Funso Doherty's Letters

AFRICAN DEMOCRATIC CONGRESS



SUPPORT FUNSO DOHERTY 2023 for GOVERNOR OF LAGOS STATE.

#WeCanBeMore

20th February, 2023

Dear Lagosians,

STAYING THE COURSE

Some media reports have been brought to my attention claiming that our party, the ADC in Lagos, has "collapsed its structure" in favour of PDP.

Others are suggesting that I may have stepped down my candidacy.

Nothing could be further from the truth.

The Governorship candidate of the PDP had reached out to me seeking a meeting and suggesting a collaboration. In response, I told him that my ticket and my resolve to serve the people of Lagos as their next Governor are not negotiable.

These fake news reports are intensifying as it becomes clearer and clearer that the people are choosing us as the credible alternative to the ruling party in Lagos. Ours is the candidacy to beat.

These sponsored efforts are futile attempts to puncture the hope that is awakening across the length and breadth of Lagos as rich and poor, old and young align with our simple message. Your government CAN, MUST and WILL be made to act in your interest and deliver the quality of life, dignity and respect you deserve.

You should expect that we may continue to face resistance to this new order.

We must remain strong and steadfast. We will battle to the end, and with your support on March 11, victory is sure.

God bless you.

God bless Lagos State.

God bless Nigeria.

Funso Doherty.

FD4Gov2023

ADC
AFRICAN DEMOCRATIC CONGRESS



27th February, 2023

Dear Lagosians,

PRESS STATEMENT BY FUNSO DOHERTY
ADC GUBERNATORIAL CANDIDATE FOR LAGOS STATE

I congratulate Lagosians on the very impressive display of patriotism and resolve over the weekend in coming out, despite previous disappointments and prevailing hardships, to exercise our mandate to elect new leadership at the federal level.

In light of this sacrifice, the reports of violence and disruption in many locations across our great state is most unacceptable especially given assurances received from the security agencies ahead of the elections.

All residents of Lagos state should be free to exercise their rights and civic duties without fear of intimidation, bullying or harm. Lagosians should live in dignity and we must all treat one another with respect.

The fact that we are not hearing from the State Government and Governor in the face of these is worrying, and perhaps, also revealing.

We call on the current administration and the relevant authorities to ensure that these acts of violence are investigated, that the law takes its course and that preventive measures are deployed ahead of the coming Gubernatorial polls.

I also urge INEC to be more conscious of its role as a custodian of the nascent and still fragile hope of the people in our developing democracy.

I personally witnessed the following significant shortcomings, in Saturday's elections which have also been highlighted and widely reported in the media and by observers and, in some cases, by returning officers:

1. Late arrival of personnel and commencement of Voting.
2. Voting by persons not accredited on BVAS resulting in over-voting.
3. Lack of transparency due to widespread failure to transmit results from the polling units directly to INEC's IREV portal as repeatedly promised by INEC and as provided in the electronic transmission guidelines."

These must be addressed immediately.

I encourage us all to remain resilient, resolute and calm.
2023 is our year.

God bless you.

God bless Lagos State.

God bless Nigeria.

Funso Doherty.

#WeCanBeMore

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Wednesday, April 26, 2023

Mr. Moyosore Onigbanjo (SAN)
Hon. Attorney – General and Minister of Justice
Lagos State Ministry of Justice,
Lagos State.
Via Electronic Mail: m.onigbanjo@lagosstate.gov.ng,
info@lagosstatemoj.org

Dear Sir,

RE: OPEN LETTER REGARDING BUILDING COLLAPSE IN LAGOS STATE

On Saturday, a delegation led by the Governor was at the Banana Island site of the recent building collapse, once again promising remedial and preventive action. On Sunday, we received news of yet another building collapse in Apapa.

When the Ikoyi high-rise collapsed in 2021 taking more than 40 precious lives, there were site visits, investigations, tribunals, and white papers. We were then told that consequences would follow.

I'm not aware of any prosecution so far, especially of culpable Government officials. Anything less is like barking without bite and calls into question the will or capacity of the Government to take effective, punitive action.

To fix this problem, consequences for those found culpable must be timely, appropriate, and very visible in the public domain, while effective preventive measures are implemented diligently.

Also, those public officers responsible for prosecuting those found culpable in previous instances, and who failed or neglected to do so, are partly responsible for this incessant loss of life and property and should also face consequences.

Government must act decisively and with firm resolve to secure lives and property. I hope you will use your office on behalf of the people of Lagos, to take concrete action as failure to act can result in more lives and property being needlessly lost.

Yours Sincerely,
Funso Doherty.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

4th May, 2023

The Office of Public-Private Partnerships
Ground Floor, Administrative Building
Governor's Office, Lagos House,
Alausa-Ikeja Lagos

Attention: Mr. Ope George; Special Adviser, Office of Public Private Partnerships
Via email: ope@ppplagos.com
Cc: info@ppplagos.com

Dear Sir,

OPEN LETTER ON PROPOSED PUBLIC-PRIVATE PARTNERSHIP ON SUSTAINABLE TRANSPORT

Background

Last week, Oando PLC, a private sector company, announced that it has commenced implementation of a Public Private Partnership (PPP) arrangement with the Lagos State Government through the Lagos Metropolitan Area Transport Authority (LAMATA). This partnership with LASG was confirmed by the Lagos State Governor in a Statement on the Subject.

Acccording to the Company's disclosure, the PPP, which builds on a Memorandum of Understanding (MOU) it signed with Lagos State last year, provides for Oando to deploy an "Electric Vehicle and Infrastructure Ecosystem" including electric mass transit buses, charging stations and other supporting infrastructure. The Company anticipates that it may ultimately roll out up to 12,000 buses and will "..,transition the current combustion mass transit buses to electric, starting in Lagos State and eventually across the country".

Oando Group's Chief Executive, Mr. Adewale Tinubu commented that "Public Private Partnerships have been critical to getting the project to this point and will continue to fuel our expansion across the entire country".

Issues of Public Concern

These reported developments raise a number of issues that are of grave public concern:

1. There is very limited transparency around this PPP initiative. Given its proposed scale, public significance, potential cost and possible impact, the disclosures made by LASG are manifestly inadequate.

2. The terms of the MOU entered into by LASG with Oando have not been disclosed, including whether it is binding or non-binding, and what commitments are being made by, or required of, either party under the MOU and/or any subsequent and related agreements.
3. Lagos State's laws stipulate that:
    a) The Office of Public Private Partnerships (PPP office) is mandated to "ensure that PPPs for the provision and development of public infrastructure or public assets in the state are in accordance with prevailing Government policy and public interest".

    b) Concession Agreements are subject to approval by the House of Assembly. Concession Agreements are defined in the PPP law as "any agreement between the Government and any person, firm, company or limited liability partnership for the construction, maintenance, operation or management of public infrastructure, assets and facilities over an agreed period of time".

    c) Both the PPP office and LAMATA fall within the designation of "procuring entities" under the LASG public procurement law which generally provides for open competitive processes for significant procurements of goods and services.

It is not evident from the information so far disclosed in the public domain, that these laws and provisions relating to PPPs were either complied with, or not applicable, prior to commencing this partnership. It is alarming that, according to the recent disclosures, the partnership is now considered to have moved forward into a pilot operational phase, by virtue of Oando having taken delivery of some buses and other operating infrastructure.

4. Oando PLC, the parent of the Group, is a publicly listed entity. Accordingly, there is substantial information about the Group and its affairs in the public domain, including:
    a) The Group has not filed audited accounts since 2020 fiscal year. It is currently in default on its regulatory obligation to file audited accounts for both 2021 and 2022.

    b) In its most recently published (2020) audited accounts filed with the Stock Exchange, Oando reported very substantial losses for both 2020 and 2019 of N140bn and N207bn respectively. Its current liabilities far exceeded its current assets by N578bn and it had negative Shareholders Funds (i.e. net liabilities) of N67bn as at December, 2020. In its report, Oando's independent auditor expressed the opinion that there was Material Uncertainty regarding the Group's ability to continue as a Going Concern.

    c) In 2021, Oando PLC reached a settlement with the Securities and Exchange Commission in which it committed to pay a monetary penalty and to improve its Corporate Governance and Internal Controls. This was pursuant to sanctions that had been imposed on it by the SEC following investigation of petitions received against the Company

In light of these matters, which are matters of public record, LASG's choice of Oando as its partner for this initiative, is baffling.

Imperatives

In PPPs, commitments are made and/or resources deployed on behalf of the public in arrangements that are intended to advance both public and private interests. Consequently, wherever they are to be employed, there is an increased need for transparency, due-diligence and demonstrable good faith. Disclosure and engagement are standard global practices that help foster public confidence and acceptance in PPPs.

I hereby call on the PPP Office, the Public Procurement Agency and LAMATA to stay further action on this proposed partnership, to shed more light on it and address these concerns before proceeding further.

The public needs to understand the nature and scope of this initiative as well as the procedures undertaken by LASG to ensure due process, value for money and accountability. In all such initiatives, it should be seen that the public interest is protected and served in accordance with applicable laws of the State.

Yours faithfully,

Funso Doherty

Cc: HE, Babajide Sanwoolu, Governor, Lagos State
Rt. Hon Mudashiru Obasa, Speaker, Lagos State House of Assembly
Mr Fatai Onafowote, Director-General, Lagos State Public Procurement Agency
Ms. Abimbola Akinajo, Managing Director, Lagos Metropolitan Area Transport Authority
Mr. Moyosore Onigbanjo (SAN), Hon. Attorney-General & Commissioner of Justice

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

16 May 2023
The Office of Public-Private Partnerships
Ground Floor, Administrative Building
Governor's Office, Lagos House,
Alausa-Ikeja Lagos

Attention: Mr. Ope George; Special Adviser, Office of Public Private Partnerships
Via email: opeg@ppplagos.com
Cc: info@ppplagos.com

Dear Sir,

RE: LASG MASS TRANSIT INITIATIVE WITH OANDO

I confirm with thanks, receipt of your response to the issues raised on the subject initiative and make the following observations in this regard.

1. We have noted your assertion that no PPP currently exists with Oando on this initiative at this time. However:
    a) Our letter was based on Oando's public statements released on the subject which reference the "Public-Private Partnership" as well as the Governor's reference to LASG's "partnership with Oando".
    b) Given the seeming contradiction, it would be beneficial for details of the MOU to be shared with the public for clarity and transparency. As you know, MOUs, depending on their terms, can in some circumstances be legally binding, and the term PPP itself can refer to a broad range of different arrangements between governments and private sector entities.
2. Regarding your assurances that due process for procurements will be initiated following completion of the proof-of-concept stage:
    a) LASG has indicated that this initiative is a key component of Lagos State's Mass Transit Master Plan.
    b) The framework development and proof of concept (POC) stages are foundational elements of such an initiative that could involve substantial investments and costs and have profound and lasting implications for the eventual direction and ultimate success of the initiative.
    c) Rigorous procurement discipline is, therefore, no less important at The Framework development and POC stages to ensure appropriate vendor assessment and selection and value for money. It would help ensure that credible, objective outcomes and conclusions are produced that will provide unbiased guidance for the critical decisions that are to be made down the line. It would also help ensure that Government is not in a disadvantaged negotiating position when it gets to implementation stage.

Yours faithfully,



Funso Doherty

Cc: HE, Babajide Sanwoolu, Governor, Lagos State

Rt. Hon Mudashiru Obasa, Speaker, Lagos State House of Assembly

Mr Fatai Onafowote, Director-General, Lagos State Public Procurement Agency

Ms. Abimbola Akinajo, Managing Director, Lagos Metropolitan Area Transport Authority

Mr. Moyosore Onigbanjo (SAN), Hon. Attorney-General & Commissioner of Justice

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

19th May 2023
His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Mr. Governor,

OPEN LETTER ON COMMENCEMENT OF N1 TRILLION ISSUANCE PROGRAMME FOR BONDS AND OTHER OBLIGATIONS OF LAGOS STATE GOVERNMENT

Background

Last week, the Lagos State Government commenced implementation of its N1 trillion issuance programme of bonds and other obligations by offering the first tranche of N100bn in fixed rate debt. Subsequent issuances are expected to follow over time. Under the APC, Lagos State's outstanding debt rose from approximately N235 billion in 2011 to N1.2 trillion in 2021. This is the highest amount owed by any state. By comparison, it was almost 4 times the amount owed by the next highest state (Kaduna) and more than the total owed by the next 4 states combined (Kaduna, Rivers, Ogun and Cross River) in 2021.

Issues of Public concern:

1. Lagos continues to borrow substantially despite rapid growth in Tax Revenues

   Assessed by traditional measures that compare the existing level of debts and repayments owed by the State with the Size of the State's economy and the State Government's annual income, Lagos State's overall debt level is, for now, still considered sustainable. However, this debt is rising steadily and almost half of it (measured at official rates) is foreign currency borrowing, which carries additional risks.

   Lagos State's internally generated revenue (IGR), also the highest in the Federation, has risen from approximately N15bn in 1999 to approximately N570bn in 2021. The principal source of this IGR is the burden of taxes and levies borne by its residents and businesses that are productive, earning income and paying their taxes.

   The All Progressives Congress ("APC") Government frequently seeks to take credit for significantly increasing the IGR of the state. Beyond this however, the greater responsibility of Government is to demonstrate the benefits that residents have derived from this ever-increasing tax burden borne by them. This responsibility also extends to Government borrowing because the burden of repaying the Government debt will fall on current and future generations through their taxes.

2. LASG's expenditure and debt is substantial and growing, but lacks effectiveness

Effective governance is measured not by how much in taxes and fees have been levied and collected from the people, or by how much Government spends, but by how much the people's education, healthcare, transportation, housing, security, employment and other components of standard of living have improved, as a result of the expenditures and actions of their Government over time.

This is where, in my view, Lagos falls short. Over the past 24 years, LASG has massively deployed current and future societal wealth and increased its borrowing without substantial overall advancement in human development indices and living standards of the people.

Lagos has consistently remained near the bottom of the scale on independently compiled "quality of life" rankings of major cities of the world. For example, Lagos is in 171 position out of 172 cities ranked in the 2022 Global Liveability Index rankings of the Economist Intelligence Unit (EIU) which assesses cities on measures like infrastructure, education, health, culture and environment, stability etc.

Imperatives

Governments are defined by their commitment to institutions, rules and values as expressed through their actions. Inclusive governments foster growth and broad-based development while extractive governments produce deepening inequality and under-development and impoverish broad sections of society. Not surprisingly, extractive Governments also tend to borrow more.

In my opinion, the Government of Lagos State must transition from its existing, extractive model of governance. This means dealing decisively with its self-serving hegemony which some call "godfatherism", the activities of corrupt elements in public office and the civil service, pervasive conflicts of interest and dominant vested interests, all of which have created a wide gulf, over the last quarter-century, between Government's use of the people's resources and what the people of Lagos really need.

If we fail to do this, it is certain that our resources will continue to be misdirected, diverted and misused, our future will be mortgaged through ever-expanding Government borrowing, our development over the next generation will remain tragically stunted and poverty will be widespread.

Yours faithfully



Funso Doherty

Sources: *BudgiT- State of the States Report 2022, BudgiT - What we Know About Lagos State Finances Report - 2018, Agusto and Co. - LASG Issuer Rating Report 2022.*

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

For Immediate Release

Tuesday, June 6, 2023

MESSAGE TO LAGOSIANS ON THE REMOVAL OF THE FUEL SUBSIDY

Once upon a time there was a great and noble Kingdom whose King and Queen both died leaving their son, the prince, and the wealth of their kingdom, in the care of regents, because the prince was not yet of age.

It came to pass that the regents were not faithful to the prince and diverted a great deal of the riches of the Kingdom to their own purposes, living lavish and riotous lifestyles while neglecting the orphan prince to the point of malnourishment and starvation.

The prince fell gravely ill and was in great pain continually. But the regents would neither repent nor relent. The only accommodation they made was to procure a painkiller to dull the pain of the prince.

In time, even that painkiller became scarce and very costly, as people of Neighboring kingdoms and some of the regents also conspired to divert some of painkiller for their own use.

Then all the regents took counsel amongst themselves saying: "the cost of the prince's painkiller has risen greatly. We can no longer sustain it together with other expenditure for the kingdom, and most especially, our expenses and purposes as regents. It is prudent for us to stop buying the painkiller so we can have resources for these other things".

So one day, the Chief Regent made a pronouncement that the painkiller would be stopped.

And a loud wail rent the air across the land and great fear arose of what would become of the prince…

Introduction

This letter is not about whether subsidy should be removed or not. Or even about how it should be removed. Much has already been said, and more still will be said by many others on this.

Rather, it aims to focus attention on the root causes of this perennial issue and suggest some direction for action going forward, particularly for Lagos State.

For the record however, I personally believe it should go, but not before implementing some well-considered relief measures to cushion the effects on the people.

The Root Causes

The underlying problem, in all of this, is underdevelopment and poverty. According to The Nigerian Bureau of Statistics, in 2022, approximately two-thirds of Nigerians were assessed as being multi-dimensionally poor. The past eight years in particular have witnessed a sharp decline, with real per capita incomes falling from $3,201 in 2014 to $2,066 in 2021 according to the World Bank. Inequality is also high and rising.

Over the years, the fuel subsidy has been a tool to temporarily cushion the effects of this failure of leadership and advancing poverty.

In my view, the more fundamental question is: When "subsidy is gone", will the inept and corrupt governance that fueled this fire of poverty continue, or will we instead see better governance that progressively improves societal prosperity and well-being? Only time will tell, but based on decades of past experience, Nigerians are understandably very skeptical and troubled.

Lagos Will Likely be Hit Hardest

Despite having by far the highest revenues, expenditures, debt capacity and government borrowing, Lagos today is probably the most vulnerable to the harsh effects of subsidy removal for the following reasons:

1. We are a dense urban community with a large population, very many of whom commute daily for their means of livelihood.
2. There are very limited mass transit options in place, with near exclusive use of road transportation and minimal use of water and rail transportation.
3. The commuter light rail (the blue line) is not yet operational despite having been under development with substantial resources deployed continuously for well over a decade.
4. Traffic congestion and commute times in Lagos are legendary and remain among the highest in the world.
5. A high proportion of low-income commuters in Lagos are transported in small, privately-owned and operated commercial vehicles (the danfos, Koropes, Kekes etc) that run on petrol (PMS).
6. Lagos has an entrenched system of extortionate payments that are collected from these commercial operators daily - a multitude of informal levies, official and unofficial payments harvested through the so-called "agbero" network. This practice by itself already imposes a regressive burden that subjects low-income earners to high effective tax rates that are reflected in their transport fares. The fuel subsidy removal will compound this hardship.
7. Lagos is a massive net importer of food, much of which is transported into Lagos from all over the country mainly by road transportation with exposure to the increasing cost of fuel in certain segments of the supply chain between the source of the food and the Lagosian's plate.

So, despite government's strident rhetoric to the contrary, the fact that Lagos and Lagosians are in this precarious situation today, especially after the governing party's 24-year unbroken hold on power in Lagos, is clear evidence of poor management of the State's vast resource endowments and natural advantages.

Imperatives for Lagos

In light of the fuel subsidy removal, LASG should consider taking the following steps as a matter of urgency:

- ***Short Term Measures***

1. Introduce personal income tax relief for low-income earners. This does not require a federal tax law change and can be implemented at the state level in the form of rebates on the Personal Income Tax rates. This will raise the taxability threshold and provide relief for the most vulnerable taxpayers.
2. Implement a cost-of-living salary adjustment for Lagos State government workers prioritizing low-income earners and encourage private sector employers to consider doing the same. This should be a pre-cursor to a more comprehensive compensation review and Government reform agenda.
3. Dismantle the informal "agbero" system of levies and taxes. In doing this, as a practical matter, those individuals who are now engaged in that activity (especially as foot soldiers) should be redirected to manage social impact. License fees, permit fees and levies that disproportionately affect the poor should be significantly reduced and the multitude of charges borne by them should be consolidated. Collection of levies by runners accosting buses on the highways should be outlawed. Technology should be introduced to administer and enforce compliance.
4. Revisit and review the $2 billion proposed 4th Mainland bridge project to confirm that it remains an appropriate use of capacity in the context of the heightened urgency to deliver effective multi-modal mass transit in Lagos over the next 10 years.
5. Scale-up ferry service on key water transport routes (e.g. Ikorodu to VI/Lagos Island/Lekki) introducing robust, safe and comfortable vessels on such high commuter traffic routes.
6. Review all existing Mass Transit PPP arrangements especially single-provider arrangements such as with the existing BRT operator. Eliminate the constraints to scaling up the BRT service and optimizing the use of the existing dedicated mass transit lanes. Subject contracts to competitive bidding at the earliest appropriate opportunity. This should extend to all existing and prospective mass transit operators including Eko Rail and the Sustainable Transport Initiative with Oando. Enforce arms-length contracting and eliminate conflicts of interest to ensure quality and accountability. Emphasize effective delivery of live mass transit operations rather than celebrating "commissionings", feasibility studies, test runs and photo opportunities. Set clear standards and performance benchmarks.

- Longer-Term Measures

1. Ensure that within ten years, the Lagos Metropolitan Area is effectively served with efficient and cost-effective multi-modal mass transit. More rail lines should be introduced on an accelerated timeline. There must always be disciplined and rigorous procurement and contracting processes to guarantee accountability, value for money and consequences for breach and default.
2. New town planning and development efforts should be accelerated and should feature integrated mass transit, infrastructure and affordable housing plans in a coordinated way to achieve distributed and decentralized development of vibrant communities spread across the state.
3. Most importantly, Government must have an overall vision, an agenda and plans that direct effort and resources faithfully and effectively to achieve a broad-based, inclusive, productive and prosperous economy with improved incomes and living standards for residents across the socio-economic spectrum. This cannot just be on paper and must be measured by actual outcomes. It also will not happen in an environment of pervasive corruption. An outline of our Tiger Agenda for Lagos, which sets out our own approach to this, can be found at www.funsodoherty.org/the-tiger-agenda

This is a defining time for Lagos State and Government has a paramount obligation to step up and make this city work for residents.

Our collective responsibility

Early in the morning of May 29, before the Inauguration, I tweeted the following quote from Lee Kuan Yew, the father of Modern Singapore, as a call to reflection:

"We cannot afford to forget that public order, personal security, economic and social progress, and prosperity are not the natural order of things, that they depend on ceaseless effort and attention from an honest and effective government that the people must elect."

The events following the inauguration, only serve to reinforce this message that, after all is said and done, the progress and well-being of our people will ultimately be determined by whether we elect Governments that are honest, effective and forthright and show clear understanding of the issues we face.

We must also guard against populism that seeks to exploit the plight of the poorest amongst us, while undermining their long-term interest. It is rather interesting that those who appear to have finally decided so resolutely on the subsidy removal, are on record as arguing against its removal while in opposition. And in a quarter-century of sub-national governance, they failed to create conducive conditions for subsidy removal.

We cannot, and must not, relent in our quest for good governance.



Funso Doherty
June 6, 2023

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, June 9, 2023

Rt. Hon. Mudashiru Obasa
Speaker, Lagos State House of Assembly
Alausa, Ikeja.

Dear Mr. Speaker,

RE: YOUR OPENING ADDRESS AT 10TH ASSEMBLY OF LAGOS STATE HOUSE OF ASSEMBLY

I noted with concern, multiple recent press reports of statements credited to you in your opening address at the 10th Assembly of the Lagos State House of Assembly, indicating the emphasis of your legislative agenda. You are quoted as saying: "There would be laws and resolutions in the area of economy and commerce, property and titles, and we will reverse all that is reversible to protect the interest of indigenes".

While first noting that it is the House, and not the Speaker, that ultimately has the prerogative to set its own agenda, I would quickly caution as follows:

1. The House must always be very mindful to operate within the provisions of the Constitution of The Federal Republic of Nigeria 1999 (as amended), in particular, Section 42 , which protects all Nigerian Citizens from being subjected to inferior rights and privileges on the basis of place of origin. Laws intended as affirmative action, for groups that are deemed to be underprivileged will be null and void if they discriminate against other groups in a manner that violates the Nigerian constitution.

2. Your choice of emphasis in your opening speech, especially after the polarized and divisive electoral process we have just gone through, is unfortunate, but is also telling and speaks volumes.

3. The Lagos State House of Assembly represents the entire electorate and the people of Lagos whether considered indigenous or not. The House should be equally concerned with all forms of discrimination against particular groups within the state, making appropriate laws accordingly and seeing that they are enforced. For example, the widespread reports of discrimination suffered by certain groups during the conduct of the recently concluded elections should equally be a matter of great concern to the House and should reflect in its agenda.

4. You must be well aware that the economic and commercial strength of Lagos today is, in large measure, as a result of its long and rich history of welcoming settlers and investors who are valuable contributors to our society. Some of the largest businesses in Lagos that are providing livelihoods

for Lagosians today and generating taxes and other sources of funding for government were founded by those who would be considered non-indigenes. Examples abound from some of our largest banks and investment houses, to commerce, to industry including, notably, the recently commissioned Dangote refinery.

The Lagos Free Zone and the associated Lekki deep sea port were promoted by Tolaram. This is a Singaporean company, that was originally founded in Indonesia in 1948 by a family of Indian origin, before relocating and being welcomed by Singapore in 1975. There is a family of Lebanese origin, whose thriving hospitality business here in Lagos is now being successfully operated by their fifth generation employing hundreds of taxpayers. They have been here for more than 170 years. This is the way of the modern world, and we, in Lagos, have leveraged this strength for centuries.

Even the founding of the then Lagos Stock Exchange (now NGX), the first in West Africa, reflects our diverse and cosmopolitan history. It is on record that the four individuals who subscribed to its Memorandum of Association (in addition to the 3 institutional subscribers), in 1960, included the late Sir Odumegwu Ojukwu and Alhaji Shehu Bukar. The two others were Theophilus Adebayo Doherty (my uncle), and Akintola Williams. We must also not forget the countless number of small businesses owned and operated by hardworking non-indigenes, providing livelihoods for probably millions of residents of Lagos. These are among the people responsible for those lofty IGR figures that LASG so proudly touts. What message does your opening statement send to them?

Mr Speaker, in my opinion, the statements attributed to you were ill-advised, unnecessary and demonstrate either questionable judgment or questionable intentions. They strike an arrogant, discordant, jarring and divisive tone that is at odds with the times, the prevailing mood and the Modern Mega City we are trying to build. I pray it is not indicative of what we should expect from the 10th Assembly under your leadership or from this Administration more broadly.

The constitutional, legal and human rights and interests of all Nigerians resident in Lagos State, must be protected equally, including those of the earliest known settlers on the territory that now lies within its boundaries, who should, in addition, be accorded their due recognition and respect.

In closing Mr Speaker, my further advice to you, admittedly unsolicited, is that Lagosians of all socio-economic strata and ethnic origin are more interested in a progressive agenda that eliminates the existing widespread poverty, that creates prosperity and that improves lives. And that is what they deserve.

Yours faithfully



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

For Immediate Release

Friday, June 23, 2023

A CAUTIONARY NOTE TO LAGOSIANS ON RECENT DEVELOPMENTS RELATING TO THE CENTRAL BANK

Background

With the recent policy to unify exchange rates, the official exchange rate of the Naira to US Dollar moved from N461/$ to about N753/$ currently. This is, of course, part of a much longer period of decline from its level of approximately N169/$ back in 2014.

Lagos State is currently in a position where a substantial amount of the debt owed by the State Government is borrowed in foreign currency, making it particularly exposed.

As at June, 2022 the total foreign currency debt owed by Lagos State amounted to approximately $1.3 billion (USD). Total domestic and foreign debt was previously reported at N1.27 trillion based on the convention of reporting foreign debt of the States at official rates. At the current rate of N753 however, that same debt now rises from N1.27 trillion to approximately N1.7 trillion, with the foreign currency portion now being clearly the larger portion. For a State with revenues mostly derived from taxes and levies that are generated in Naira, this is precarious for the State and its residents.

Issues of Public Concern

The recent suspension of the CBN Governor seems to have met with widespread approval. In my opinion, such criticism, while largely valid, is also incomplete. Can it, or should it be the case that Nigeria's economic fortunes decline so precipitously, because of the actions and inactions of one individual? Built into our constitution, laws, and regulations are institutional checks and balances which, in this instance, must also be seen to have failed, either at the institutional or individual level. These notably include:

1. The Presidency

Mr Emefiele was appointed (and reappointed) by presidents whose confidence he presumably enjoyed. While the independence of the CBN must be respected, due process always exists for the President to remove the Governor, if warranted. It should be noted that the Presidency also has the benefit of Economic Advisory Councils and Advisers, funded by the public to provide advice on which the President can act.

2. The National Assembly

The CBN Governor's appointment and reappointment are confirmed by the senate. Where a serving Governor is removed mid-term, and a new one appointed, the senate, in addition to diligently assessing the new candidate, must be concerned with the validity of the reasons for the removal of the old. The rigor applied in the appointment and reappointment of the now-suspended Governor, has long been questioned. In fact, some of the concerns expressed by Mr Emefiele's predecessor in office, Lamido Sanusi, at the time of his removal, would seem to have been borne out by the vastly poorer outcome of his successor's tenure. In addition, the National Assembly has

oversight powers that uniquely empower and enable it to interrogate the effectiveness of policy, if it chooses to exercise such powers in good faith and not in self-interest.

3. The CBN Monetary Policy Committee (MPC)

The MPC is a policy-making organ established under the CBN act. Significant decisions relating to monetary policy, interest and exchange rate policy reflect its collective resolutions and will ultimately determine the success or failure of monetary policy. Appointments of its members are also confirmed by the Senate. Indeed, as recently as March, 2022, the reappointments of five members of this Committee were confirmed by the Senate. A well-functioning MPC, constituted on the basis of merit, of persons with capacity and character suited to the role, will institutionalize policy development, substantially reducing the singular ability of an errant CBN Governor to produce extreme negative outcomes.

