



ABSTRACT

This study examines the challenges of the Economic and Financial Crimes Commission (EFCC) and its impact on performance.

These challenges ranged from delay of court proceedings, connivance of bank officials in money laundering activities, funds recovery and convictions, corrupt activities by Politically Exposed Persons (PEPs), as well as absence of legal framework to

ASSESSMENT OF THE CHALLENGES OF ECONOMIC AND FINANCIAL CRIMES COMMISSION (EFCC) AND ITS IMPACT ON PERFORMANCE

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DOI: <https://doi.org/10.70382/tijasdr.v07i2.022>

Introduction

Background to the Study

At the turn of the millennium, more than ever before, there came a dire need for Nigerian government to reposition our nation's economy and save it from the negative image laundering. Nigeria was black-listed as one of the most corrupt countries in the world by Financial Action Task Force (FATF) as one of the non-cooperating countries and territories. Transparency International, through their Corruption Perception Index (CPI) also listed Nigeria as one of the most corrupt countries in the world.

The erstwhile prime minister of the United Kingdom, David Cameron, on 11th May 2016 described Nigeria as being fantastically corrupt (<https://www.bbc.com>). Retrieved on 30th January, 2025.

Although a shift in emphasis or political direction could affect public perception about the effectiveness of an agency, a dispassionate assessment of the agency against



regulate Designated Non-Financial Businesses and Professions (DNFBPs) etc. The study spanned from 2015 to 2021 and the researcher used both primary and secondary sources of data. Qualitative as well as quantitative research designs were used by way of purposive sampling method in which top management staff of key departments were interviewed and available literature was sourced from the EFCC domain and perused to compliment the findings of the interviews. A well-structured questionnaire was also designed and issued to a sample size of 362 respondents. Correlation analysis was used to determine the relationship between the variables. It was found that although EFCC has performed modestly within the paucity of funds available at their disposal, yet there remains some challenges which if surmounted, there exists a passionate disposition to record more successes. The study recommended amongst others that EFCC designated judges should be trained and retrained to meet with the ever-evolving trends of these crimes as well as expedite court proceedings to reduce delays, EFCC should leverage on more sophisticated tools and technologies for tracking and funds recovery, stiffer punishment should be meted on PEPs to reduce incidences of corrupt practices and stricter punishment should be meted on those aiding and abetting money laundering in Nigeria.

Keywords: Perception, Corruption, Recoveries, Convictions, Challenges, Performance, Funds

its mandate and functions would often show that an agency continually delivers on its mandate and prioritizes public interest over personal considerations. That is the agency performs in a way that is better than the baseline performance for the functions at the time it was established (Abah, 2016).

We cannot over-emphasize the fact that corruption is an age-long phenomenon and it is widely common-place for people to unduly enrich themselves by converting public funds to personal use, and that fundamental attitude known as corruption has become the bane of our economy, constituting a clog in the wheel of our economic growth, development and stability.

This was the sad situation which led to the establishment of the Economic and Financial Crimes Commission to address this hydra-headed monster called



corruption. With the coming of the erstwhile president Olusegun Obasanjo's administration, more than ever before aroused the quest to revamp our economy and correct these vices and so a lot of reforms were put in place to salvage our economy, and save it from the brink of collapse occasioned by corruption. Topmost on this reform agenda was the establishment of the EFCC (amongst other anti-graft agencies) charged with the mandate to vigorously fight corruption and clean up our economy.

The lack of political will to enforce the Anti Money Laundering/Combating the Financing of Terrorism (AML/CFT) regulations in Nigeria has made a mess of the entire banking system. Nigerian banks are the warehouse of corruption. The banking institutions like other business entities often pay lip service to the issue of compliance with Anti-Money Laundering (AML) regulations (Yeku, 2017).

Although this decade-long fight has yielded modest results, yet it is noteworthy that the Commission is saddled with challenges which if surmounted, could improve the Commission's effectiveness.

