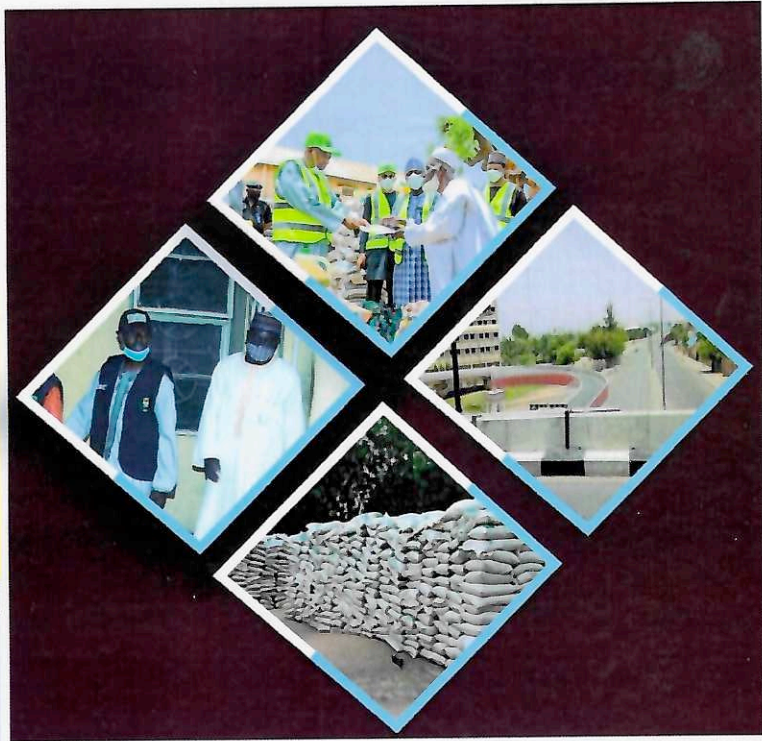


Assessment of the Administration of COVID-19 Palliatives for the Poorest of the Poor in Kano State

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RESOURCE CENTRE FOR
HUMAN RIGHTS & CIVIC
EDUCATION (CHRICED)

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ADVOCACY BRIEF

2020

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**RESOURCE CENTRE FOR HUMAN RIGHTS
& CIVIC EDUCATION (CHRICED)**

ADVOCACY BRIEF

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Introduction



The COVID-19 pandemic has wreaked serious havoc on lives and livelihood of people all over the world. However, the impact of the pandemic on poor and vulnerable people in African countries like Nigeria, where social safety nets are severely limited and informal, is even more devastating. Even before the outbreak of the pandemic, access to three square meals a day was a herculean task. The pandemic struck after Nigeria consistently took the unenviable distinction of having the world's largest concentration of extremely poor people.

In Kano State, with the most population in Nigeria, citizens in the bracket of extreme poor were seriously affected by the economic devastation precipitated by the pandemic. According to a 2019 report by the National Bureau of Statistics (NBS) titled Poverty and Inequality in Nigeria, Kano State with a poverty head count of 55.8 percent recorded a poverty gap index of 15.24 percent. The poverty gap is a measure, which indicates the extent to which

individuals on the average fall below the poverty line. For this class of people below the poverty line – who constitute the majority of the populace of Kano state – the pandemic and its resultant lockdown of the state did nothing but added salt to an already painful injury.

The combined consequences of undernutrition, lack of vaccination, inadequate breastfeeding, and inability to access healthcare services and infrastructure has led to an increased mortality rate among women and children in low and middle-income in Nigeria, particularly in Kano State. As a result, some progress made so far in improving the quality of maternal and child health services has gradually declined and will continue to decline if no serious measures are put in place in the face of ravaging COVID-19 pandemic.

Among other categories of people currently struggling to survive the harsh economic realities caused by the pandemic are thousands of widows whose husbands had passed away leaving them with the sole responsibility of catering for the needs of their many children. Others are people living with various forms of disabilities who had always relied on the goodwill and support of the able-bodied for their sustenance. Now, even those able-bodied men and women are themselves scraping by managing to survive the economic hardship imposed by the outbreak of the virus. In the face of this reality of extreme poverty, which has been further accentuated by the pandemic, Kano State Governor

Dr. Abdullahi Umar Ganduje set up a committee to raise funds, and provide palliatives targeting the poorest of the poor in society. However, the programme has been undermined by corruption, systemic lack of transparency and accountability. These challenges in the management of the palliatives threatens the effectiveness of this otherwise laudable scheme. Although the scope of the outreach by the government is limited to around 300,000 poor and vulnerable households, there have been complaints that the numbers of extreme poor in the state run into millions. The irony however is that the distribution process has been so lopsided, and has failed to reach the extreme poor who desperately need it.