4. State Governors and The National Economic Council

State Governors together with the CBN Governor and the Vice President as Chair, make up the National Economic Council, an organ established under the provisions of the constitution. Its mandate is to "advise the President concerning the economic affairs of the Federation, and in particular, on measures necessary for the coordination of the economic planning efforts or economic programmes of the various Governments of the Federation." The NEC also failed to provide a guard rail for economic policy.

In a Federal republic like Nigeria, monetary policy and currency control lie with the Federal Government. Even if states are well governed internally, the well-being of citizens in the states and the strength and prosperity of the States themselves depend on the pursuit of sound monetary policies and practices by the Central Bank. This is mainly because the CBN controls money supply and can expand the money supply to cover the needs of the Federal Government, as it has evidently done over the past few years. These policies can easily cause a loss of control of inflation and the exchange rate and greatly impoverish the states and citizens.

State Governors must understand their responsibilities and mandate to include constant vigilance to ensure that discipline and control of monetary stability is not lost by the CBN because, once it is, a vicious spiral becomes almost inevitable. State Governments, especially those that are primarily dependent on allocations from the center, rather than IGR, will then become more concerned with securing ever more cash for their needs than with enforcing measures to restore stability. The well-being of the people, especially the most vulnerable, becomes the inevitable casualty.

To his credit, Governor Godwin Obaseki of Edo State eventually spoke up on this issue. The opposition by some States to the Naira redesign policy, though politicized, is also noteworthy. Nigeria would have been better served if State Governors had intervened constructively in these matters much earlier in the day.

Conclusion

It is true that the CBN Governor bears much responsibility. But it is equally clear that many of our other leaders and representatives also failed, refused or neglected to discharge some of the duties of stewardship, representation and oversight entrusted to them. And this should be the lasting lesson for all, even as the immediate issue of who will lead the CBN going forward is addressed and resolved.

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, June 23, 2023

The Clerk,
Lagos State House of Assembly
Alausa, Ikeja.

Dear Sir,

RE: OPEN LETTER ON PROPOSED PUBLIC PRIVATE PARTNERSHIP ON SUSTAINABLE TRANSPORT: INVITATION TO A MEETING

I acknowledge with thanks, receipt of your invitation to attend a meeting on this subject at 10am on Monday 26th June, and hereby confirm my attendance.

Best Regards,

Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Tuesday, June 27, 2023

Rt Hon. Mudashiru Obasa
Speaker,
Through: Hon Lukman Olumoh
Chairman, Adhoc Committee on Public
Private Partnerships (PPPs)
Lagos State House of Assembly
Alausa, Ikeja

Dear Mr. Speaker,

RE: SUSTAINABLE TRANSPORT INITIATIVE BETWEEN LASG AND OANDO CLEAN ENERGY

Thank you for convening yesterday's meeting with the Ad hoc Committee on PPPs, LAMATA, the Transport Ministry and the PPP Office and for facilitating a constructive atmosphere for our discussions.

The following representations were made by the relevant agencies at the meeting:

1. There is no PPP currently in place on this initiative, notwithstanding any communication by any of the parties to the transaction that may have alluded to or created the impression of such.
2. The MOU that has been signed is a non-binding MOU. No binding commitments have been made by LASG, and no procurement expenditures have been incurred, contracted or paid by LASG in respect of the MOU.
3. The current phase of this initiative is a proof of concept phase which builds on the outcome of an earlier independent feasibility study.
4. Oando approached LASG and was appointed, through a non-competitive process, to carry out this phase of the initiative.
5. Oando is voluntarily incurring all the costs of funding the buses needed for the proof of concept phase, together with charging infrastructure and related equipment, at no cost or obligation to LASG, and with no assurances given to Oando that they will be appointed or engaged by LASG to participate in subsequent phases of this project.

While noting these representations, I reiterate my submissions at the meeting that the Committee, in its further deliberations on this matter, and pursuant to its oversight mandate, should:

1. Obtain and review the MOU if it has not done so already, in view of some of the seemingly conflicting impressions created by the earlier statements of the different parties to the transaction. In the circumstances, you may also consider encouraging public disclosure of the MOU.
2. Ascertain the rationale for appointing Oando, and why a competitive process was not employed to select a provider for the proof-of-concept phase, given the stated importance, potential scale and likely impact of this initiative.
3. Examine how having Oando fund and perform the proof-of-concept phase, solely at its own expense, may affect LASG's ability to reach objective and independent conclusions and decisions. This is especially in view of Oando's clearly stated business aspirations and commitment to the rollout of electric buses in large numbers.
4. Require and foster improved clarity and communication around how LASG defines or designates which projects or activities are deemed PPPs. This will help ensure that transactions that are PPPs in substance, will always be so designated and subjected to the appropriate processes to secure the public interest.

I thank you and wish you successful deliberations.

Yours faithfully



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, July 7, 2023

The Hon Commissioner
Ministry of Physical Planning & Urban Development
Block 15, Secretariat, Alausa
Ikeja, Lagos State

Dear Sir,

RE: LAGOS ISLAND MODEL CITY PLAN – COMMENTS ON DRAFT FINAL REPORT

Please find below, for your attention, consideration and necessary action, comments on the draft final report of the Lagos Island Model City Plan, which was exposed for public comments last month.

Background

Dar Al-Handasah, (DAR), an international consulting firm headquartered in Lebanon, was engaged by LASG to carry out this engagement. According to the report, stakeholder input was received primarily from LSDPC, The Oba of Lagos, Local Government Councils, Ministry of Tourism, Arts and Culture and Lagos State Urban Renewal Agency. With a vision of "Regeneration and Evolution of Lagos Island's Vital Environment" (RELIVE), the draft final report sets out a Framework, High-Level Strategies, Goals and Priorities. In this regard, it defines the following order of priorities:

1. To protect, mainly from flooding
2. To restore the informal settlements
3. To enable the Island Recover and Thrive

For now, it is proposed that implementation of the plan will start with a focus on the first priority, which is to protect the Island from flooding. It proposes to do this primarily by:

- Upgrading three existing drainage canals at strategic locations on Lagos Island.
- Re-developing the areas along the sides of these three canal sections being upgraded, including the removal of existing structures on the proposed development sites (Shown as Zones A, B & C on attached Map)
- Expanding and developing the waterfront all along the full length of the Marina from Five Cowrie Creek by Victoria Island all the way round to the Ebute-Ero area, by reclaiming land and extending the shoreline further out into the Lagoon (Shown as Waterfront on attached Map)

It is claimed that this approach will have the added advantage of converting an existential risk into a development and renewal opportunity.

Comments & Input

1. We hope and expect that DAR was selected through an appropriate and competitive selection process. We understand that they did a substantial part of the work on the Eko Atlantic project. However, we believe it would be beneficial to have local partners

as part of the design team that will combine technical knowledge with an understanding of the context, historical significance and cultural sensibilities of Lagos Island and its community.

2. The stakeholder consultation undertaken in developing the plan appears to have predominantly emphasized input from organs of government which could create a risk of dominant influence of one set of perspectives. There is need for a broader consultation to include community stakeholder groups like youths, indigenous families, property owners, residents, the business community, real estate developers, the finance and investor community, media etc. This should influence the visioning and design thinking, informing initial development of the plan, which will be more valuable than seeking reactions to a "draft final report".
3. This plan involves extensive reclamation of land from the Lagoon. It is important to understand the environmental impact of this and other development activities within and around the lagoon, including the multiple other on-going land reclamation projects near Lagos Island that, as many have suggested, may be affecting waterway conditions, natural drainage patterns and channels, and exacerbating flooding and other problems. The lagoon is an important part of our natural draining wetlands and flood control mechanisms. It is critical that all such development activity be in line with a sound, long-range strategic climate action plan for Lagos State that is comprehensive, science-based and cognizant of lives and livelihoods of coastal communities.
4. This plan runs the risk of being counter-productive because it links urgent flood protection imperatives, to adhoc development proposals that seem, to a large extent, influenced by financing constraints, which may be real or perceived. While urgent environmental protection activity must be pursued expeditiously, the development aspects of the plan should be rooted in well-considered plans that stakeholders can be confident are squarely aimed at regenerating the Island's community and existing built environment and addressing formal and informal settlements, including infrastructure and large-scale affordable housing, above other interests.
5. The Plan's premise that there is a lack of public sector funding for protection initiatives is also not accurate. All over the state, LASG is undertaking drainage and flood protection works without tying such to sale or development of prime land or waterfront in any particular locality. Indeed, the largest share (approximately N29bn) out of the N100 billion of funding recently successfully raised by LASG from the financial markets was indicated as being for the Office of Drainage and Water Resources to be used for drainage and flood control projects across the State. It is not clear why Lagos Island is being characterized and treated differently.
6. Accordingly, further explanation will be needed for many stakeholders to understand and accept a plan that as a first step, requires commitment of the entire waterfront from Five Cowrie Creek through Marina to Ebute-Ero, to private sector development extending out into the Lagoon, in seeking to achieve protection from flooding. This is in addition to the other proposed canal works that involve removal of existing buildings. The issue of financing should be considered distinct from the urban renewal design. Let us first understand what Lagos Island needs and then apply our minds to funding. Indeed, different

alternative urban renewal design options can be solicited and assessed, together with corresponding approaches to financing and implementation.

7. In my opinion, more attention also needs to be paid to the issue of heritage sites. The historical significance of Lagos Island in the context of Lagos State, of Nigeria and its pre-colonial, colonial and post-colonial history as a people and Nation, is embedded and lives in many of the sites and buildings on Lagos Island. The identification, preservation and celebration of these must be foundational and a central feature of any renewal plan for Lagos Island and should not come across as an adjunct or afterthought.

8. Related to this, the large population for whom Lagos Island is the only local community they have must be specially recognized. It is their home town within their state of origin. They and their families live there and have done so for many generations - in some cases, centuries. When the office workers and traders who come in from elsewhere leave in the evenings and weekends, they remain. They must be given due recognition and their voices must be solicited and heard prominently in this process

9. The need for effective and inclusive Governance and oversight of a project as significant as this should also not be understated. LASG should consider the establishment of a Lagos Island Renewal Trust to function in a steering capacity. This body will be appropriately constituted to reflect stakeholder interests and will help ensure:
    a) Secure and balanced public interests, on-going transparency, inclusiveness and communication.
    b) adherence to a timeframe and phased roadmap with specific milestones, goals and targets for each phase and for the overall plan period

10. Finally, in future, for wider awareness, LASG should make copies of such exposure draft documents available online and consider holding town hall sessions at community level.

Yours Faithfully,

Funso Doherty.

Cc: Rt. Hon Mudashiru Obasa, Speaker, Lagos State House of Assembly



Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Press Statement

For Immediate Release
Wednesday, July 26, 2023

MESSAGE TO LAGOSIANS ON THE PROPOSED MASS BURIAL OF 103 VICTIMS OF THE ENDSARS RELATED PROTESTS AND VIOLENCE

The uproar that has arisen following the recent revelation that plans were apparently at an advanced stage for the mass burial of 103 unidentified victims of the violence that occurred during the ENDSARS protests is quite revealing.

This development raises many issues, of which I would like to highlight a few.

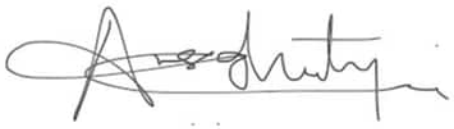
1. That the events of 2020 were tragic, unfortunate and in many ways a dark season in the annals of our history is not news. It is also apparent to all concerned that in managing the situation, mistakes were made and sadly, many lives were lost.
2. The specific point of divergence in the current version of the debate appears to be whether any of these 103 unidentified victims were killed at the Lekki toll gate, at the hands of the military forces that were called to that scene.
3. More generally, the finding of the ENDSARS Judicial Panel of Inquiry led by retired Justice Doris Okuwobi, that no less than 9 persons were killed in a massacre at the hands of the military forces at the Toll Gate was, and still is, rejected by LASG Government as documented in its white paper on the subject.
4. This controversial yet crucial point of difference, is the crux of the broken trust that has come to be a defining and persistent outcome of the events of 2020.
5. The LASG appears somewhat taken aback, if not puzzled, by the depth of feeling and reaction elicited by these recent revelations which were leaked and disclosed involuntarily. The fact that it views them as benign, is suggestive of a Government that is disconnected from the feelings, aspirations, mood and sensibilities of a large section of its people.
6. To make matters worse, the valid concerns that are now being raised by many Lagosians on this issue have been ascribed, in some Government circles, to politics and variously described as “mischief making” and “losers post election syndrome”.
7. The ruling party government should remember that opposition can also argue that the timing of this revelation and these actions, after a three-year hiatus, come rather too conveniently (and relatively harmlessly) in the aftermath of elections.
8. Rather than resorting to a defensive demonization of its critics, a forthright leadership seeking to act in good faith, should see this as a crisis situation that calls for transparent and open communications and involvement of civil society every step of the way, knowing that trust needs to be rebuilt and that this always takes time, patience and earnest, usually disproportionate, effort.

9. Ideally, this should have started long before this current episode by transparently and proactively engaging, involving and soliciting ideas from civil society on how to approach this delicate question of the unidentified victims including ideas on how to lay them to rest in a respectful, dignified and befitting way that positively memorializes the departed, promoting some comfort and healing for families and the wider community, while commemorating the watershed moment that EndSars has come to represent in the history of our Nation and Lagos State.

In addition to the above, two questions come to mind that are also worth examining:

1. Why is it that, according to Government's own statement, not even one single victim was identified or claimed by any family member in response to Governments public call and press announcements soliciting same? This should be of great concern to Government.
2. Beyond making announcements in the press and waiting for people to turn up, what efforts did Government on its own, using its investigative capacity, make to identify any of these victims, and their families?

Finally, the revelations in this matter bring to light another, fundamental question regarding the public sector contracting processes and the activities of the Lagos State Public Procurement Agency. However, this is more appropriately raised in a separate communication that will follow this one.



Funso Doherty

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, August 4, 2023

His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Sir,

OPEN LETTER ON CERTAIN OPERATIONS OF THE PUBLIC PROCUREMENT AGENCY (PPA)

May I draw your attention to the attached document which has been widely reported in the press and the subject of much discussion in the public domain recently. My views on the general subject matter of the proposed mass burial have been communicated in a separate message to Lagosians and accordingly, is not the focus of this communication. Rather, this letter addresses certain aspects of the operations of the PPA that are evident from the leaked letter which, in my opinion, reveal a fundamental weakness.

The letter in question, is from the PPA to a procuring entity, in this case, the Ministry of Health. In conveying its "no objection" ruling on the request by the procuring entity, the PPA makes a demand for an admin fee that is allegedly payable to it. This admin fee is set at a percentage of the value of the contract being reviewed and is to be deducted at source and paid over to it or, in the alternative, may be paid directly to the PPA by the contractor before any payments are made by the procuring entity to the contractor. Authority for this arrangement is cited as being drawn from a circular by the head of service of the State.

Mr. Governor, participation in such an arrangement by the PPA should be seen as wholly inappropriate and likely to undermine the very purpose for which the PPA was established. It is also not supported by the provisions of the Public Procurement Law that establishes the PPA and that guides its operations.

The following points are relevant in this regard:

1. The PPA, by statute and intent is, among other functions, expected to perform independent reviews of the procurement activities of organs of Government. A key purpose of these reviews is to provide assurance of propriety in the procurement process, ensuring value for money and the protection of public interest.

2. The PPA law makes provision for a Governing Board, organizational structure and funding arrangements for the PPA, which are intended to promote the objectivity that its mandate requires. In this regard, Funding of the PPA is expected to be by first line charge appropriation in the budget approved by the house of assembly. There is no provision in the enabling law for an admin fee to be paid to the PPA by procuring entities.

3. Good practice the world over requires that, to avoid unresolvable conflicts of interest, entities that render assurance, review or audit functions should not receive compensation, the amount of which is contingent on or determined by the outcome of their review work.

4. The purported admin fee arrangement contradicts this basic principle as it creates a self-interest incentive for the PPA that materially impairs its organizational objectivity. As a result of this admin fee arrangement, rather than being in a neutral position, the PPA is more incentivized to approve rather than question or disapprove requests, and perversely, the higher the contract sum, the greater the revenue that accrues to the PPA.

5. It is not clear what provides the legal basis for the referenced circular by the Head of Service that supposedly authorizes this arrangement.

6. It should be noted that some of the foregoing points may also relate to the Ministry of Justice, which according to the PPA's letter is also purportedly entitled to a share of the contract sum.

Mr. Governor, I hereby call on you to review and terminate this arrangement forthwith, as it is, in my view, inappropriate and inconsistent with the intent of the enabling law and the interest of the people of our great State.

Yours Faithfully,

Funso Doherty.

Cc: Rt. Hon Mudashiru Obasa, Speaker, Lagos State House of Assembly
Mr. Fatai Idowu Onafowote, Director – General, Lagos State Public Procurement Agency

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

17 November, 2023

His Excellency, Babajide Sanwoolu,
Governor, Lagos State
Alausa

Dear Mr Governor:

OPEN LETTER ON SELECTED PUBLIC PROCUREMENTS BY LASG IN THE PERIOD APRIL – SEPTEMBER 2023.

I have had the opportunity to go through the register of public procurement awards by LASG, its Ministries, Departments and Agencies for the second and third quarters of 2023, as reported by the Public Procurement Agency.

The attached schedule highlights selected awards which, in my opinion, require greater scrutiny. A commentary outlining some reasons for taking this view is also provided for each of the highlighted awards.

Consequently, you may consider undertaking a review of same.

Thank you.

Yours faithfully,

Funso Doherty.

MDA	Description of Award	Naira Amount	Date	Vendor	Comments
Lagos Metropolitan Area Transport Authority (LAMATA)	Construction, Supply & Installation of Operation and Maintenance (O&M) Infrastructure of LRMT Blue Line Phase 1 from Marina to Mile 2	**40,188,644,336**	Apr-23	China Civil Engineering Construction Company (CCECC) Nigeria Limited	The Blue Line was planned to be operated and maintained by a qualified and competent operator on a PPP basis. This arrangement is not in place, but train operations have started. Who is performing that function presently and who will manage, operate and maintain this Operations and Maintenance (O&M) Infrastructure that is now being procured by LASG from the main contrractor (CCECC) at a cost of N40bn? Is it LAMATA? If so, does it have the capacity? How are safety, efficiency, accountability and financial results being assured, monitored and reported?
	Construction of Lagos Rail Mass Transit (LRMT) blue line Mile 2 to Okokomaiko (section 2)	**218,071,301,485**	Jul-23	China Civil Engineering Construction Company (CCECC) Nigeria Limited	In 2008, N70bn was approved for the Blue line and it was expected to be completed by 2011. Phase 1 of the project, Marina to Mile 2, which is approximately half of the total proposed length, has just recently commenced limited operations in 2023. The overall cost incurrred so far has not been disclosed. With this award of Phase 2 by LASG to the same contractor, at a cost of N218bn, what safeguards are in place to prevent a repeat occurence?
	Consultancy Service for the update of the Strategic Transport and Mobility Master Plan for Lagos Mega City Area	**5,380,695,140**	Sep-23	Advanced Engineering Consultants (AEC) / ROM Transportation Engineering	Advanced Engineering Consultants (AEC) and ROM Transportation have been engaged to update the Strategic Transport and Mobility Master Plan (STMP) at a cost of approximately N5.5bn. However the same company, AEC is also engaged by LASG in implementing multiple aspects of the STMP. They have been awarded contracts for the Bus Corridors (see below), as well as the design of the fourth Mainland Bridge. It is not good practice and is a conflict of interest to engage a participating contractor with a vested interest in specific design or implementation contracts to develop or update the master plan.

MDA	Description of Award	Naira Amount	Date	Vendor	Comments
	Consultancy Service for the detailed engineering design and supervision of construction of quality bus corridor package 1 (Ketu/Alapere, Yaba-La-wanson-Cele), Package 2 (Iju Ishaga-Abule Egba) and Package 3 (Iyana-Iba-Igando) Including design and supervision of ITS for 4 Nos of quality bus corridors.	**7,361,406,710**	May-23	Advanced Engineering Consultants (AEC) / GPO Group SA	See above. AEC appears to be a recurring feature across a number of very substantial LASG/LAMATA contract awards. It is not apparent from evidence in the public domain that projects AEC has undertaken, outside of LASG projects, justify the prominence accorded it by LASG. Remarkably, recently, in Sept 2023, the current Federal Minister of Works announced a proposed Lagos-Abuja "Super-Highway" intended to operate on a concessioned, PPP basis and presented AEC as the entity that would lead the consortium to partner with the FGN.
	Consultancy Services for the engagement of Loan Facilitator and Adviser on LRMT blue line project	**2,101,321,622**	May-23	Iroko Capital	This award should be scrutinized for Value-for-Money. LASG should not be engaging consultants for this purpose at a high fixed cost. If deemed necessary, a modest engagement retainer (a fraction of this amount) combined with a more substantive fee that is contingent and payable upon successful fundraising, commercial and financial close should be negotiated through a competitive selection process.
	Consultancy Services for the engagement of Loan transaction arranger and Financial Adviser to LASG/LAMATA on the Red line project	**3,141,666,667**	May-23	Iroko Capital	Ditto
Ministry of Works and Infrastructure	Rehabilitation / Reconstruction/ upgrade of Eti-Osa / Lekki / Epe Expressway (Phase 2b) froom Greensprings to Abraham Adesanya in Eti-Osa and Ibeju-Lekki LGA	**69,936,201,915**	Aug-23	Craneburg Construction	This single award for the repair and upgrade of a section of an already existing road amounts to approximately half of the entire 2023 budget for the Ministry of Works and Infrastructure. A comprehensive and preferrably independent, value-for-money assessment should be done for this contract. Also see additional comment below.
	Construction of identified strategic roads across the state in Alimosho LGA (2 Roads), Ikeja LGA (3 Roads), Ifako Ijaiye LGA (6 Roads) and Kosofe LGA (4 Roads) (Lot 3)	**6,047,509,151**	Sep-23	LagField Construction Limited	This is one of 3 large contract awards to 3 contractors with multiple roads per local Government in each award. Based on our experience in Lagos, apart from quality and value-for-money considerations, commuter experience during construction must be considered and prioritized. Work should be properly phased having regard to LASG's funding capacity. Contractor plans to mitigate hardship and disruption must form part of the contract and must be jointly agreed, monitored and enforced. LASG should also, even as it awards additional road contracts, address the several unfinished and dilapidated roads and road projects on key arteries across the State that are contributing to traffic gridlock, crime, health conditions and reduced quality of life.
Ministry of Energy and Mineral Resources	Procurement and Construction and Design, Build Operate and Maintain PPP Model for the Blueline Rail	**9,714,179,610**	Sep-23	Lamp Turnkey Project / Viathan Engineering Limited	This relates to an Independent Power Plant proposed to power the Blue Line Rail on a Design, Build, Operate and Maintain PPP Model. This was originally intended to be financed by the concessionaire. From this award, it now appears that the setup cost is being borne by LASG. The award makes reference to a PPP, but it is not evident that a PPP process has been advertised, undertaken or disclosed by the LASG PPP Office. It is therefore not clear on what basis this N9.7bn contract was awarded, whether a concession is involved and what terms are provided for.
Lagos State Residents Registration Agency	Provision of Support Services for the Multi-biometric search service (MBSS) platform for the deployment of disaster recovery site and upgrade of Database infrastructure from 10M to 20M to the agency.	**7,991,930,559**	Jul-23	Identiko Integrated Solution Limited	This single award of approximately N8 billion is to a single vendor. In comparison, the entire 2023 expenditure budget for this agency, LASRRA, is about N3.2bn. This award alone is about two and a half times the entire 2023 LASRRA budget and calls for greater scrutiny.
Special Committee on Rehabilitation of Public Schools	Various	**5,813,169,527**	Various	Various	These relate to various awards over the six-month period, by the Special Committee on Rehabilitation of Schools (SCRPS). Conceived as an intervention mechanism, It is not clear what the current legal framework for SCRPS is. It is listed under the Ministry of Education, but has a distinct budget and appears to operate with semi-autonomous MDA-like status, awarding and overseeing substantial contracts. It is important that its activities be subjected to review, oversight and periodic audit.
Lagos State Infrastructure Asset Management Agency	Various	**4,289,471,036**	Various	Various	The existing model where facility management contracts are awarded and managed by LASIAMA while individual, geographically dispersed MDAs occupy and use the facilities requires careful design and diligent implementation of incentives, feedback mechanisms, risk and consequence management to ensure satisfactory, safe and efficient operations. Both LASIAMA and the third-party facility managers are service providers to the MDAs and must deliver or bear consequences. If it is to be retained, this operating structure should be reviewed across the board and must include an effective performance management framework for LASIAMA.
Office of the Chief of Staff	Supply and distribution of 2,000 Noiler Chicken across the local government areas and wards in the state	**18,468,000**	May-23	Seed and Seedlings Agricultural Enterprises	It is not clear why the Office of the Chief of Staff should be engaged in supplying and distributing Chickens across the state.
	Procurement of a brand new Lexus LX 600 Bullet Proof Sport Utility Vehicle for use in the Pool of Office of Chief	**440,750,000**	Jun-23	Lakeside Investment Limited	This appears excessive and is out-of-tune with both the prevailing economic circumstances and mood of the people. It should be srutinized as to the need and justification for such a vehicle purchase and also value-for-money.

MDA	Description of Award	Naira Amount	Date	Vendor	Comments
Lagos State Parking Authority	Procurement of 40 Nos of Vehicle Tyre Clamps Ist Batch for the Agency	**9,589,000**	Jun-23	Baldwin Investment Limited	Some of the reported actions of this agency are suggestive of an agency that is under pressure to generate revenues, whose revenue model is not fully thought through and whose enforcement tactics may be predatory. This could be further fuelled by the fact that it is operating at a substantial deficit. For the year to September 2023, it had revenues of N450million and had incurred costs of N2.4 billion.
	Engagement of the consultancy on operations management monitoring and customer tools for Lagos State parking authority	**405,456,363**	Jul-23	Automata Technologies System Limited	Ditto
Lagos State Electricity Board	Supply of Transformers and Electricity Accessories	**36,367,366**	un-23	Omron Nigeria Limited	As at September, the Lagos State Electricity Board had a large deficit with revenues reported for 2023 of N34 million and expenditure for the same period of N19 billion of which N5.8bn was for capital expenditure and N13.3bn for overheads. It acquires, operates and maintains generation and distribution assets to power mostly public and underserved facilities. Government has historically been shown to be inefficient in the management of such operations and where possible, transition to efficient private operators on commercial, competitive terms should be pursued. Where there are compelling reasons for Government to continue to operate these services, the related activities, costs, efficiency metrics and results of operations must be tracked, benchmarked and transparently reported.
	Rehabililation and reconnection of IPP high voltage distribution network fro Ile Zik to Oshodi	**599,980,515**	Sep-23	Mainland Power Limited	Ditto
Ministry of Home Affairs	Renovation of Saint Andrews Anglican Church, Oke-Popo, Lagos	**531,553,559**	Aug-23	VicJone Nigeria Limited	Why is LASG spending N531 million of taxpayer money to renovate a Church?
Center for Rural Development	Construction of Erelu Way / Dayo Eluk Community Link Road, in Amikanle Community the Agbado-Oke Odo LCDA	**511,539,758**	Sep-23	People's Choice Properties Ltd	The Center for Rural Development was conceived to focus on research, programmatic and policy interventions to help catalyze rural development across the state. CERUD's entire budget for 2023 is N1.3 billion. By comparison, this single award is for N551million. CERUD should not be directly engaged in the building of roads.
Lagos State Public Procurement Agency	On-boarding of four MDAs and Twenty-nine Hospitals unto the E-procurement system of Lagos State Public Procurement Agency	**379,500,000**	Jul-23	Kehinde Kassim & Co.	There should be an additional oversight and control mechanism for significant procurement awards of the Public Procurement Agency, as the procurement police should not be left alone to police itself.
Ministry of Economic Planning and Budget	Consultancy Services for the engagement of monitoring and evaluation specialist for NG-CARES Implementation in Lagos State	**315,600,000**	Jul-23	Duke Advisory Service	The wisdom in spending a sum as significant as this in 2023 for monitoring and evaluation of a COVID-19 recovery programme is suspect especially in light of the prevailing economic hardship. M&E should have been part of the original implementation of NG-CARES. This award should be scrutinized for value for money and/or better alternative uses at the present time.
Ministry of Physical Planning and Urban Development	Public Relations and Whistleblower strategy for the ministry of physical planning and urban development	**269,000,000**	Jul-23	6334 Business Services	This should be reviewed and assessed to ensure Value-for-money.
Office of Internal Audit	Transformation Agenda for Office of Internal Audit	**100,000,000**	Jul-23	Marina Consulting Limited	This is quite vague. It should be reviewed and assessed to provide assurance of Value-for-money
	Capacity building and Competency Framework for Office of Internal Audit	**100,000,000**	Jun-23	Dayclar Global Ventures	This contract, for capacity building and a competency framwork for the Office of Internal Audit, is recorded by the PPA as being awarded to Dayclar Global Ventures, which defines itself as a real estate company.
Office of the Head of Service	Procurement of 5 (Five) Brand New 2023 Mikano Changan Dynamic Saloon Vehicles for 5 lucky winners in the senior category during the recently concluded Y2023 Public Service Week.	**83,796,250**	Aug-23	Mikano International Limited	It is ill-advised to do a raffle draw where 5 new vehicles are given out free with public funds. One vehicle would suffice for this purpose. LASG should instead focus on ensuring public servants are well compensated and then held accountable for efficient service delivery.
Lagos State Emergency Management Agency	Procurement of Fuel for Lagos State Emergency Management Agency Operational Activities for the Month of April	**74,524,650**	Apr-23	Messrs Aderinola Oyindamola Aboyade-Cole & Co.	Procurement of Fuel by the State should be rationalized. The State should negotiate directly for bulk product purchases from the major petroleum product marketing companies. It may then use smaller contractors for the related logistical services, fulfillment and for limited supplementary product purchases, if and when required. LASG should also maintain appropriate levels of strategic reserve.
Ibile Oil and Gas Corporation	Renovation of IOGC's Retail Fuel Station Located at Km 44 Lekki-Epe Expressway Ikota-Lekki, Lagos	**68,000,000**	Jul-23	Elsatech Nigeria Limited	IOGC continues to operate with a substantial budget deficit though its detailed financial results are not published. It is unlikely to be efficient and competitive in retail fuel distribution and LASG is in effect engaging in competition with businesses, including small businesses, that it should instead be supporting. The State should focus on doing what a Government should do. The IOGC station at Ikota is not a busy station and has changed hands a couple of times in the last 5 years with IOGC being the latest acquirer. Yet, not far down the road from the same IOGC Station are dilapidated and abandoned road works causing severe traffic daily on this critical and rapidly growing axis.