It is note-worthy that the pervasive corrupt practices and the brazen manner in which those entrusted with government funds loot our treasury blind through the banks, led to the fight against these vices by the EFCC and as a result, this concerted effort has led to huge successes claimed to have been recorded by the EFCC, using some Key Performance Indicators ranging from but not limited to:

- i. Petitions received
- ii. Petitions approved for investigations
- iii. Cases investigated
- iv. Number of arrests made
- v. Number of convictions secured
- vi. Number of seizures made
- vii. Recoveries made
- viii. Assets forfeited within the period
- ix. Monetary and non-monetary recoveries made
- x. Restitutions made by financial crimes perpetrators.

This fight is not without its every day challenges which could impede the successes that could have been achieved. Although, a dispassionate assessment of the work of the EFCC has shown that they have performed modestly over the past twenty-



one years of their existence, yet there exists a barrage of challenges that could have repositioned them to perform better if they were surmounted.

Looking at the Key Performance Indicators (KPIs) in terms of number of arrests, convictions, recoveries of funds and assets, EFCC has performed remarkably well but this was not without its inherent challenges. These challenges constitute a clog in the wheel of progress in the fight against economic and financial crimes in Nigeria.

It is against this backdrop that the researcher has decide to carry out this study to examine the challenges facing the EFCC, and to unravel how these challenges could affect their performance as well as proffer solutions by way of recommendations.

Main Objectives

The main objective of this study is to assess the challenges facing the work of the EFCC, and to unravel how these challenges impact their performance. Other specific objectives are:

- i. To examine if delay of court proceedings could hinder the EFCC's effectiveness
- ii. Unravel the prevalence of connivance of bank officials in money laundering activities
- iii. To assess the EFCC's funds recovery and convictions efforts
- iv. To unravel the challenges faced in combating corrupt activities by Politically Exposed Persons (PEPs)

Statement of the Problem

This study therefore is set out to examine the challenges of the EFCC and its impact on performance. It is noteworthy, that expectations from the public are high concerning the deliverables at the EFCC but in carrying out their functions, they encounter huge challenges which somewhat inhibit their success, and make their effort diminish in the eyes of the public.

While some think the fight is selective, others think the EFCC is just not doing enough due to so many challenges that bedevil the Commission. Again, there is the issue of why cases are unduly delayed in courts in spite of the media hype at the point of arrests.



- i. To what extent therefore, is the delay capable of impeding the EFCC's performance, and what other challenges are likely to inhibit the performance of the Commission?

Research Questions

- i. Is delay of court proceedings likely to hinder the EFCC's effectiveness?
- ii. Why do bank officials connive by aiding and abetting in money laundering activities?
- iii. How effective is the EFCC's funds recovery and convictions efforts?
- iv. What is the effect of EFCC in combating corrupt activities in Nigeria?

Statement of Hypotheses

- Ho: i Delay or slow pace of court proceedings do not affect the performance of the EFCC
- HO: ii The involvement of private/public officials in aiding and abetting money laundering does not affect the EFCC's performance
- HO: iii The EFCC's fund recovery efforts do not significantly enhance the EFCC's effectiveness in combatting corrupt practices.

Scope of the Study

The study was limited to the period between 2015 and 2022 which was a period that witnessed the most vibrant and concerted effort in the fight against economic and financial crimes in Nigeria. This period was also chosen because data was readily available. The study was also limited by location to the Commission's Head Office in Abuja because it warehouses the data from all the Zonal Commands nation-wide.

Literature Review

According to Umar, (April, 2016), who wrote on Understanding the Successes and Challenges of Anti-Corruption Agency (ACA) in Nigeria: A Case of EFCC, and they investigated the operational activities of the EFCC and the obstacles they face which could inhibit their performance. They adopted a qualitative research design, using a single case study and obtained data from interviews, documentary evidence and observations. Their study found that there was apparent success in investigation, prosecution and conviction of corrupt offences in Nigeria but observed that the legal system, government commitment and management remained an issue. They recommended that adequate budgetary allocation was



needed to enable EFCC achieve its mandate, and the need for reforms in the Nigerian legal system for improved service delivery.

