

CONSTITUENCY PROJECTS: DEVELOPMENT VEHICLES ELSEWHERE, DRAINPIPES IN NIGERIA



EXECUTIVE SUMMARY

G Constituency projects serve as crucial development vehicles that drive progress and transformation within legislative constituencies. These projects are not limited to Nigeria alone; they are gaining momentum in developing nations worldwide, often referred to as the "Constituency Development Fund" (CDF). While different countries may adopt varying models of the CDF, there are common elements that define most constituency projects or CDFs. These include the identification of projects by the legislators representing the beneficiary constituency, the involvement and collaboration of the legislator in the project's design, funding, and execution, direct funding from the national or state government's budget, and the recognition of the project as the legislator's constituency project¹.

Constituency projects are instrumental in driving positive change and addressing the specific needs of the constituents they serve. By actively involving legislators in the development process, these projects ensure that the voices and aspirations of the people are heard and translated into tangible outcomes. Through the allocation of resources and strategic implementation, constituency projects contribute to the overall development and well-

being of communities, fostering progress and prosperity.

These CDF-financed projects offer a viable alternative to the regular budgetary allocation cycle, allowing local communities to actively participate in and contribute to the development process. They serve as effective means for spreading development and creating positive change. However, in Nigeria, constituency projects have unfortunately become channels through which legislators, government officials, and their associates divert public funds for personal gain. Instead of being vehicles for development, they have become drainpipes that perpetuate corruption and hinder progress. Since the transition to civil rule in 1999, the Federal Government of Nigeria has allocated an estimated two trillion naira to the Zonal Intervention Projects (ZIPs)². Additionally, the 36 state governments have also invested significant amounts of money in similar interventions at the subnational level, with little to show in terms of tangible development outcomes. Rather than addressing the poverty of development that plagues the nation, constituency projects in Nigeria have contributed to the development of poverty in Africa's largest economy and the most populous black nation on earth. It is crucial that we recognize and rectify this issue to ensure that these projects truly serve their intended purpose of fostering development and improving the lives of the Nigerian people.

In Nigeria, constituency projects have unfortunately become channels through which legislators, government officials, and their associates divert public funds for personal gain. Instead of being vehicles for development, they have become drainpipes that perpetuate corruption and hinder progress.

1 Albert Van Zyl: What is wrong with the constituency development funds? In International Budget Partnership (IBP) newsletter Budget Brief No. 10, available at <http://internationalbudget.org/publications/brief10/>

2 The Zonal Intervention Project (popularly known as constituency projects) Nigeria's variant of the CDF.

CONTEXT/SCOPE OF THE PROBLEM

The Evolution of Constituency Projects in Nigeria: A Never-Ending Debate

In Nigeria, the concept of constituency projects, also known as Zonal Intervention Projects, emerged during the Fourth Republic. Nigerian legislators sought to ensure a fairer distribution of resources to their constituencies, aiming to provide tangible benefits to their constituents. However, the operation of these projects has been clouded in bureaucratic secrecy, with no clear legal framework at the national or subnational levels, except for Lagos State³.

Constituency projects are consistently included in the budgets of both the federal and state governments, indicating their legitimacy⁴. Nevertheless, since their inception, these projects have been a subject of controversy in Nigeria. They deviate from the constitutional role of legislators under the doctrine of separation of powers, encroaching upon the executive's responsibilities. This controversy has led to numerous disputes between the executive and legislative branches of government regarding the inclusion of constituency

projects in budgets. At times, legislators have delayed the passage of budgets, resulting in increased discrepancies between the estimates proposed by the executive and the final approved amount. Often, these discrepancies are attributed to the inclusion of constituency projects, or other personal interests leading to accusations of budget padding. The inclusion of constituency projects in budgets has even prompted public interest litigations against the National Assembly⁵. These legal actions reflect the concerns and skepticism surrounding the implementation and transparency of these projects.

To address these issues, it is imperative to establish transparent laws and policies for the implementation of these projects, thereby reducing the risk of corruption. Additionally, involving anti-corruption agencies and civil society organizations in monitoring and evaluating the impact of these projects will ensure impartial social audits and maximize the value for money.

Are Constituency Projects Addressing Poverty or Facilitating Poverty?

The level of corruption involved in the execution of constituency projects is truly staggering. The Independent Corrupt Practices and Other Related Offences Commission (ICPC), in collaboration with civil society organizations and professional bodies, such as quantity surveyors, took the initiative to track the implementation of the National Assembly's constituency projects in 12 states. The

findings from this tracking exercise only confirmed the concerns that these projects have had minimal impact at the grassroots level, despite consuming a staggering two trillion naira since 2000.