Sources: Lagos State Public Procurement Agency, Lagos MEPB 2023 Q3 Budget Performance Review

SN	Description of Award	Naira Amount	Comments	Response From Lagos State Government	Further Comments
15.	Replacement of the liquid fragrance in the Office of Mr Governor, Lagos House, Ikeja.	**7,475,000**	On the face of it, and especially in the present economic circumstances, the amount of this award appears excessive in relation to the item procured.	This covers the entire 2023 period of one year. It is also not limited to Mr Governor's office but extends to several offices and state houses.	No further comment.
16.	Decoration of Venue for Political Delegates Congress	**20,804,550**	Official Government Funds should not be used for political expenses.	This was a strategic programme aimed at fostering interaction and collaboration between elected legislators and members of the State Executive Council. Its objective was to provide a conducive environment that encouraged dialogue, exchange of ideas, and cohesive engagement among these stakeholders.	No further comment.
17.	Flying Hour Expenses on Ad-hoc Charter Plane by Lagos State Government	**400,000,000**	This should be srutinized as to the need and justification for such substantial cost at taxpayer's expense and also value-for-money.	This payment accounts for past services rendered, wherein outstanding debts owed to the contractor is being reconciled and offset by this specific figure.	Barring unavoidable emergencies, commercial air travel should be utilized rather than expensive charter flights.
18.	Flying Hour Expenses on Ad-hoc Charter Plane by Lagos State Government	**112,500,000**	This should be srutinized as to the need and justification for such substantial cost at taxpayer's expense and also value-for-money.	This payment accounts for past services rendered, wherein outstanding debts owed to the contractor is being reconciled and offset by this specific figure.	Ditto
19.	Procurement of TEN (10) UNITS brand new Hyundai County Buses for use in the Pool of the Office of the Chief of Staff	**600,000,006**	It is not evident why there is a need to purchase 30 brand new buses at a total cost of N2.2 billion for use in the pool of the Office of the Chief of Staff	The Chief of Staff holds oversight responsibilities across multiple MDAs within the State. However, it's important to note that these buses are designated for the use of other MDAs within the State and are not allocated for the personal use of the Chief of Staff.	Our comment is maintained. This activity is outside the scope of the Office of the Chief of staff.
20.	Procurement of TWENTY (20) UNITS brand new Ashok Leyland Falcon Buses for use in the Pool of the Office of the Chief of Staff	**1,599,999,986**	Ditto	The Chief of Staff holds oversight responsibilities across multiple MDAs within the State. However, it's important to note that these buses are designated for the use of other MDAs within the State and are not allocated for the personal use of the Chief of Staff.	Ditto
21.	Monthly outreach of indigent citizens by wife of the Deputy Governor	**30,000,000**	Though the intention may be laudable, these should not be funded from the budget of the Office of the Deputy Governor	This amount represents an annual sum, with a monthly expenditure of N2.5 million.	Our comment is maintained.
22.	Monthly empowerment programmes of the wife of the deputy governor	**30,000,000**	Ditto	This amount represents an annual sum, with a monthly expenditure of N2.5 million.	Our comment is maintained.
23.	Provision of Supply items (Rechargeable fans, rechargeable lights and fridge in the office of the deputy governor.	**2,017,840,000**	This award, which is listed here as published by the PPA, very obviously deserves further scrutiny.	This is not the case. The contract is for N2,017,840.00 and this is what is contained on the Agency's website and the registered Letter of Award.	We observe that the reported figure of circa N2billion, which was sourced from a PPA report, was amended to circa N2m by the PPA, after we issued our open letter.
24.	Collation of Revenue Data and the Review of the current Lagos State Revenue Allocation Indices in Line with Revenue Mobilization Allocation and Fiscal Commission Call Circular	**778,000,000**	Maintenance and reporting of State revenue and expenditure data is a fundamental, long-standing and core responsibility of the Ministries of Finance and Economic Planning and Budget. Why there is a need for additional expenditure of this magnitude to meet reporting requirements is not clear. It requires further justification as it may be indicative of other capacity gaps that may also need to be addressed.	The core objective of this project is to conduct a comprehensive reassessment of Lagos State, aligning it with the standards set forth by the Revenue Mobilization Allocation and Fiscal Commission. This initiative necessitates extensive data collection conducted by local government officials at their respective levels. As a result of the time constraints faced by LASG, a consultant was engaged. The project entails training, meticulous data analysis, and oversight by the commission to evaluate the ongoing efforts.	This clarification is noted. It is our hope and expectation that open competitive bidding was employed in selecting the consultant and in negotiating fees.
25.	Commission and Operation Start-Off support of Lagos Rice Mill Imota.	**300,000,000**	LASG announced in October 2022 that it signed an agreement for WACOT to manage the Imota Rice Mill which was built at substantial cost to the taxpayer. The terms of this arrangement have not been disclosed, but LASG continues to also directly bear costs associated with running the Mill. It should be clear and unambiguous who bears what responsibilities and there should be monitoring and reporting to ensure accountability, operating efficiency and financial sustainability. Further, if the terms of the agreement bring it within the ambit of the PPP law, then the arrangement should be disclosed, regulated, monitored and reported on by the Office of PPP.	The collaboration with WACOT is not a Public- Private Partnership (PPP) but a technical service arrangement intended to bolster the Imota Rice Mill. This partnership involves the provision of expertise from both expatriate and local staff, leveraging their experience in similar machinery and processes from Argungu, Kebbi State. It's crucial to note that the mill remains the property of LASG; the collaboration primarily focuses on training. WACOT has deployed 7 expatriates and 16 support staff to facilitate the initial operations and eventual self-sufficiency of the mill. The initial allocation of 300 million Naira was intended for disbursement at 50 million Naira monthly over a six-month period. However, due to an expanded scope, this figure has been revised to 540 million Naira, allowing for a monthly disbursement of 60 million Naira for further 9 months totalling 15 months.	This explanation implies that the costs, risks and rewards of operating the Imota Rice Mill remain with LASG. WACOT is being engaged to provide technical/management services for a fee. Fundamentally, the wisdom in this arrangement is questionable because WACOT, being a large player that competes aggressively in the domestic market, owns its own mill, with its own already established rice brands and an input supply chain, and will likely have conflicting interests. We reiterate the need for benchmarks of output, operating efficiency and financial sustainability to monitor and report the performance of WACOT specifically and the Mill in general.

SN	Description of Award	Naira Amount	Comments	Response From Lagos State Government	Further Comments
26.	Renewal/Extension of Technical Support Services for the Management of Operations of Lagos Rice Mill Imota	**540,000,000**	Ditto	The collaboration with WACOT is not a Public-Private Partnership (PPP) but a technical service arrangement intended to bolster the Imota Rice Mill. This partnership involves the provision of expertise from both expatriate and local staff, leveraging their experience in similar machinery and processes from Argungu, Kebbi State. It's crucial to note that the mill remains the property of LASG; the collaboration primarily focuses on training. WACOT has deployed 7 expatriates and 16 support staff to facilitate the initial operations and eventual self-sufficiency of the mill. The initial allocation of 300 million Naira was intended for disbursement at 50 million Naira monthly over a six-month period. However, due to an expanded scope, this figure has been revised to 540 million Naira, allowing for a monthly disbursement of 60 million Naira for further 9 months totalling 15 months.	Ditto
27.	Procurement of Consumables like Threads, Charcoal, Wood, Sand, Personal protective equipment, hiring of trucks and servicing of generator plants for the second quarter operation of Lagos Rice Mill Imota.	**24,721,650**	Ditto	The contractor's proven expertise in supplying these consumables led to the establishment of a framework agreement, enabling the consistent provision of these items over an extended period.	Ditto
28.	Procure Fuel for the State Fire and Rescue Service's Operational Activities	**850,755,000**	Procurement of Fuel by the State should be rationalized. The State should negotiate directly for bulk product purchases from the major petroleum product marketing companies. It may then use smaller contractors for the related logistical services, fulfillment and for limited supplementary product purchases, if and when required. LASG should also maintain appropriate levels of strategic reserve.	Procuring fuel for Fire Service in this manner aligns with the state's public procurement goals which includes encouraging SME involvement. Involving smaller contractors supports SME participation and ensures operational flexibility. The contract is payable monthly at N70million and covers 20 fire stations.	The approach suggested in our comment accomplishes the same purpose without sacrificing efficiency for the State. It is also not clear why there should be one fixed sum paid every month regardless of actual fuel consumption.
29.	Implementation of Feasibility Study for Lekki-Epe International Airport	**195,000,000**	Substantial Costs are being incurred by the Lagos State Lotteries and Gaming Authority, far above the revenues it is generating, for wide-ranging and disparate purposes. As at September, the Authority's 2023 revenues were reported at approximately N3.3bn and expenditure at approximately N11.4bn. This contradicts the rationale for the existence of the Authority and should be examined.	The dwindling revenue cannot be substantiated and does not reflect the true position at Lotteries Board. The enabling law creating the Board empowers it to allocate funds for expenditure relating to certain objectives including educational, infrastructural, health care and environmental objectives.	The figures quoted are sourced directly from LASG's own Q3 2023 budget performance report. We do not state that revenues are dwindling, but that expenditures are far higher than revenues. While the enabling law may empower the Board to allocate funds for those purposes, the underlying rationale for such arrangements is that revenues raised from regulation of activities like Lotteries and Gaming should be ploughed back for developmental objectives. It is not expected to be a large net expenditure center.
30.	Restoration of Water Supply at Iduganran Palace	**152,116,326**	Ditto	The dwindling revenue cannot be substantiated and does not reflect the true position at Lotteries Board. The enabling law creating the Board empowers it to allocate funds for expenditure relating to certain objectives including educational, infrastructural, health care and environmental objectives.	Ditto
31.	Proposed Adesalu Health Care Center at Onasa Community Ibeju-Lekki	**159,314,907**	Ditto	The dwindling revenue cannot be substantiated and does not reflect the true position at Lotteries Board. The enabling law creating the Board empowers it to allocate funds for expenditure relating to certain objectives including educational, infrastructural, health care and environmental objectives.	Ditto
32.	Procurement of 40 Nos of Vehicle Tyre Clamps Ist Batch for the Agency	**9,589,000**	Some of the reported actions of this agency are suggestive of an agency that is under pressure to generate revenues, whose revenue model is not fully thought through and whose enforcement tactics may be predatory. This could be further fuelled by the fact that it is operating at a substantial deficit. For the year to September 2023, it had revenues of N450million and had incurred costs of N2.4 billion.	The Figures provided lack substantiation and the source is unreliable. Without verified financial data, making assumptions about the agency's revenue generation, operational model, or enforcement strategies leads to flawed conclusions	The figures quoted are sourced directly from LASG's own Q3 2023 budget performance report.
33.	Engagement of the consultancy on operations management monitoring and customer tools for Lagos State parking authority	**405,456,363**	Ditto	The Figures provided lack substantiation and the source is unreliable. Without verified financial data, making assumptions about the agency's revenue generation, operational model, or enforcement strategies leads to flawed conclusions	The figures quoted are sourced directly from LASG's own Q3 2023 budget performance report.

SN	Description of Award	Naira Amount	Comments	Response From Lagos State Government	Further Comments
34.	Supply of Transformers and Electricity Accessories	**36,367,366**	As at September, the Lagos State Electricity Board had a large deficit with revenues reported for 2023 of N34 million and expenditure for the same period of N19 billion of which N5.8bn was for capital expenditure and N13.3bn for overheads. It acquires, operates and maintains generation and distribution assets to power mostly public and underserved facilities. Government has historically been shown to be inefficient in the management of such operations and where possible, transition to efficient private operators on commercial, competitive terms should be pursued. Where there are compelling reasons for Government to continue to operate these services, the related activities, costs, efficiency metrics and results of operations must be tracked, benchmarked and transparently reported.	The Lagos State Electricity Board functions as a pivotal agency overseeing various aspects of electricity provision and regulation within the state. Its primary responsibilities encompass power distribution oversight, infrastructure development, policy formulation, and implementation related to electricity generation, transmission, and distribution. Additionally, the board addresses consumer services, handling complaints, ensuring affordable access to reliable electricity, and conducting consumer education programs. It plays a regulatory role in tariffs, licensing, and quality standards for electricity services while promoting the integration of renewable energy sources into the state's electricity supply. The importance of LSEB can therefore not be overemphasized. In addition, the overhead of LSEB is expended on streetlights, diesel, payment for IPPs etc.	Our comment is maintained. We are not advocating complete elimination of the LSEB.
35.	Rehabililation and reconnection of IPP high voltage distribution network fro Ile Zik to Oshodi	**599,980,515**	Ditto	The Lagos State Electricity Board functions as a pivotal agency overseeing various aspects of electricity provision and regulation within the state. Its primary responsibilities encompass power distribution oversight, infrastructure development, policy formulation, and implementation related to electricity generation, transmission, and distribution. Additionally, the board addresses consumer services, handling complaints, ensuring affordable access to reliable electricity, and conducting consumer education programs. It plays a regulatory role in tariffs, licensing, and quality standards for electricity services while promoting the integration of renewable energy sources into the state's electricity supply. The importance of LSEB can therefore not be overemphasized. In addition, the overhead of LSEB is expended on streetlights, diesel, payment for IPPs etc.	Ditto
36.	Renovation of Saint Andrews Anglican Church, Oke-Popo, Lagos	**531,553,559**	Why is LASG spending N531 million of taxpayer money to renovate a Church?	The Church was founded in 1889 and stands as a significant historical landmark in Lagos State. The need for the State to preserve such landmark can therefore not be overemphasized. The contract amount encompasses funds allocated for both the refurbishment of the Church and compensation given to the church for the necessary demolition of sections of its property due to road expansion.	This is noted. It should also apply more broadly and equitably to other designated heritage sites, and the emphasis, as far as possible, should be on restorative preservation to maintain historic character and not outright renovation or remodelling.
37.	Construction of Erelu Way / Dayo Eluk Community Link Road, in Amikanle Community the Agbado-Oke Odo LCDA	**511,539,758**	The Center for Rural Development was conceived to focus on research, programmatic and policy interventions to help catalyze rural development across the state. CERUD's entire budget for 2023 is N1.3 billion. By comparison, this single award is for N551million. CERUD should not be directly engaged in the building of roads.	CERUD's mandate encompasses providing essential amenities to rural areas, and the project spans across multiple budget cycles.	Our comment is maintained. If situated in the appropriate MDA, such a project may not need to span across multiple budget cycles.
38.	On-boarding of four MDAs and Twenty-nine Hospitals unto the E-procurement system of Lagos State Public Procurement Agency	**379,500,000**	There should be an additional oversight and control mechanism for significant procurement awards of the Public Procurement Agency, as the procurement police should not be left alone to police itself.	The Lagos State Public Procurement Agency operates under a governance framework that ensures rigorous oversight and control mechanisms beyond its internal procurement policies. The agency's activities are subject to meticulous scrutiny and audit processes conducted by both the Lagos State House of Assembly and the Office of the Auditor General.	This is noted. However, competitive procurement processes must be employed.
39.	Consultancy Services for the engagement of monitoring and evaluation specialist for NG-CARES Implementation in Lagos State	**315,600,000**	The wisdom in spending a sum as significant as this in 2023 for monitoring and evaluation of a COVID-19 recovery programme is suspect especially in light of the prevailing economic hardship. M&E should have been part of the original implementation of NG-CARES. This award should be scrutinized for value for money and/or better alternative uses at the present time.	This is a world bank project under the Program- for-Results (PforR) Financing instrument. Its unique features include linking disbursement of funds to the achievement of specific program results and supporting clients in enhancing the effectiveness and efficiency of their development programs to achieve tangible and sustainable results. The project is currently ongoing in all 36 States of the federation.	Ditto
40.	Public Relations and Whistleblower strategy for the ministry of physical planning and urban development	**269,000,000**	This should be reviewed and assessed to ensure Value-for-money.	The project involved a comprehensive nine- month enumeration and sensitization campaign conducted by the consultant throughout Lagos State. This initiative also involved the engagement of diverse stakeholders within the informal sector, with a primary focus on augmenting data collection, fostering community awareness, and promoting regulatory compliance.	Ditto

SN	Description of Award	Naira Amount	Comments	Response From Lagos State Government	Further Comments
41.	Transformation Agenda for Office of Internal Audit	**100,000,000**	This is quite vague. It should be reviewed and assessed to provide assurance of Value-for-money	This was an extensive capacity building programme for all Auditors statewide and a process re-engineering drive.	Ditto
42.	Capacity building and Competency Framework for Office of Internal Audit	**100,000,000**	This contract, for capacity building and a competency framwork for the Office of Internal Audit, is recorded by the PPA as being awarded to Dayclar Global Ventures, which defines itself as a real estate company.	The consultant, with a wealth of experience in works projects, was enlisted to conduct statewide training for auditors. The focus was on imparting prepayment inspection protocol expertise alongside comprehensive project management skills.	Ditto
43.	Procurement of 5 (Five) Brand New 2023 Mikano Changan Dynamic Saloon Vehicles for 5 lucky winners in the senior category during the recently concluded Y2023 Public Service Week.	**83,796,250**	It is ill-advised to do a raffle draw where 5 new vehicles are given out free with public funds. One vehicle would suffice for this purpose. LASG should instead focus on ensuring public servants are well compensated and then held accountable for efficient service delivery.	The distribution of 5 vehicles during the Public Service Week aimed to recognize senior civil servants' dedication and boost morale. The goal of this gesture, is to foster productivity among public servants.	Our comment is maintained.
44.	Procurement of Fuel for Lagos State Emergency Management Agency Operational Activities for the Month of April	**74,524,650**	Procurement of Fuel by the State should be rationalized. The State should negotiate directly for bulk product purchases from the major petroleum product marketing companies. It may then use smaller contractors for the related logistical services, fulfillment and for limited supplementary product purchases, if and when required. LASG should also maintain appropriate levels of strategic reserve.	Procuring fuel for LASEMA in this manner aligns with the state's public procurement goals which includes encouraging SME involvement. Involving smaller contractors supports SME participation and ensures operational flexibility.	The approach suggested in our comment accomplishes the same purpose without sacrificing efficiency for the State. It is also not clear why there should be one fixed sum paid every month regardless of actual fuel consumption.
45.	Renovation of IOGC's Retail Fuel Station Located at Km 44 Lekki-Epe Expressway Ikota-Lekki, Lagos	**68,000,000**	IOGC continues to operate with a substantial budget deficit though its detailed financial results are not published. It is unlikely to be efficient and competitive in retail fuel distribution and LASG is in effect engaging in competition with businesses, including small businesses, that it should instead be supporting. The State should focus on doing what a Government should do. The IOGC station at Ikota is not a busy station and has changed hands a couple of times in the last 5 years with IOGC being the latest acquirer. Yet, not far down the road from the same IOGC Station are dilapidated and abandoned road works causing severe traffic daily on this critical and rapidly growing axis.	The renovation of IOGC's retail fuel station aligns with LASG's role as a major shareholder in the organization. It's a contribution towards improving infrastructure within the state, not a competition with private businesses. LASG is committed to enhancing services for the public and addressing separate challenges like road works and traffic through other initiatives.	Our comment is maintained. Developing and operating retail fuel stations in well-developed areas is not a good use of Government's attention and its limited human and material resources.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

27 November, 2023

His Excellency, Babajide Sanwoolu,
Governor, Lagos State
Alausa

Dear Mr Governor:

RE: LASG RESPONSE TO OPEN LETTER ON SELECTED PUBLIC PROCUREMENTS BY LASG IN THE PERIOD APRIL – SEPTEMBER 2023.

I acknowledge with gratitude, receipt of a response by the Public Procurement Agency to issues raised in my open letter dated 17 November, 2023 on the above subject and hereby commend your responsiveness.

Having had the opportunity to go through same, please find enclosed, our further comments on each issue in light of PPA's response. We trust that Government will find this additional input useful in its decisions as it goes on to address the issues.

Further, in the wider engagement arising from these issues, our attention has been drawn to four awards from the Ministry of Justice in January 2023 totaling N200 million to four law firms in respect of personal legal representation for you, Mr. Governor, in a partisan political matter.

In light of the obvious irregularity of such awards, and the apparent involvement of the Justice Ministry, I hereby suggest that an independent special investigator be appointed to examine this specific matter and report findings to the public.

Thank you.
Yours faithfully,

Funso Doherty.

Cc: Rt. Hon. Mudashiru Obasa, Speaker, Lagos State House of Assembly
Hon. Lawal Pedro, SAN, Lagos State Attorney General & Commissioner for Justice
Mr. Idowu Fatai Onafowote, Director General, Lagos State Public Procurement Agency

SN	Description of Award	Naira Amount	Comments	Response From Lagos State Government	Further Comments
1.	Construction, Supply & Installation of Operation and Maintenance (O&M) Infrastructure of LRMT Blue Line Phase 1 from Marina to Mile 2	**40,188,644,336**	The Blue Line was planned to be operated and maintained by a qualified and competent operator on a PPP basis. This arrangement is not in place, but train operations have started. Who is performing that function presently and who will manage, operate and maintain this Operations and Maintenance (O&M) Infrastructure that is now being procured by LASG from the main contrractor (CCECC) at a cost of N40bn? Is it LAMATA? If so, does it have the capacity? How are safety, efficiency, accountability and financial results being assured, monitored and reported?	The Blue Line Rail Project's design and construction were entrusted to Messr CCECC Nigeria Limited. Subsequently, upon finalizing the fixed infrastructure, a two-year partial operation contract was executed with the contractor for the following purposes: • bolster the technical and operational expertise of LAMATA's teams, fostering their capacity. • meticulously gather scientific financial and revenue data essential for informed decision-making processes. • equip pertinent practitioners with the necessary information crucial for forthcoming concessioning procedures. • empower the contractor to promptly address any defects identified during the operational phase of the project.	1. This explanation implies that LASG is satisfied that beyond the construction phase, CCECC is also well-suited and qualified to successfully undertake this next phase which requires operating passenger rail services efficiently while building up LAMATA's capacity. LASG's ability to achieve the purposes indicated rests heavily on this assumption.
2.	Construction of Lagos Rail Mass Transit (LRMT) blue line Mile 2 to Okokomaiko (section 2)	**218,071,301,485**	In 2008, N70bn was approved for the Blue line and it was expected to be completed by 2011. Phase 1 of the project, Marina to Mile 2, which is approximately half of the total proposed length, has just recently commenced limited operations in 2023. The overall cost incurrred so far has not been disclosed. With this award of Phase 2 by LASG to the same contractor, at a cost of N218bn, what safeguards are in place to prevent a repeat occurence?	Phase 1 faced significant delays due to insuficient funds. The current administration's strategy successfully realized the Blue Line Rail Project. The Governor remains dedicated to completing section 2 during this term, employing the same approach used for phase 1. Section 2 has already been entrusted to Messr CCECC Nigeria Limited, seamlessly continuing the project with ongoing execution. In a commendable move, the Lagos State Government compensated verified property Owners and tenants, following a globally accepted standard – a practice that will continue as needed	Our comment is maintained. It is not evident that the risks that substantially derailed Phase 1, for well over a decade, including financing risks, have been mitigated.
3.	Consultancy Service for the update of the Strategic Transport and Mobility Master Plan for Lagos Mega City Area	**5,380,695,140**	Advanced Engineering Consultants (AEC) and ROM Transportation have been engaged to update the Strategic Transport and Mobility Master Plan (STMP) at a cost of approximately N5.5bn. However the same company, AEC is also engaged by LASG in implementing multiple aspects of the STMP. They have been awarded contracts for the Bus Corridors (see below), as well as the design of the fourth Mainland Bridge. It is not good practice and is a potential conflict of interest to engage a participating contractor with a vested interest in specific design or implementation contracts to develop or update the master plan.	The Consultancy Service for updating the Strategic Transport and Mobility Master Plan for the Lagos Mega City Area was awarded to Messrs. ROM Transportation Engineering Ltd in collaboration with Advanced Engineering Consultants (AEC) after a rigorous 15-month competitive procurement process led by LAMATA, AFD, and PPA. The awarded contract, valued at ₦1,167,451,900.54 plus €4,213,243.24, spans 24 months. While ROM Transportation Engineering Ltd serves as the principal consultant, AEC, as the local partner, facilitates engagement with various stakeholders and facilitates knowledge transfer. It's essential to differentiate between the STMMP and EPCS contracts: the former involves upgrading the existing STMP to guide the Lagos State Government on transportation infrastructure development, whereas the latter pertains to implementing recommenda-tions from the current STMP and is financed by AFD.	Our comment is maintained.
4.	Consultancy Service for the detailed engineering design and supervision of construction of quality bus corridor package 1 (Ketu/Alapere, Yaba-Lawanson-Cele), Package 2 (Iju Ishaga-Abule Egba) and Package 3 (Iyana-Iba-Igando) Including design and supervision of ITS for 4 Nos of quality bus corridors.	**7,361,406710**	See above. AEC appears to be a recurring feature across a number of very substantial LASG/LAMATA contract awards. It is not apparent from evidence in the public domain that projects AEC has undertaken, outside of LASG projects, justify the prominence accorded it by LASG. Remarkably, recently, in Sept 2023, the current Federal Minister of Works announced a proposed Lagos-Abuja "Super-Highway" intended to operate on a concessioned, PPP basis and presented AEC as the entity that would lead the consortium to partner with the FGN on that project.	The Detailed Engineering Design and Construction Supervision procurement for Quality Bus Corridor Package 1, 2 & 3 commenced in December 2019, culminating in the award to AEC/GPO S.A. in September 2021. Subsequently, the contract underwent revision to incorporate an Intelligent Transportation System (ITS) component. After finalizing this process, a revised award was officially issued in April 2023, following thorough certification by AFD.	Our comment is maintained.

SN	Description of Award	Naira Amount	Comments	Response From Lagos State Government	Further Comments
5.	Consultancy Services for the engagement of Loan Facilitator and Adviser on LRMT blue line project	**2,101,321,622**	This award should be scrutinized for Value-for-Money. LASG should not be engaging consultants for this purpose at a high fixed cost. If deemed necessary, a modest engagement retainer (a fraction of this amount) combined with a more substantive fee that is contingent and payable upon successful fundraising, commercial and financial close should be negotiated through a competitive selection process.	The consultant played a key role in securing funding for the Blue and Red Lines through local Nigerian banks, a shift from the initial plan of acquiring a USD loan from the international community. This strategic move mitigated the State's exposure to exchange rate risks. Negotiating the fee down from 5% to 2.5% was another achievement. The operational Blue Line stands as a testament to the successful completion of the project within the stipulated timeframe, showcasing its numerous associated benefits. The decision averted the risks associated with fluctuating exchange rates, ensuring stability and fostering favorable outcomes from the investment.	This is even more problematic given this explanation. Apart from being their host Sub-national Government, LASG has deep, broad, long-standing and on-going relationships with the Nigerian Banks. It should not be paying any intermediary billions of Naira in fees to facilitate funding from local Nigerian Banks.
6.	Consultancy Services for the engagement of Loan transaction arranger and Financial Adviser to LASG/LAMATA on the Red line project	**3,141,666,667**	Ditto	The consultant played a key role in securing funding for the Blue and Red Lines through local Nigerian banks, a shift from the initial plan of acquiring a USD loan from the international community. This strategic move mitigated the State's exposure to exchange rate risks. Negotiating the fee down from 5% to 2.5% was another achievement. The operational Blue Line stands as a testament to the successful completion of the project within the stipulated timeframe, showcasing its numerous associated benefits. The decision averted the risks associated with fluctuating exchange rates, ensuring stability and fostering favorable outcomes from the investment.	Ditto
7.	Rehabilitation / Reconstruction/ upgrade of Eti-Osa / Lekki / Epe Expressway (Phase 2b) froom Greensprings to Abraham Adesanya in Eti-Osa and Ibeju-Lekki LGA	**69,936,201,915**	This single award for the repair and upgrade of a section of an already existing road amounts to approximately half of the entire 2023 budget for the Ministry of Works and Infrastructure. A comprehensive and preferrably independent assessment should be done for this contract. Also see additional comment below.	The contractor who has previously been prequalified was already engaged in on-site operations, specifically focusing on the road infrastructure starting from the T junction in the Epe axis. Notably, the road structure is primarily concrete-based, and the contractor has initiated the project using its internal financial resources for up to 50% of cost. Subsequent disbursement of funds by the LASG is planned to span across over 24months utilizing an ISPO. Moreover, the BOQ pertinent to this project has undergone thorough assessment and scrutiny by the Office of Infrastructure to ensure accuracy and appropriateness in line with the project's scope and specifications.	The PPA's explanation is noted. We however reiterate the call for an independent review of this contract given its size.
8.	Construction of identified strategic roads across the state in Alimosho LGA (2 Roads), Ikeja LGA (3 Roads), Ifako Ijaiye LGA (6 Roads) and Kosofe LGA (4 Roads) (Lot 3)	**6,047,509,151**	This is one of 3 large contract awards to 3 contractors with multiple roads per local Government in each award. Based on our experience in Lagos, apart from quality and value-for-money consider-ations, commuter experience during construction must be considered and prioritized. Work should be properly phased having regard to LASG's funding capacity. Contractor plans to mitigate hardship and disruption must form part of the contract and must be jointly agreed, monitored and enforced. LASG should also, even as it awards additional road contracts, address the several unfinished and dilapidated roads and road projects on key arteries across the State that are contributing to traffic gridlock, crime, health conditions and reduced quality of life.	The BOQ underwent comprehensive evaluation conducted by Office of Infrastructure, ensuring meticulous scrutiny and validation of the project's quantitative aspects. Simultaneously, the Ministry of Transportation remains actively engaged in project oversight. This involvement facilitates the implementation of necessary traffic diversions, supported by the deployment of traffic officers at strategic locations to guarantee uninterrupted traffic flow during project execution. Payment disbursement for projects adheres to a certified measured works framework, ensuring that the total allocated sum is not released in a single transaction. Instead, payments are processed incrementally based on certified progress, with an initial advance payment set at 40% of the total project cost. Regarding the restoration of deteriorated roads, the Lagos State Government's Public Works Corporation shoulders the responsibility of rectifying such infrastructural deficiencies. The Corporation is well-equipped and proficiently positioned to execute this mandate, ensuring the effective rehabilitation of dilapidated road networks across the state.	The PPA's representations are noted. Our call is to the implementing MDAs and reflects actual on-going commuter experiences across the state.