The ever-busy Kofar Nassarawa Flyover overlooking the equally busy Ibrahim Taiwo Road, looking deserted while Kano was under the lockdown Photo: TheCable



COVID-19, Lockdown of Kano and Palliative Measures

The index COVID-19 case in Kano state was confirmed on April 11¹; however, the total lockdown of the state didn't happen until April 14 after the open letter to Governor Ganduje and media campaigns by CHRICED. The total lockdown of Kano meant citizens of the bustling metropolis, majority of whom are daily wage earners and who live a hand-to-mouth existence, were badly affected. Many struggled to cope under difficult conditions, as access to feeding increasingly became a serious challenge. Indeed, for majority of Kano's residents, the choice between staying at home and going out to earn a living during the COVID-19 lockdown was that of a choice between the devil and deep blue sea.²

Notably, the Kano state government had on April 23rd launched the distribution of food items to 50,000 poorest of

- 1 <https://nairametrics.com/2020/04/11/kano-records-first-covid-19-confirmed-case/>
- 2 <https://www.africannewspage.net/2020/05/https-www-africannewspage-net-2020-05-indepth-x-raying-kanos-response-to-covid-19/>

the poor households across 44 Local Government Areas (LGAs), to cushion the effect of COVID-19 lockdown measures on its citizens. Prof Yahuza Bello, Chair of Kano COVID-19 Taskforce's fundraising committee said four households in each of Kano's 11, 000 polling units across 484 political wards would each receive "a bag of rice, a carton of spaghetti, macaroni, dawavita, four liters of oil, semovita, pasta, indomie and cash gift of N2,000."³

On May 28, Prof Bello was featured on the Resource Center for Human Rights & Civic Education's (CHRICED) "COVID-19 Awareness Update,"⁴ a series of bilingual radio programs running on Cool FM, Wazobia and Arewa radio stations in Kano, where he explained the government's plan to provide palliatives to up to 300,000 households across the 44 LGAs of Kano. Prof. Bello had noted that the overall goal was to distribute the palliatives in 6 batches (50,000 households per batch) targeting four (4) poorest of the poor households in each of Kano's over 11, 000 polling units (PUs).

When asked about the allegation that politicians were hijacking the distribution and subsequently diverting the palliatives to party members, Bello denied the accusation, arguing that although LGA chairmen and councilors were

3. <https://www.kanostate.gov.ng/?q=covid-19-lockdown-kano-launches-palliative-distribution>

4. The "COVID-19 Awareness Update" is a series of bilingual radio programs running on Wazobia, Cool FM and Arewa radio stations in Kano, being sponsored by the Resource Center for Human Rights & Civic Education (CHRICED) with the support from MISEREOR/KZE, Germany

part of the palliative distribution committees at LGA and ward levels respectively, they were not in charge of the distribution. However, Prof. Bello said the District Heads (*Hakimai*), and Village Heads (*Dagatai*) were in charge of the distribution exercise, as chairmen of the palliative distribution committees in their respective areas.

To ensure transparency in the distribution, Bello said, the *Hakimai* and *Dagatai* were also responsible for selecting the beneficiaries from within their localities, since as community leaders, they were in the best position to know who best fit the set criteria of poorest of the poor. The Chairman said to further guarantee accountability, the Committees included Imams, security agencies as well as representatives of Community-Based Organizations' (CBOs).

On April 28, The Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development, under Minister Sadiya Umar Farouq, delivered 110 trucks of palliative foodstuff from the Federal Government to the Kano State Government, for onward distribution to the needy, poor and vulnerable. The foodstuffs comprised of rice, millet, sorghum and maize.⁵ However, on May 26, *The Guardian* newspaper ran a story alleging that the food items delivered to the state government as palliatives were left to rot away at an open space and were being beaten by rain and

5. [https://fmic.gov.ng/fg-delivers-110-trucks-of-palliatives-rice-grains-to-kano-state/#:~:text=Right%3B%20The%20Honourable%20of,Agency%20\(NEMA\)%2C%20Engr.](https://fmic.gov.ng/fg-delivers-110-trucks-of-palliatives-rice-grains-to-kano-state/#:~:text=Right%3B%20The%20Honourable%20of,Agency%20(NEMA)%2C%20Engr.)

