

PRESS RELEASE by the Berne Declaration

Lausanne, 7th March 2016

Restitution of Abacha funds: Swiss and Nigerian NGOs demand guarantees

Switzerland will soon return a sum of 321 million dollars to Nigeria, which was confiscated from the clan of the African nation's former dictator Sani Abacha. In an [open letter](#), Swiss and Nigerian NGOs have demanded that the authorities of these two countries, together with the World Bank, take all measures necessary to guarantee that these funds be returned in a manner that is transparent and benefits the general population of the country, the people that were initially cheated out of their money. These funds cannot be allowed to just disappear into thin air, as happened with the funds recently returned by Liechtenstein.

During his visit to [Abuja tomorrow](#), the head of Switzerland's Federal Department for Foreign Affairs, Didier Burkhalter, will meet with the president of Nigeria, Muhammadu Buhari, and his minister for foreign affairs to discuss the restitution by Switzerland of the 321 million dollars confiscated from the Abacha clan. This follows from the confidential agreement reached between the Nigerian authorities and the Abacha family in 2014. Despite some controversy, the agreement received the backing of Geneva's public prosecutor, and it led to the abandonment of the criminal case against the son of the former dictator Sani Abacha, suspected of laundering his father's loot.

There are fears in civil society, in both Switzerland and Nigeria, that this money could be embezzled once again. An open letter has been sent to the authorities of these two countries, as well as the World Bank, by a coalition of organisations demanding that provisions be taken to guarantee that these funds are actually used to finance projects that improve the living conditions of the Nigerian people. It is imperative that they be allocated through a transparent process that involves both Swiss and Nigerian NGOs. The transfers must also be performed in instalments and upon the condition that the sums returned in previous instalments were used as supposed. Monitoring by the World Bank should be used to ensure the correct implementation of this process.

[The recent example](#) of Liechtenstein clearly shows the dangers that this kind of restitution presents when the highest degree of care is not taken. The 235 million dollars that the principality returned to former president Goodluck Jonathan were supposed to be used to fight the terrorist group Boko Haram, but they have vanished without trace. In Nigeria, where tensions are running high, [a judgement](#) rendered in February by the Federal High Court in Lagos binds the new president, Muhammadu Buhari, to fully account for the usage of all assets returned.

In the past, Switzerland already returned close to a billion Swiss francs that were seized from accounts held by General Abacha and his entourage. This initial restitution, the largest of its kind at the time, encountered numerous problems. It wasn't possible to verify the destination of almost half of the funds returned to Nigeria, which had simply been transferred to the State's accounts. A posteriori, the World Bank admitted that a substantial part of this money had been allocated to projects that didn't exist or that had already been completed at the time of the restitution. Ten years later, the Swiss authorities and the World Bank both assure that they have learnt their lessons from this episode. It's now down to them to prove that this is true.

You can find more information [here](#) or from:

Olivier Longchamp, Berne Declaration, +41 21 620 03 09, longchamp@ladb.ch

Géraldine Viret, Berne Declaration, +41 21 620 03 05, viret@ladb.ch