SN	Description of Award	Naira Amount	Comments	Response From Lagos State Government	Further Comments
9.	Procurement and Construction and Design, Build Operate and Maintain PPP Model for the Blueline Rail	**9,714,179,610**	This relates to an Independent Power Plant proposed to power the Blue Line Rail on a Design, Build, Operate and Maintain PPP Model. This was originally intended to also be financed by the concessionaire. From this award, it now appears that the setup cost is being borne by LASG. The award makes reference to a PPP, but it is not evident that a PPP process has been advertised, undertaken or disclosed by the LASG PPP Office. It is therefore not clear on what basis this N9.7bn contract was awarded, whether a concession is involved and what terms are provided for.	During the initial stages of project conceptualization, the contractor was tasked with executing the project under a Public- Private Partnership (PPP) framework entailing the Build, Operate, Maintain, and Transfer model. Following due process, the contractor successfully secured the project bid. However, it became imperative to develop a comprehensive and detailed design to accurately estimate the project cost. Design considerations constitute a substantial segment, accounting for approximately 15% of the overall project expenditure. In the pursuit of facilitating the PPP arrangement, financial backers stipulated the requirement for a Fiscally Backed Irrevocable Standing Payment Order (ISPO) supported by the Federation Account Allocation Committee (FAAC). Regrettably, the Lagos State Government (LASG) was unable to comply with this condition. Given the critical timing and significance of the project, LASG made a strategic decision to independently finance the Engineering, Procurement, and Construction (EPC) component of the project. This intervention proved pivotal, expediting the project's progress significantly, particularly in advancing the power plant construction phase to an advanced stage. Notably, while the entirety of the project remains under the PPP framework, this specific segment was funded by the State owing to the exigencies of the project timeline and its strategic importance.	The need and rush to demonstrate progress on the long-overdue blue line project is understandable. However, this raises additional questions: On what basis was the "project bid" for a PPP "secured" by a contractor in the first place, without a design and an estimate of costs? Is the Office of PPP involved? With the change to a model where LASG finances and builds the facility first and concessions later, was there a revised competitive bid and contracting process to ensure project delivery and value for money at each stage? Generally, incorporating more capable project conception, planning and management resources into such projects, upfront, would help avoid a subsequent firefighting approach.
10.	Provision of Support Services for the Multi-biometric search service (MBSS) platform for the deployment of disaster recovery site and upgrade of Database infrastructure from 10M to 20M to the agency.	**7,991,930,559**	This single award of approximately N8 billion is to a single vendor. In comparison, the entire 2023 expenditure budget for this agency, LASRRA, is about N3.2bn. This award alone is about two and a half times the entire 2023 LASRRA budget and calls for greater scrutiny.	The Project extends across a duration of three years, necessitating funds to be allocated across multiple budget cycles rather than sourced from a single Riscal period. Notably, this initiative serves as a continuation of an ongoing contract, encompassing the augmentation of services to integrate a disaster recovery site within its scope.	Our comment is maintained especially if, as the explanation suggests, the amount shown here is only part of a larger contract.
11.	Various	**26,339,778**	These relate to various awards over the six-month period, by the Special Committee on Rehabilitation of Schools (SCRPS). Conceived as an intervention mechanism, It is not clear what the current legal framework for SCRPS is. It is listed under the Ministry of Education, but has a distinct budget and appears to operate with semi-autonomous MDA-like status, awarding and overseeing substantial contracts mainly for school physical infrastructure. It is important that its activities be subjected to review, oversight and periodic audit.	SCRPS was re-established by Mr Governor with an Executive Order on the 4th of Nov 2019. Having existed and operated by previous Administrations, it was re-introduced as a committee with the primary mandate to address the decay in the physical infrastructure in public schools. They work with the Ministry of Education for proper project identification and justification. SCRPS is subject to both State audit and external audit and other internal monitoring Agencies. They follow the State PPA laws on contract award up to project close out. All payments are executed from the State Treasury Office, after due certification by other monitoring State Agencies.	This is Noted.
12.	Various	**22,658,608**	The existing model where facility management contracts are awarded and managed by LASIAMA while individual, geographically dispersed MDAs occupy and use the facilities requires careful design and diligent implementation of incentives, feedback mechanisms, risk and consequence management to ensure satisfactory, safe and efficient operations. Both LASIAMA and the third-party facility managers are service providers to the MDAs and must deliver or bear consequences. If it is to be retained, this operating structure should be reviewed across the board and must include an effective performance management framework for LASIAMA.	LASIAMA, operating within the mandate of managing Lagos State assets and infrastructure plays a pivotal role in streamlining facility management across the state. The prevailing model, wherein LASIAMA administers facility management contracts while various MDAs occupy and utilize these facilities, is a strategic approach designed to centralize and optimize resource utilization. This model facilitates a cohesive and standardized management framework, ensuring uniform standards of maintenance and efficient resource allocation.	The shared service concept is well understood. However, whether in actual practice it enhances or inhibits efficiency and effectiveness depends on the supporting policies, measures and practices that are highlighted in our comment. Recent revelations following an unfortunate high-profile failure involving a fatality that was recorded in an LASG facility suggests that these could be strengthened.
13.	Supply and distribution of 2,000 Noiler Chicken across the local government areas and wards in the state	**18,468,000**	It is not clear why the Office of the Chief of Staff should be engaged in supplying and distributing Chickens across the state.	This falls under the socio-political responsibilities of government to cater for its citizens	Our comment is maintained. By very definition, all actions of a Government should ultimately be aimed at caring for its citizens.
14.	Procurement of a brand new Lexus LX 600 Bullet Proof Sport Utility Vehicle for use in the Pool of Office of Chief	**440,750,000**	This appears excessive and is out-of-tune with both the prevailing economic circumstances and mood of the people. It should be srutinized as to the need and justification for such a vehicle purchase and also value-for-money.	This is in tandem with current economic realities.	It is far removed from the current economic realities of the overwhelming majority of Lagosians. That is why justification is called for.

Funso Doherty
Lagos Nigeria
email fd@funsodoherty.org

8 December 2023

Mr. Idowu Owohunwa

The Commissioner of Police
Lagos State Police Command
Muiz Banire St.,
Ikeja GRA,
Lagos State

Dear Sir:

REQUEST FOR INVESTIGATION: CASE OF POSSIBLE CRIMINAL MISAPPROPRIATION OF LAGOS STATE PUBLIC FUNDS IN THE AMOUNT OF N200 MILLION

I write to draw your attention to the attached extract from the schedule of contract award letters registered by the Lagos State Public Procurement Agency in January 2023. This is a schedule published by the PPA on its website in fulfillment of its obligations under the Public Procurement Act.

There are four awards by the Lagos State Ministry of Justice, as reported by the PPA, totaling N200 million in respect of instructions to legal firms to represent Mr Babajide Sanwoolu in his personal capacity in a partisan political matter relating to his election nomination process as a candidate within his political party.

The fact that such awards went through approval processes and were issued is, in the first instance, unacceptable, alarming and highly irregular. Further, any payments made in respect of them would likely be a criminal misappropriation of public funds.

Pursuant to your law enforcement obligations, I hereby call upon you to undertake an investigation of the facts and circumstances surrounding these irregular awards. This is especially required because the Lagos State Ministry of Justice, being the reported contract sponsor, may have a conflict of interest in investigating this matter.

It is our expectation that your investigation will establish whether there is criminal activity involved, and if so, determine those who may be culpable and ensure timely and appropriate consequences in accordance with the rule of law.

Thank you.

Yours faithfully,

Funso Doherty.

COMMISSIONER OF POLICE
LAGOS STATE COMMAND
11 DEC 2023
RECEIVED
SIGN. ..... TIME. 1405

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org



8 December 2023

Mr. Adewuyi Moshood Adewale
The Auditor-General
Lagos State
Alausa, Ikeja

Dear Sir:

IRREGULAR AND POTENTIALLY ILLEGAL CONTRACT AWARDS BY THE LAGOS STATE MINISTRY OF JUSTICE

I write to draw your attention to the attached extract from the schedule of contract award letters registered by the Lagos State Public Procurement Agency in January 2023. This schedule is published by the PPA on its website in compliance with its obligations under the Public Procurement Act.

There are four awards by the Ministry of Justice, reported by the PPA, amounting to N200 million in respect of instructions to legal firms to represent Mr Babajide Sanwoolu in his personal capacity in a partisan political matter relating to his election nomination process within his political party.

As you are well aware, the fact that such awards went through approval processes and were issued is, in the first instance, unacceptable, alarming and highly irregular and further, any payments made in respect of them would likely be a criminal misappropriation of public funds.

Pursuant to your obligations under the Nigerian constitution and your operating charter, I hereby call upon you to undertake an independent special investigation of the facts and circumstances surrounding the issuance of these irregular awards.

It is our expectation that this investigation will establish the extent of irregularity and/or Illegality, determine those who may be culpable and ensure timely and appropriate consequences and remedial actions. Very importantly, this should also be seen as an opportunity to ascertain if there is a wider pattern of partisan expenditures being funded from the Lagos State public purse and, if so, to decisively remedy same.

Thank you.

Yours faithfully,

Funso Doherty.

12	LAGOS STATE PRIMARY HEALTH CARE BOARD	CONSTRUCTION OF IWORO PRIMARY HEALTH CARE CENTRE IN OLRUNDA LCDA BADAGRY	253,416,536.21	PNL CONSTRUCTION LIMITED
13	LAGOS STATE PRIMARY HEALTH CARE BOARD	CONSTRUCTION OF IKAARE ISLAND PRIMARY HEALTH CARE CENTRE ORI-ADE	253,889,534.51	JLF CONSTRUCTION LIMITED
14	LAGOS STATE PRIMARY HEALTH CARE BOARD	CONSTRUCTION OF AGUNFOYE PRIMARY HEALTH CARE CENTRE IGBOGBO BAIYEKU LCDA	253,884,524.87	WORKERGY ENGINEERING LIMITED
15	MINISTRY OF ECONOMIC PLANNING AND BUDGET	DIGITAL COMMUNICATION MANAGEMENT (CONTENT CREATION AND AMPLIFICATION) AND INSIGHT FOR THE MONTH OF JUNE, YEAR 2022	1,484,000.00	ANTICOV MEDIA
16	LAGOS STATE MINISTRY OF JUSTICE	INSTRUCTION TO REPRESENT AND DEFEND MR SANWO-OLU BABAJIDE OLUSOLA IN: SUIT NO; FHC/CS/1979/2022- PEOPLES DEMOCRATIC PARTY VS INDEPENDENT NATIONAL ELECTORAL COMMISSION AND 42 ORS	50,000,000.00	AHMED RAJI & CO
17	LAGOS STATE MINISTRY OF JUSTICE	INSTRUCTION TO REPRESENT AND DEFEND MR SANWO-OLU BABAJIDE OLUSOLA IN: SUIT NO; FHC/CS/1979/2022- PEOPLES DEMOCRATIC PARTY VS INDEPENDENT NATIONAL ELECTORAL COMMISSION AND 42 ORS	50,000,000.00	AKINBORO & CO
18	LAGOS STATE MINISTRY OF JUSTICE	INSTRUCTION TO REPRESENT AND DEFEND MR SANWO-OLU BABAJIDE OLUSOLA IN: SUIT NO; FHC/CS/1979/2022- PEOPLES DEMOCRATIC PARTY VS INDEPENDENT NATIONAL ELECTORAL COMMISSION AND 42 ORS	50,000,000.00	BABATUNDE OGALA & CO
19	LAGOS STATE MINISTRY OF JUSTICE	INSTRUCTION TO REPRESENT AND DEFEND MR SANWO-OLU BABAJIDE OLUSOLA IN: SUIT NO; FHC/CS/1979/2022- PEOPLES DEMOCRATIC PARTY VS INDEPENDENT NATIONAL ELECTORAL COMMISSION AND 42 ORS	50,000,000.00	MESSRS. FEMI OKUNNU & CO
20	MINISTRY OF ECONOMIC PLANNING AND BUDGET	PRODUCTION OF DEPARTMENTAL OPERATIONAL PLAN (DOP) FOR ECONOMIC PLANNING DEPARTMENT	2,489,000.00	META-FRUX
21	MINISTRY OF ECONOMIC PLANNING AND BUDGET	PRODUCTION OF DEPARTMENTAL OPERATIONAL PLAN (DOP) FOR MONITORING AND EVALUATION DEPARTMENT	2,470,000.00	META-FRUX
22	MINISTRY OF ECONOMIC PLANNING AND BUDGET	PRODUCTION OF DEPARTMENTAL OPERATIONAL PLAN (DOP) FOR BUDGET DEPARTMENT	2,489,000.00	META-FRUX
23	MINISTRY OF ECONOMIC PLANNING AND BUDGET	PRODUCTION OF DEPARTMENTAL OPERATIONAL PLAN (DOP) FOR DEVELOPMENT PARTNERSHIP DEPARTMENT	2,460,000.00	META-FRUX

LETTER OF AWARD REGISTERED FOR JANUARY 2023				
S/N	MDA	PROJECT DESCRIPTION	AMOUNT	CONTRACTOR
1	PUBLIC SERVICE OFFICE	PROCUREMENT OF ONE (1) BRAND NEW THIRTY (30) SEATER TOYOTA COASTER BUS FOR USE OF THE MINISTRY OF HOUSING	74,117,647.11	CONSTANT AUTOS LIMITED
2	MINISTRY OF HEALTH	RENOVATION OF DOCTOR'S QUARTERS AT ISOLO GENERAL HOSPITAL	39,770,698.84	SPIMIA SERVICES LIMITED
3	LAGOS STATE MINISTRY OF ENERGY & MINERAL RESOURCES	ELECTRICITY IMPROVEMENT AT THE MINISTRY OF SPECIAL DUTIES AND INTER - GOVERNMENTAL RELATIONS, LAGOS SAFETY COMMISSION ADEYEMI BERO AUDITORIUM	56,671,387.76	ISSELE ASAGBA POWER LIMITED
4	MINISTRY OF WEALTH CREATION & EMPLOYMENT	JOBBERMAN SOFT EMPLOYABILITY SKILLS TRAINING IN AGEGE & ORILE AGEGE LCDAs OF LAGOS STATE	2,266,000.00	LITTOBBY GLOBAL RESOURCES
5	MINISTRY OF WEALTH CREATION & EMPLOYMENT	INTERACTIVE FORUM WITH BENEFICIARIES OF NATIONAL SOCIAL INVESTMENT PROGRAMME (NSIP)	79,275,000.00	MIKLAB GLOBAL ENTERPRISES
6	MINISTRY OF WEALTH CREATION & EMPLOYMENT	OFFICIAL FLAG-OFF ON THE IMPLEMENTATION OF LAGOS CARES SOCIAL TRANSFER TO TARGETED BENEFICIARIES BY MR. GOVERNOR	19,275,000.00	MIKLAB GLOBAL ENTERPRISES
7	MINISTRY OF WEALTH CREATION & EMPLOYMENT	PRODUCTION OF DOCUMENTARY ON EMPLOYABILITY AND TECHNICAL & VOCATIONAL ENTERPRENEURSHIP TRAINING (TVET) & INTERVENTION ON YOUTH ENGAGEMENT IN NIGERIA	2,500,000.00	SCEPTRE & MORE CONCEPTS
8	MINISTRY OF WEALTH CREATION & EMPLOYMENT	CAPACITY BUILDING ON GRIEVANCE REDRESS MECHANISM FOR DESK OFFICERS, CASH TRANSFER FACILITATORS AND GRIEVANCE REDRESS OFFICERS AT AMUWO-ODOFIN, BADAGRY & AJEROMI-IFELODUN LOCAL GOVERNMENT AREAS ON CONDITIONAL CASH TRANSFER PROGRAMME IN LAGOS STATE	2,492,000.00	MIKLAB GLOBAL ENTERPRISES
9	MINISTRY OF WEALTH CREATION & EMPLOYMENT	JOBBERMAN SOFT EMPLOYABILITY SKILLS TRAINING IN AJEROMI IFELODUN & IFELODUN LCDAs OF LAGOS STATE	2,266,000.00	LITTOBBY GLOBAL RESOURCES
10	MINISTRY OF WEALTH CREATION & EMPLOYMENT	SOFT EMPLOYABILITY SKILLS TRAINING IN AGBOYI-KETU & IKOSI-ISHERI LCDA OF LAGOS STATE	2,266,000.00	O CUBE CONSULT
11	MINISTRY OF WEALTH CREATION & EMPLOYMENT	CAPACITY BUILDING ON GRIEVANCE REDRESS MECHANISM FOR DESK OFFICERS, CASH TRANSFER FACILITATORS AND GRIEVANCE REDRESS OFFICERS AT IBEJU-LEKKI, EPE AND LAGOS ISLAND LOCAL GOVERNMENT	2,288,900.00	MIKLAB GLOBAL ENTERPRISES

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

28 December 2023

Rt Hon. Mudashiru Obasa
Speaker, Lagos State House of Assembly
Alausa, Lagos

Dear Mr Speaker:

COMMENTS ON LASG 2024 PROPOSED BUDGET

I have had the opportunity to review the high-level budget summary estimates recently disclosed by the Governor in his presentation of LASG's 2024 budget, which is currently under review by the Lagos State House of Assembly, preparatory to passage of an Appropriations Bill.

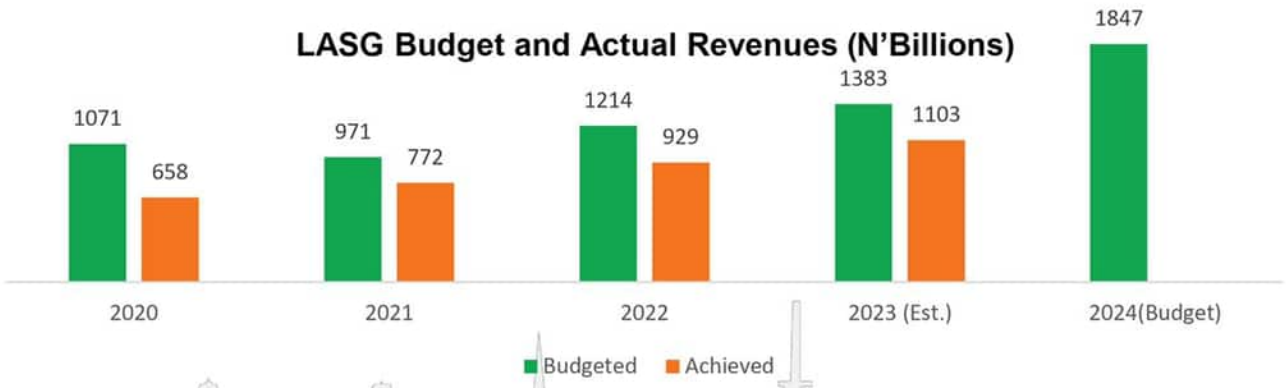
While noting that a detailed breakdown of the proposed budget has not been provided in the public domain, please find below some key observations relating to those public disclosures that have been made, that you may wish to consider in your deliberations.

1. Overall Budget:

At N2.24 trillion the overall 2024 expenditure budget is, in my opinion, too large and beyond the existing capacity of the state to fund on a prudent or sustainable basis. This is explained further below.

2. Revenue Estimates

LASG has based its overall expenditure budget on the assumption that it will have revenues in 2024 of N1.847 trillion, made up of Internally Generated Revenue (IGR) of N1.25 trillion and Federal Allocations of N596 billion. In my opinion, while the State has the potential to achieve such revenues eventually, this is an unrealistic and possibly insincere expectation for 2024. The table below shows the trend of LASG revenues for the past few years:



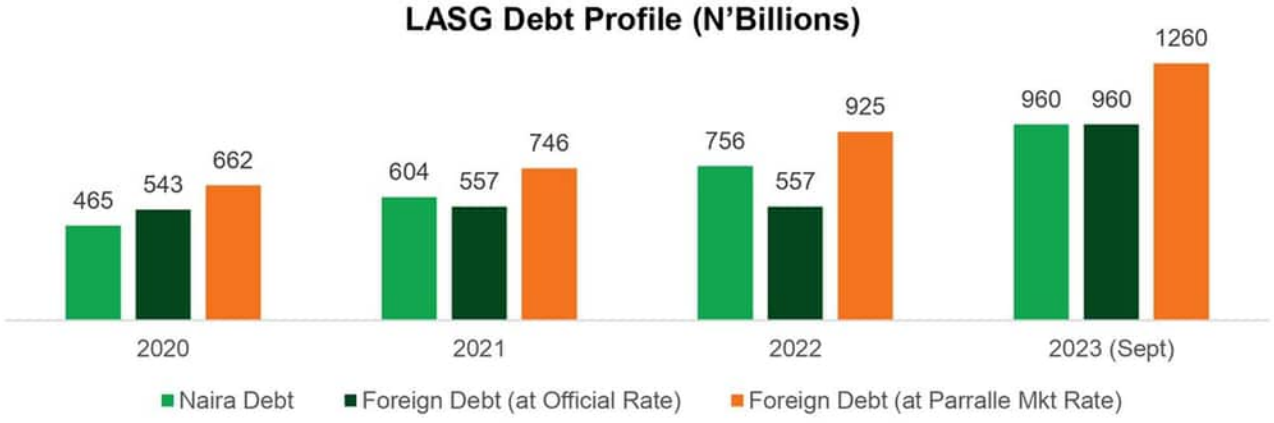
In addition to the observed tendency to over-estimate revenues generally, based on LASG's own audited financial statements, the highest actual (not budgeted) annual revenue the state has ever recorded in the past was approximately N929bn in 2022. For 2023, if the trend so far observed as at September 2023 is sustained, including the recent elevated receipts of Federal

allocations, we should, at best, expect to record revenues for the year of approximately N1.1 trillion. The proposed 2024 budgeted revenue is therefore almost 60-70% higher than what will likely be achieved in 2023.

Given the principal sources and composition of its revenues, by this budget, LASG is basically saying that it expects to grow taxes, fines, fees and levies by 60-70% or more in the span of less than a single year. The consequences of pursuing such a questionable objective in a year in which most individuals and businesses will likely continue to face unprecedented tough economic conditions, business closures etc., may be dire.

3. LASG Debt Profile and Debt Sustainability

LASG's pattern of borrowing over the years has resulted in a debt profile that now threatens the financial stability of the state. It has long been widely known that Lagos State is by far the most indebted state reflecting, probably, its greater actual and potential revenue and debt capacity. Of great concern however, is the fact that LASG has borrowed very substantially in foreign currency. As I cautioned in earlier communications, this situation is very precarious for a sub-national entity like Lagos whose principal revenue source is a local currency tax base, and that does not control either monetary policy or exchange rate policy. The chart below highlights the evolution of LASG's debt obligations:



Alarmingly Mr Speaker, debt service expenditure as provided in the LASG 2024 budget that is now under your consideration is approximately N542bn, comprising interest of N175bn and repayments of N367bn. This represents a debt service ratio, measured in relation to estimated 2023 revenues, of approximately 50%. This is well outside acknowledged prudential, sustainability limits, especially for a sub-national, considering that a substantial part of the debt in question is foreign currency loans. This situation can only be remediated if substantially higher revenues are achieved in 2024. This pressure may partly account for the unduly aggressive revenue estimates on which the proposed budget is premised. In these circumstances Mr. Speaker, LASG should temper its optimism, while acknowledging and guarding against potentially inappropriate, predatory behavior by Government agencies.

4. Efficiency of Government Spending

The efficiency, effectiveness and integrity of government operations and expenditure must be improved, rather than seeking to spend ever larger amounts inefficiently. Recent work we have done, (and openly shared with LASG), examining the published records of the Public Procurement Agency, leads one to believe that much can be done in this area. This is true for Revenues as well as Capital and Recurrent Expenditure.

Permit me to highlight a few focus areas, all of which are achievable by a committed and resolute Government acting within the existing legal and operational framework and without need for passage of any new laws:

a. Effective monitoring, extending the use of technology, at source, to plug leakages or opportunities for diversion of State Revenues into private hands.

b. Effective monitoring systems and technology to ensure procurement discipline and good practice across the board while diligently enforcing conflict of interest provisions for serving public officers.

c. Insisting on appropriate consequences for infractions including diligent investigation and prosecution in accordance with the law.

d. Improving transparency in Government Expenditure. For example, in the 2023 budget, an amount of approximately N212bn or 12% of the entire LASG expenditure budget was listed as "Special Duties Expenses" across MDAs. This should be avoided in 2024.

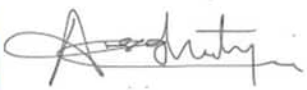
e. Scrutinizing instances where large-scale projects (such as IPPs etc), that were originally conceived and billed to be implemented in partnership and through private sector funding arrangements, are instead funded directly by LASG with implications for the State's debt profile.

5. <u>Assessing Performance</u>

Finally, Mr. Speaker, there appears to be an established practice of reporting and defining budget "performance" in terms of how much of the voted amounts were expended, without reference to outcomes achieved. As you have yourself observed, Government's actions must impact people's lives. There is the need to transition to outcome-based approaches to assessing performance as measured by development and quality-of-life indicators. There have been colossal capital and recurrent expenditures by LASG over the years, that have resulted in the current substantial, and likely inter-generational debt burden on present and future Lagosians. Despite these, the actual quality-of-life outcomes we see today must be adjudged disappointing both in absolute terms, as well as in comparison to peer cities internationally, using globally recognized indices and benchmarks.

Please accept my best wishes for a healthy, happy and productive new year in service to the people of our great State.

Yours faithfully,



Funso Doherty

CC: His Excellency, Babajide Sanwoolu, Governor, Lagos State..

Sources: LASG 2024 Budget Proposals, Debt Management Office, LASG Audited Financial Statements, Lagos State Ministry of Economic Planning and Budget Performance Report Q3, 2023, Author Estimates (for Q4 2023 figures), Public Domain (for Parallel market rates).

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

26 January 2024

His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Mr. Governor,

OPEN LETTER REGARDING YOUR RECENT TRIP TO GRENADA

In the wake of recent criticism on social media, Lagos State Government, through its media channels, announced a previously undisclosed trip you recently made to Grenada, during which you are reported to have met with the Prime Minister of that Nation, in addition to attending certain unspecified social functions.

In the case of private travel, funded by yourself, It is undeniably your right to travel to any destination of your choice to attend any lawful gathering of your choice, whenever you so choose, as long as you meet the entry requirements of your destination.

I, like most Lagosians, will be quick to rise in defence of this right of yours, even in the face of concerns that have now been raised in popular media about certain social functions that you are alleged to have attended in Grenada.

A very different standard however applies for official trips funded by the people through the Lagos State Government. All such official trips should be undertaken only if they are legitimately and demonstrably in the public interest.

It is curious that out of more than 190 countries worldwide, Grenada, the same country where you attended social engagements, was the coincidental choice for bilateral engagement on behalf of the Government and People of Lagos State.

Grenada is a distant Island nation with a very small population of approximately 130,000 people and National GDP of just over $1bn, both of which are small fractions of those of Lagos State. Its economy is largely tourism-based and has very little complementarity, trade volume and potential with Lagos.

Mr Governor, we will leave the judgment as to whether this visit to Grenada was a good use of your time to you. However, it is imperative that you clarify how this trip was financed. In the unfortunate event that the trip was funded by LASG, you should consider making a refund of the costs of the trip to the State purse, as we do not consider that this expenditure is justifiable in the circumstances.

As you are aware, despite concerns we raised, the State House of Assembly has passed and you have just signed into law, a greatly increased expenditure budget of N2.27 trillion for 2024 with a projected budget deficit of over N400 billion which will ultimately be borne by the already over-stretched average Lagosian.

Addressing these questions will set the right example and demonstrate the transparency that the people of Lagos State deserve and expect from their government.

Thank you for your attention to this matter and we look forward to your response

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

28 January 2024

Mr. Tokunbo Wahab
The Honorable Commissioner
Ministry of Environment and Water Resources
Block 16, The Secretariat Annex,
Alausa, Lagos.

Dear Sir,

OPEN LETTER – BAN ON STYROFOAM AND SINGLE-USE PLASTICS

I write in reference to your recently announced ban on Styrofoam and other single-use plastics.

We applaud the resolve of LASG to deal with this long-standing problem. Most would agree that the elimination or reduction of these materials is ultimately in the interest of the State, and the local and global environment. We however would like to communicate the following observations:

1. On styrofoam, it is commendable that the State has conceded to give some very limited time to the small and vulnerable individuals and small businesses especially in the food service value chain who may use these products in their business to enable them work through their stock on hand. This approach is fine for the Styrofoam element of the ban which should be implemented quickly.