sun.”⁶

While responding to the issues raised in the newspaper report, Professor Bello dismissed the assertion saying the delay in the distribution of the palliatives was occasioned by the need to secure more food items and money to supplement what the Federal Government had provided, so as to ensure the beneficiaries of the second batch of the palliatives distribution got the same varieties of food items and cash as those in the first round. On the allegation that the foodstuffs were left to rot in an open space as a result of being beaten by rain and sun, the chairman said only 50 bags of the grains which couldn't be accommodated inside the store were left outside and consequently affected by the rain, adding that they were only scarcely beaten by the rain, after which they made sure the grains were properly dried and covered using impervious tarpaulin.

6. <https://guardian.ng/news/fg-palliatives-rotting-under-rain-sun-in-kano/>



Kumbotso LGA Chairman Kabiru Ado Panshekara being led out of the Upper Sharia Court, Shauchi by PCACC officials. Photo: Solacebase



Distribution Ridden in Corruption, Lack of Transparency and Accountability

On May 31, while speaking in another edition of CHRICED's "COVID-19 Awareness Update", on Arewa Radio, Prof Bello said his Fundraising Committee had realized a total of over 400 million Naira from individuals and corporate organizations, with Kano billionaire businessman Aminu Dantata alone donating 300 million Naira to the Committee. On the other hand, he said the Kano State Government had donated the sum of 115 million Naira for the first batch of the distribution and another 170 million Naira during the second batch of the exercise, totaling 285 million naira.

Bello said his committee had total control over the funds being donated, which were domiciled in a designated account in a commercial bank, adding that only himself and the Committee's Secretary, who are signatories to the account, had access to the funds. He further said even the funds donated by the state government were being kept in the same account, therefore, the government does not have control even over their own funds.

Although the Chairman said the sum of 15 million Naira was set aside for transport and logistics costs, including the distribution of the first batch of the palliatives, CHRICED monitoring of the process showed that in several cases the beneficiaries were charged the sum of N200 (Two hundred Naira each, as “cost of transport” by those in charge of the distribution at LGA and ward levels. Contrary to high-ranking officials, CHRICED monitors who interviewed selected village heads (Dagatai) revealed they were not paid the cost of the transportation of the palliative foodstuffs from the LGA headquarters to their respective communities. The community leaders claimed they had to pay for the cost of the transportation themselves. Even though the guidelines for the distribution of the palliatives say Committee members are eligible for the palliatives, the village heads claimed they did not benefit from the palliatives.

The systemic corruption in the palliatives distribution process was further underscored when Muhuyi Magaji, the Chairman of the Kano State Public Complaint & Anti-Corruption Commission (PCACC)⁷, issued a press

7. In April 2005, the Kano State Public Complaints and Anti-Corruption Commission (PCACC) was established as Kano State Public Complaints and Anti-Corruption Directorate, through executive fiat, by then Governor of Kano State Ibrahim Shekarau. The mandate of the agency was “receiving, investigating, and if appropriate prosecuting allegations of corrupt practices against public servants” as well as “receiving, investigating and acting on complaints of administrative decisions based on mistakes, bias, or abuse of power.” The agency has also been engaged in a campaign to inform the public about itself and its activities, about citizens’ rights and the fight against corruption, and about how complaints and petitions may be submitted to it.
https://www.researchgate.net/publication/228298287_Changes_in_the_Law_in_the_Sharia_States_Aimed_at_Suppressing_Social_Vices

statement⁸ on May 11, in which he accused LGA chairmen of diverting and sharing of the palliative materials meant for the poorest of the poor, to members of their political parties, security operatives and others believed to be their cronies. Magaji said such acts were contrary to the guidelines for the distribution of the palliatives, which said, “Persons eligible to benefit from palliative are persons without salary, allowance or member of the palliative Committee.”

The anti-graft chief said anything contrary to what was written in the guidelines contravened the provision of section 26 of the Public Complaints and Anti-Corruption Commission Law 2008 (As Amended). “It is worthy of note that these palliative materials are donations from individuals and organizations aimed at reducing the suffering of the most vulnerable members of the society irrespective of their religion or political inclination hence, it is not in any way a personal property that can be used for political purposes. This commission has been receiving complaints against some Local Government Chairmen alleging diversion of the COVID-19 palliative materials for political patronage,” he was quoted to have said in the press statement.