According to Nsirim, (2012) their study examined the challenges of EFCC's use of plea bargain and its performance in reduction of economic and financial crimes in Nigeria and relied on data collected from primary and secondary data. Primary data were obtained from interviews on 30 respondents comprising of directors of operations and prosecutors in EFCC's legal department. The findings identified that the reason for the adoption of plea bargain by EFCC is simply for efficiency gains and securing high conviction. In ascertaining its performance, this study justifies that the higher annual conviction rate, the higher the number of cases completed using plea bargain. It also revealed the challenges encountered by EFCC in its use of plea bargain in convicting cases. Drawing from challenges encountered using plea bargain, the study recommended a standardization of guidelines for the implementation of plea bargain and a transparent accounting of fines imposed, through a single treasury account. The study concludes that plea bargain is instrumental to high conviction rate, as more petitions are investigated. According to Osayemwenre, (2018), who wrote on the topic: An Appraisal of the Activities of Economic and Financial Crime Commission (EFCC) on the Administration of Criminal Justice in Nigeria and stated that the activities of the Commission have become increasingly complicated as a result of undue external influence in the administration of criminal justice, government interference, poor leadership of the various previous leaders of the Commission, and the widespread belief that the leadership of the Commission is politically motivated to favor all time ruling parties in Nigeria, have created lacuna in their administration of criminal justice in Nigeria. This study was anchored on the Structural Functionalist theory which stressed that because the leadership of the Commission is considered ineffective and lacks the confidence to fight corruption, there is a tendency that Nigeria's survival cannot be sustained, and for the activities of the Commission to be effective, there must be a conscious effort by the Commission to set aside leadership and ethnic sentiments and objectively fight corruption as it should be. The study concluded that the Commission cannot solely fight corruption or ensure a smooth administration of criminal justice in Nigeria because of the high political interference of the elite, poor leadership and the un-enabling environment of the Commission to function. The study recommended some level of independence in order for the Commission to achieve and surpass her current achievements.

In the same vein, Jamo, (2021), whose study examined the topic: Economic and Financial Crimes Commission (EFCC) and Anti-Corruption Crusade in Nigeria: Successes and Challenges. The study examined the EFCC's effort in anti-corruption crusade with more concerns on public sector and political leaders. Examination of the literature shows that though the Commission was unable to win majority of its



cases due to its incompetence in its investigation and presentation of corruption cases before the court of justice, yet EFCC has secured a number of cases and recovered billions of Naira from corrupt officials in Nigeria. The study concludes by recommending the need for EFCC to be more sophisticated and honest in its investigation and prosecution of corruption cases.

Fisayo, Nte, Adejoke, and Ayoola (2023) analyzed the persistent problem of corruption in Nigeria, with a focus on elite interference in the anti-corruption fight. The study compared the roles of the EFCC and the Independent Corrupt Practices Commission (ICPC) in addressing corruption. Using the Elite Capture paradigm, the research highlighted how powerful elites have co-opted the anti-corruption efforts of these agencies, resulting in low-profile prosecutions and a lack of transparency and accountability in recovered assets. The study concluded that corruption remains rampant in Nigeria, with significant challenges in holding elites accountable.

Onwunyi and Akama (2024) explored the impact of political interference on the operations and effectiveness of the EFCC over a decade. The study examined the extent to which the EFCC has succeeded in reducing political corruption in Nigeria from 2010 to 2020. The authors employed a documentary method for data collection and used content analysis and logical deductions in their findings. They adopted the structural functional theory as a framework for understanding the systemic issues affecting the EFCC's operations. The study concluded that political corruption had not only grown but also infiltrated the EFCC itself. The authors linked the EFCC's inability to curtail political corruption to the nature of the Nigerian state, and its leadership, emphasizing that the Commission's failures were tied to broader systemic problems. They recommended radical reforms to enhance the EFCC's effectiveness, including insulating it from political interference.

Methodology

This study used both primary and secondary data by way of a quantitative and qualitative research designs. A purposive sampling method in which the researcher purposely selected the interviewees with the desired skills and expertise (though there is a little bit of bias), but those interviewed had a 'storehouse' of relevant knowledge on the subject-matter. The researcher interviewed high ranking officers especially those handling key strategic positions in the Operations Department, Legal and Prosecution Department, the Department of Planning, Policy, Research and Statistics, and those who are believed to have the required experience and acumen to speak on the subject matter. In order to compliment the findings from the high ranking officers being interviewed, the researcher perused some literature on the subject matter available at the Commission's domain, internet and EFCC annual reports and all available literature were scrutinized and extracts made therefrom. A well-



structured questionnaire was also designed and issued to a sample size of 362 officers and men of the Commission.