2. With respect to "other single-use plastics", there are a number of concerns.

I. First, it is not clear what the ban encompasses, as even globally, the definition of single use plastics is subject to local interpretation. Before instituting a ban, LASG must itself have and must provide clarity and locally relevant guidance on what is covered to enable compliance and to avoid exploitation of citizens by enforcement agencies. For example, how does this affect water satchets ("pure water"), PET bottles and other material which are in wide, daily and ubiquitous use.

II. Practical and realistic plans have to be developed for a phased transition to the desired state that prioritizes dealing first with the least useful and most harmful of these substances, bearing in mind the local realities. In the absence of potable water in many parts of the State, for example, satchet water is filling a critical gap for drinking water for possibly millions of citizens at a cost they can cope with. If not carefully dealt with, poor implementation could itself become a public health risk and hazard.

3. While the styrofoam ban can proceed as currently envisaged, we believe the wider ban on single-use plastics needs an implementation approach and timing that allows for further clarification, consideration, consultation, planning and awareness building if it is to be successful in implementation and not predatory in its effect on the most vulnerable.

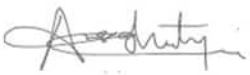
4. Of equal or possibly more importance as instituting and enforcing bans are:

I. Public enlightenment programs aimed at behavior change in waste disposal practices

II. Effective Recycling strategies

5. Going forward, the extent to which design choices in constructing drains and channels can mitigate waste-clogging issues should also be considered.

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, February 9, 2024

Sen. Adetokunbo Abiru
The Chairman,
Senate Committee on Banking, Insurance and Other Financial,
Institutions,
National Assembly Complex
Three Arms Zone,
Abuja.

Dr. Adamu Abdullahi
Acting Executive Vice Chairman/Chief Executive Officer
Federal Competition & Consumer Protection Commission
23 Jimmy Carter Street Asokoro,
Abuja

Mr. Lamido Yuguda
The Director General,
Security and Exchange Commission,
Plot 272, Samuel Adesujo Ademulegun Street,
Central Business District,
Abuja.

Mr Olayemi Cardoso
The Governor,
Central Bank of Nigeria,
Plot 33, Abubakar Tafawa Balewa Way,
Central Business District,
Cadastral Zone,
Abuja,

Dear Sirs,

OPEN LETTER: REQUEST FOR INVESTIGATION INTO RECENT DEVELOPMENTS IN THE NIGERIAN FOREIGN EXCHANGE MARKET (NAFEM)

I write regarding recent developments in the operation of the Nigerian Foreign Exchange Markets that call for urgent regulatory scrutiny.

Background

The official Nigerian Foreign Exchange Market is mainly operated by Banks acting as Authorized Dealers. In this capacity, they interact with the market and with customers. The CBN regulates these Banks and issues rules and guidelines to regulate their foreign exchange activity.

The FMDQ Group (FMDQ) is an institution licensed by the Securities and Exchange Commission (SEC), that provides market infrastructure and trading platforms used in

in a number of markets, including the FX Market. Importantly, Nigerian Autonomous Foreign Exchange Market (NAFEM) rates are fixed and published by FMDQ. Data provided by Authorized Dealers, i.e. banks are inputs used by FMDQ to determine the rates. With the unification of the FX markets by the CBN, the NAFEM rate is presently the recognized FX rate of reference.

It is important to note that the FMDQ is itself a related corporate entity that is largely owned by the Authorized Dealing Banks who, collectively, are its majority shareholders. The CBN is a minority shareholder in FMDQ.

Recent Developments

By a circular dated Jan 31, 2024, the Central Bank of Nigeria (CBN) confirmed that Banks had accumulated substantial holdings of foreign currencies for their own account and directed that such holdings be unwound by February 1, 2024. Analyst estimates have put these aggregate holdings, which in effect represent speculation beyond regulatory limits, by licensed banks against the Nigerian naira, in billions of US dollars.

Curiously, two days preceding this directive by the CBN, the FMDQ had abruptly instituted a change, effective Jan 29, 2024, in its methodology for computing the NAFEM rate. With this change in methodology there was a sharp upward movement in the NAFEM rate from 890 N/$ on Jan 26 to 1,413 N/$ on Feb 1, a span of just 3 working days.

Questions Arising and Concerns

1. Given their central, advantaged position in the FX Markets, how and why were banks permitted to accumulate and hold such substantial excess speculative FX positions against the Naira in the first place?

2. Why did FMDQ's revision of the rate calculation methodology and the sharp increase in the NAFEM rate coincide with the directive to the banks to unwind their holdings?

3. What was the basis of the revision, what is the explanation for the timing chosen and why did it have such a sharp and immediate effect?

4. Ordinarily, economics would predict that in a typically functional market, the prospect of banks being forced to become substantial net sellers of large accumulated FX positions should produce downward, not upward, pressure on rates.

5. In view of the massive windfall profits that banks make from the resulting revaluation and/or sale of their speculative positions, was there any abuse of their unique and privileged position in the FX markets including their possible influence with the FMDQ?

6. Did key participants act appropriately and if not, has harm been suffered by other participants or interested parties?

7. Is there moral hazard in permitting banks to derive and retain disproportionate benefits from such speculative activity possibly at the expense of other groups in the economy?

Potential Harm

Beyond the widespread, punishing effect of Naira depreciation on an already traumatized general population, and without prejudice to the outcome of your investigations, permit me to highlight just two out of the very many vulnerable groups that disproportionately bear the burden of negative FX market developments.

1. State Governments and their Resident Taxpayers

Many State Governments owe substantial liabilities in foreign currency. My own state, Lagos State has foreign borrowings of approximately $1.26 billion. This amount is higher than its local currency debt obligations and is by far the highest of all the states in the Federation. The movement in the NAFEM rate in just the space of three days last week alone increased Lagos State's debt burden by over N650 billion. This burden will ultimately be borne by current and future taxpayers in our state.

2. Salary Earners, Pension Fund Contributors and Retirees

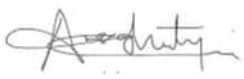
With devaluation of the Naira, the purchasing power of Salary earners and pension fund holders is substantially diminished. For retirees in particular, this deterioration is often permanent and irreversible. The sharp deterioration witnessed in the exchange rate in the past few weeks is potentially devastating for Retirement Savings Account holders numbering in the millions who, collectively, hold over N16 trillion in accumulated Naira-denominated retirement assets.

Call for Investigation

In view of the foregoing and, within the ambit of your respective mandates, I hereby call on The National Assembly, FCCPC, SEC and CBN to immediately commence investigations to establish the propriety or otherwise of the recent developments in NAFEM with a view to instituting corrective and punitive measures where appropriate.

Thank you

Yours faithfully,



Funso Doherty

Cc: Hon Attorney General and Commissioner of Justice, Lagos State.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

29 February 2024

His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Mr. Governor,

Open Letter : Commissioning of Red Line Rail

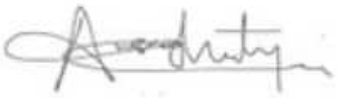
I join you, the LAMATA team and Lagosians in general to celebrate the commissioning of the Red Line rail today.

Rail mass transit is a long overdue step in the direction of the Lagos we want to see.

While hoping that the interests of the good people of Lagos were given the highest priority in the development phase, I pray that they will also be paramount in the operational phase.

I also use this opportunity to encourage us all to play our part in protecting and safeguarding these assets which, at the end of the day, belong to us all.

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, March 15, 2024

Olayemi Cardoso
The Governor,
Central Bank of Nigeria,
Plot 33, Abubakar Tafawa Balewa Way,
Central Business District,
Cadastral Zone,
Abuja,

Dear Sir,

OPEN LETTER - RE: DONATION OF FERTILIZER VALUED AT MORE THAN N100 BILLION BY THE CENTRAL BANK OF NIGERIA.

I was alarmed to see reports earlier this week of the Central Bank donating 2.15 million bags of fertilizer valued at over N100 billion to the Ministry of Agriculture and Food Security. In your own words at the handover ceremony, "this contribution from the Central Bank aims to amplify food production capabilities and foster price stabilization within the agricultural sector".

Background

Nigeria, and most Nigerians, are presently grappling with runaway inflation that can be directly traced to a loss of focus, monetary discipline, independence and control by the Central Bank. Combined with its pursuit of costly and distracting interventionist policies that have so far proven to be of dubious value, these have led to a profound loss of credibility and confidence in the CBN and the crippling currency and cost-of-living crisis we are experiencing today.

Rather than providing an effective counterweight, the policies, actions and inactions of your immediate predecessor monetary authorities, served to amplify the damaging effects of mismanagement, indiscipline and corruption even where such may have emanated from the fiscal side.

Questions and Concerns

1. Why is the new leadership of the CBN still pursuing such direct interventions in the real sector as donating bags of fertilizer, contrary to its indicated policy direction?

2. Why is the CBN playing a role that is the responsibility of other agencies of Government on the fiscal side.

3. For an initiative of this size that is arguably outside its core mandate, was this considered and approved by CBN's reconstituted Board?

4. What is the source and authorization for the N100bn used to fund this initiative? Is it from the internal resources of the CBN or appropriation from the public purse?

5. What evidence does the CBN have that spending massive sums procuring and handing over fertilizer to the Ministry will promote food price stability?

6. What public procurement processes were employed in purchasing the fertilizer to ensure transparency and value for money.

7. Does CBN have the capacity to monitor and ensure both effectiveness and probity in the use of these resources it is providing?

Implications and Conclusion

Effective Central Banking calls for measured communications and consistent actions that demonstrate focused and independent pursuit of a clearly defined core mandate. In this regard the CBN, under your leadership, should know that both its actions and its words will always speak loudly.

The CBN has a lot of work ahead of it to restore its credibility and rebuild local and international confidence. This fertilizer initiative and other similar real sector direct interventionist policies, as well as the publicity, ceremonies and speeches associated with them, are alarmingly reminiscent of an era of destructive Central Banking that we are fervently hoping is behind us. They should be studiously avoided by the CBN in future.

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Saturday, March 23, 2024

Distinguished Senator Godswill Akpabio
President of the Senate
Senate Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Rt. Honorable Tajudeen Abbas
Speaker of the House of Representatives
House Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Dear Mr. President and Mr. Speaker,

OPEN LETTER – RE: MEMORANDUM OF UNDERSTANDING BETWEEN FGN AND MPH RAIL DEVELOPMENT (UK) LIMITED ON THE PORT-HARCOURT-CALABAR-ENUGU-ABUJA STANDARD GAUGE RAIL PROJECT

Background

Last week, on the 13th of March, the Federal Ministry of Transport announced that it had signed an MOU with a UK registered private company, MPH Rail Development Limited, "to enable the company carry out the design, construction, commissioning, operation and transfer of the Port-Harcourt-Calabar-Enugu-Abuja rail line on a public private partnership basis." According to the statement, the MOU "was executed following the approval of Outline Business Case and issuance of a compliance certificate by the Infrastructure Concession and Regulatory Commission (ICRC)". It heralded the signing of this MOU as "a landmark achievement for the Tinubu administration".

In a striking reversal just four days later, following widespread criticism mainly relating to MPH Rail's suitability as a counter party in such a significant project, the FGN in a second statement described the same MOU as a non-binding, preliminary document merely intended "to provide a platform for further discussions between parties to ascertain the possibility of executing the project or otherwise."

Questions Arising

These announcements and the related sequence of events call for further and immediate scrutiny, despite the Ministry's attempt to downplay their significance. In particular:

1. Status of the Project

Given the facts, the Ministry's latest, reactionary portrayal of the status of this project as only "the beginning of a long process" is, in my opinion, duplicitous and misleading. Submission of an Outline Business Case (OBC), approval by the ICRC and issuance of OBC Compliance Certificate all of which, according to the Ministry, have been done in this case, are definitive and significant milestones in both the National Policy on PPP's as well as the ICRC's PPP guidelines (see attached).

The guidelines require that preliminary due diligence work should have already been done on both the project and the private sector proponent (MPH Rail) to justify OBC certification including, among others, assessments of:

- Capacity to finance, deliver, construct and operate the project.
- A technical feasibility study
- Estimated total project cost and financial model
- Environmental and other Social Impacts

OBC certification by ICRC signals the successful completion of the Project Development and Preparation Phase and enables commencement of the Procurement Phase of PPPs.

2. The Project Proponent – MPH Rail

There is nothing in the short corporate history of MPH Rail Development to suggest that it has the capacity to undertake such a project. Its shareholding is nominal at GBP1,000 (One thousand Pounds Sterling). It is not clear what is the basis of the Ministry's assertion, contained in its second press statement, that MPH Rail is an SPV incorporated by an entity called the British African Business Alliance (BABA), as BABA is not a shareholder of MPH. In any case, association with BABA does not confer credibility on MPH for this purpose as BABA is itself a micro-entity in the UK, that primarily aims to facilitate networking and information sharing by business entities rather than functioning itself as a principal.

Notably, MPH's proposal was originally submitted to the Ministry as far back as August 2019. It is concerning to observe that the immediate past Speaker of the Lagos State House of Assembly, Adeyemi Ikuforiji was appointed a director of MPH and allotted a 20% interest in the Company in August, 2023. Shortly thereafter, in December 2023, MPH's Outline Business Case was forwarded by the Ministry to the ICRC and approved that same month.

Subsequent to the announcement of the MOU and widespread awareness and criticism of his involvement with the Company the former Speaker has resigned from the Board of the Company and transferred his shares to another director effective March 15, 2024.

3. Process Undertaken

Apart from the suitability of the Sponsor, there are a number of critical deficiencies in the processes so far adopted or indicated for pursuing this initiative:

a) It is not clear why this is being characterized and pursued as an unsolicited PPP project. Rail infrastructure development using PPPs is neither a newly identified nor a trivial undertaking by the FGN and is presumably being undertaken in segments/phases based on integrated plans. Indeed, the FGN has repeatedly talked about its rail infrastructure master plans for over a decade. Consistent with the ICRC Act, National PPP Policy and Guidelines, these projects should generally be publicly advertised and pursued via pre-qualification and competitive processes.

b) Even for unsolicited PPPs, once an OBC is approved, the next phase should be an advertised, competitive procurement process. This is a requirement of the law as well as the guidelines. The process implied by the Ministry where MPH is to now proceed, based on OBC certification to produce documents including a Full Business Case for approval to execute the project is wrong. The guidelines require that the bidder that emerges successfully in the competitive procurement bidding phase that follows OBC certification, (which may or may not be MPH), will proceed to put forward a Full Business Case for approval and execution.

c) By the Ministry's own statements, the basic requirements to demonstrate a bankable Outline Business Case such as satisfactory assessments of proponent's capacity to deliver, technical feasibility, estimates of financial costs and models as well as environmental impact assessments are not yet in place, and these are what MPH is now expected to produce. In view of these fundamental deficiencies, the OBC should not have made it to ICRC for approval in the first place and, more importantly, there is no basis for ICRC issuing a compliance certificate.

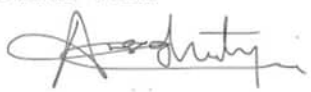
Conclusion and Imperatives

All over the world, Public-Private-Partnerships are accepted as useful potential means of bridging public sector infrastructure funding and capacity gaps. At the same time, evidence also abounds the world over that if not implemented and governed diligently, the short and long-term potential of PPPs for destructive and extractive transfer of societal resources from the general public to a privileged few is almost unparalleled.

This project demonstrates a number of red flags, some of which are highlighted above. While the Ministry bears primary responsibility in this and similar projects, the role of the ICRC, as the entity empowered by law as regulator and custodian of the public interest in these matters, is very critical, and in this case, is of particular concern.

As a first step, this PPP project should be halted from proceeding further. I hereby call on the National Assembly, in exercise of its oversight powers, to speedily undertake a review and investigation of this and other such PPP projects to provide assurance of diligent and effective application of the Approval, Regulatory, Governance and Disclosure processes that are intended to secure value for money and protect the public interest in PPPs implemented pursuant to the ICRC Act.

Thank You.



Funso Doherty.

Cc: Senate Committee on Public Procurement; House Committee on Public Procurement.

Funso Doherty
Lagos Nigeria

email: fd@funsodoherty.org

Tuesday, April 9, 2024

Dr. Oluyinka Abiodun Olumide,
The Honorable Commissioner,
Ministry of Physical Planning and Urban Development
Alausa, Ikeja

Dear Sir,

RE: OPEN LETTER ON RIGHT-OF-WAY AND COMPULSORY ACQUISITION OF PROPERTY FOR LAGOS-CALABAR COASTAL ROAD

I write further to reports of actions taken and proposed to be taken by the State for purposes of the proposed Lagos-Calabar coastal road – a Federal Government project. A widely-reported letter in the media recently, from the Lagos State Ministry of Physical Planning, informed one property owner that their property lies within the right of way and, in the same notice, conveyed a 7-day removal notice. In addition, along the right of way, clearing of informal settlements have also commenced.

The State's power of eminent domain over the citizenry is clear, incontrovertible and constitutionally guaranteed. However, like all great and wide-ranging power, it must be utilized carefully, with justice and compassion. I would therefore advise as follows:

1. In such matters, process is particularly important, and it should involve wide-ranging, good faith consultation and open communication. Wherever feasible, alternative solutions should be explored for particularly injurious situations. This may involve some added time and cost. Recent developments would suggest that more work is needed in this area.

2. Some of the properties are owned and operated by businesses that have invested substantial sums, taken commercial risks and succeeded, contributing to the city, while employing residents and paying taxes. The effect on them, on their employees and on the city should be carefully considered.

3. Informal settlements and shanty towns may be considered illegal, but the social and human implications of clearing them, especially on the vulnerable (children, elderly) cannot be wished away. Mitigating provisions will have to be made.

4. Fair and just compensation for owners, whether businesses, urban or rural communities along the entire right of way must go along with compulsory acquisitions of property, including undeveloped land, if such acquisitions ultimately prove to be inevitable.

5. In such a project, which is a Federal Project cutting across states, one of the roles that is expected of Lagos State Government, being a Federating entity, is to serve as an advocate for all of its people, especially those that may be adversely affected in one way or another. LASG should be mindful to discharge this trust faithfully and to ensure that it is reflected in project plans.

6. As an example, given that this is a PPP, it is expected that LASG, on behalf of its residents that will ply the road and pay tolls, would have properly vetted the procurement process to ensure competition in contractor selection and value for money in line with the laws.

In aspiring to be a center of excellence, Lagos must lead in these matters as other states may take a cue from Lagos. The wider domestic and international community are also watching.

Yours faithfully,

Funso Doherty

CC: His Excellency, Babajide Sanwoolu, Governor, Lagos State.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Thursday, April 11, 2024

Distinguished Senator Godswill Akpabio
President of the Senate
Senate Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Rt. Honorable Tajudeen Abbas
Speaker of the House of Representatives
House Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Dear Mr. President and Mr. Speaker,

OPEN LETTER RE: APPARENT VIOLATION OF THE PUBLIC PROCUREMENT ACT IN THE AWARD OF LAGOS-CALABAR COASTAL ROAD PROJECT

In what appears to be an alarming violation of the provisions of the Public Procurement Act, 2007 (PPA), the executive arm of Government through the Federal Ministry of Works (FMW), led by the Honorable Minister, David Umahi, has recently awarded a massive contract for the construction of the Lagos-Calabar Coastal Road to Hi-Tech Construction Ltd.

The first phase of this strategically important 700 km project, covering the first 47 km, from its origin at Ahmadu Bello Way by Eko Atlantic, was recently awarded for the sum of N1.06 trillion. The total projected cost is as yet, undisclosed.

By the Minister's own public admission, competitive bidding was not applied, and the contract was awarded to Hi-Tech on a single-source basis. As you are no doubt aware, for obvious reasons aimed at protecting the public interest, the PPA as enacted by the National Assembly, requires open competitive bidding except for certain specific exemptions that are clearly outlined in Part VII of the act. In my opinion, none of the reasons canvassed by the Minister for exempting this Project from competitive bidding, apply to the Lagos-Calabar Coastal Road.

I therefore hereby call on the National Assembly, in its capacity as representatives of the people and, in exercise of its powers and responsibilities of oversight, to immediately commence an investigation into this project, the FMW and the Bureau of Public Procurement (BPP).

In addition, you may consider the following to be relevant to your investigation:

1. Both Hi-Tech Construction and South Energyx Ltd (Promoter and developer of Eko Atlantic, the vast coastal concession granted for shoreline protection and development of luxury real estate, where the Coastal road will originate from) are reported to be substantially beneficially owned by Gilbert Chagoury. Mr Chagoury, whose antecedents are well-known to Nigerians, resides in France and is widely reported to enjoy a close relationship with HE President Bola Tinubu.

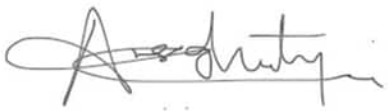
2. The concession for Eko Atlantic, which by its coastal spread also requires Federal Government consent, was granted to South Energyx by HE President Bola Tinubu during his tenure as Governor in Lagos State. As a result of the issues now being raised on the Lagos-Calabar Coastal Road project, the National Assembly may also want to better understand the Eko Atlantic concession, who its other ultimate beneficial owners are, its extent, limits and the process that was followed in granting that concession.

3. Furthermore, according to the Minister, certain changes have been made to the proposed alignment of the road from the originally gazetted right of way to the one now being implemented by Hi-Tech. An argument has been made that being under common ownership (the Chagoury Group) with the concessionaire of an adjacent property, (Eko Atlantic), Hi-Tech is an interested party and may stand to benefit from some of the alignment changes that have been made.

Imperatives

The Coastal Road Project should, in the first instance be halted and subjected to due process including competitive bidding as required by the law. If offences under the PPA or code of conduct are established in the course of your investigations, we expect that they will be prosecuted and that the consequences provided in the law will be applied to serve as a deterrent.

Yours faithfully,



Funso Doherty.

3. The Nigeria (Federal) Police Force will focus primarily on enforcing Federal laws while the State Police will focus on enforcing all laws within the territory of the State. They will work symbiotically and collaboratively where appropriate, with the NPF taking precedence in the case of Federal Crimes.

4. The Commissioner or Chief of State Police shall be appointed by the Governor acting on the advice of a State Police Commission subject to confirmation of the State House of Assembly.

5. As a check and balance, each Geopolitical zone can be mandated to establish a Regional Police Advisory Board with membership drawn to include some representation from the constituent states within that geopolitical zone as well as some representation from other geopolitical zones. The role of these Boards should be advisory, and they can suggest when action, including Federal action, may be required to address intractable or persistent internal dysfunction or excesses by any individual State Police department. Minimum eligibility for consideration for recruitment and advancement in a State Police department shall be upon attaining 5 years of residency in the State.

II. Electoral Reforms

The 2023 election necessarily produced winners and losers, but there seems to be widespread acknowledgement that, in conduct and process, it fell short of expectations. The various related issues have been widely discussed and canvassed and need not be reproduced here. In this regard:

Recommendations

1. The Constitution should provide that the standard of proof in electoral cases should generally be based on "clear and convincing evidence" and only the related criminal prosecutions should require proof "beyond reasonable doubt".

2. The Constitution should mandate the use of electronic means to transmit and collate election results with a corresponding paper trail for audit purposes.

3. The use of Electronic Voting Machines should also be permissible by the constitution subject to enactment of legislation authorizing same by the National Assembly and provided that audit trails can be established.

4. INEC must publish its final guidelines for the conduct of elections not later than 45 days prior to an election and comply with same. Failure by INEC to comply with its published guidelines in any material respect will be grounds for a fresh conduct of the elections in question.

5. In each state, the materials (ballot papers, polling unit forms, collation sheets) that establish the basis for election results to be announced by INEC should be deposited in the custody of the courts prior to the announcement of election results.

6. The deadline (180 days etc) for completion of election petitions should begin to run from when the full set of documents validly requested by litigants from INEC have been provided.

7. The Constitution should be amended to allow for Independent Candidacy and Regional Political Parties.

III. Land Matters

There has been much debate about the Land Use Act. However well-intentioned it was when introduced, there is widespread agreement that it is no longer fit for purpose and has opened the door for egregious and inequitable acts.

Recommendations

1. The mention of the Land Use Act should be deleted from the Constitution to permit its amendment or repeal by the National Assembly without requiring a constitutional amendment process.
2. Section 44 (1) should be amended to emphasize that compulsory acquisitions of immovable property that entitle the owner to compensation shall include compulsory acquisitions of statutory and customary ownership and occupancy interests in Land, whether developed or not.
3. Section 44 (1) (a) should specify that the entitlement is to "fair and reasonable" compensation to be determined and paid prior to taking possession of the property.
4. The Constitution should provide for review and appeal processes to provide assurance and a check and balance on the unchecked exercise of eminent domain.

IV. Gender Matters

Recommendations

1. The definition of Federal Character should include gender diversity and inclusion of persons living with disabilities.
2. Citizenship provisions for Non-Nigerian spouses of Nigerian citizens should apply to both men and women equally.

V. Child Rights

Recommendations

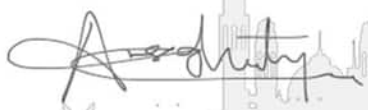
1. The age of consent for marriage should be defined as 18 years in the Constitution.
2. An appropriate list of child rights should be determined and constitutionally guaranteed.

VI. Democratic Structure

As a longer-term exercise, the National Assembly could consider setting in motion a process by which our current democratic arrangements and outcomes can be assessed. Such a review could at the same time consider and assess the relative desirability, practicality or otherwise of alternative parliamentary approaches, proportional representation, majority requirements etc.

I wish you fruitful deliberations in this important task of Nation-building.

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Monday, April 8, 2024

Rt. Honorable Benjamin Kalu
Deputy Speaker of the House of Representatives
Chairman, House Committee on Constitutional Review,
Room H331,
House of Representatives White House,
National assembly Complex, Abuja

Dear Mr. Deputy Speaker,

CALL FOR MEMORANDA ON CONSTITUTION REVIEW

Further to your call for memoranda and input into the constitution review exercise presently being undertaken by the House, I am pleased to enclose herein matters for the Committee's consideration.

Background & Introduction

My name is Funso Doherty, and I am a resident of Lagos State which is also my State of Origin and of Birth. I was a Gubernatorial Candidate for Lagos State in the 2023 General Elections and remain actively engaged in Governance matters, particularly as they affect Lagos State.

I am privileged to make this contribution to your work, which addresses matters bordering on the existential, at a critical defining time for our Nation, in keeping with a long history of contribution to political developments in our city, state and Nation by members of the Doherty family of Lagos. These include, among others, service as elected representative for Lagos on the Legislative Council of Nigeria in the 1920's and 1930's (T.A. Doherty) and pursuing litigation (Doherty v Balewa, 1960), all the way to the Privy Council, that established important precedents and judicial interpretations of constitutional provisions on federating principles and the separation of powers.

I. Federal Structure and Devolution of Powers

Section 2 of the Constitution is clear in both its language and foundational intent that Nigeria shall be a Federation consisting of States and a Federal Capital Territory. It is however a fact of history that our existing body of laws, including our current constitution is an amalgam developed through colonial, military and democratic eras whose effect may sometimes be at odds with the intent of Section 2.

It is important therefore that, as a general principle going-forward, the spirit of your law-making must reflect and be guided by the fundamental basis of association outlined in Section 2.

a. Resource Control & Derivation

Section 44 of the Constitution vests ownership and control of mineral resources across the Federation in the Federal Government. The roots of this can be traced to Colonial Ordinances in the early 1900's, the force of which was consolidated and expanded over time, most notably and with far-reaching consequences, by the Petroleum Decree of 1969 enacted by the Gowon Administration during the civil war. Mineral resources and mining are also items on the Exclusive Legislative List, giving the Federal Government exclusive right to legislate on them - which is a distinct matter from the question of who owns the mineral resource.

As a result, the economic benefits of exploiting these resources accrue, in the first instance, to the Federal Government. They are then allocated based on constitutional and other provisions, first to the host states from which the minerals came (the derivation share), and then to the different tiers of Government. The Portion allocated to State Governments is then further shared amongst them based on a sharing formula that considers criteria such as land mass, population etc.

The present derivation share is 13% but has at various times been as high as 50% and as low as 1%.

Both the ownership question and the derivation share have been the source of much conflict and agitation over the years. The host communities and those sympathetic to them have argued for recognition/restatement of their ownership rights on the one hand and/or a higher derivation share on the other.

Comments & Recommendations

It is a manifest travesty and injustice that host communities remain in a state of stark under-development that stands in sharp contrast to the immense wealth extracted from those communities for well over half a century. This is compounded by the widespread and widely acknowledged environmental degradation suffered by these communities that, in many cases, make it impossible for the people to pursue their traditional means of livelihood.

While the choice of state ownership or private ownership of mineral resources are alternative regimes that can legitimately be pursued by different sovereign states, nationalization, acquisition and ownership by a Sovereign Government carries with it a high burden to exploit those resources to benefit the citizens equitably and justly. This is especially so in the case of a Federation. Sadly, it has manifestly not been the case in Nigeria. Accordingly, we recommend:

1. The Derivation Share of Federation revenues should, in the first instance be increased to 25% and then be further raised to 50% via annual increments over the next five years. The recent significant increase in Federal allocation distributions provides a unique opportunity to implement this with mitigated negative collateral impact on non-producing states.
2. The derivation share to each state should be further shared among the State Governments and the Local Governments, also with a derivation component determined at that level.

3. The derivation principle should also be applied for all other identifiable revenues that are federally collected.

4. However, only revenues that are so mandated constitutionally, should be collected by the federal government. Others should remain with the states as federating units and local governments in line with the constitution.

5. The National Assembly should simultaneously institute a process to examine the feasibility, desirability and, if relevant, modalities for reverting ownership of mineral resources in host communities to them.

6. Mineral resources and Mining should be moved to the concurrent list

7. Thereafter, State Houses of Assembly can also legislate and be carried along on Minerals and mining developments within their territories, to the extent allowed by their revised powers as may be provided in the altered constitution

b. Local Government Autonomy

While recognizing States as the primary Federating entities, the Constitution distinctly recognizes local governments, lists them, outlines certain functions for them and makes financial provisions for them.