Magaji said their preliminary investigation found one of the LGA chairmen, Kabiru Ado Panshekara of Kumbotso LGA,

8. <https://www.vanguardngr.com/2020/05/covid-19-no-mercy-for-lg-chair-found-diverting-palliative-items-kano-anti-graft-agency-warns/>

had diverted the forms meant for the beneficiaries to party officials, security agents and other people believed to be his cronies, contrary to the guidelines for the distribution of the palliatives.

Consequently, the Commission dragged the indicted LGA Chairman to court over alleged criminal breach of trust.⁹ The prosecution alleged that Mr. Panshekara abused his office, by including names of individuals not in the initial list submitted to him for distribution of the state's COVID-19 palliatives. The prosecution counsel, Salisu Tahir, told the court that on May 9, the defendant had been entrusted with 1,632 forms for the distribution of COVID-19 palliatives to the needy within his LGA, some of which he diverted.¹⁰ *Solacebase* reported that PCACC was charging the LGA chairman with the diversion of palliative materials to security personnel comprising the Police, DSS, Immigration etc. as well as Hisbah personnel; an act which the Commission said contravened section 315 of the penal code law as well as the provision of Section 22, 23 and 26 of the Kano State Public Complaints and Anti-Corruption Commission Law 2008 (as amended).¹¹

In a similar vein, the councilor of Kabuga ward in Gwale

9 <https://www.premiumtimesng.com/regional/nwest/392565-alleged-diversion-of-palliatives-court-orders-arrest-of-kano-council-chairman.html>

10. <https://dailynewstimeng.com/2020/05/19/alleged-diversion-of-palliative-kano-court-sets-aside-bench-warrant-for-arrest-of-lg-chair/>

11. <https://www.solacebase.com/2020/05/28/court-adjudges-trial-of-council-boss-in-kano/>

LGA, Shehu Aminu Kabuga, was also dragged to court by PCACC and accused of diverting palliatives meant for his constituents.¹² The councilor was accused of distributing the forms for palliative materials to his party members. After his release on bail, he appeared unremorseful for his actions and was reported to have sworn to divert the palliatives to his party members if given the opportunity to distribute the forms again. His argument was that, since they were the ones that voted him into office, they simply deserved the palliatives more than others. Subsequently, the anti-corruption agency had to take over the distribution of the palliative materials in Kabuga ward.

Furthermore, CHRICED monitoring brought to light more cases of diversions of palliatives across the various LGAs of Kano state. This points to the fact that the cases of diversion of materials in Kumbotso LGA and Kabuga ward were not exceptions. These diversions were part of what was the norm in the distribution of palliatives across the state. For instance, during the distribution of the first and second batches of palliatives in Dorayi ward of the same Gwale LGA, members of the ward-level palliatives distribution Committee diverted so many forms meant for the poor and vulnerable to party officials, security operatives and religious leaders. The diversion was as follows:

12 <https://kanofocus.com/2020/06/19/palliative-diversion-court-adjourns-trial-of-kumbotso-chairman-kabuga-councillor/amp/>

First Batch Distribution:

1. Vice Chairman = 25 forms (i.e. 25 palliative materials meant for 25 households)
2. Councilor = 20
3. Party Chairman = 5
4. Party Secretary = 5
5. Party Treasurer = 5

Second Batch Distribution:

1. Vice Chairman = 20
2. Councilor = 20
3. Party Secretary = 5
4. Divisional Police Officer (DPO) received = 5
5. Red Cross officials = 5
6. Hisbah officials = 5
7. Imams (Quranic Teachers) = 5
8. Party Chairman = 5
9. Party Treasurer = 5

Despite denying numerous poor households the opportunity to benefit from the palliatives, those in charge of its administration went ahead to deduct the sum of N200 (Two hundred Naira from the 2000 Naira cash donation meant for each beneficiary. This is even as the state Fundraising Committee said it had spent the sum of 15 million Naira as cost of transport during the first batch of the distribution exercise. Despite being paid for the cost of transporting the materials, those in charge of the

administration of the palliatives deducted from the N2000 cash payment meant for the hapless beneficiaries.



