



Federal Ministry of Justice

FMOJ SOLICITS FOR 2.5% FUND FROM RECOVERIES MADE; AS HAGF PRESENTS 2021 BUDGET

The Honourable Attorney-General of the Federation and Minister of Justice Abubakar Malami SAN, has called for urgent approval and implementation of the 2.5% of the asset recoveries made by the Federal Ministry of Justice (FMOJ) in order to reduce limitations due to inadequate funding in the Administration of Justice in Nigeria. Malami made this statement at the 2021 Budget Proposal/Performance Report presented to the Senate Committee on Judiciary, Human Rights and Legal Matters in Abuja on Monday 9th November, 2020.



HONOURABLE ATTORNEY GENERAL OF THE FEDERATION AND MINISTER OF JUSTICE, ABUBAKA MALAMI SAN, AND SOLICITOR GENERAL OF THE FEDERATION AND PERMANENT SECRETARY, DAYO APATA, SAN, DEPUTY DIRECTOR BUDGET AJAYI SOLA OLUGBENGA AT THE 2021 BUDGET PROPOSAL/ PERFORMANCE REPORT PRESENTED TO THE SENATE COMMITTEE ON JUDICIARY, HUMAN RIGHTS AND LEGAL MATTERS 9TH NOVEMBER, 2020.

He explained that the prime drivers in any given maturing democracy such as Nigeria are the Rule of Law, Due Process of the Law, Human Rights, International Obligations and Allied Matters. He added that evidence reveals that Administration of Justice which guarantees sustainable peace, equity and fair play is undeniably capital intensive. “Lamentably enough, practically all the Parastatals under the purview of my ministry are dire need of funding. For me, this is as dangerous as it is disturbing because funding gaps in the face of competing challenges could endanger effective administration of Justice, and unwarranted travesty of Justice”, HAGF expressed. While answering further question

on the issue of 2.5% fund, the Minister explained, the 2.5% which is tagged as process of assets, they had presented through the Executive and it is been considered as an Executive Bill to the National Assembly. Malami added, “...even when a kobo has not been budgeted to the office of the Attorney-General, the Ministry has been running from pillar to pole in international and local prosecution of crime”.



CHAIRMAN, SENATE COMMITTEE ON JUDICIARY, HUMAN RIGHTS AND LEGAL MATTERS SENATOR MICHAEL OPEYEMI BAMIDELE, WITH MEMBERS OF THE COMMITTEE DURING THE 2021 BUDGET PROPOSAL/ PERFORMANCE REPORT PRESENTED TO THE SENATE COMMITTEE ON JUDICIARY, HUMAN RIGHTS AND LEGAL MATTERS 9TH NOVEMBER, 2020.

He noted that, “in 2018, we have been able to recover the sum of three six two million (362,000,000) dollars at no cost at all to the Office of the Attorney-General and in 2020, we succeeded in recovering an addition of three eleven million (311, 000,000) dollars from US and New Jersey for Nigerian Government at no cost and without a kobo to HAGF’s Office for that recovery”. The HAGF pointed that there is also a cost to engage international lawyers in the prosecution of international cases with examples of Germany and P&ID in the UK and when the case was concluded, the sum of five (5,000,000) million dollars was given to the Office of the Attorney-General of the United States. In answering question on digitization of document, Malami stated that they have established storage of Depository of Treaties, and Agreements and they are planning to establish a Data Bank for Assets Recovery.

The Hon. Minister concluded that the year 2021 is another defining moment in the annals of the history in any event, promising that the Ministry of Justice shall do its level best at ensuring that the nuances of politics does not compromise the electoral correctness. However, he said there is a need for sustainable funding to achieve the feat. The Solicitor-General of the Federation and Permanent Secretary, Federal Ministry of Justice Dayo Apata SAN, explained that the External Solicitors had actually done a good thing for the Government through capacity building for the officers and reduction in government expenditure. He buttressed that, "Instead of engaging external lawyers which cost more, our own lawyers in the Attorney-General's Chambers are being used to curb expenses". He added that the Ministry has saved over six hundred million naira (600,000,000) because of the engagement of the Ministry's lawyers. The SGF/PS stated that the Ministry has cases all over the 36 states of the country. He added that in the prison decongestion, 3000 inmates were prosecuted and in doing this, four Judges of the Federal High Court, Legal Aid Council and other stakeholders were engaged. According to him, all these entails money and that is why the Ministry needs the support of the Committee. He said that will be part of the reason for the N2billion (2,000,000.000 billion naira) earlier requested.

Apata, while answering question on some issues raised, said a proposal has been put up for the maritime crime since it is a special case in the Administration of Criminal Justice, and the implementation of the National Criminal Justice is part of their request. "The President gave a specific directive on the Prison Decongestion, and we are carrying the directive strictly. The Ministry of Justice is collaborating with the Ministry of Interior as regards Correctional Service and the restoration of justice is another issue as regards Sentencing Guidelines and this is part of Administration of Criminal Justice", SGF stressed.

In his opening speech, the Chairman Committee, Senator-Michael Opeyemi Bamidele said in-line with section 81 sub section 1, the Senate extensively deliberated on the budget and referred it for further legislation to the Standing Committee for the purpose of appropriation and thorough investigative exercise and report back accordingly. Bamidele explained that the legislative function is viable thereby

ensuring the equitable distribution of resources with regard to allocation of resources to meet the yearning and aspiration of the people. “Therefore the importance of the exercise is not only sacrosanct but for the socio-economic development of the country and also germane for democratic dividend to the citizenry.

Other Members of the Committee included; Distinguish Senators, Okey Jeff, Dr Ajibola Bashiru, James Manager, Chukwuka Utazi, Peter Nwaoboshi and others.