

Thursday, 21st September, 2023

**THE CHAIRMAN,
Economic & Financial Crimes Commission,
EFCC Headquarters,
Along Jabi Airport Road,
FCT - Abuja.**

URGENT

Dear Sir,

PETITION AGAINST MR. YAKUBU CHONOKO MAIKYAU, SAN OON (THE CURRENT PRESIDENT OF THE NIGERIAN BAR ASSOCIATION), FOR MONEY LAUNDERING, MISAPPROPRIATION OF FUNDS AND CORRUPTION

I write as a legal practitioner and member of the Nigerian Bar Association to bring to your attention serious contraventions of the Money Laundering (Prevention and Prohibition) Act, 2022, Misappropriation of Funds and corruption being perpetrated by the current President of the Nigerian Bar Association, Mr. Yakubu Chonoko Maikyau, SAN, OON.

His public admission to receiving undisclosed amount of hard currencies in cash from an anonymous Donor on behalf of the Nigerian Bar Association, which he said amounted to about Fifty Million Naira when he converted it, and other conducts of his, which warrants and necessitates our demand for a thorough investigation by your esteemed Commission for the following reasons:

A. Herein are some facts of the alleged Money Laundering:

i. On the 30th of August 2023, during the Association's Annual General Meeting, Mr. Yakubu Chonoko Maikyau openly confessed to have received undisclosed sum in United States Dollars which in his words, he termed as "hard currency" from undisclosed individuals on behalf of the Association, in a manner which contravenes the provisions of Sections 2(1)(a) of the Money Laundering (Prevention and Prohibition) Act, 2022 and 9(5)(g) of the NBA Constitution.

ii. He unilaterally converted the funds into Naira, claiming it amounted to N50, 000, 000. 00 (Fifty Million Naira). He further admitted to have unilaterally deducted N10,000,000 (Ten Million Naira) cash from the said amount for personal use and deposited the remaining N40, 000,000 (Forty Million Naira) into the Association's account.

iii. In his public confession, he alluded to the fact that prior to his unilateral deduction for personal use, he brought the said undisclosed USD to the NBA office in a bag, and invited the General Secretary of the NBA, Mr. Adesina Adegbite to see the “hard currency” he received on behalf of the Association.

iv. These actions, are contrary to Section S. 2(1)(a) of the Money Laundering (Prevention and Prohibition) Act and S. 9(5)(g) of the NBA Constitution for receiving donations on behalf of the Association.

v. The Association possesses foreign accounts, particularly a US Dollar account that could have lawfully received donations in foreign currencies with the appropriate record-keeping and procedures and it is clearly expressed in our constitution the right procedure required for receiving donations in Section 9 (f) (g) of the NBA Constitution.

vi. Moreover, there are concerns and unverified reports of numerous donations that Mr. Yakubu Chonoko Maikyau SAN may have received in his capacity as President of the Association without adhering to due process or remitting the funds to the Association's accounts.

(The video recording of Mr. Y C Maikyau's confession is hereto enclosed in this petition alongside minutes of the hybrid meeting held on the 27th of April 2023 where he also mentioned same on a recorded zoom meeting to members of the National Executive of the NBA)

<https://barristerng.com/full-video-nba-president-maikyau-san-responds-to-allegations-by-national-officers/>

<https://youtu.be/a-TmjGWgr3Y>

https://youtu.be/IEwaiM_1urg

<https://youtu.be/ISvDzBZTMcs>

<https://youtu.be/ZEXu0ZxL3wo>

B. LACK OF ACCOUNTABILITY :

i. There have been reports of lack of transparency and accountability in the management of expenditures of NBA funds since the inception of Mr. YC Maikyau's tenure.

Members of the Association were denied clear and detailed financial reports at the last Annual General Meeting (AGM) which is contrary to the Association's constitution and tradition of having same presented by the National Treasurer.

ii. Additionally, in Mr. Yakubu's voluntary confession, he admitted to have received several donations which he failed/refused to mention the donors and the amounts received for hosting the NBA National Executive Committee Meeting in Kebbi State in March 2023, with no remittance to the Association's Accounts and in clear breach of the prescribed protocols mandated by the Association's Constitution, this he did also mention to the National Officers at the 6th hybrid National Executive Meeting which held on 27th April, 2023 where he stated the following as recorded in the minutes of meeting. The records of this meeting should also be available in video as the IT Admin of the NBA by standard records all official meetings.

Here is an excerpt culled from the minutes of the hybrid meeting:

4.17 On the hosting of the last NEC, the President narrated the way the funding for the said NEC came about, and how he went about it before funding came.