Governor Abdullahi Ganduje handing over a palliative package to an elderly man during the first batch of the palliative distribution exercise in April
Photo: Kano State Government



Non-inclusion of People with Disabilities (PWDs), Widows, Orphans and Vulnerable Children (OVCs)

The key question of distributive justice also came to the fore in the scrutiny of key processes adopted for the distribution of COVID-19 palliative to the poorest of the poor in Kano. There was no special plan to cater for the needs of People with Disabilities (PWDs), Women, Orphans and Vulnerable Children (OVCs), such as the Almajiri children, considering their peculiar vulnerabilities even prior to the COVID-19 pandemic. In fact, they were not even represented in the state-level fundraising committee as well as the LGA and ward level palliatives distribution committees. This is even as the humanitarian affairs minister had implored the state government to ensure that the poor and vulnerable, including the elderly and persons living with disabilities, were prioritized in the distribution of the relief materials donated to Kano state by the federal government.¹³

13. <https://inclusivenews.com.ng/2020/05/18/10113/>

Moreover, women with disabilities from across Nigeria including Kano State had lamented about their exclusion from intervention programs by governments meant to cushion the effect of the COVID-19 pandemic. The women, said the government had neglected them in designing the COVID-19 palliative interventions, which they said, was an issue that affected them the most. One of the participants, Bilikisu Ado Zango, a representative of women with disability from Kano state and Zonal Coordinator of the Joint National Association of Persons with Disability (JONAPWD)¹⁴, called for disability inclusion at all levels, adding that sidelining women with disabilities at various levels of governance makes their lives difficult.¹⁵

Although the chairman of the fundraising committee had, while speaking on one of CHRICED's "COVID-19 Awareness Update" radio series informed that the District and Village Heads were told to give due consideration to People with Disabilities (PWDs), and women catering for orphans, that "verbal instruction" was apparently ignored.

The government ought to have provided a special plan for these categories of people, independent of the larger


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14. JONAPWD is an umbrella organization of persons with disability established in Nigeria to promote the rights and development of Nigerians with disabilities. The organization was established in 1992, to represent the interests of the teeming population of persons with disabilities at the local and international level. JONAPWD is a full-fledged member of the International body called Disabled People's International (DPI). It serves as a link between Organizations of Persons with Disabilities (OPDs) in Nigeria and the international community.
15. <http://saharareporters.com/2020/07/13/covid-19-women-disabilities-lament-exclusion-palliatives-distribution>

palliative distribution plan, or at least, ensure the inclusion of their representatives in the state-level fundraising committees, as well as the respective LGA and ward level distribution committees. That is the only way the government could have guaranteed them the opportunity to benefit from their well-deserved share of the palliatives. Failure to do so resulted in many of them being denied the opportunity to benefit from the palliatives during the current COVID-19 pandemic. The obvious lack of inclusion of these categories of citizens amounts to marginalization and discrimination on the grounds of their vulnerabilities. This is against the spirit and letters of the Nigerian constitution and international human rights instruments.



Grains donated by federal government alleged to be rotting away under rain and sun in Kano, before commencement of their distribution. Photo: Murtala Adewale

Conclusion and Recommendations



The current COVID-19 palliative distribution regime in Kano state is a corruption-prone process, which denied the poorest of the poor materials they desperately needed to survive the period. The system of the distribution of relief materials meant for Kano's poorest of the poor left much to be desired in terms of transparency and accountability, and most importantly, its ability to achieve the goals for which it was conceived in the first place. Consequently, food stuffs meant for the most vulnerable in society ended up being diverted by the privileged few, tasked with the responsibility of superintending the process. Considering its very limited quantity in relation to the huge population of the poor in the state, the system of distribution need a total overhaul including the addition of more stakeholders, particularly civil society organizations (CSOs), community-based organisations (CBOs), the media as well as representatives of vulnerable groups like PWDs and Orphans and Vulnerable Children (OVC).

Based on the findings from the monitoring of the process, it is clear that only a reform of the system of distribution will attract the necessary support from well-meaning individuals and organizations to donate more to the cause. Subsequently, the Resource Centre for Human Rights and

Civic Education (CHRICED) makes the following recommendations;

- The corruption, lack of transparency and accountability observed in the distribution of palliatives in Kano state is due to the lack of a clear strategy in the programme design, which contributed to the haphazard implementation. Also, the lack of civil society and media oversight in the distribution process created opportunities for several officials charged with the task of distributing the palliatives to abuse the process for self-aggrandizement. Thus, there is the need to involve the PWDs, media, CSOs and CBOs in the state-level fundraising committee as well as in the distribution committees at LGAs and ward levels.
- A thorough review of the palliative programme design is needed with the objective of ensuring the inclusion and participation of representatives of PWDs, Women, Orphans and Vulnerable Children (OVC) in the state-level fundraising committee as well as the respective LGA and ward level palliatives distribution committees. The inclusion of these interest groups also means they will serve as the voices of their constituencies in the committees.