Local Government Funding

It is intended that local Governments should have autonomy within defined bounds and the wherewithal to operate with such autonomy. Provision for this is made through the instrument of the State Joint Local Government Account into which LGs share of Federal allocations as well as funding from State Governments to the Local Governments are to be paid.

Curiously, Section 162 (7) of the Constitution seems to go even further, purporting to vest the National Assembly with authority to prescribe to a State what proportion of its own "total revenues" should be paid to the local governments. This overreach is inconsistent with Federating Principles and in conflict with Section 7 (6)(b) that provides that the State Houses of Assembly shall make provision for statutory allocation of public revenue to local government councils within the State.

LG funding generally has been an area of conflict and disagreement. States have often been accused of withholding funding from LGs including their Federal allocations.

Local Government System

Section 7 provides clearly that the system of local government by democratically elected local government councils is guaranteed under the constitution. In disregard. of this however, the practice where State Executives sack the leadership of LGs and institute caretaker committees is commonplace, greatly weakening local government capacity and autonomy

Conclusions and Recommendations

1. Local governments should be paid their Federal Allocations directly and the use of a Joint account administered by the State Government for this purpose should be discontinued.

2. Section 162 (7) should be deleted.

3. Section 7 should be expanded to explicitly state that neither the State Government Executive nor the State House of Assembly has the authority to remove, suspend or prevent from sitting an elected local government council member without a valid order from a court of competent jurisdiction.

4. The unlawful suspension, removal from office or prevention from sitting of a democratically elected legislator or local government council member should be considered a Crime against the State. In these circumstances, or, where a democratically elected Council fails to sit, for a period exceeding 90 days, there shall, for purposes of Section 305 (3) (d) of the Constitution, be deemed to have been a breakdown of public order. In consequence:

a) The Federal Government shall be empowered to withhold LG funding from the Federation account to that LG.

b) The President shall be empowered to declare a state of emergency in that local government in line with the provisions of Section 305.

5. Recall procedures should be available and should apply to the LG Council.

6. The functions of local governments should be more clearly outlined and better delineated especially as measures are decisively implemented to secure and protect their funding.

c. State Police

The arguments for State and local Community Policing have been made repeatedly. Fundamentally, and globally, policing is most effective when localized i.e. when police officers belong to, are drawn from and understand well, the community that they are policing.

While there is widespread acceptance of these arguments, the concerns that have been frequently raised about the potential for abuse by State Governments especially Governors who may turn the state police into semi-private militias have been a formidable impediment.

It is my view that for effective law and order, and given the security imperatives, the introduction of state and community policing is inevitable. What the National Assembly should direct its attention to, is identifying means, i.e. structures arrangements and processes of mitigating the possible risks of abuse. In this regard:

Recommendations

1. The Constitution should be amended to allow for the introduction of State Police and Community Police.

2. This amendment should empower States to set up their own internal policing arrangements at state level without need for further Federal legislative action once a bill to that effect is passed by the relevant State House of Assembly.

3. Community Policing may subsequently be introduced subject to the passage of laws to that effect by both the National Assembly and the relevant State House of Assembly.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, April 19, 2024

Mr. Lateef Fagbemi, SAN
The Attorney General of the Federation
and Minister of Justice,
Plot 71B Shehu Shagari Way,
Maitama
Abuja,

Dear Sir,

OPEN LETTER - RE: VIOLATION OF PUBLIC PROCUREMENT ACT IN THE AWARD OF N1.06 TRILLION CONTRACT FOR CONSTRUCTION OF LAGOS- CALABAR COASTAL ROAD BY FMW ON BEHALF OF THE FGN.

You may be aware of the recent award by the FGN of the Lagos-Calabar Coastal Road Contract to Hi-Tech Construction Limited, a Chagoury Group Company.

The Federal Minister of Works, David Umahi, has confirmed that this 700 km road contract that spans 9 states of the Federation was awarded on a single-source basis, without competitive tendering. The Minister has further disclosed that the total cost of the road is expected to exceed N15 trillion. The first 47 km of the road has been approved at N1.06 trillion and work has commenced.

As you know, the Public Procurement Act entrenches competitive bidding as a fundamental principle. It is true that Part VII of the Act allows for special and restricted methods of procurement in certain cases. However, single-source procurement, which is a special and extreme form of restricted procurement, is only permitted in emergencies outlined in Sections 42 and 43 of Part VII of the Act. Those Sections are reproduced as an attachment to this letter, for ease of reference.

It is clear that none of the lawful grounds for single-source procurement that are provided for in the PPA, validly apply to this contract award for the coastal road. Accordingly, I hereby call on you, in fulfillment of the obligations entrusted to you as the Chief Law Officer of the Federation and a trustee of the public interest to:

1. Call the FMW and BPP to order, advise the FGN to halt the project before it proceeds any further and subject it to due process including competitive bidding as required by the law.
2. Enforce the provisions of the law, by prosecuting any offences of non-compliance that have already been committed in the award of this contract.

May I add, sir, that given the facts and circumstances of this matter, and given its national significance and the sheer quantum of Federal resources involved, it is turning out to be a litmus test of your own commitment and that of your office and this administration generally, to:

1. Uphold the rule of law
2. Stand with the people and protect the public interest over narrow and powerful vested interests

We are hopeful that the trust reposed in you and your office will be found to be well-placed.

Yours faithfully,

Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, April 26, 2024

Engr. Dave Umahi
The Honorable Minister
Federal Ministry of Works and Housing
Mabushi, Abuja.
Nigeria

Dear Honorable Minister,

COMMENCEMENT OF DEMOLITION FOR THE LAGOS-CALABAR COASTAL ROAD

At a press briefing yesterday, Thursday 25th April 2024, the Federal Ministry of Works announced that it will commence demolition of structures along the first 3 km of the revised right of way of the Lagos-Calabar Coastal Road tomorrow, Saturday 27 April 2024.

I would first like to put on record my support for development of a Coastal Road. I readily acknowledge the value that such a project can add Nationally and to Lagos State in particular, but only if it is properly conceived, planned and implemented.

As countless other ostensibly "transformational" projects in Nigeria and across developing countries have shown, lack of due process in execution is usually a fatal flaw. The apparent and hidden costs of this are borne by generations of citizens while disproportionate benefits from undertaking the project accrue to a few individuals.

Numerous concerns have been raised about cost and the lack of competitive bidding in the award of this contract that are yet to be remedied, and that need not be repeated here. A more relevant concern for the purpose of this letter is the fact that the environmental impact assessment for the Coastal Road project has not been completed or shared for public comments even though the project has commenced, and the hugely consequential step of demolition appears imminent. As you are well aware, no serious government should undertake such a large project without a standard EIA document, completed and published for discussion in the public domain. This is in fact a legal requirement for highway projects under Nigeria's EIA Act.

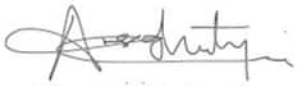
Alarmingly, I am aware that a preliminary scoping workshop for the Environmental Impact Assessment that is to be conducted for this project was held just last Saturday 20th April (see attached) at which matters relating to the scope and terms of reference for the EIA were only just being tabled for discussion preparatory to undertaking the EIA itself.

Lagosians, especially those of us with deep and abiding roots in the city, are keenly aware that Lagos is a densely populated, low-lying coastal city with well known flooding and coastal erosion risks that must be carefully managed. This road passes

through some of our naturally protective wetlands. These areas are also known to exhibit great biodiversity. The road traverses some of our indigenous communities that pursue their sources of livelihood on the coast. In light of these, failure to complete and publish a standard EIA in the public domain for comments and discussion before commencing is irresponsible and, in my opinion, a violation of the EIA Act.

In conclusion, the inordinate urgency with which this project is being pursued is quite curious. While reiterating my support for the development of a Coastal Road, I call on you to ensure that you fulfill your obligations of law and due process so that the promised benefits of this road to the citizenry are realized and are not far outweighed by poorly managed technical, financial, environmental and social costs. The project should not proceed further, nor should demolition be contemplated, until the basic governance safeguards are in place in accordance with good practice and in compliance with Nigerian law.

Thank You.



Funso Doherty.

Cc: His Excellency, Babajide Sanwoolu, Governor, Lagos State..
Distinguished Senator Godswill Akpabio, President of the Senate
Rt. Honorable Tajudeen Abbas; Speaker of the House of Representatives
Senate Committee on Public Procurement;
House Committee on Public Procurement.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

For Immediate Release
Wednesday, May 1, 2024

TO THE HARDWORKING MEN AND WOMEN OF LAGOS,

Today is International Workers' Day. As usual, we can expect platitudes, social media posts, events in celebration of workers, flowery words on the importance of workers, on the need to support our labor unions, civil servants, first responders, and the private sector. Today we will celebrate work but what does it mean to honor work and workers?

For most of us, work is a huge part of who we are and can affect our social and self-worth. Many of our aspirations involve work - we all aim to get to the next level in our careers or businesses and then continue to climb. Work often defines us - Arch Deji, Nurse Chioma, Dr. Musa, etc, it is frequently how we see ourselves and how people see us. We pursue credentials, degrees, and certificates to enhance our status at work.

Conversations will be triggered today, about the treatment or mistreatment of work and workers, especially Lagosians in the lower income bracket. Unpaid salaries of government workers, and also workers in the private sector. The harsh conditions of work; Lagosians braving the heat and heavy rains to make ends meet. Declining job security, stagnating wages not keeping up with galloping inflation, the role of technology, automation, and, increasingly, AI in the future of work, and the cost of commuting to work. Further, attention will be drawn to the extortionary conditions faced by bus drivers, dispatch riders, market women, and most micro-businesses, in their respective lines of work. The conversations will also touch on the persistent issues of deep unemployment and underemployment, which prevent many Lagosians from providing for their families.

Debates will be had far and wide. But let the debates be sincere and candid and lead to ideas and plans on how to improve opportunity, upward mobility, and prosperity.

This year, I also want to challenge us to think deeper about what this day means - what it means to work. It was the Rev Martin Luther King who said "No work is insignificant. All labor that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence". He went on to say "If a man is called to be a street sweeper, he should sweep streets even as a Michaelangelo painted, or Beethoven composed music or Shakespeare wrote poetry. He should sweep streets so well that all the hosts of heaven and earth will pause to say, "Here lived a great street sweeper who did his job well." So today, as we celebrate work wherever we are in Lagos State - let us reflect on these words - Let our labor speak of the greatness we all have in us. From the bus driver to the bus conductor,

from the cashier to the security guard, from the bricklayer to the teacher to the Commissioner to the Managing Director - no work is insignificant. If we all do the best, we can - Lagos will be on its way to becoming the most successful city in Africa and one of the top cities in the world. A model city. It is you the people, the workers, with that famous, matchless energy and ingenuity for which the people of Lagos are known, that will deliver it. I can see it; we have what it takes.

But the first step is to acknowledge that many Lagosians, including civil servants, bemoan their interactions and relationship with their Government. This should ordinarily not be an acrimonious relationship, since the welfare of the people should be the primary concern of the Government. The apparatus of the state has to work and the leaders in Government are entrusted with that apparatus. They have a disproportionate potential to affect people's lives positively or negatively. Especially the most vulnerable. They can do more to bring out the best, or the worst, in the average citizen than can most others. The fact that interactions with the Government are often viewed as abusive, extractive, and predatory, is a symptom of broken trust and broken faith. The broken trust of a people in their Government and an employer (Government) that has also not kept faith with its own employees and to whom, therefore, those workers feel they owe little allegiance.

This is a status quo we have experienced in this state for basically a generation since 1999. It is a dynamic equilibrium that is optimized for extraction by the few, rather than inclusion of the many, and that inevitably leads to resource concentration and mass impoverishment rather than widespread prosperity. Lagos is due for a new conversation on work, service, and reward. A new charter on what we owe one another, and a fresh understanding of our roles from the executive committee down to the newly minted school leaver who arrived last week from Ekiti, Abia, Kaduna, or New York. This can be a State we all love and take pride in.

So today on this workers' day, I encourage us to each reflect on the part we can play. In all our different roles - as fathers and mothers, as employers and employees, in the private sector or public sector, in the faith community and non-governmental organizations, in the media and our public discourse, and most importantly as citizens. In our work, whether as leaders or as followers, government or the governed, let us serve in such a way that the heavens will look down upon us and say, well done.

I wish us all a happy workers' day.

E ku ise o.

Funso Doherty

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

11 May 2024

Rt. Honorable Tajudeen Abbas
Speaker of the House of Representatives
House Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Dear Mr. Speaker,

OPEN LETTER ON COMMENCEMENT OF INVESTIGATION INTO THE LAGOS-CALABAR COASTAL ROAD CONTRACT

We received with some relief the report that the Federal House of Representatives, under your able leadership, this week resolved to commence an investigation into irregularities in the award of the Lagos-Calabar Coastal Road Project.

I commend you for keeping faith with the people in this matter and taking this first step towards calling the executive to order and insisting that it is mandatory, and not optional, for all to abide by the laws of the land.

This calls to mind a quote generally attributed to an Egyptian proverb:

They asked the Pharaoh, “what made you a tyrant?”. He said, "no one stopped me".

We look forward to the outcome of your investigations.

Yours faithfully,

Funso Doherty.

Cc: Chairman, House Committee on Public Procurement

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, March 15, 2024

STATEMENT ON LEGAL ACTION TO ENFORCE COMPLIANCE IN THE AWARD AND EXECUTION OF THE LAGOS CALABAR COASTAL HIGHWAY PROJECT

In the past few months, we have consistently highlighted violations of existing laws in the award and execution of the Lagos-Calabar Coastal Road project to the relevant government agencies, urging rectification. Unfortunately, these appeals have been ignored.

As a result, I have instructed my lawyers to serve legal pre-action notices to:

1. The Bureau of Public Procurement
2. The Environmental Protection Agency
3. The Attorney-General of the Federation

If these violations are not addressed within the statutory period of 30 days, legal action will be taken to compel the Federal Government to ensure compliance with:

- The Public Procurement Act
- The Environmental Impact Assessment Act

The Coastal Road project, estimated at over 15 trillion naira, was awarded to Hi-Tech, a Chagoury Group company, without open competitive bidding, amidst Nigeria's severe economic challenges. The ten-lane highway traverses 100 km of coastal wetlands in Lagos that provide natural water drainage and control. Despite severe environmental hazards like flooding and related disease affecting Lagosians, no environmental impact assessment has been published for this project, as required by law.

While a coastal highway may have its merits, it is important to stand against the ills of leadership that these violations epitomize, which are of great detriment to our wider society.

I urge all Lagosians, and Nigerians generally, to demand accountability and ensure these dangerous actions are addressed under the law.

Funso Doherty

Lagos, Nigeria

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Tuesday, July 16, 2024

Statement on the Recent Judgment of the Supreme Court on Matters Relating to Local Government Autonomy.

The recent judgment of the Supreme Court on matters affecting the autonomy of LGAs has been welcomed in many quarters. At the same time, some have expressed concern about whether this an unwelcome and ominous incursion of FG influence into subnational matters, and a contravention of the Constitutional requirement for States to maintain the State Joint Account. Others question the motivation and timing of this move.

Fundamentally, there has been no change in the FAAC sharing formula. So if, as is expected, the judgment brings about a significant change in finances for many LGAs, it is only because over the years, they have been denied monies to which they are clearly entitled, under the provisions of this very same Constitution.

As a practical matter, though opinions on it may differ, this latest unanimous ruling by the Supreme Court must now be accepted by all, as the definitive interpretation of the provisions of the Constitution in resolution of this long-standing and vexatious matter.

In all this, what is of paramount importance, and what we should all be more concerned with, is the impact on governance and whether this development will bring material benefit to the people. Most citizens do not care so much whether the monies pass through and are expended by the state or local government or indeed the Federal Government. What the people need is good, competent and well-meaning governance that utilizes societal resources judiciously to improve lives.

No level of Government is immune from bad leadership, no matter how close to the people it may supposedly be. So, as we welcome this news, we must quickly caution the Local Government Councils that with greater authority and resources comes greater responsibility. From those to whom much has been given, much will be demanded.

Outside Government, the people, also have a responsibility. The unfortunate experience has been that Local Council elections are all but ignored by most registered voters. We should all now know that as Local Councils are elected going forward, the stakes have become so much higher. In just the first five months of 2024, FAAC Allocation for LGAs (which is to be disbursed directly to them going forward), amounted to a very significant N1.4 trillion compared with N2.0 trillion for the States and 1.9 trillion for the Federal Government.

I urge us all to remain ever vigilant as we elect those we entrust to manage public resources, whether at Federal, State or Local Government levels and resolve to hold them accountable, perhaps even more critically so, now.

Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, July 26, 2024

His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Mr. Governor,

OPEN LETTER ON POSSIBLE NATIONWIDE PROTESTS COMMENCING ON AUGUST 1, 2024

The animated conversation around the possibility of Nationwide Protests in the next few days is clear evidence of widespread discontent, borne out of the persistent and increasing hardship faced by most citizens. This cannot be wished away.

The right of citizens to protest is entirely legitimate, constitutionally guaranteed and must be protected. While it is true that well-meaning protests can be hijacked by some for nefarious purposes, this is a risk that exists anywhere in the world, including in the most developed nations.

In the past, I had cautioned that it is only a matter of time before Lagos State will be faced with another protest situation. I expressed the hope that in the intervening period, the State would have invested substantially in building the capacity for engagement and mitigation that would be needed for it to be more prepared for the next significant protest whenever it eventually came: Non-lethal crowd control equipment, protective equipment for security personnel, training in crowd engagement, operations, communications, ICT tools and equipment and so on.

Mr. Governor, the focus at this time should be on preparing to manage the situation that may unfold in our State in the next few days. This requires coordination with security agencies to develop a plan for engaging with protesters and deploying a well-resourced, multi-disciplinary, operations command center. The emphasis should be on de-escalation, while ensuring the right to protest is upheld, implementing firm but measured responses to deal with violent escalation and promptly addressing any casualties.

The current attempts to discourage the protest through moral suasion may ultimately fail, as there is a sense that leadership has, by its visible excesses, so undermined its own moral authority as to render such entreaties ineffective. On the other hand, threats and intimidation, including the recent hasty, curfew-like announcement that conveniently and disingenuously invokes community traditional beliefs like the Oro festival, (thereby demeaning them), may end up reinforcing the will of a people determined to make themselves heard through protest.

I use this medium to encourage us all, especially those in Lagos State that may choose to engage in the legitimate exercise of their constitutional right to peaceful protest, as well as security agency personnel, to remain law abiding and safety conscious.

Yours faithfully,

Funso Doherty

Funso Doherty
Lagos Nigeria

email: fd@funsodoherty.org

Monday, July 29, 2024

For Immediate Release

STATEMENT ON JOINING THE PEOPLE'S DEMOCRATIC PARTY (PDP) - IT IS TIME.

After extensive consultations, it is with humility and great expectations for Lagos State's future that I announce that I have joined the People's Democratic Party (PDP).

This phase of our journey stems from our belief that Lagos needs a strong, credible alternative to the exclusionary and extractive governance model that has dominated since 1999. Despite trillions of Naira spent over a generation, Lagos State still lacks fundamental services: public water supply, reliable and affordable power, quality public education and healthcare, mass housing, robust mass transit, and basic public law and order. The government's actions also have alarming implications for climate risks like flooding.

We believe it is time to present a united front against the current entitled, insensitive, and self-serving leadership that celebrates the unacceptable status quo. Our goal is to deliver effective, inclusive, and accountable governance for the people of Lagos.

With its national presence, institutional structure, and broad recognition, the PDP offers the best platform to challenge the status quo in Lagos State. With the right candidates, we can build a successful movement. This decision was made after extensive consultations and consideration of your views. I am deeply grateful to all who provided comments and advice.

We recognize the challenges ahead, including intra-party differences that must be navigated and managed. We are committed to working with others to bring solutions. Every party faces internal differences and challenges—this is the nature of political parties.

I invite you to join us in creating a new era of inclusive governance and broad-based, people-driven prosperity in Lagos State.

Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Monday, July 22, 2024

The State Chairman,
African Democratic Congress
Lagos State,
Nigeria

Dear Mr. Chairman,

RESIGNATION FROM AFRICAN DEMOCRATIC CONGRESS (ADC)

After wide consultation, reflection and careful consideration, I have reached the decision to leave the Party and hereby resign my membership.

This decision is in keeping with our assessment of what is needed at this time in the effort to bring positive change to the trajectory of governance in Lagos State and to substantially improve the lives of our people.

It has been an honor to serve alongside you and others as we worked towards our shared aspirations for Lagos State. Your support has been invaluable, and together, we have laid a strong foundation for the future.

In moving forward, I remain resolutely dedicated to our mission to improve governance and uplift the lives of our citizens which, I believe, will transcend party lines and political affiliations.

Warm regards,

Funso Doherty.

Funso Doherty
Lagos Nigeria

email: fd@funsodoherty.org

Saturday, August 3, 2024

For Immediate Release

STATEMENT ON PUBLICATION BY LAGOSPEDIA.

My attention is drawn to certain hateful, divisive and incendiary comments posted on Lagospedia, a handle on X (formerly twitter) that purports to "proclaim the virtues of Lagos". The statement alludes to upcoming protests seeking the withdrawal of Lagos residents that hail from South Eastern Nigeria back to that region.

While one is tempted to ignore such outlandish posts, it is important for Lagosians to speak up whenever such sentiments purporting to reflect their views are made by those who may have access to a public platform.

In that spirit, I join well-meaning Lagosians and Nigerians more generally to condemn this call in its entirety and assure all law-abiding Nigerians that, in our centuries-old tradition, Lagos will continue to treasure diversity and inclusion while always recognizing and protecting the unique place and status of our indigenous communities.

Funso Doherty

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Funso Doherty
Lagos Nigeria

email: fd@funsodoherty.org

Friday, August 30, 2024

For Immediate Release

STATEMENT ON FILING OF LEGAL ACTION ON THE LAGOS-CALABAR COASTAL ROAD PROJECT AT THE FEDERAL HIGH COURT.

Today, we filed the attached originating summons with the Federal High Court, officially commencing legal action against the Federal Government, the Bureau of Public Procurement, and HiTech Construction. This follows the pre-action notices we previously served, as required by law.

Our lawsuit challenges the awarding of the Lagos-Calabar Coastal Road contract and the initiation of construction, arguing that these actions violate the Public Procurement Act and the Environmental Impact Assessment Act.

We contend that the actions of the government ministries and agencies involved are unlawful and pose a significant risk to life and property in Lagos and beyond. Additionally, with this project's vast scope, these actions threaten our economic and political institutions and should not be left unchecked.

We are therefore petitioning the court to enforce adherence to the law in the awarding and execution of this critical project.

Funso Doherty

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

21 September 2024

His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Mr. Governor,

OPEN LETTER RE: ANNOUNCEMENT OF MOU AGREEMENT ON GREEN LINE RAIL

The recent announcement by the Lagos State Government (LASG) regarding the signing of a Memorandum of Understanding (MOU) for the proposed Green Line Rail transit to serve the Lekki-Epe axis has drawn widespread attention. According to the official press release, the "historic Memorandum of Understanding" provides that the Ministry of Finance Incorporated (MOFI) and China Harbour Engineering Company (CHEC) will "source the funding to design, finance, operate, and maintain the project," a 68km rail line expected to carry over 500,000 passengers daily upon launch.

This release raises some questions:

1. **Is the MOU binding or exploratory?** The definitive language used in the press release and the elaborate signing ceremony with large delegations on both sides suggest a binding commitment. If the MOU is merely exploratory and non-binding, the public may be misled by such fanfare.
2. **If the agreement is binding, through what process was CHEC selected as the vendor?** Transparency is essential, especially for a project of this scale. Were any other vendors given the opportunity to bid competitively for this service?
3. **What is the role of MOFI?** A clearer understanding of MOFI's role is necessary.
4. **How is LASG managing long-term risks, particularly with Federal Government involvement?** Considering the deep embedding of the Federal Government in a project that is vital to Lagos State, how does LASG plan to mitigate any future risks, especially beyond the current administration?

These are critical questions, particularly in light of LASG's track record with mass transit rail projects.

For instance, the 27km Blue Line Rail, initiated 13 years ago, is still incomplete, with only a 13km section operational. According to LAMATA data, over the past year, the Blue Line has served only 2 million passenger rides—an average of 5,500 rides per

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

day, or about 100 passengers per train trip with 54 trips per day. This is just 2% of the projected 250,000 daily passenger rides at the time of commissioning. To put this into perspective, the number of passenger rides served over the year could have been achieved by 10 buses, procured within weeks at a fraction of the capital and operating costs expended on the Blue Line.

Moreover, the Red Line Rail, which was "commissioned" in February this year, has still not commenced passenger operations, despite much anticipation.

Your Excellency, mass rail transit that operates effectively and at scale is critical for the future of Lagos State. We must learn from past missteps. Instead of making premature, grandiose announcements that raise expectations but deliver little, we should focus on well-planned projects with sound governance, accountability, and disciplined procurement processes. This will ensure that every naira spent delivers real value to Lagosians in a timely manner.

I trust that these considerations will be taken into account as we move forward with the Green Line Rail and other vital infrastructure projects.

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria

email: fd@funsodoherty.org

Monday, November 18, 2024

For Immediate Release

STATEMENT ON THE LEGAL ACTION CHALLENGING THE AWARD OF THE LAGOS-CALABAR HIGHWAY CONTRACT.

Today, the Lagos-Calabar Highway Project lawsuit will be heard at the Federal High Court. The case challenges the Federal Government's alleged violations of the Public Procurement Act and the Environmental Impact Assessment Act in awarding this MULTI-TRILLION Naira contract to Hitech Construction.

At its core, this suit is about ensuring public funds are spent transparently and lawfully, while safeguarding environmental standards. The outcome will set a precedent for how contracts are awarded and how leadership is held accountable.

All eyes on the judiciary this Monday November 18 2024. A fight for fairness, transparency, and justice.

Signed,



Funso Doherty

#Accountability #GoodGovernance

Funso Doherty
Lagos Nigeria

email: fd@funsodoherty.org

Wednesday, December 4, 2024

For Immediate Release

STATEMENT ON THE REPORTED DETENTION OF MR. DELE FAROTIMI.

I have read with concern, media reports of developments surrounding the detention of Mr Dele Farotimi, a prominent Lagos-based lawyer and social commentator.

It is alarming, if true, that a resident of Lagos State will be transported to another State to be detained and purportedly interrogated for alleged crimes perpetrated in Lagos.

I call on the Nigeria Police Force to promptly charge Mr Farotimi to a court of law or immediately release him, in keeping with the provisions of the law.

If any person has a civil complaint against Mr. Farotimi, such a person should seek legal redress.

The rule of law should be made to prevail in a fair, just and even-handed manner.

Funso Doherty

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

11 January 2025

His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Mr. Governor,

OPEN LETTER - RE: LAGOS STATE GOVERNMENT'S 2025 APPROVED BUDGET

Earlier this week, the Lagos State House of Assembly passed the 2025 Appropriation Bill, to which you have subsequently given assent.

I note that the executive had presented a budget of approximately N3.0 trillion to the House, which the House, opted to further increase to N3.37 trillion before passing. The approved budget represents a 49% increase over the 2024 budget of approximately N2.26 trillion and incorporates deficit financing of approximately N400bn.

This letter outlines some areas of concern arising from the State's approved budget.

1. **The Overall Budget Size is Unrealistic:**

   At 3.37 trillion, the overall 2025 budget is, in my opinion, unrealistic. This is not particularly surprising as there appears to be an established pattern of LASG's actual receipts and expenditures falling substantially short of the approved estimates in each of the last five years up to 2023, for which audited data is available. As at September, 2024, with only three months left to the end of the year, interim figures show that the State's actual receipts and expenditures were a far cry from the approved 2024 budget of N2.26 trillion, despite the elevated FAAC allocations during the year.

2. **Lagos State's Debt Has Risen Sharply and is mostly owed in foreign currency**

   Of greater concern is the fact that in the eighteen-month period between January 2023 and June 2024, Lagos State's reported total outstanding debts rose sharply (almost double) from approximately N1.4 trillion to approximately N2.69 trillion, an increase of N1.3 trillion in Naira terms. A key reason for this is the effect of LASG's decision over the years to borrow substantially in foreign currency and the depreciation that occurred in the Naira over the period.

   Foreign currency loans make up the majority of Lagos State's debts. As I have said in the past, and as this experience painfully shows, it is not good practice for a Sub-National Government with a predominantly local-currency

revenue base to undertake and maintain such significant borrowing in foreign currency as it exposes the State and its citizens to great currency risk. This is especially ill-advised in an economy like Nigeria's with its history of recurrent volatility in the value of the Naira.

3. Recent Developments heighten Uncertainty around The State's Financial Position

The recent judgment by the Supreme Court on the financial autonomy of Local Governments has significant implications for all State Governments including Lagos. As a result of the practical balance of power and control over disbursements that they wielded before the ruling, State Governments may have, in the past, tacitly considered the cash flow from LG allocations in their assessment of their overall financial and/or debt capacity and in their borrowing decisions. Any such assumptions may no longer be appropriate. Furthermore, even where LGs benefitted from the use of pre-existing debts contracted by the State Government, such debts remain the responsibility of the State Government. Going forward, it is the State Government's revenues, including its IGR and its share of FAAC revenues only (and not that of the LGs), that can be relied upon to support both spending and debt service. Any alternative or transitional arrangements in this regard will have to be negotiated with the local governments who, by virtue of the Supreme Court ruling, are not obliged to accommodate the State. It is also possible that as the trend towards autonomy that has now started gathers momentum, it may subsequently begin to impact not just statutory allocations, but also certain IGR sources hitherto collected and administered by State Governments, as LGs increasingly assert their claims on any IGR sources considered to be within their constitutional purview.

