher positions. Murtala Kankia has now been elevated to the position of acting Chairman of the CCB

According to a recent report by an online publication Abuja Reporters, 'Professor Isa had a few guys who worked with him in the Board of the Bureau. One of them was Murtala Kankia from Katsina. Kankia was Isa's right-hand man. Early in 2023, Kankia and two others resigned from the Board of the CCB to contest for elective posts. They all lost. After the primaries, Isa and Kankia knew that the likelihood of the Chairman getting re-appointed by Tinubu for second term was slim. He had failed the then President-elect, who wanted to use Festus Keyamo the current Minister of Aviation to prosecute Atiku at the heat

of the 2023 Presidential election but Isa and his team made a mess of the petition. So, based on that premise, Malami quickly arranged that Murtala Kankia, out of the three who went to contest and lost be reappointed as board member. As Mohammed Isa left office with the expiration of his term in November 7<sup>th</sup> 2023 he surreptitiously handed over to his right-hand man, Murtala Kankia, hoping that the latter would be able to cover up his tracks instead of handing over to the most senior officer, Barrister Benedict Umeano. Meanwhile our sources gathered that when he handed over to Murtala Kankia, more than 2,000 files of investigated public officers believed to be in the private custody of erstwhile chairman were returned to the office. Why none of these, especially the top politicians as well as many heads of government agencies whose cases were believed to have been investigated discreetly were not prosecuted is still a subject of controversy till date.'

'The workers of the Bureau and others who are aware of

what transpired between Isa and Kankia were quick to raise alarm that the latter could not have been the acting Chairman unless government wants to kill the Bureau. Ordinarily, he wasn't the next in command to the erstwhile Chairman. The next and most qualified senior officer, as specified by the guidelines of the civil service should have been Benedict Umeano. What has happened is that Kankia usurped the Chairman's post after he was hurriedly smuggled back into the Board after resigning. He was brought back for the purpose. And another Board member who had earlier taken the ineptitude and corruption of the erstwhile Chairman to the National Assembly Hon. Ehiokuwa Agbonayinma a



former Reps member sensing the vacuum also played a fast one to see if he could secure the Chairmanship post by rushing to the Press to announce that President Bola Tinubu has appointed him as the new helmsman of the Bureau. Insiders have however warned that the President may lose a major platform for fighting the war against corruption and abuse of office if Kankia or Hon. Agbonayinma are allowed to lead the Bureau because they are not qualified to lead the CCB by virtue of their antecedent. Like many other appointments in the dying days of Buhari administration, the re-instatement of Kankia to the Board after himself and two others had stepped aside to contest elective posts was meant to cover up the atrocities committed by their former Chairman, Mohammed Isa, and by inference, Malami's stooge as the Chairman. To allow this is to sound a death knell on the Code of Conduct Bureau' the publication added.