- The governance process for such programs must strive to leverage on the reach of traditional and new media to effectively engage the public in the design, distribution and feedback process. This can be done by publicizing step-by-step and up-to-date information about their activities as well as the names and details of the beneficiaries of every batch of the distribution exercise. This level of transparency will help validate and verify the claims of government officials about what they have done.
- The fundraising committee should also proactively disclose clear set of criteria for being eligible to benefit from the palliatives; those who are ineligible to benefit from it, guidelines for the selection of the beneficiaries, as well as a checklist of what each package of the beneficiary will constitute.
- CHRICED equally recommends that future interventions should think in terms of openness, such as the use of toll-free call lines. This will give citizens the opportunity to lodge complaints about the exercise and report suspected acts of diversion to the relevant authorities.
- Instead of relying on community leaders to select the poorest of the poor, and using Polling Units (PUs) as

the main criteria for the selection of the beneficiaries, the government should leverage the National Social Register (NSR) database of poor and vulnerable households in Nigeria for selection of beneficiaries. This is because the register provides the best criteria for determining the poorest of the poor and will reduce the politicization of the distribution exercise. The idea of using PUs makes the scheme vulnerable to politicization.

- In determining the food staples to be distributed, the government should be more conscious of foods that are in demand by the poor as well as the diversity and differences in food requirements across Kano state's rural-urban divide, against the idea of providing uniform food varieties across the board. For instance, certain food staples that are popular with the urban poor may not necessarily be appealing among the rural poor, and vice versa.
- The government should also consider going beyond providing foodstuffs by including Personal Protective Equipment (PPE), particularly hand sanitizers and face masks as part of its palliative support to the poorest of the poor in society.

About CHRICED



Legal Status

The Resource Center for Human Rights & Civic Education (CHRICED) is registered in October 2006 with the Corporate Affairs Commission (CAC) as a non-profit, non-partisan, non-governmental organization NGO for the promotion of human rights, democratic participation, accountability and inclusiveness on the basis of the Nigerian Constitution and other national and international human rights instruments.

Vision

CHRICED envisions a democratic Nigeria where participation, inclusion and transparency are guaranteed and state and non-state actors actively collaborate towards accountable and responsive use of resources for the collective wellbeing of citizens.

Mission

CHRICED's mission is to mobilize state and non-state actors to actively collaborate towards fostering the rule of law, accountability and the responsive use of resources for the collective well-being of the people.

Civic education is our strategic vehicle for empowering citizens, in pursuit of this mission.

CHRICED Thematic and Approach

CHRICED is a Nigerian not-for-profit, and a knowledge-driven platform of active citizens working for the promotion of human rights, rule of law, democracy and accountability. CHRICED uses democratic principles to safeguard rights and ensure the benefits of democracy accrue to citizens. With offices in Lagos and Kano, CHRICED is currently pioneering rights-based approach to tackle the debilitating problem of maternal mortality in northern Nigeria. The organization is also intervening in the region to improve accountability in management of local government resources. Access to education for

the girl-child through robust community action has been another core focus of her intervention, as well as preventing the labour exploitation of the vulnerabilities of almajiri street children in Northern Nigeria. CHRICED programme targeting marginalized youths, especially in the poor rural areas, has focused on promoting equitable access to economic and livelihood opportunities for youths in northern Nigeria. CHRICED also has over a decade-old experience in monitoring and advocating transparent and credible elections within Nigeria and outside Nigeria.

The rights approach allows CHRICED to call out government and agencies based on national and international legislations and commitments endorsed by the Nigerian government. She work in partnership with community based associations and organisations, religious bodies, traditional rulers, women groups, government and its agencies, youths and the media. This broad spectrum of engagement has over the years increased CHRICED ability to reach diverse constituencies, amplifying their voices and legitimizing her convening power both as friends of the people and critical allies of government.

Governance and Management

CHRICED is governed by a 2-member Advisory Council comprising Dr. Olisa Agbakoba, SAN (Nigerian, former President of Nigerian Bar Association) and Martin Wilde (German; Secretary General of German Association of Catholic Entrepreneurs). An 8-member Board of Directors, headed by Professor Momodu Kassim-Momodu, a renowned Lawyer, academic and social activist is responsible for the strategic direction of the organization. Other members are deliberately selected from the academia, professional groups and civil Society. The Board meets at least twice annually. The CHRICED Secretariat is headed by the Executive Director, who supervises the programme, finance, media, civic engagement, and administrative staff.