He said he put in N20 Million first, and subsequently N40 Million came from the Kebbi State Government, and the AGF gave N8.7 Million. He stated that all disbursements have been made. He also narrated the N50Million (in dollars) that came from a donor through the AGF.

ii. Furthermore, disbursement of allowances to National Secretariat staff were made from a private account belonging to one Mrs. Kemi Beatrice during the NEC meeting, in clear breach of extant rules against the age-long practice and standard protocol of using the Association accounts for receiving donations and making payments on behalf of the Association. Payments to vendors during the said NEC meetings were also allegedly routed through different accounts instead of the Association's official accounts.

iii. There are controversies surrounding the 1.5 Billion Naira access to finance monies secured by the past administration of which there are suspicions that same has been tampered with by Mr. Y.C Maikyau SAN without an authorization from the National Executive Committee of the Nigerian Bar Association contrary to S. 9(5)(g) of the NBA Constitution. *(Herein attached are the minutes of the 6th hybrid Meeting of National Officers)*

C. ARBITRARY PATRONAGE:

Mr. Maikyau is accused of using NBA funds for arbitrary patronage of his associates, without proper justification or adherence to established financial rules. This raises concerns about cronyism and misuse of the Association resources to engage relatives in handling sensitive matters.

i. There are alleged reports of using the name of the Association to engage various organizations and private Companies for Sponsorship and Partnership for personal benefits without following due process in such engagements and refusing to provide accountable details of such which was also mentioned at the Hybrid meeting to wit: acquisition of Laptops for the Secretariat. The excerpt reads thus:

4.11: The President stated that Ibifuro had a meeting with the Acting ED regarding the supply of Laptops. He explained the model for payment for the Laptops. He also mentioned the Lenovo arrangement stating that his friend has written to the

Lenovo Office in France seeking partnership and sponsorship to enable us get Laptops, Screens, Tablets, etc.

ii. Concerns have been raised regarding the inflated costs of bags purchased for the Annual General Conference, which were reported to be significantly higher than the amount approved by the National Executive Committee of the Association. These costs were allegedly inflated by over 50%, with alleged reports of insider dealings, this is amidst several unconfirmed reports of inflated cost for vendors engaged and shady sponsorship deals as regards the 2023 Annual General Conference.

iii. To put the above in proper perspective, the National Executive Committee approved the sum of Four Hundred and Twenty Five Million Naira (N425,000,000) for the purchase of bags for the Annual General Conference, however, over Seven Hundred Million Naira (N700,000,000) was claimed to have been expended for the said purchase which indicates an over 60% illegal inflation in the cost with allegations of inducements by Mr. Maikyau influencing members of the National Executive Committee to approve a budget with an over Two Hundred Million Naira (N200,000,000) in deficit.

iv. Allegations of insider dealings and conflict of interest surrounding the award of various contracts to proxies and relatives of Mr. YC Maikyau and relatives should be investigated. This Mr. Maikyau publicly admitted at the Association NEC Meeting on August 26, 2023 in the award of the NBA IT Consult contract to his Nephew Mr. Solomon Magaji. Below are links reporting this news:

<https://lawandsocietymagazine.com/nba-agc-2023-stakeholders-raise-alarm-over-afam-osigwes-agccpc-n700m-expenditure-on-conference-bags/>

<https://lawandsocietymagazine.com/nba-in-fresh-n700-million-scandal-amount-earmarked-for-procuring-conference-bags-in-excess-of-sum-budgeted-and-approved-by-nec/>

D. UNCONSTITUTIONAL HIJACK OF THE OFFICE OF THE NATIONAL TREASURER:

It has come to the attention of all members that Mr. Maikyau has unilaterally spent NBA funds without consulting or involving the Association's Treasurer. This disregard for established procedures is a serious breach of trust and financial governance within the NBA and against its constitution.

i. All the above facts evidently suggest reasons why the purported Audited Report sought to be tendered for adoption at the Annual General Meeting was craftily prepared without the input or involvement of the Association's Treasurer who would have questioned the unapproved tampering of funds. The Treasurer publicly denounced and disowned the Audited Report before all members and the world at the Association's 2023 Annual General Meeting.

ii. These brazen acts of Mr. Yakubu Chonoko Maikyau, SAN, OON as President of the NBA should be subject to thorough scrutiny himself and anyone found culpable should be made to face the law. Below is a link showing the allegation made by the Treasurer.

<https://www.youtube.com/watch?v=sYvhCGBWu40&pp=ygUNbmJhIHRYZWFzdXJlcg%3D%3D>

E. ABUSE OF OATH OF OFFICE:

Mr. Yakubu Chonoko Maikyau, SAN, OON as President of NBA, took an oath of office to serve the best interests of the Association. His alleged actions, including the flagrant abuse of the money laundering act, and other relevant laws and constitution of the NBA appears to be motivated by greed, personal aggrandizement in violation of his oath of office.

CONCLUSION

As a concerned member of the NBA, I urge the EFCC to conduct a thorough and impartial investigation into these allegations.

The evidences against Mr. Maikyau, SAN, OON are self-incriminating and littered all over social media in the public domain. The EFCC does not require even a single witness at trial and in proof of the case against the NBA President.

I believe that it is essential to uphold the principles of transparency, accountability, and integrity within our Association. Any wrongdoing should be thoroughly examined, and if substantiated, appropriate legal action should be taken and trust that the EFCC will act in accordance with the law to ensure justice and accountability prevails.

Nigerians and indeed the world are watching to see whether the EFCC, especially under the Bola Ahmed Tinubu Administration would match its words with action in the fight against the menace of impunity and corruption in Nigeria. This case presents the EFCC with an opportunity to make bold its stands against impunity and corruption.

Thank you.

Yours Sincerely,

Tochukwu Ohazuruike

Principal Counsel

ENCL

Minutes of Meeting of the 6th hybrid Meeting of National Officers of the NBA