Separately, the recently proposed Tax Reform Bill that is presently being debated in the National Assembly may bring significant change to the revenues of the States including Lagos. Different States will be affected differently and while there is much on-going discussion around this, what is clear is that there will be intended and unintended short-term effects that could be positive or negative for each State based on their unique circumstance and based on the specific provisions that are eventually passed into law. As for longer-term consequences, these will only become evident with time.

4. There should be greater transparency around the budget process

The detailed breakdown of the 2025 budget is not in the public domain. You may recall that I had in the past questioned the inclusion in the 2023 budget breakdown, (when it was available long after passage of the budget) of a line item under the general expense category for "Special Duties Expenses" in the colossal amount of N212bn. Alarmingly, this recurred in 2024 and was

further increased to N249 bn. We await the breakdown of the 2025 budget to see if such undesirable trends persist. Citizens and other stakeholders deserve and would benefit from a detailed breakdown of the proposed budget while it is being debated in the legislature prior to signing it into law.

Imperatives

In view of the foregoing, I would advise as follows:

1. A cohesive, deliberate strategy and practical plans must be developed and implemented to address the State's relatively large exposure to foreign borrowings and currency risk

2. It should also be recognized that we may be witnessing a sea-change in the structure and delivery of sub-national governance between State and local governments as a result of the very consequential ruling by the Supreme Court, the full extent and impact of which are just now unfolding

3. In this regard, a budget such as the one approved, that envisages very aggressive spending at the State Government level, enabled by additional borrowing is not prudent and would be ill-advised at this time of heightened uncertainty and potential change

4. Consequently, any proposal to take on significant Additional debt at the State Government level should be approached with caution and preferably avoided for the time being. Non-debt financing of different forms should be explored through processes that are transparent, and these must always be subjected to due diligence and process.

5. The focus at this time should be on efficiency, transparency, reducing cost of governance, leakages, corruption and waste. We can do substantially more with less.

6. Finally, the prioritization of expenditure should be more people-oriented, as the key to our long-term development and prosperity lies in the people. Despite the long list of activities of Government enumerated in your 2025 and preceding budget speeches over the years, some shortcomings in certain basics that are central to human development continue to be glaringly evident. For example, in the first 9 months of 2024, spending on education and health were only about 7% and 6.5% of total expenditure respectively. In 2023, actual expenditure on these were of the order of 7-8%. These levels are grossly inadequate to deliver the human capital foundation upon which a broad-based prosperous society can be built. In particular, substantially more is needed in the area of primary education which, despite the alarming incidence of out-of-school children, and the well-known paramount importance of early childhood education, appears to be accorded

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

a low priority by the State in the allocation of expenditure. Technical education also needs substantially more focus and investment. We can point to similar shortcomings in terms of effectiveness and actual outcomes achieved in other basic, yet development-critical areas. Examples include provision and availability of potable public water across the state, as well as truly effective mass transit options on a large scale that can serve a large proportion of the city's teeming commuters and be a catalyst for decentralized development of mass affordable housing, industry, organized commerce and recreational activity in different areas across the state, to name a few.

Thank you for your attention,



Funso Doherty

CC: RT Hon. Mudashiru Obasa, Speaker, Lagos State House of Assembly.

Funso Doherty
Lagos Nigeria

email: fd@funsodoherty.org

7 February 2025

His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Mr. Governor,

OPEN LETTER - RE: TAX CLEARANCE REQUIREMENTS FOR FREE WAEC REGISTRATION FOR PUBLIC SCHOOLS STUDENTS

Recent reports indicate that the Lagos State Government (LASG) has stated that students enrolled in state-run public secondary schools will only be entitled to free WAEC registration if they can provide the tax clearance certificates of their parents or guardians.

While I fully support legitimately enforcing tax compliance, this particular policy raises serious concerns. Education is a fundamental right, and access to essential examinations like WAEC should not be conditional on the financial status or tax documentation of a child's parents or guardians. This approach risks penalizing students for circumstances beyond their control, potentially shutting the door to opportunities that could transform their lives.

As I have consistently advocated, Lagos should provide truly free formal, technical, and vocational education for all children in public schools up to the senior secondary certificate level, with the only exception being those who can and voluntarily choose to pay. This is not just a progressive policy; it is a necessary investment in the future prosperity, security, and stability of our state. LASG itself communicates that it has a policy of free education up to Secondary School Level. Even the Federal Government has announced its intention to redefine basic education as 12 years of primary and secondary education combined.

The requirement of tax clearance for WAEC registration appears to be a case of being penny wise and pound foolish. In the long run, denying students who cannot pay, access to WAEC registration will have far greater economic and social costs. While ensuring tax compliance is important, it should be pursued separately from education policy, ensuring that no child's future is held hostage to revenue collection.

This policy is unjust and misdirected. At a time when Lagos should be strengthening its commitment to inclusive policies that will drive broad-based development, this move risks deepening inequality and pushing the most vulnerable students further behind. I strongly urge the government to reconsider and uphold the principle that every child, regardless of background, has unimpeded and full access to senior secondary education including WAEC examination. It is also in our collective mutual interest to do so.

Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Monday, March 3, 2025
For Immediate Release:

Statement on the Recent Leadership Crisis in the Lagos State House of Assembly

Fellow Lagosians,

We all witnessed the unfortunate developments surrounding the leadership of the Lagos State House of Assembly. While the issues at play may have appeared complex, in a well functioning government they would have been straightforward. I wish to use this medium to address four key groups.

To the Members of the Lagos State House of Assembly:

You are each elected to represent the voice of the people of Lagos in government. By the office you occupy, Lagosians clothed you with the authority and charged you with the responsibility to represent their interests with integrity and courage. Your collective and decisive action to remove Rt. Hon. Mudashiru Obasa and appoint Hon. Mojisola Meranda as Speaker therefore represented the voice of the people on this matter.

The recent dramatic reversal of that decision under pressure from the APC leadership will not go unnoticed. It stands as a betrayal of the trust reposed in you by the electorate and a submission to vested interests over the democratic will of the people. In not remaining steadfast, you have failed in your primary duty of representation.

To Honorable Mojisola Meranda:

Your mandate was clear. Your peers chose you, by a margin well beyond the constitutional requirement to lead as the first female Speaker of the Lagos State House of Assembly. This was not just about a political appointment; it was a defining moment of historical significance and a test of democratic integrity and representation.

For the sake of democracy, for the people of Lagos, and for women everywhere, you should have stood firm. Lagosians stood with you. Sadly, painfully and regrettably you chose to resign.

To the APC Leadership and its unelected GAC

You insisted on opposing the democratic will of the people by opposing the decisions of their elected representatives, and there will be consequences.

email: fd@funsodoherty.org

Democracy is not a tool for the benefit of a few or for personal convenience, it belongs to the people. Those who undermine it should know that they will reckon with the verdict of history. Truly, Aja to ma sonu, ko ni gbo fere ode. (A hunting dog destined to be lost will not heed the hunter's whistle.)

To My Fellow Lagosians:

We have just witnessed dysfunctional government in action. Moments like these remind us why we must never be bystanders in elections or the governance process. We must remain vigilant and intentional in electing strong leaders who will truly serve our collective interests in good faith and not operate as agents of others.

This crisis may pass, but it must not be in vain. Let us take its lessons to heart and ensure we do not repeat its mistakes.

Funso Doherty

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Funso Doherty
Lagos Nigeria

Address: 3rd Floor, Block 10, Plots2 & 3
Admiralty way Lekki 1, Lagos, Nigeria. 105102
email: fd@funsodoherty.org
Phone Number: +234-12791700

Wednesday, March 19, 2025

RT. Honorable Tajudeen Abbas
Speaker of the House of Assembly
House Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Dear Mr. Speaker,

DECLARATION OF STATE OF EMERGENCY AND PROPOSED SUSPENSION OF GOVERNOR, DEPUTY GOVERNOR AND LAWMAKERS IN RIVERS STATE

I write in reference to yesterday's declaration on the above subject by His Excellency, the President.

We are all aware that the President has the power to declare a state of emergency, subject to concurring authorization by the National Assembly that must be obtained within a defined timeframe to remain valid.

I encourage you to carefully consider whether the need exists for a state of emergency in this case and, if so, which measures may be validly and appropriately introduced in furtherance thereof. In this regard however, it should be well noted that a number of legal authorities as well as the Nigerian Bar Association have counseled that nothing in the constitutional provisions empowers the President or the Federal Government to suspend the Government of a State within the Federal Republic that was duly elected by its people.

In my view, this is the same spirit that lies behind the idea, recently reinforced by a ruling of the Supreme Court, that a State Government cannot unilaterally remove an elected local government.

Accordingly, this element of the President's declaration must be unequivocally rejected by the National Assembly as, in my opinion, it is extreme, uncalled for in the circumstances and a violation of our federating principles as envisaged in the constitution, most notably regarding the separation of powers.

Thank you.



Funso Doherty

Funso Doherty
Lagos Nigeria

Address: 3rd Floor, Block 10, Plots2 &3
Admiralty way Lekki 1, Lagos, Nigeria. 105102
email: fd@funsodoherty.org
Phone Number: +234-12791700

Wednesday, March 19, 2025

Distinguished Senator Godswill Akpabio
President of the Senate
Senate Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Dear Mr. President,

DECLARATION OF STATE OF EMERGENCY AND PROPOSED SUSPENSION OF GOVERNOR, DEPUTY GOVERNOR AND LAWMAKERS IN RIVERS STATE

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Accordingly, this element of the President's declaration must be unequivocally rejected by the National Assembly as, in my opinion, it is extreme, uncalled for in the circumstances and a violation of our federating principles as envisaged in the constitution, most notably regarding the separation of powers.

Thank you.



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Tuesday, March 25, 2025

For Immediate Release:

MESSAGE TO LAGOSIANS ON THE FEDERAL GOVERNMENT'S ACTIONS IN RIVERS STATE

Fellow Lagosians,

We have all witnessed the Federal Government's approach to the situation in Rivers State, an approach that disregarded widespread counsel, including my own advice to the National Assembly.

Commendably, several PDP governors are taking a stand, by filing a lawsuit at the Supreme Court to challenge this blatant overreach, which threatens the very foundation of our democracy and the separation of powers.

By its actions, the Federal Government is attempting to suspend an elected state government under the guise of a state of emergency. Even more concerning is the reliance on voice votes in both chambers of the National Assembly in a futile attempt to legitimize an act that many, including the Nigerian Bar Association, view as unconstitutional.

If such flawed and dangerous precedents are allowed to stand, no state will be safe from similar federal overreach in the future. The erosion of democratic principles anywhere is a threat to democracy everywhere.

As the Yoruba adage says: Nkan ti o da, ko da. Ko loruko meji. That which is wrong is wrong, by any name, under any pretense. Lagos State, given its significance, ought to be at the forefront of resisting such actions, regardless of the motivations behind them.

I commend the governors who are challenging this legally and the citizens who are raising their voices. This moment underscores an essential truth: democracy demands vigilance. It is not just a privilege to speak up; it is a responsibility. The stakes are high, and the consequences far-reaching.

Funso Doherty

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

3 April 2025

His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Mr. Governor,

Extreme Hardship Endured by Lagosians Due to Poor and Insensitive Planning of Road Construction Works

Many of us witnessed the severe hardship experienced by Lagos residents following the closure of the Independence Bridge and the commencement of road works. As you may be aware, countless Lagosians who left work at the close of business yesterday only arrived home in the early hours of this morning, having endured excruciating hours in gridlock.

This incident is yet another reflection of the inadequate consideration given to commuter welfare when planning and executing road construction projects. For too long, Lagosians have suffered in silence, bearing the brunt of poorly coordinated infrastructure works that disrupt daily life, hurt productivity, and diminish overall well-being. While such inconveniences are often overlooked or underreported, yesterday's events were so severe, widespread, and disruptive that they could not be ignored.

Beyond the immediate suffering, the broader implications of such occurrences are significant; ranging from economic and productivity losses to heightened security risks, environmental concerns, and serious health consequences.

Recent experiences, including the implementation of the Lagos-Calabar Coastal Road project, suggest a worrying pattern in which the Lagos State Government appears either unable or unwilling to proactively assert its authority in safeguarding the interests of its residents when Federal Government initiatives are undertaken in the state. Even when projects may offer long-term benefits, their execution must be carefully planned to prevent avoidable suffering.

This situation is compounded by the ongoing leadership crisis in the Lagos State House of Assembly, which has rendered the Assembly inactive for weeks. The absence of legislative oversight and representation deprives Lagosians of a critical channel through which their concerns should be addressed.

I urge your administration to:

1. Conduct an immediate and thorough investigation into the causes of yesterday's debacle to ensure accountability and prevent future occurrences. If negligence or incompetence is found, those responsible must face appropriate consequences.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

2. Ensure that robust impact assessments are mandatory for road construction projects, ensuring that alternative routes, adequate public communication, and effective mitigation plans are in place before any major road closures.
3. Always ensure the Lagos State Government exercises its authority and fulfills its obligation to expressly consider and protect the interests of Lagosians when collaborating with Federal agencies on projects within the State.

Lagosians deserve better. Governance must prioritize the welfare of the people, and it is imperative that lessons are learned from yesterday's ordeal.

Thank you for your attention.



Funso Doherty

Cc: Speaker, Lagos State House of Assembly

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Sunday, April 6, 2025
For Immediate Release:

Urgent Call for Independent Structural Assessment of Eko Bridge

The Hon. Minister of Works announced yesterday that a dredging vessel collided with one of the support piles of the Eko Bridge, causing serious damage. The impact was significant enough to result in the sinking of the dredging vessel.

Despite acknowledging the severity of the situation, the Minister also stated that the bridge remains safe for use while repairs are assessed and carried out. This contradictory messaging raises concerns, especially in light of recent experiences.

Just days ago, the Independence Bridge was closed by the Federal Ministry of Works for emergency works. The repairs were said to be necessary and expected to last several weeks. However, following intense public backlash over the disruption caused, the same Ministry reversed its position within 48 hours, claiming in its press statement that the Minister of Works has "fixed the failed section of Independence bridge, Lagos, which was closed for repairs on 2nd April 2025".

These recent developments raise serious questions about consistency, technical rigor, and public accountability in the operations of the Federal Ministry of Works under current leadership.

In light of this, permitting continued traffic on the affected section of the Eko Bridge should be based on a preliminary expert assessment affirming the bridge's safety for that purpose. In addition the Lagos State Government should immediately commission an independent expert structural assessment to determine the current actual state of the bridge in light of the collision, the necessity or otherwise of any traffic restrictions, and the appropriate short- and long-term safety measures.

Beyond this immediate concern, there are long-standing issues regarding allegedly widespread illegal dredging activity. These need to be addressed decisively to prevent future incidents.

Finally, the prolonged silence and inactivity of the Lagos State House of Assembly, while always problematic, is particularly glaring and potentially dangerous at a time like this, when it should be most active in oversight and advocacy on behalf of the people.

Funso Doherty

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

26 April 2025

His Excellency, Babajide Sanwoolu
Governor, Lagos State,
Secretariat,
Alausa, Lagos

Dear Mr. Governor,

OPEN LETTER RE: 54.3% WASSCE FAILURE RATE IN LAGOS STATE PUBLIC SCHOOLS.

I write in reference to the submission made by the Hon. Commissioner for Basic and Secondary Education at this week's Ministerial Press Briefing, in which he reportedly revealed that over 31,000 out of 58,188 students in Lagos State public schools who registered and sat for the 2024 WASSCE failed the examination, an alarming 54.3% failure rate.

This figure is deeply troubling. In a state with a predominantly youthful population, it serves as a harsh indictment of governance outcomes over the past 26 years, spanning the current and previous administrations since 1999. It reflects a disconnect between the priorities of government and the pressing needs of the less-privileged majority.

More critically, it signals a failure of leadership to safeguard the future of the most vulnerable. Our state's long-term development depends on the strength of its education system. With outcomes like this, that future is at serious risk.

It is especially concerning when juxtaposed with the frequently celebrated growth in the state's internally generated revenue, largely powered by taxes paid by the same people now let down by the system. Governance must be measured not just by revenue growth but by how those resources improve lives.

In light of this crisis, I reiterate the following urgent calls for action:

1. Double the budgetary allocation to education from the current 7% to at least 14% within the next two to three years. Make education genuinely free up to secondary level by removing hidden barriers.
2. Prioritize foundational learning by expanding investments in primary education, which is critical to long-term academic outcomes.
3. Scale up technical education opportunities to equip students with practical skills for the workforce.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

4. Improve teacher quality and availability through better hiring practices, competitive remuneration, and consistent monitoring and evaluation.
5. Introduce standardized testing at various stages to track learning progress and benchmark against global standards.
6. Provide free, safe, and accessible transportation for all students in uniform up to secondary school level.
7. Develop a concrete strategy to reduce the number of out-of-school children and integrate them into the system.
8. Introduce tracking mechanisms to periodically measure the effects of these reforms.

Let us be clear: though long in the making, this is an emergency. If we fail to address it, the long-term social and developmental consequences will be severe and far-reaching. We must act now.

Thank you for your attention.

Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, May 16, 2025
For Immediate Release:

STATEMENT ON THE 2025 UTME CRISIS

I write to you today with a heavy heart and a deep sense of concern over the profound systemic failures surrounding this year's Unified Tertiary Matriculation Examination (UTME). We extend our sincerest condolences to the family of one of our own, Faith Opesusi Timileyin – a young resident of Ikorodu, Lagos, full of promise, whose tragic passing has left her family, our community and the nation mourning. Her death, which is believed to be related to despair over her incorrectly reported UTME score, is a devastating reminder of the human cost when systems meant to uplift instead betray us.

For many young Nigerians, the UTME marks a first, high-stakes encounter with our nation's public institutions. It is a rite of passage that should be challenging, yes, but that should also be fair and transparent. Yet, year after year, it too often becomes a source of avoidable trauma. Last-minute technical glitches, scheduling chaos, and poorly managed logistics undermine students' confidence even before the exam begins. If flawed results follow, the emotional toll can be immense. Some students will be unjustly forced to sit out the subsequent year, left behind as their peers advance, while they carry an unwarranted burden of shame and frustration.

In the midst of all these I must acknowledge and commend Professor Is-haq Oloyede for his rare and commendable act of admission and accountability, an uncommon gesture in a nation where accepting responsibility is often avoided or deflected. I also acknowledge the important and sometimes thankless reforms JAMB has pursued under his leadership. But acknowledgment is only the beginning. Real accountability must be measured not in words but in action, especially when a young life has been lost and tens of thousands of others have suffered avoidable harm.

Now, with less than 48 hours' notice, nearly 380,000 affected students – 54 percent of them in Lagos – have been asked to resit the exam starting today at 6:30 a.m. This abrupt timeline has robbed them of a chance to recover, regroup, or prepare, compounding an already traumatic ordeal. Some early reports of persistent technical issues this morning can only deepen the trauma for students and their families, many of whom had to drop everything and scramble at the last minute. For students who already feel marginalized by a broken system, these logistical errors inflict real emotional pain on a deeply personal level.

We must do better. And we can.

I therefore call on JAMB and the Ministry of Education to take the following immediate steps:

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

I. Extend the Resit Window. Future resit arrangements must be announced with at least two weeks' notice, giving students adequate time to recover emotionally, and approach the exam with clarity and rebuilt confidence.

II. Provide Counselling Support. Partner with trained professionals to deliver free, accessible counselling to all affected candidates where indicated or requested

III. Understand root causes and Strengthen technical, procedural and Risk-Management Protocols including vendor risk management. Commission independent technical. infrastructure and process audits and publish the findings. Implement comprehensive remedial measures to prevent future failures.

IV. Engage Stakeholders. Convene a national roundtable including student input, parent-teacher associations, civil-society organizations, and technical experts to design a more resilient, transparent, and student-centered examination system.

To every affected student: I see you. I see your courage, your grit, and your perseverance. This moment does not define your future. Nigeria may have failed you today, but resilience and resolve will enable a better tomorrow.

To every parent: your advocacy matters. Your voice matters. Keep holding our institutions accountable.

And to our leaders and institutions: true leadership is not about being infallible. It is about being responsive, empathetic, committed to the people you serve, to learning and to continous improvement.

Finally, and most importantly, I urge you to keep Faith Opesusi's family and loved ones in your thoughts and prayers—may her soul rest in peace

Let this crisis be more than a moment of regret. Let it be a turning point. One where accountability meets compassion. Where leadership capacity meets service responsibility. And where our national exams finally become what they were always meant to be: a fair and trustworthy bridge to opportunity for all.

Together, let us ensure that our young people experience these early interactions with the Nigerian state not with foreboding, as painful ordeals, but eagerly, as exciting thresholds of hope and promise.

Funso Doherty.

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

23 May 2025

Rt. Hon. Mudashiru Obasa
The Speaker,
Lagos State House of Assembly ,
Alausa, Lagos

Dear Mr. Speaker,

OPEN LETTER - RE: LOCAL GOVERNMENT ELECTIONS IN LAGOS STATE SCHEDULED FOR JULY 2025

I write to you regarding the forthcoming Local Government elections in Lagos State, currently scheduled for July 2025.

Alongside a number of concerned stakeholders, we in the Lagos State chapter of the People's Democratic Party (PDP) challenge and do not concede the constitutionality of conducting elections into 57 Local Government constituencies as presently proposed by the Lagos State Independent Electoral Commission (LASIEC), instead of the 20 constitutionally recognized Local Government Areas (LGAs).

Nonetheless, and without prejudice to our legal reservations, we in the PDP have resolved to participate in the upcoming elections.

This decision, which may appear contradictory at first glance, is informed by our deep commitment to the democratic rights of Lagosians. We believe that the people of Lagos must be given the opportunity to choose their representatives and be offered viable alternatives to the ruling All Progressives Congress (APC). Our participation reflects our enduring belief in the importance of democratic choice, regardless of the imperfections of the process administered by LASIEC.

However, we must also draw urgent attention to the questionable legality and potentially adverse consequences of the APC-led government's actions in proceeding with these elections on the basis of 57 LGs and LCDAs. This is particularly concerning in the context of the Supreme Court's recent landmark ruling affirming the autonomy of Local Governments and mandating direct allocations from the Federation Account.

In our view, LASIEC's current approach undermines this directive. Conducting elections in the 57 inchoate LGs and LCDAs rather than the 20 constitutionally recognized LGAs complicates the legal and financial status of local governance in

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Lagos State and may, in effect, prevent LGs from accessing direct funding from the Federation Account. Until the process of creating additional LGs, which commenced over two decades ago, is concluded through constitutional means, any LG elections conducted on a basis other than the 20 established LGAs will continue to obstruct the realization of true financial and administrative autonomy at the local level.

We therefore call upon the Lagos State House of Assembly to urgently intervene in this matter in the interest of justice, transparency, and good governance. The House's position and subsequent actions should be made public to ensure Lagosians are fully informed and appropriately guided

Yours faithfully,

Funso Doherty

cc: His Excellency, Babajide Sanwo-Olu, Governor of Lagos State.

Mr. Lawal Pedro SAN, Hon Attorney-General and Commissioner for Justice, Lagos State

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Saturday, July 5, 2025
For Immediate Release:

STATEMENT: UPDATE ON LEGAL ACTION CHALLENGING THE PROCESS OF AWARDING THE LAGOS-CALABAR COASTAL ROAD CONTRACT

You may recall that I instituted a legal action at the Federal High Court challenging the alleged irregularities surrounding the award of the Lagos-Calabar Coastal Road contract particularly in relation to the contract award process and the environmental impact assessment.

In a previous update, I informed you that the Federal High Court ruled against us, striking out the suit on the grounds that I, as the petitioner, lacked locus standi to bring the matter before the court. Consequently, the court did not address the substantive issues raised in the case.

After careful review, we respectfully disagree with the ruling. We have therefore filed a notice of appeal at the Federal Court of Appeal, where the matter is now being pursued further.

We remain steadfast in our commitment to challenge what we believe to be clear violations associated with this immense public contract. Our goal is to deter impunity and reinforce accountability in the award and execution of public projects, as well as in the broader management of public funds.

Funso Doherty.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Saturday, October 4, 2025

For Immediate Release:

STATEMENT ON THE RECENT COMMENTS BY THE CHAIRMAN OF THE LAGOS STATE CHAPTER OF THE NURTW

The recent comments attributed to the Chairman of the Lagos State Chapter of the National Union of Road Transport Workers (NURTW) have, quite rightly, been perceived by many as a disturbing, yet all-too-familiar attempt to intimidate, coerce, and undermine the free electoral will of Lagosians.

The Chairman's post-DSS explanation — that he was merely speaking to his union members about union affairs is wholly unconvincing. Even if that were the case, there is absolutely no justification for using threatening or coercive language in relation to any citizen's right to vote, let alone towards union members whose rights and welfare he is duty-bound to protect.

Viewed in the context of the NURTW's troubling history of political involvement and violent episodes in Lagos, these comments are not only reckless they are dangerous.

The Lagos State Government's silence in the wake of these remarks is deafening, though unsurprising. It is important to recall that this same NURTW is involved in the distribution of sensitive election materials and personnel across the state, by INEC and LASIEC, a reality that makes these threats all the more unacceptable.

This episode reflects a troubling pattern of behaviour long associated with the Lagos NURTW leadership and its proximity to the ruling establishment in Lagos. But as their threats grow louder, their influence continues to diminish in the face of the growing, resolute will of the people.

To individuals like Sego, I offer this advice: spend more time listening to the people including your own members and less time trying to intimidate them. The majority of NURTW members, like most Lagosians, are economically marginalized and disproportionately bear the burden of poor governance, while the benefits are reserved for a select few, including leaders like yourself.

It is also worth remembering that the NURTW is but one of many affiliate unions in Nigeria's organized labour landscape.

I will also say: "Awon omo yin o sise ni 2023. Won fi ti omo j'ise eru ti e ran won ni." What you referred to as a "mistake" in 2023 was, in fact, a conscious, growing expression of collective dissatisfaction - a signal of the future, not a misstep.

Be prepared, because what was once a rumble is fast becoming a roar.

Funso Doherty

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

15 October 2025

Engr. Dave Umahi
The Honorable Minister
Federal Ministry of Works and Housing ,
Mabushi, Abuja,
Nigeria

Dear Hon. Minister,

OPEN LETTER RE: LAGOS–CALABAR COASTAL ROAD CONTRACT

I have followed with keen interest the recent debates surrounding the cost per kilometer of the Lagos–Calabar Coastal Road Project, in which you have been a central participant.

In this regard, I listened carefully to your recent interview, in which you analyzed the cost of ₦1.067 trillion for the contract awarded for the first section (47.474 km) of the road, with the aim of providing a figure for cost per kilometer.

In simple terms, the import of your explanation was as follows:

1. Section 1 of the Coastal Road comprises three lanes in each direction, totaling six lanes in all. The contract sum of ₦1.067 trillion for 47.474 km translates directly to approximately ₦22.5 billion per kilometer for this section.
2. You went further to contrast this six-lane Coastal Road with a "standard" federal highway, which you defined as a road with only one lane in each direction, totaling two lanes in all.
3. Your contention is that the actual cost of ₦22.5 billion per kilometer being borne by the taxpayer for Section 1 of the Coastal Road is equivalent to ₦7.5 billion per kilometer for a "standard" two-lane road.
4. This is how you arrived at the figure of ₦7.5 billion that you emphasized as the cost per kilometer in your analysis.
5. In addition, you indicated that the contract includes streetlights and shoreline protection works.

The foregoing notwithstanding, the fact remains that the actual contract cost per kilometer of Section 1 of the Coastal Road, is ₦22.5 billion per kilometer.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

DUE PROCESS CONSIDERATIONS

As you are aware, I instituted legal action in the Federal High Court alleging failure to follow due process and extant law in the procurement of this very large contract. That matter is currently before the Federal Court of Appeal.

During the proceedings at the Federal High Court, we requested and obtained documents relating to the procurement of this contract from the Bureau of Public Procurement (BPP). Attached is a certified true copy of extracts from the due process report, including the contract cost breakdown, as provided to my lawyers by the BPP.

This being a public document and a matter of public record, I am, by means of this open letter, also making it available to the public. It should be noted that Sections 3.7, 4, and 5 of the report dealing with Appropriation, the Due Process Compliance Test, and the Report Conclusion were not included in the document provided by the BPP.

KEY ISSUES ARISING

1. At the time the contract was awarded, and in subsequent statements you made, you were quoted as saying that the contract was for a 10-lane highway partly in an attempt to justify the cost. The number of lanes is now known to have been reduced to six, yet there is no evidence that the contract sum was adjusted accordingly, particularly for Section 1. Indeed, you still referred to the same contract sum of ₦1.067 trillion in your recent explanations.

2. While streetlights are included in the contract, the amount involved is relatively small representing only about 3% of the total contract sum. There is also no evidence from the documents and project description that shoreline protection is part of this contract.

3. Critically, a competitive procurement process was not employed for this contract as the President is said to have approved Direct (Single Source) Procurement in favour of Hi-Tech Construction. Moreover, no engineering designs, feasibility studies, Environmental Impact Assessment (EIA), and tender evaluation reports were either provided to, or reviewed by the BPP in its due process review. Had these been done, most of these questions would not arise, as that process would have provided a safe harbour for the Federal Ministry of Works as the procuring entity, and reassurance for taxpayers especially for a project of this size and cost.

4. There are also several questions regarding the Environmental Impact Assessment (EIA) of this project. The contract with Hi-Tech includes the cost of the EIA as part of the contract. It is not good practice for the project contractor to be paid to procure the EIA; this should be contracted separately by the Ministry with an independent, unbiased firm.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

5. The law also requires that the EIA be completed and published for public comments before commencement of construction. It is part of the project preparation phase. In this case, the EIA was conducted and certification granted by the Ministry in November 2024, when construction was already at an advanced stage long after project execution began in March 2024. This is both unimaginable and dangerous in a state with the environmental and flooding vulnerabilities of Lagos.