Correlation Analysis

The decision to use a Multiple Linear Regression (MLR) model is predicated not only on the normality of residuals but also on the relationships between the dependent and independent variables. In the context of this study, these relationships are explored through correlation analysis, as presented in Table 1 below. The table provides Pearson correlation coefficients, which measure the strength and direction of the linear relationships between EFCC's Effectiveness (EFF) and the predictor variables: Funds Recovery Efforts (FRE), Court Delays (CTD), Corrupt Activities (CRA), and Connivance of Officials (CNO).

Table 1 Correlations

		EFF	FRE	CTD	CRA	CNO
EFF	Pearson Correlation	--				
	N	362				
FRE	Pearson Correlation	.279	--			
	Sig. (2-tailed)	.000				
	N	362	362			
CTD	Pearson Correlation	-.287	.551	--		
	Sig. (2-tailed)	.000	.000			
	N	362	362	362		
CRA	Pearson Correlation	.449	.229	.322	--	
	Sig. (2-tailed)	.000	.000	.000		
	N	362	362	362	362	
CNO	Pearson Correlation	.414	.260	.393	.580	--
	Sig. (2-tailed)	.000	.000	.000	.000	
	N	362	362	362	362	362
. Correlation is significant at the 0.01 level (2-tailed).						

Table 1 illustrates the Pearson correlation coefficients among the variables of EFCC Effectiveness (EFF), Funds Recovery Efforts (FRE), Court Delays (CTD), Corrupt Activities (CRA), and Connivance of Officials (CNO), with all correlations being statistically significant at the 0.01 level.

The correlation analysis reveals that EFCC Effectiveness (EFF) is positively correlated with Funds Recovery Efforts (FRE) (($r = 0.279$), ($p < 0.01$)) and Corrupt Activities (CRA) (($r = 0.449$), ($p < 0.01$)). However, there is a negative correlation



between EFCC Effectiveness and Court Delays (CTD) ($r = -0.287$), ($p < 0.01$) and a positive correlation with Connivance of Officials (CNO) ($r = 0.414$), ($p < 0.01$). Funds Recovery Efforts (FRE) demonstrates a strong positive correlation with Court Delays (CTD) ($r = 0.551$), ($p < 0.01$) and a weaker positive correlation with Connivance of Officials (CNO) ($r = 0.260$), ($p < 0.01$). This indicates that as Funds Recovery Efforts increase, there is a notable relationship with both Court Delays and Connivance of Officials.

Court Delays (CTD) is positively correlated with both Corrupt Activities (CRA) ($r = 0.322$), ($p < 0.01$) and Connivance of Officials (CNO) ($r = 0.393$), ($p < 0.01$). This suggests that delays in court proceedings are associated with higher levels of Corrupt Activities and greater involvement of officials in corrupt practices.

Also, Corrupt Activities (CRA) and Connivance of Officials (CNO) are strongly positively correlated ($r = 0.580$), ($p < 0.01$), indicating a robust relationship between the prevalence of corrupt activities and the extent of official connivance. These findings highlight significant interrelationships among the variables studied, emphasizing the complex dynamics affecting EFCC effectiveness.

Discussion of Findings

Prosecution is the process of trying to prove in a law court of competent jurisdiction, that a person is guilty of a crime for which he or she is charged or standing trial. The failure or otherwise of the court case depends on the following challenges:

Challenges to Effective Prosecution of Economic and Financial Crimes in Nigeria.

- i. Lack of good quality of credible evidence gathered during investigation
- ii. Lack of co-operation from stakeholders with relevant information
- iii. Lack of Transparency of investigation of facts of the case
- iv. Incompetence of some prosecuting counsel
- v. Lack of fairness and transparency of the presiding trial judge
- vi. Delay/slow pace of court proceedings
- vii. Gaps in the law guiding prosecution

Discussion of Findings: A little more explanation of the above will guarantee a clearer perspective on the subject-matter. These challenges were made known to the researcher during the interviews.



