

Nigeria: Government neglecting Abacha loot recovery?

The Guardian (Nigeria), by Laolu Akande / Saturday, 29 November 2003

While Nigerians are still savouring news of recent recovery of parts of the loots stashed away in foreign country by former head of state, Gen. Sani Abacha and his cronies, the United States authorities have disclosed that Nigeria government never really made representation to the Texas court handling the most recent case on the matter.

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In an exclusive chat with The Guardian during the week, the lawyer appointed to handle the case by the US government disclosed that although the accused businessman, Abubakar Bagudu agreed to return to Nigeria to face corruption charges, there was no representation from Nigeria in the case. He however, disclosed that the US would not be extraditing Bagudu as had been implied in previous media reports.

According to Assistant US Attorney Noelle Dimarco, it was the Isle of Jersey and not the Nigerian government that sent a request to the US government to prosecute Bagudu.

She added that through the course of the case, Nigeria was not represented nor was there any input from the Nigerian government. This was, in her words, because the US was dealing with the Isle of Jersey which placed the request with it and not Nigeria.

Court documents alleged that Bagudu shifted money held by Deutsche Morgan Grenfell Ltd, a bank in the Isle of Jersey, to Nigeria, in an account totaling \$300 million. And the Isle is accusing Bagudu of using false pretences to open the account and illegally transferring the money.

Although Bagudu is denying all corruption charges against him, he is believed to be returning to Nigeria soon and hopes to secure a permanent freedom by refunding the \$300m.

The Abacha crony was also accused of using Nigerian government's money to purchase notes that the government had defaulted on, then turned around to sell the same notes to the same government at twice the purchase price.

Bagudu, after spending six months in the US federal detention on charges brought against him by the Isle of Jersey, agreed with the authorities of the island that he would voluntarily return to Nigeria.

He was accused by the Isle of Jersey on charges that he helped Abacha loot the Nigerian treasury of hundreds of millions of dollars and illegally transferred the looted funds to offshore accounts.

Bagudu had been living in Houston Texas in the last three years but was only arrested six months ago.

According to the US lawyer, once Bagudu and the Isle of Jersey agreed to the terms of a conditional release, the US authorities had no objection. And the judge handling the case, Calvin Botley, recently agreed to release Bagudu on a \$500,000 bond, which to the surprise of the US authorities, Bagudu paid in one cashier's check.

The terms of Bagudu's release also includes returning to Nigeria within 14 days after the release and wearing an electronic ankle bracelet. He would also keep a curfew of 9pm to 7am.

Bagudu's name, The Guardian found out, had also featured prominently in previous US senate investigations on the Abacha regime's illegal money transfer to US banks.

And he is by far the most well known international conduit of the late dictator and his sons, for

allegedly funneling funds from Nigeria's coffers to foreign banks.

Explaining the intricacies of the case, Dimarco who is based in Houston said when the Isle of Jersey made the extradition request, the US had to examine the details of its treaty with the island before deciding to implement the warrant to arrest and try Bagudu. But Dimarco insisted the US is not extraditing Bagudu to Nigeria since Nigeria did not make the request.

But according to sources close to the case, the Isle of Jersey is working closely with the Nigerian government. The official involvement of the Nigerian government in the case, said a source, has to do with the Isle of Jersey and not the US.

The Isle of Jersey is one of the Channel Islands which is self-governing but depends on Britain for representation in international affairs.

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