In a country where the majority of citizens are desperately in need of basic amenities and infrastructure to alleviate their years of suffering and hardship, it is alarming that such a significant amount



3 See the Lagos State (Constituency) Project Development Law, 2000.
 4 See Pointblanknews.com: "FG releases N50bn for constituency projects", of 16th July, 2013 which reported the then Nigerian Minister of Finance as stating that N50 billion had been released for the execution of constituency projects in the 2013 budget. (viewed at <http://pointblanknews.com/pbn/news/fg-releases-50bn-for-constituencyprompts-okonjo-iw/> on 1st Feb, 2015)
 5 The dearth of information on the operation of constituency projects and allowances or budgetary allocations made to the members of the National Assembly on account of such projects led to a Non-Governmental Organization, commencing a Freedom of Information Act action in the Federal High Court against the National Assembly. See the text of the judgment of the Federal High Court in suit no FHC/ABJ/CS/336/2013 between Legal Defence and Assistance Project Ltd./GTE v. Clerk of National Assembly delivered on 3rd Feb. 2015 at www.medium.premiumtimesng.com/wp-content/files/2015/04/150206judgment-in-LEDAP-V- NASS.pdf. The Court granted the specific order compelling the defendant to disclose to the plaintiff within 7 days of the Order "... (c) the details of all budgetary allocations made in respect of each constituency project (d) The details of the stages of each project..."

of taxpayers' money is being poured into projects that yield little to no tangible results. This calls for immediate attention and concern from all stakeholders involved in the Nigerian project. Constituency projects were originally intended to be the people's projects, driven by active citizen participation in the selection, planning, and implementation processes. However, they have now been hijacked by politicians who exploit them as a means to recover the amounts of money spent on their election campaigns and to reward their cronies, family members, and political associates (including their hired thugs).

Regrettably, this unfortunate situation persists due to the lack of transparency and the prevalence of fraudulent and corrupt practices in the selection, awarding of contracts, and implementation of projects. A prime example of this can be found in a report published by the Premium Times in 2018, which revealed that Nigerian federal lawmakers receive a staggering 100 billion Naira annually as Zonal Intervention funds. Shockingly, the process of distributing this substantial amount among 109 senators and 360 members of the federal house of representatives remains shrouded in secrecy.

Furthermore, another credible media report⁶ highlighted that constituency projects worth ₦2.1 billion in the 2020 budgets have unspecified locations. According to Tracka⁷, over 988 approved projects in the 2020 Appropriation Act were assigned to agencies that lack the mandate to execute such projects. For instance, the National Centre for Hydropower Research and Development, an agency of the Federal Ministry of Science and Technology, was allocated ₦71.5 million to carry out projects such as the supply of 30 tricycles, 20 carted motorcycles, and 80 motorcycles in the Eket/Esit Eket/Ibena/Onna Federal constituency of Akwa Ibom State. This

misallocation raises serious concerns about the suitability of these projects, as the agency in question lacks the expertise to execute empowerment initiatives.

It is evident that these instances of secrecy, misappropriation, and incompetence undermine the integrity and effectiveness of project implementation. It is imperative that we address these issues and demand greater transparency, accountability, and adherence to proper procedures. By doing so, we can ensure that public

 **In the year 2020 budgets**
₦2.1 Billion
PROJECT HAVE UNSPECIFIED LOCATIONS

funds are utilized appropriately and that projects are executed by competent agencies, ultimately benefiting the Nigerian people.

It is clear that the current system of awarding contracts for projects is flawed, as it often favors contractors nominated by lawmakers. This results in a lack of progress, as contractors simply return the funds to the lawmakers. Moreover, Tracka has discovered that a significant portion of the allocated budget for Zonal Intervention Projects is being diverted towards empowerment programs instead of infrastructure development. The corruption and manipulation within the constituency project system are further exacerbated by the opaque practices employed by political actors to keep citizens uninformed about the zonal intervention project.

It is high time we address this issue and restore the true purpose of constituency projects, ensuring that they genuinely serve the needs of the people and contribute to the development of our nation.

Promotion of Community-Driven Anti-Corruption Initiatives in Kano



In response to the rampant corruption and mismanagement of resources in Nigeria's constituency projects, the Resource Centre for Human Rights and Civic Education (CHRICED) has taken action. With the support of the MacArthur Foundation, CHRICED is implementing a three-year project in Kano, Nigeria, aimed at promoting community-driven anti-corruption initiatives. This project aims to address the lack of accountability, low citizens' morale, weak community organizing capacity, and general apathy that contribute to the negative impacts of corruption on the delivery of social goods and services.