Delay/Slow Pace of Court Proceedings:

There often times exists a situation in which congestion and slow pace of court processes at the courts due to insufficient number of judges as well as the manual recording system of court proceedings, all contributing to the slow pace of adjudication of cases. This has hampered the speedy delivery of justice especially when it appears that the judges could have been compromised. Cases in Nigeria take almost forever to conclude even when the law stipulates a time frame within which to conclude cases in courts. This makes cases linger in courts and it affects the recoveries as well as number of convictions which would have been achieved.

Lack of Quality of Evidence:

Economic and financial crimes are non-violent crimes, committed by those entrusted with the responsibility of safeguarding these funds, and who turn around to abuse this trust and enrich themselves instead. Then comes the investigator whose duty is to get information from those with first-hand information and these fellows could destroy or water-down the evidence to the extent that it cannot withstand the rigours of prosecution. A case in point could be such that an entire casefile could disappear or relevant parts of it expunged there from. This hindrance could be resolved if those people are willing to collaborate and cooperate during investigation by providing relevant evidence leading to successful prosecution of the case. Ribadu, (2004). Lack of credible evidence could lead to cases being thrown out of court, and this could impede the number of convictions which ought to have been won and recorded.

Lack of Cooperation from Stakeholders:

A situation in which those who have the source to the relevant information but are either not willing to cooperate or are themselves compromised. These could range from the investigator, eye witness, prosecutor or trial judge. Lack of co-operation is a big issue when it comes to prosecuting economic and financial crimes in Nigeria. As often as people fail to cooperate, the whole process could be affected and the performance hindered.

Lack of Transparency of Investigation:

At some other instances, the sources might be willing and available to cooperate but the investigator might not be competent enough to handle the assigned tasks



because economic and financial crimes cases could be complex and complicated. While some of the cases might not require too much technical know-how to unravel, others could require a well-trained investigator to handle. Another burning issue could be a test of his honesty: can he be easily compromised? A very competent investigator could water-down his evidence when he decides to be 'bought' and eventually presenting a case that could be easily struck out in court. Ribadu, (2004). When this happens, the number of convictions would be reduced.

Incompetence of Prosecuting Counsel:

Until the EFCC started training its designated judges, it was a herculean task for judges to be abreast of the workings of economic and financial crimes cases. That being so, an otherwise excellent case could be destroyed due to the incompetence of the trial judge or prosecuting counsel due partly to professional incompetence of the judge, or when it appears that his 'palms are greased'. This also affects various strata of the fight against corrupt practices: convictions could reduce and recoveries could also be hindered.

According to Ribadu (2004), criminal trials entail diligent quick wittedness and industry on the part of the prosecuting counsel. The defense counsel on the other hand, has a barrage of tricks to frustrate the trial or at least weaken the evidence presented to make it glaringly unsupportive. Hence, a prosecuting counsel must be witty and knowledgeable enough to counter the tricks of the defense counsel. For the prosecuting counsel to succeed with his case therefore, he must carefully call for relevant witnesses and lead only on relevant facts. On the contrary, a prosecuting counsel without these qualities becomes a clog in the wheel of progress in prosecuting the case. It becomes more worrisome however, to see prosecuting counsel being confronted by more Senior Advocates who are highly remunerated by the accused who are willing to share their largesse with the defense counsel just to win their cases. The seniority issue and the 'respect' for the Senior Advocates could mar the court proceedings when a junior lawyer stands in court face to face with a SAN. This scenario becomes a dilemma when defense counsel would rather free the criminals when it is obvious that they are guilty. Often, they tend to dwell on legal technicalities to usurp a rather 'good' case with substantial overwhelming evidence.

