

# MONTHS INTO HIS GOVT, TINUBU YET TO DECLARE HIS ASSETS, *Breaking the law, CSOs rage as Code of Conduct Bureau looks the other way*

By Seye Olumide

President Bola Tinubu has reneged on one of the legal and moral demands on public office holders to declare their assets upon the assumption of office, for transparency purposes. More than six months after assumption of office, taking oath of office and swearing allegiance to State and the rule of law, President Tinubu has no known record of assets in the public or in the coffers of the Code of Conduct Bureau (CCB). Following the failure of the Freedom of Information (FoI) Act to sift Mr Tinubu's asset declaration from the CCB, if any exist, officials of the Bureau have told The Guardian that



"expecting such a record from us is like Waiting For Godot". Stakeholders, among whom are Civil Society Organisations (CSOs), remarked that though the extant law on Asset Declaration is silent on public disclosure, it is a moral burden on well-meaning public office holders to be seen as transparent, and President Tinubu, most especially, should not be an exception. It will be recalled that the Code of Conduct for Public Officers, contained in Part I of the Fifth Schedule to the 1999 Constitution [as amended] provides that every public officer shall immediately after taking office, and thereafter (a) at the end of every four years; and (b) at the end of his/her term of office, submit to the CCB a written declaration of all his properties, assets, and liabilities and those of his unmarried children under the age of 18 years. The inherent secrecy of the provision has, however, become an alibi for most public office holders to either deride the entire provision or allegedly compromise relevant officials for cover ups.

In the case of Mr President, FoI has not proven resourceful on his asset records. Recent efforts to inquire from the immediate past CCB Chairman, Isa Muhammed, whether President Tinubu and others have declared their assets to the bureau, met a stonewall. But a source in the bureau said it would amount to a waste of time to expect the CCB to release Mr President's asset declaration form to the public since the law did not permit it. While the official could not ascertain if Mr President submitted one, he said asset declaration forms of such top office holders are usually kept in a special vault inside the CCB

Chairman's office.

In the last 24 years, President Tinubu has not been a stranger to CCB and Code of Conduct Tribunal (CCT) in lieu of controversies surrounding his wealth as a former governor of Lagos State, among other asset stakes. But as the sitting president, an asset declaration would have dispelled or affirmed claims that Mr Tinubu has wealth estimates of over \$4 billion, coupled with ownership of chains of hotels, media empire that include the Television and Radio Continental, stakes in Oando PLC, Lekki Concession Company, Ikeja Shopping Mall, Apapa Amusement Park, fleets of cars, a private Bombardier Global 6000 Express jet, a building at Bourdillon Road, Ikoyi evaluated at over a billion naira, among several others.

In 2012, the administration of former President Jonathan, arraigned President Tinubu before the CCT for false declaration of assets, and for operating foreign accounts,

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while he was at the helm of affairs in Lagos. He was later discharged and acquitted. But from antecedents, asset declaration and sanctions for violation have not been a popular culture among the ruling elites. Since Nigeria returned to democratic rule in 1999, only late President Umaru Yar'Adua declared his assets to the public, following his submission to the CCB. Yar'Adua declared assets, which was valued at N856, 452,892, with a total annual income that was put at N18.7 million. He also disclosed that his wife, Turai, had a total asset of N19 million, made up of houses. As Vice President, Goodluck Jonathan, also declared a personal fortune of N295 million in 2007. There are controversies surrounding the declaration of assets of former President Olusegun Obasanjo. Nobody knows what exactly former President Obasanjo declared as assets in 1999 and when he left office in 2007.

As President, Jonathan's assets also became a matter of secrecy. The former

governor of Bayelsa State once said he didn't owe the

Nigerian public an access to his asset record. In 2015, former President Buhari made a sketchy declaration of his assets, revealing that he had less than N30 million in his bank accounts at the time. This also gives credence to the declaration of assets before assuming office. In a breakdown of assets, Buhari, who is also a former Military Head of State, claimed to have \$150,000, two mud houses, livestock and an orchard, and a plot of land the exact location of which he has yet to trace. He also claimed not to operate foreign accounts, no factories and no

enterprises. He also had no registered company and no oil wells. Interestingly, only Tinubu and two other public officers have been tried for false declarations of assets at the CCT. The administration of President Buhari brought former Senate President, Bukola Saraki, and a Chief Justice of the Federation, Walter Onoghen, before the CCT, for false declaration of assets. Stakeholders, however, said the stakes are higher now, given the widespread cases of corruption and the need for a president that should lead by example. For instance, report by the Human and Environmental Development Agenda (HEDA) in collaboration with the MacArthur Foundation alleged that no fewer than 14 former governors were involved in N21 trillion, \$47.4 billion worth of fraud in the last 15 years – an amount that almost equals the Federal Government's 2023 budget of N21.83 trillion. The



damning report also fingered eight former Ministers/Special Advisers, five senators, among others just as it claimed that the value of money credited to women suspects is N8.9 trillion and \$20 billion; and to men, N7.9 trillion and \$17.8 billion. The document stated that the corruption occurred from 2007 to 2022.

Chairman of the Human and Environmental Development Agenda (HEDA), Lanre Suraj, said though the law might not compel any public officer to declare his or her assets to the public, the FoI Act should be able to allow the public access to the details of assets declared by anybody. "Some human rights and civil society bodies had approached the court to ensure that CCB released the assets declaration form of President Tinubu, we came out with nothing," Suraj said. Socio-Economic Rights and Accountability Project (SERAP) insisted that President Tinubu needed to start with a clean slate by promptly making public details of his assets and to also encourage his vice to do so.

SERAP's deputy director, Oludare, urged President Tinubu to publicly provide details of his assets, income, investments and liabilities and that of his vice and others to the Nigerian public, which according to him would allow Nigerians to know his real worth. Chairman, Coordinator of African Centre for Media and Information Literacy (AFRICMIL), Dr Chido Onumah, also urged President Tinubu, to declare his assets in accordance with Paragraph 11 of Part I of the Fifth Schedule to the Constitution and make it public as a way of committing to the genuine fresh beginning he promised Nigerians.

Human rights lawyer, Goddy Uwazurike, doubted if the current National Assembly would amend the 1999 Constitution to compel any public officer to declare his or her assets publicly. Uwazurike, however, said President Tinubu should lead by example. Chairman, Centre for Anti-corruption and Open Leadership (CACOL), Debo Adeniran, remarked that the onus is on the media and civil society organisations to lead the crusade on how the Constitution would be amended to compel public officers to declare their assets to Nigerians. According to Adeniran, "That's why corruption will be difficult to eradicate because we do not know what a public officer worth before and after their tenure. We are only talking of morality and the need for President Tinubu to lead by example and not from the aspect of what the law says."