Over the past two years, CHRICED has successfully mobilized all relevant stakeholders to actively engage in the planning and implementation of constituency projects. Through this intervention, citizens are being empowered with the necessary skills and knowledge

⁶ See, The Nationonline.net of March 19, 2020

⁷ Tracka is a civil society initiative dedicated to monitor the implementation of the constituency projects

to utilize innovative approaches and legal provisions to ensure that funds allocated for constituency projects are utilized for their intended purposes. By demystifying constituency projects and building grassroots capacity, CHRICED is encouraging citizens to play an active role in preventing corruption right from the formulation stage of these projects.

Furthermore, the project is inspiring communities to leverage anti-corruption tools provided by laws and international commitments, such as the Open Government Partnership (OGP). Through education and awareness campaigns, communities are being informed about their roles and responsibilities in advocating for the robust implementation of accountability processes. One notable framework is the co-creation framework within the OGP, which the Kano State Government

has been a signatory to since 2018.

By promoting citizen participation, strengthening accountability mechanisms, and leveraging international commitments, CHRICED's project is making significant strides in combating corruption and ensuring that constituency projects effectively serve the needs of the people.

To ensure that the fight against corruption is effectively carried out at the grassroots level, the project is actively engaging and partnering with anti-corruption agencies such as the Kano State Public Complaints and Anti-Corruption Commission (PCACC), the Independent Corrupt Practices and Other Related Offences Commission (ICPC), and the Economic and Financial Crimes Commission (EFCC). By collaborating with these agencies, we aim to address the impact of corruption on the citizens who are most affected by its consequences.

Conclusion and Recommendation



To restore the true essence of constituency projects, it is imperative that we confront these issues head-on. By implementing transparent laws and policies, we can effectively combat corruption and guarantee that these projects serve their intended purpose of benefiting the people. Additionally, the involvement of anti-corruption agencies and civil society organizations in monitoring and evaluating the impact of these projects will ensure unbiased assessments and maximize their value. This is a crucial opportunity for us to address these challenges and work towards

a more accountable and efficient system for the implementation of constituency projects. Let us seize this moment and take decisive action to bring about positive change. Thus, the evolution of constituency projects in Nigeria has been marked by ongoing controversies. The lack of a clear legal framework and the encroachment upon the executive's role have fueled debates and disputes between the branches of government. It is crucial for Nigeria to address these issues and establish a transparent and accountable system for the implementation of constituency projects.

About

CHRICED

The Resource Centre for Human Rights & Civic Education (CHRICED) is a frontline Nigerian not-for-profit and non-governmental organization working to promote human rights, democracy, accountability and the rule of law. CHRICED was established and registered in October 2006 with Nigeria's Corporate Affairs Commission (CAC) as a non-profit, non-partisan, and non-governmental organization. CHRICED's mission is to promote democratic, representative, accountable, and inclusive political culture in Nigeria. For core programming, CHRICED uses action civics, research, and outreach to mobilize vulnerable and marginalized segments of the population, including the youth, women, and people with disabilities (PWDs), to implement innovative grassroots-focused programs aimed at energizing community action to resist injustice, curb corruption and foster accountability. Over the years, CHRICED has amassed the requisite experience and record of accomplishment in project and program management in the areas of human rights promotion, deepening accountability, and mobilizing marginalized groups to amplify their concerns in governance processes.

The NGOssource Equivalency Determination (ED) has acknowledged the RESOURCE CENTRE FOR HUMAN RIGHTS & CIVIC EDUCATION as equivalent with a public charity in the United States.

CHRICED's key philosophy is that civic education dissemination is cardinal to the empowerment of the citizens.



Issued by:

RESOURCE CENTRE
for HUMAN RIGHTS
& CIVIC EDUCATION

With support from:

The John D. and
Catherine T. MacArthur
Foundation



Abuja Office: Abubakar Momoh House, Hse 5, Malcolm X Street, 451 Road, 1st Avenue, Gwarimpa, FTC Abuja, Nigeria
Kano Office: Upper Floor, Ahmadiyya Hospital Building, No. 52 Bompai Road, Kano, Kano State, Nigeria.

+234 (0) 806 585 8128, 0901 753 2907 | www.chriced.org.ng | info@chriced.org.ng | chrictedng