Gaps in the Law Guiding Prosecution:

It is important to state here that the fundamental rights of citizens guaranteed by the Constitution are meant to protect those citizens who themselves are law abiding and have not infringed the provisions of the Constitution itself. It is indeed



inequitable to violate the fundamental law and turn around to seek its protection of your own right without simultaneously atoning for your wrongs, Ribadu (2004). On the other hand, there are some provisions of the Constitution which seem to have over protected the accused against the state. Section 35(2) gives a right to any person arrested or detained to remain silent or avoid answering any question until after consultation with his/her lawyers. Section 36(11) also provides that any person tried for a criminal offence shall not be compelled to give evidence at the trial. When these rights are claimed, they often times lead to over protection of the accused person while restricting the means of protecting the rest of the society in the sense of making it difficult to prove a case against them. Further, it is almost impracticable to conclude investigations and charge arrested persons to court for economic and financial crimes committed often times in an organized manner spanning through several countries and financial institutions. No investigation can be thorough or any incriminating evidence to sustain a charge can be obtained within such a short time and this could affect the overall performance of the EFCC.

Witness Protection and Management Bill:

We all witness the insecurity in the country, and the fear of witnesses to step forward with evidence for fear of being attacked also impedes the performance of the EFCC. Meanwhile, the passing into law of this bill could go a long way to improve the confidence and courage for witnesses to give evidence in court leading to the determination of cases. Until that is done, the fear of being attacked hinders whistle blowing activities and by extension inhibits the overall successes of the Commission.

Inadequate Funding:

According to the researcher's findings, inadequate funding affects the activities of the Commission in terms of acquiring specialized trainings both locally and internationally, technical equipment, software acquisition, procurement of operational vehicles and upgrading of Information and Communication Technology (ICT) infrastructure.

Office Accommodation:

The Commission has a befitting edifice as the Head Office but accommodation problem is far from resolved at the Zonal Commands spread throughout the



country. The staff at some Zonal Commands like Lagos, Port Harcourt, Gombe, Kano, Ibadan and Enugu decry of work environments which are far from conducive for work.

Absence of Adequate Legal Framework for DNFBPIs Regulation:

Special Control Unit against Money Laundering (SCUML) is faced with a peculiar challenge of absence of a well-articulated legal framework for the regulation of Self-Regulating Bodies (SRBs) as well as lack of provision to impose administrative sanctions on Designated Non-Financial Businesses and Professions (DNFBPs). The informal nature of some DNFBPs and the absence of a central regulatory body for some DNFBPs like the Faith-Based Organizations (FBOs) is a huge impediment to effectively coordinate and implement the AML/CFT regime. Any activity which stifles the EFCC's work takes its toll on their conviction and recovery efforts.

Table 2: **Summary of Monetary Recoveries from 2015 to 2021**

Year	Naira N	USD \$	GB Pound	EURO	CAD USD	DIRHAM	YEN	FRANCS
2015	9,485,172,780.10	22,831,523.00	147,100.00	810,920.00	-	-	3,588.00	86,500.00
2016	135,726,509,782.88	47,786,965.66	39,295.00	31,520.00	117,004.00	8,775.00	120,141.50	5,000.00
2017	473,065,195,977.50	142,504,121.12	294,851.82	7,247,363.75	-	443,400.00	-	-
2018	216,454,497,764.25	67,290,174.49	873,278.09	298,055.00	-	10,135.00	-	-
2019	7,777,012,458.44	19,128,055.99	4,658,758.79	83,089.73	15,200.00	-	2,800.00	36,000.00
2020	27,169,540,371.99	9,533,527.74	52,630.00	38,910.00	300.00	-	270,000.00	-
2021	152,088,698,751.64	386,220,202.85	1,182,519.75	156,246.76	1,400.00	50.00	120,362.00	-

Source: Extract from EFCC Annual Reports from 2015 to 2021

The above table depicts a summary of humongous monetary recoveries made by the EFCC from 2015 to 2021. For instance, in 2021 alone, a whopping N152,088,698,751.64 was recovered and N216,454,497,764.25 was recovered in 2018. Other currencies were also recovered as shown on table 2 above. This feat could only be achieved by the courageous determination of the officers and men of the EFCC. Huge sums of monies recovered in several billions of Naira and other foreign currencies. It can only be imagined, the brazen manner of looting of our



treasury that would have been without the concerted effort of the EFCC aimed at curbing this menace.

