

Institute of Human Rights and Humanitarian Law (IHRHL)
No 2 b Railway Close, D/Line, Port Harcourt
Tel/Fax: 23848-231716, Email: ihrhl@ihrhl-ng.org

PRESS STATEMENT – PORT HARCOURT, October 7, 2008

RIVERS STATE: A MISFIT PUBLIC PROCUREMENT ACT

The Economic and Socio Cultural Rights Unit of the Institute of Human Rights and Humanitarian Law (IHRHL) is shocked over the lopsided implementation mechanism of the Rivers State Public Procurement Act in the age of open government. In the Commission which is charged under the law to implement the Act, key components of the membership has been dropped, credible independent civil society representatives, including the media have been deliberately dropped.

The IHRHL strongly insists that what Rivers people have been given by their Legislative Assembly and the Executive is a Procurement Act in name only, with an implementation and monitoring mechanism made of government loyalist monitoring themselves. This encourages and motivates corruption with impunity, rather than diminish it from ways of the past. The essence of the law as it stands has been defeated. It is a mere public relation document that is aimed at hoodwinking citizens as state officials further deepen the plundering of their commonwealth . It shows unequivocally that this is a government that has refused to depart from the past, of paying lip service to institutional integrity, good governance, transparency and accountability.

The IHRHL wishes to urgently draw the attention of the citizens of the state who have been victims of bad governance in the last nine years, to the fact that it is not enough for the State Governor to go on television to simply say how he has received from the federation account and the contracts he has awarded. The age of due process which is what the Public Procurement Act is all about, demands that government must not only be open, but must be seen to be open in its transactions. There can be no longer any excuses for government failing to take action on behalf of the people in an open manner. Secrecy in government which is what the current Procurement Act is deliberately aimed at, would continue to exacerbate violations of people's economic, social and cultural rights. Hunger, homelessness and preventable disease must no longer be treated as though they were intractable social problems – they are human rights scandals that encourage conflicts and militancy.

The recent national and international publications on the illicit diversion of public funds by some key officials of Rivers State cabinet, which has elicited an EFCC probe, is not only an embarrassment to the good citizens of the state, but a testimony to the presence of primitive accumulators that are still running the affairs of decent people, despite their public pronouncements. It further depicts that the Public Procurement Act was dead on arrival.

The IHRHL therefore, calls on the Governor of Rivers State to urgently engage in the following underlined action:

- Immediately return the Public Procurement Act to the Legislative Assembly for effective amendments in line with internationally acceptable minimum standards, especially as relates to the composition, and independence of the implementing Commission
- Immediately dismiss the Chief of Staff of Government House whose name has featured high on the latest EFCC probe, rather than embarrassing himself by defending the indefensible on television screens.
- Immediately dismiss the Commissioner of Finance who must be knowledgeable about the recent leakages of public funds into the private. His lack of knowledge of the same still qualifies him for dismissal.
- Urgently reorganize his cabinet by way of professionalizing same, with a view to injecting independent minded citizens that have capacity to ensure delivery of effective and qualitative services on behalf of the people in a transparent and accountable manner. A close look at the present cabinet simply shows a deliberate primitive arrangement of friends, colleagues, in-laws, etc that do not necessarily have the needed capacity; in such a manner as to enable and protect illicit behaviors in government at the expense of the people. The obligation of the Governor under the Constitution of the Federal Republic of Nigeria to Rivers people is stronger, over and above his personal interests, including some of those he thinks aligned with him during his difficult days, and therefore, are loyal to him.

Finally, while calling on the Governor to open up on the state of the huge internally generated revenues of the state; we strongly urge the leadership of the Economic and Financial Crimes Commission not to treat the recent development in the State with utter levity, as it has thus far done with the plundering of the state by ex-governor Odili, who is still walking the streets free men, with the motivation for evil leadership that it leaves.

Signed:

Neeke Nornu

(Programme Officer, Economic & Socio-Cultural Rights Programs)