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Federal Department of Justice and Police

Federal Office of Justice

Abacha's accounts frozen as provisional measure

Nigeria has 3 months to file request for mutual legal assistance

Press Release, FOJ, 14.10.1999

As a provisional measure, the Federal Office for Police Matters (FOPM) has frozen the accounts of the former Nigerian head-of-state Sani Abacha, members of his family and other parties. Nigerian authorities suspect that for some years Sani Abacha and the others "systematically plundered" the Nigerian central bank. Thus far, the FOPM has not received any information from the affected banks as to the value of the frozen assets.

On 30 September 1999, Nigeria, acting through a Swiss attorney, requested that the FOPM take the provisional measure of freezing all assets of Abacha – who died last year – and of members of his family, and that it obtain bank documents concerning such assets. The request for provisional measures also applies to Alhaji Ismaila Gwarzo, Mr. Abacha's former security advisor, and to former minister Abubakar Attiku Bagudu, to four Nigerian businesspeople, and to a series of companies. The attorney announced that Nigeria will present a formal request for mutual legal assistance. In Nigeria, the attorney general and minister of justice, Kanu Agabi, has consolidated the various criminal proceedings against members of the alleged criminal organisation founded by Abacha. These persons are accused of a series of property crimes (including: embezzlement, fraud, forgery and money laundering).

Yesterday (Wednesday) the FOPM froze the accounts mentioned in the request. Four banks in Geneva and one in Zurich are affected. In addition, the FOPM stipulated that the Nigerian authorities must file the announced request for mutual legal assistance within three months. The request should specifically indicate the relationships between the criminal proceedings in Nigeria and the assets frozen in Switzerland. Following a formal preliminary examination of the request, the FOPM will decide which authorities will be required to provide the mutual legal assistance. A treaty on mutual legal assistance does not exist between Switzerland and Nigeria. However, Switzerland can provide assistance based on national law and a declaration of reciprocity.

Contact / questions

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