Table 3: Summary of Forfeited Assets (Recoveries) for the Year 2020

S/no	Type	Total number of items Affected by Forfeiture Orders	No of Items Affected by Final Orders	No of Items Affected by Interim Orders
1	Automobile	662	602	60
2	Boutique	1	1	-
3	Company	1	1	-
4	Electronics	118	118	-
5	Factory	4	-	4
6	Farmland	2	-	2
7	Filling Station	16	-	16
8	Hospital	1	-	1
9	Hotel	1	-	1
10	Jewelry	34	34	-
11	Land	27	4	23
12	Machinery	1	-	1
13	Petroleum Products	61	53	8
14	Plaza	2	-	2
15	Real Estate	61	14	47
16	School	2	-	2
17	Watercrafts	48	18	30

Source: EFCC Annual Report 2020

From tables 2 and 3 above, which depict the recovery efforts of the Commission of non-monetary items, it is simply mind-blowing. For want of space, the researcher could not bring on to this study all of the recoveries made within the period under review. A dispassionate mind would readily adduce to the fact that the Commission has performed well enough though the challenges, when surmounted, could increase their performance and rating in the eyes of the public, it can only get better.



Conclusion

This study concludes that EFCC, like every other agencies, has challenges which affect their performance in many ways like inhibiting their performance in terms of number of convictions, recoveries and their overall performance. The challenges as enumerated above, if surmounted could reposition them for better performance. There is no organization bereft of challenges and the EFCC is not an exception, but an honest dispassionate assessment of the agency shows that they have performed better in most cases than most Law Enforcement Agencies, due to their courage and determination. A little more support in the areas enumerated above could see them performing maximally. The challenges would be analysed as follows:

- i. **Funds Recovery:** It is a herculean task to recover funds once stolen especially funds stashed in off-shore havens. Locally also, staff who go for arrests/funds recovery are often attacked and some pay the supreme price with their lives.
- ii. **Delays in court proceedings:** This challenge is such that as cases are unduly delayed in courts, it impedes the convictions which ought to have been recorded.
- iii. **Connivance of bank officials in aiding and abetting money laundering in Nigeria.** This challenge also impedes the number of convictions which the Commission could have secured.
- iv. **Corrupt activities:** Corruption continues to surge due to the punishment of offenders. A situation in which the punishment for corrupt practices is premised on plea bargain and very ridiculous sentences by judges, would not deter prospective offenders.

Recommendations

The study put up the following recommendations:

- i. The EFCC should invest in modern day sophisticated tools and technologies to aid its funds recovery efforts
- ii. The Nigerian government to advocate for judicial reforms while training and retraining of EFCC designated judges to reposition them to handle the cases speedily. These trainings could hone the skills of judges and prosecuting counsel to be abreast of the ever-evolving economic and



financial crimes and their typologies as this could help with more speedy dispensation of justice and record more convictions.

- iii. In terms of corrupt activities, a more stringent punishment like capital punishment could deter offenders from corruptly enriching themselves
- iv. The bank officials' connivance could be addressed by withdrawing the licenses of banks found culpable in aiding money laundering.

Other recommendations are:

- i. Mutual Legal Assistance on Criminal Matters Bill with guidelines for international cooperation to give information on criminal matters like getting witnesses from other jurisdictions/countries needs to be passed into law speedily.
- ii. Passage of Witness Protection and Management Bill: This bill is yet to be passed into law by the National Assembly. Its passage into law promises to reposition the fight against economic and financial crimes because more people would feel protected enough to step out and blow the whistle when the need arises.
- iii. Autonomy: The EFCC ought to be given some level of autonomy if they must achieve the desired results as this could reduce the perceived interference in cases.
- iv. Office Space: Most Zonal Commands are operating in not too conducive environments. The government should up their game and provide proper office accommodation for the affected Zones.
- v. The DNFBPs at the moment are not regulated. A legislation to regulate them could go a long way in improving the Commission's performance and curbing these challenges.
- vi. Seek more inter-agency collaboration and cooperation with other stakeholders

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