6. These shortcomings significantly undermine the credibility of the EIA study.

While acknowledging that the Coastal Road offers the potential for significant economic benefits, its size, scale, cost, and environmental implications call for a very high degree of diligence, accountability, and transparency—to safeguard the public interest and ensure value for money.

I believe this is what Nigerians instinctively understand, and what the recent public debates reflect. It is also what my ongoing legal action seeks to reinforce.

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Address: 3rd Floor, Block 10, Plots2 &3
Admiralty way Lekki 1, Lagos, Nigeria.
105102
email: fd@funsodoherty.org
Phone Number: +234-12791700

Friday, October 31, 2025

Distinguished Senator Godswill Akpabio
President of the Senate
Senate Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Dear Mr. President,

OPEN LETTER RE: INTRODUCTION OF IMPORT DUTY ON PETROL

It is widely reported in the press that the President has approved the imposition of a 15% import duty on PMS to be implemented with immediate effect.

It is further reported that the approval followed a proposal to that effect by the Executive Chairman of the FIRS (Now NRS). The proposal states that it is not driven by revenue considerations for the government, but rather aims to support local producers by enabling them to achieve cost recovery.

The tariff is expected to add approximately N100 to the pump price of PMS in the first instance and this could be subject to upward review.

ISSUES ARISING

Pricing policies relating to petrol have far-reaching implications for Nigerians, with a pervasive impact on cost of living across different categories of basic expenditure for citizens, most of whom are already severely stretched financially. Accordingly, I would hereby like to raise a number of issues arising from the imposition of this import duty for the attention of the National Assembly:

1. Instituting this import duty is a very fundamental and ill-timed policy change. It comes on the heels of the removal of the dual subsidies on PMS and Foreign Exchange, which resulted in a five-fold increase in PMS prices in two years. This further price shock is a first step into a petrol price tariff regime at a time when the people can least afford it.

2. Import duties are trade related customs and excise policies, the development of which is clearly outside the scope of the Revenue Service's mandate. It is therefore not clear why this proposal is being originated by the NRS in the first place.

3. The originator seeks to justify the proposal on the basis of the downstream oil industry's dynamics and the need to encourage and support investment in this area of the oil and gas industry. These are matters that fall under the remit of the NMDPRA as regulator of the industry in question and the Federal Ministry of Trade and Investment. It is these agencies that should consider, and if convinced, propose and justify any request for import duties upon request by the local producers. It is not even evident in this case that the operators in question have been agitating for the institution of import duties.

4. The proposal retains import parity as the primary pricing mechanism while at the same time providing for "cost recovery" tariffs to benefit the producers when prices are low. It should be noted that there is limited transparency around what the "costs" are that are being recovered and why this should be the responsibility of consumers. This arrangement enables producers to have it both ways, transferring all the risks to consumers, insulating the producers from price declines due to competition, while allowing them to retain their ability to pass on higher prices to consumers.

5. It should also be noted that there is already substantial fiscal support being given by the Government and by extension, the Nigerian people. Dangote refinery, the largest domestic producer by far, is in an Export Processing Zone and already benefits from substantial tax waivers and other incentives.

CONCLUSION AND RECOMMENDATIONS

Given the foregoing, and in recognition of your responsibilities for oversight and civic representation, I hereby call for the National Assembly to undertake an investigation into the circumstances and process surrounding introduction of the import duty. In doing so, you may wish to invite the NMDPRA, The Federal Ministry of Trade and Investment as well as Industry Operators to understand whether imposing this additional burden on Nigerians at this inauspicious time is indeed justified, as well as the propriety of the process by which it was introduced. I will further recommend that the proceedings be transparent and, as far possible, open to the press to ensure that the public is kept informed.

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Address: 3rd Floor, Block 10, Plots2 &3
Admiralty way Lekki 1, Lagos, Nigeria.
105102
email: fd@funsodoherty.org
Phone Number: +234-12791700

Friday, October 31, 2025

OFFICE OF THE PRESIDENT OF THE SENATE
RECEIVED
31 OCT 2025
Sign.....
NATIONAL ASSEMBLY, ABUJA

Distinguished Senator Godswill Akpabio
President of the Senate
Senate Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Dear Mr. President,

OPEN LETTER RE: INTRODUCTION OF IMPORT DUTY ON PETROL

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It is further reported that the approval followed a proposal to that effect by the Executive Chairman of the FIRS (Now NRS). The proposal states that it is not driven by revenue considerations for the government, but rather aims to support local producers by enabling them to achieve cost recovery.

The tariff is expected to add approximately N100 to the pump price of PMS in the first instance and this could be subject to upward review.

ISSUES ARISING

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2. Import duties are trade related customs and excise policies, the development of which is clearly outside the scope of the Revenue Service's mandate. It is therefore not clear why this proposal is being originated by the NRS in the first place.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Address: 3rd Floor, Block 10, Plots2 &3
Admiralty way Lekki 1, Lagos, Nigeria.
105102
email: fd@funsodoherty.org
Phone Number: +234-12791700

Friday, October 31, 2025

RT. Honorable Tajudeen Abbas
Speaker of the House of Representatives
House Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

OFFICE OF THE SPEAKER
NATIONAL ASSEMBLY ABUJA
RECEIVED
Sign.....

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ISSUES ARISING

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Address: 3rd Floor, Block 10, Plots2 &3
Admiralty way Lekki 1, Lagos, Nigeria.
105102
email: fd@funsodoherty.org
Phone Number: +234-12791700

Monday, November 24, 2025

RT. Honorable Tajudeen Abbas
Speaker of the House of Representatives
House Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Dear Mr. Speaker,

OPEN LETTER - RE: REITERATING THE CASE FOR STATE POLICING

You may recall in 2024, during the constitutional review process, I made the case to the National Assembly that introducing State Policing is a necessary constitutional reform (*see relevant extract of that submission attached as Annexure A*). The core arguments I presented then remain unchanged today; but what has changed is the degree of urgency.

Nigeria is experiencing a persistent and now surging wave of insecurity that has become a way of life for many across vast areas of the country. The near-constant stream of tragic reports is reminiscent of historical accounts, dating back millennia, of attacks that forced vulnerable communities to build fortified city walls – ancient examples of which still remain, in part, in places like Kano.

Yet this is modern-day Nigeria in 2025, sixty-five years after independence and one hundred and ten years after amalgamation.

Mr. Speaker:

1. Our constitution defines welfare and security as the primary purpose of Govenrment, neither of which are being well served presently.
2. Government, in our federation, exists in three tiers, Federal, State and Local. Accordingly, the resources and revenues of the federation accrue and are shared to the different tiers of government.
3. By retaining policing and related security on the exclusive list, and providing for one Federal police force to the exclusion of other tiers, the Federal Government is assuming responsibility for policing the entire nation. This is a task that it clearly and increasingly lacks the resources and capacity to undertake effectively, as is evident from the events of the past decade.

4. The current situation has been long and widely acknowledged as untenable and now appears to be experiencing a calamitous deterioration. There are many apparently ungoverned spaces and vulnerable populations facing armed criminals, bandits and terrorist groups. Taken together with porous shared national borders with nations infiltrated by arms, ammunition and insurgent groups, the current insecurity is, in many ways, almost inevitable.

5. Widespread poverty, exacerbated by weak and self-serving internal governance has provided a fertile breeding ground for the growing insecurity.

6. The military has been unfairly saddled with the Herculean, near-impossible task of dealing with this unfortunate situation. Though valiant in their efforts, they also lack the resources and capacity to deal with such a widespread, disparate and increasingly pervasive problem that is rooted in governance failures.

7. We are all witnesses to the international attention that this unchecked situation is now drawing. Foreign involvement, though sometimes helpful in bringing short term crises under control, often comes with long term complications and is never ideal.

Mr. Speaker, It is important to recognize that these terrorist activities will continue to spread and even urban centers like Lagos will continue to experience increased fall out from insecurity if we persist with a centralized policing system that clearly does not work. Communities deserve the right to participate meaningfully in policing and to defend themselves through legitimate, well-equipped and accountable local security structures.

The time for legislation to enable State and Community Policing is NOW. This should be pursued with a single-minded focus and unprecedented urgency. The National Assembly under your leadership must seize this unfortunate but defining opportunity to deal with the rapidly metastasizing cancer of insecurity that produces unimaginable human death and suffering.

Should you fail to rise to the demands of this moment, people in communities across the country may as well revert to the practice of building physical town walls and gates to protect themselves, though it is doubtful that such efforts will be as effective today as they were in millennia past.

Yours faithfully,



Funso Doherty.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Wednesday, November 26, 2025

For Immediate Release:

STATEMENT ON THE LIKELY POLITICISATION OF THE FEDERAL GOVERNMENT'S WARD DEVELOPMENT PROGRAMME.

There is an official State House press release dated November 25, 2025, announcing the appointment of Governor Hope Uzodimma as a "Renewed Hope Ambassador". It reads in part:

"Ahead of the national launch of the Federal Government's Ward Development Programme, President Bola Ahmed Tinubu has appointed Governor Hope Uzodimma of Imo State as the Renewed Hope Ambassador.

In his role as ambassador, he will double as the Director-General for Party Outreach, Engagement and Mobilisation.

With the appointment, which takes immediate effect, Governor Uzodimma will be responsible, in collaboration with the All Progressives Congress leadership and the governors, for evangelising the Tinubu administration's programme.

As Renewed Hope Ambassador, Governor Uzodimma, who also chairs the Progressive Governors Forum, will ensure harmony, inclusiveness and strategic coordination across all levels of the party. He will also be involved in mobilising and engaging people.

He will work with the APC governors, who will also be Ambassadors of Hope."

This official State House release blatantly and alarmingly outlines a clear partisan agenda. It sends a strong signal that the Renewed Hope Ward Development Initiative which was presented to Nigerians as a broad-based inclusive programme aimed at empowering millions of recipients across almost 9,000 wards nationwide, may be a thinly-veiled partisan initiative that essentially seeks to use Federal Government Resources belonging to all Nigerians, in direct pursuit of political advantage for the APC, in the lead up to the 2027 elections. It smacks more of Politicking than Governance.

These actions, taken together with the unprecedented hostility towards the opposition that is playing out in full public view of Nigerians, are potentially lethal to our multi-party democracy.

They are also particularly inappropriate at a time when Government should be seeking, as it claims to be, to unite all Nigerians in confronting the trying challenges we are now faced with in so many areas.

Funso Doherty

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Thursday, December 11, 2025

The Honorable Speaker
Lagos State House of Assembly
Alausa
Lagos

Dear Mr. Speaker,

OPEN LETTER - RE: LAGOS STATE GOVERNMENT'S 2026 PROPOSED BUDGET

I write in respect of the 2026 proposed budget for Lagos State presented by the Governor on November 25, 2025, which is currently under consideration by the House of Assembly. Pease find hereunder some input and comments on the proposed budget for your consideration.

1. Errors and Inaccuracies

a) The budget presentation outlines a total budget size of N4.237 Trillion for 2026, comprising Recurrent Expenditure of N2.052 Trillion and Capital Expenditure of N2.185 Trillion. However, this figure for recurrent expenditure includes debt repayments of N383 billion, which is a capital and not a recurrent expenditure item. It is therefore misstated by almost N400bn. Consequently, the capital expenditure and overall budget figures may also be inaccurate.

b) The sectoral allocation provided for the budget adds up to N3.4 Trillion which is inconsistent with the total proposed budget size of N4.237 Trillion. One, or possibly both, of these must therefore be wrong.

2. Lack of Fiscal Transparency, Probity & Discipline

In commenting on previous LASG budgets, I had noted that LASG does not provide details of its proposed budget in the public domain until well after the Appropriation Act is passed into law. This lack of transparency prevents effective review, commentary and input into the proposals to highlight anomalies. For example, the table below highlights just a few very questionable appropriations included in the Current year's (2025) budget that could have been queried and subjected to proper scrutiny, had the information been provided prior to passage:

MDA	Details	Appropriation	Comments
State House of Assembly	Purchase of Back-up Vehicles for Forty (40) Honorable Members, 40 Utility Buses and 40 Official	20,665,334,794	This is a colossal appropriation that speaks to a government that is completely disconnected from the people. It implies a cost of N516 million for vehicles for each House of Assembly Member. This massive appropriation for 2025 is in addition to 2024's actual expenditure of approx. N15 billion on Motor Vehicles.
State House of Assembly	Purchase & Installation of 40 Nos. of 50 KVA Generators	4,536,069,013	This appropriation implies an unfathomable cost of N113 million EACH for 40 Nos. of 50KVA Generators. The current market price of a 50 KVA generator is approximately N16 million.
State House of Assembly	Provision for the purchase of 40 Properties (Lagos & Abuja)	6,220,000,000	This implies N155 million per property. Why are properties in Abuja being purchased for Lagos State House of Assembly Members?
Lagos State Internal Revenue	Purchase of 19 GA4 Saloon Cars and 7 Donfeng Buses	5,000,000,000	This appropriation implies an average cost of N192 million per vehicle. The current market price of a GA4/GS4 Equivalent Car is approximately N35 million.
Office of PPP	Purchase of 20 Office Tables and Chairs	212,119,883	This appropriation is completely unreasonable. It implies an average unit price of N10.6 million for each Chair and Table.
Parastatals Monitoring Office	Purchase of 1 (One) 13-Seater Bus	217,323,061	This is also unreasonable. The current market price for a 13-seater Toyota Hiace bus is approximately N90 million.
Various	Consultancy & Professional Fees (Recurrent)	186,603,592,827	It is not clear what services are being contracted for these tremendous costs, which are recurrent in nature, and why. At N186 billion, they make up almost 15% of the entire recurrent cost budget of Lagos State. Fees Paid to Alpha Beta Consulting, about which questions have repeatedly been asked, fall under this line item.

MDA	Details	Appropriation	Comments
Various	International Travels & Transport	30,909,216,777	Being a state and not a Federal Government, N31 billion is a vastly excessive amount to spend on international travel in just one year.
Various	Research & Development	66,982,855,025	It is not clear what Research and Development activities are being undertaken by LASG that would require almost N67 billion of expenditure in a single year. This is up from N45 billion in 2024.

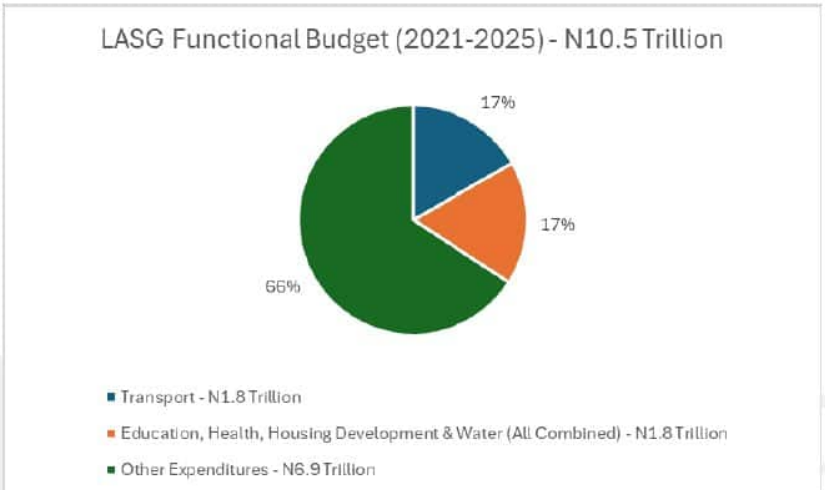
Source: Lagos State Ministry of Economic Planning & Budget – 2025 Appropriation Act, Budget Implementation Reports

It is worrying that generally, transparency is an area where the Lagos State Government is decidedly lagging behind. In the first two quarters of 2025, Lagos State ranked last (36th) out of the 36 states in the Federation in the Fiscal Transparency league compiled by the Governance and Fiscal Transparency watchdog - BudgIT. It is particularly worrying that this declining transparency occurred as LASG, like most state governments, witnessed rapidly rising revenues and expenditures in the wake of currency devaluation and subsidy removal.

Furthermore, details of contract awards by LASG are no longer being made publicly available by the Public Procurement Agency, as required by the Lagos State Public Procurement Law. This may not be unconnected with the widespread public outcry that followed several questionable contract awards that I and others had drawn attention to in the past. (see my open letter dated 17 November, 2023).

3. Misplaced budget Priorities

In the past, we have repeatedly highlighted this Government's woefully inadequate investment in its People. We are now forced to conclude that this must be an ideological pillar of its approach to governance. We await detailed clarification on the sectoral allocation of the 2026 budget. However, the chart below analyzes total Government Expenditure over the five-year period from 2021-2025.



Source: Lagos State Ministry of Economic Planning & Budget – Budget Implementation Reports

Over this period, the Combined expenditure on Education, Health, Housing Development and Water Supply collectively amounted to just 17% of Government Expenditure in total. In a young population with the demographic characteristics of Lagos, Education and Health should receive closer to 15% EACH or 30% for both. Furthermore, it is alarming that, at N87 billion, the 2025 Capital expenditure appropriation for the Lagos State House of Assembly alone, comprising just 40 members, exceeded the capital expenditure appropriation for the entire Health Sector (N68 billion) and Education Sector (N69 billion) of Lagos State.

The effects of this sustained under-investment are evident. According to the Lagos State Commissioner of Basic Education, 54% of students from Lagos Public Schools failed WASSCE in 2024. Studies show that a majority of the population live in informal or slum settlements amid a drastic housing deficit. Public water supply remains unavailable for majority of the State's population. In health, according to the Nigeria Demographic and Health Survey 2023-2024, Lagos is in fourth position out of the six south-western states in terms of under-five mortality.

Even in the transport sector, where government expenditures have been high, the vast majority of commuters in Lagos are still served by private sector operators of dilapidated vehicles, operating chaotically, on roads that are frequently in a bad state of repair and often gridlocked.

Poverty remains widespread.

Propaganda aside therefore, the evidence is clear. After a generation at the helm, and despite the substantial resources expended year after year, the welfare of the people has been neither effectively prioritized, nor actually delivered, by this Government

4. Unrealistic Revenue Estimates

At N4.237 Trillion, the overall proposed 2026 budget continues the predictable trend of unrealistic projections that has become a pattern in LASG budgets over the past several years. I have highlighted this in prior years, including the current year 2025, where again, as at September 2025, actual revenues of N2.07 trillion were a far cry from the full year budget of N3.37 trillion. Unrealistic revenue budgeting undermines effective planning, prioritization and implementation of Government expenditures and programmes.

On a positive note however, I observe and note that the practice of having a single line-item provision of over N200bn for "Special Duties Expenses" which I had questioned in 2023 and 2024, did not recur in 2025. Also, although belatedly so, LASG's appetite for incurring foreign currency debt now appears to be moderated.

I thank you for your attention, and reiterate my call for the details of the 2026 and subsequent LASG budget proposals to be made publicly available, as part of the legislative process prior to passage into law.

Yours faithfully,

Funso Doherty.

cc: His Excellency, Babajide Sanwo - Olu, Governor of Lagos State.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Address: 3rd Floor, Block 10, Plots2 &3
Admiralty way Lekki 1, Lagos, Nigeria.
105102
email: fd@funsodoherty.org
Phone Number: +234-12791700

Monday, December 29, 2025

The Honorable Attorney – General
Federal Ministry of Justice
Plot 71B, Shehu Shagari Way,
Central Business District,
Abuja, FCT,
Nigeria

Dear Hon. Attorney – General,

Open Letter - RE: New Tax Legislation

I write in reference to the new tax legislation proposed to commence in January 2026, which has been trailed by controversy especially in the last two weeks.

Despite the apparent confusion, the issues, at this stage, are quite simple and, in my opinion, can be distilled as follows:

1. A harmonized version of the bill was passed by the National Assembly.
2. A version of the bill was signed by the President and published via gazette.
3. Following an allegation by a lawmaker of disparities between these two documents, an investigation was launched.
4. The National Assembly has, in the course of that review, determined that a re-gazetting is called for. Both the Senate President and Speaker of the House of Representatives have ordered that same be carried out.
5. By definition, this extraordinary call by the NASS for re-gazetting of the tax law can only be taken to mean that the currently signed and gazetted document is not fully reflective of the Bill that was passed.

Implications

The implications of the foregoing are equally straightforward:

1. The currently signed and gazetted document is not the same as the bill that was passed by the NASS.
2. Equivalently and by implication, the harmonized bill that was passed by the NASS has not been assented to by the President.

3. Accordingly there is no valid new tax legislation that can presently be said to be in existence for implementation come January 1.

The insistence that implementation of "the new law" will commence on January 1, notwithstanding the above is irresponsible, and demonstrates either poor judgment or deliberate mischief. The deafening silence from the executive arm of government on this speaks volumes about the regard or, more correctly, lack thereof, in which it holds the people. More worrying are the constitutional and institutional implications, which are far-reaching.

In the present circumstances, this insistence on January 1 commencement will, in my opinion, be futile unless the executive reverts and assents to a true copy of the harmonized bill passed by the NASS, thereby completing the constitutional process of enacting a valid law. The alternative is for the NASS to withdraw the existing harmonized bill and pass an amended one.

Yours faithfully,



Funso Doherty

CC:

The Senate President, **Distinguished Senator Godswill Akpabio**

The Speaker of House, **RT. Honorable Tajudeen Abbas**

The Attorney – General, Lagos State, **Mr. Lawal Pedro, SAN**

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Tuesday, January 06, 2026

The Chairman
Nigerian Revenue Service
No. 15 Sokode Crescent, Wuse Zone 5,
Abuja, Nigeria

Dear Mr. Chairman,

OPEN LETTER - RE: THE NEW TAX LAWS

I had the opportunity to watch your recent interview on Arise Television where you addressed, among other matters, the recent controversy and public discourse concerning alleged alterations to the tax laws.

I noted your assertion that as far as the NRS is concerned there really isn't any controversy or confusion and that you are proceeding with the gazetted tax law that is in the possession of the NRS and which it received at the end of a normal lawmaking process.

Permit me however, to draw your attention to the fact that today, 6 January 2026, I downloaded two different gazetted versions of the Nigeria Tax Administration Act from the NRS website. Notably, the NRS website contains two separate download buttons, each of which returns a different version of the Bill. The attached images illustrate the links on the NRS website, side-by-side with extracts of the versions returned by them. You will observe that one of these versions contains materially different provisions from the version released by the National Assembly.

You may wish to address this, so that further controversy or confusion does not arise over which version of the law the NRS is actually implementing.

Nigerians may also be wondering, as I still am, how there can be multiple versions of the same federal gazette publication that bear the same publication date and number but that differ in content.

Finally, I note that this same situation applies to the website of the Presidential Committee on Fiscal and Tax Reforms where there are also two versions of the Act available for download.

Yours Faithfully

Funso Doherty.

Cc: Hon Attorney-General of the Federation

Chairman, Presidential Committee on Fiscal and Tax Reforms

Hon Attorney-General, Lagos State

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Wednesday, January 14, 2026

For Immediate Release:

STATEMENT ON THE PASSING OF HIS ROYAL MAJESTY DE WHENO AHOLU MENU-TOYI, THE AKRAN OF BADAGRY.

With a profound sense of loss, I join the noble people of the ancient kingdom of Badagry and the entire Lagos Community to mourn the loss of our revered Royal Father, HRM De Wheno Aholu Menu-Toyi, the Akran of Badagry.

From his Ascension to the throne of his ancestors in April 1977, till he answered the Creator's call, Oba Akran was a towering monarch, who enjoyed the deep respect and admiration of his people and the wider Lagos Community.

I visited him in his Palace in May last year and carry fond memories of him and the warm reception he accorded us.

He served his generation well, and we thank God for Oba Akran's very long and successful reign.

Rest well Baba.

Funso Doherty.

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Address: 3rd Floor, Block 10, Plots2 &3
Admiralty way Lekki 1, Lagos, Nigeria.
105102
email: fd@funsodoherty.org

Saturday, January 24, 2026

RT. Honorable Tajudeen Abbas
Speaker of the House of Assembly
House Chambers,
National Assembly Complex
Three Arms Zone,
Abuja

Dear Mr. Speaker,

OPEN LETTER - RE: RECENT REPORTED CONFERMENT OF GCON NATIONAL HONOUR ON MR. GILBERT CHAGOURY.

The Presidency is reported to have recently confirmed the conferment by Mr. President of the Grand Commander of the Order of the Niger (GCON) National Honour on Mr. Gilbert Chagoury, allegedly on the occasion of his birthday, 8th January 2026.

In addition to concerns about the substantive merits of this conferment, about which several serious and legitimate public questions have already arisen, the circumstances surrounding the award raise additional issues that warrant the attention and scrutiny of the Honourable House.

First, public knowledge of the conferment appears not to have come through any official Presidential or Government channel. Rather, the award only became known incidentally, following a congratulatory message issued by a private individual on Monday, 19th January 2026, more than one week after the stated date of conferment. This unusual mode of disclosure is troubling, particularly in light of the widely reported close personal association between the award recipient and Mr. President.

Second, while the President's powers under the National Honours Act are undoubtedly broad, they are not unfettered. The law requires that such powers be exercised pursuant to a Warrant. Specifically, the National Honours Warrant, a subsidiary legislation made under the Act, provides that "the President shall, by notice in the Federal Gazette, signify his intention of appointing a person to a particular rank of an order."

It is acknowledged that the President may, in appropriate circumstances, proceed by way of a special warrant containing different provisions. However,

even this alternative procedure must necessarily be evidenced by a duly issued and documented enabling warrant. As at date, it is not evident that any such warrant was issued or gazetted in respect of this conferment, nor has any explanation been offered for the apparent departure from established statutory procedure.

Third, an Instrument of Conferment currently circulating widely in the press and public domain, which instrument has not been disowned or contradicted by either the Presidency or the reported recipient, states that the award was "Given at Abuja, under my Hand and the Public Seal of the Federal Republic of Nigeria this 8th day of January, 2026." This raises a further and troubling question, as it is a matter of public knowledge that Mr. President was outside the country and not in Abuja on that date. The president's power in this regard not being delegable, the very validity of the award is thereby called into question.

In light of the foregoing, I respectfully call upon the National Assembly, and in particular the House of Representatives, to examine this matter in the exercise of its constitutional oversight responsibilities. Issues relating to National Honours, especially those of the exalted rank of Grand Commander, speak directly to the values, integrity, and collective honour of our Nation.

In the words of our National Pledge, we all, including the President, are required "to uphold her honour and glory."

May God help us to do so.

Yours faithfully,



Funso Doherty

cc:

The Honorable Attorney – General of the Federation

The Secretary to the Government of the Federation (as Registrar of National Honours)

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Friday, February 6, 2026

Hamzat Ayodele Subair
The Chairman,
Lagos State Internal Revenue Service
Lagos Revenue House, Assbifi Road,
Central Business District, Alausa,
Ikeja, Lagos.
Nigeria

Dear Mr. Chairman

OPEN LETTER: RE: LIRS PUBLIC NOTICE ON POWER OF SUBSTITUTION UNDER THE NIGERIA TAX ADMINISTRATION ACT 2025.

I write in respect of the recent public notice issued by the Lagos Internal Revenue Service (LIRS), emphasizing its powers of substitution under the Nigeria Tax Administration Act (NTAA) 2025, which notice has, understandably, unsettled many taxpayers.

While not new, it is striking that LIRS has chosen to highlight this coercive enforcement mechanism as one of the earliest public signals under the new tax regime. At a time when public confidence in the NTAA remains fragile, particularly following the confusion caused by multiple versions of the legislation in circulation, this approach sends the wrong message.

Regulatory transitions succeed when communication and trust-building are prioritised. In my opinion, leading with this notice portrays an unnecessarily adversarial posture that risks deepening suspicion rather than fostering the desired goodwill and voluntary compliance.

Beyond this, two key issues stand out:

1. **Characterization of Objection and Appeal Rights**:

The LIRS public notice is unclear in this regard and may convey the impression that the rights to object to, and to appeal substitution notices, relate solely to the agent that is appointed by the tax authority. However, Section 60 of the NTAA 2025 expressly provides that substitution notices are to be treated as assessments or demand notices for the purposes of objections and appeals. The implication is that until the underlying tax liability becomes final and

conclusive, taxpayers themselves remain fully entitled to be notified of, to object to, and to appeal any substitution notice issued to any proposed agent in respect of them. Consequently, Taxpayers must be served with copies of all substitution notices; the proposed agents, such as banks, must be informed of any pending objections or appeals; and the pendency of an objection or appeal suspends the effectiveness of the substitution notice until the dispute resolution process is concluded. These due process safeguards are critical to secure citizens property rights, shield taxpayers from predatory behavior and protect proposed agents from undue legal liability.

2. Absence of Clear Implementation Guidelines:

The exercise of the power of substitution cannot be left to broad statutory language alone. There are currently no publicly available implementation guidelines outlining the procedural steps, safeguards, and limits governing its use. This gap creates uncertainty for taxpayers and Third parties, including financial institutions, who may find themselves appointed as agents of the taxpayer by the tax authority. Where regulated entities are involved, regulatory coordination is imperative. Any guideline affecting banks, for example, ought to be developed in collaboration with the Central Bank of Nigeria to avoid conflicting obligations and unintended negative consequences.

In conclusion, if the objective of the NTAA 2025 is improved compliance and a more effective tax system, then regulatory communications must inspire confidence. The power of substitution while valid, is a profound and far-reaching enforcement tool, that must be treated with the seriousness and care it deserves. Its deployment demands clarity, appropriate restraint, and strict adherence to due process. A premature rush to emphasize such enforcement tools may undermine trust-building efforts and prove counterproductive.

Thank you for your attention.



Funso Doherty

Cc: The Hon. Attorney – General, Lagos State, **Mr. Lawal Pedro, SAN.**

2. Objection and Appeal Rights

Section 60 of the NTAA 2025 expressly provides that substitution notices are to be treated as assessments or demand notices for the purposes of objections and appeals. The implication is that until the underlying tax liability becomes final and conclusive, taxpayers remain fully entitled to be notified of, to object to, and to appeal any substitution notice issued to any proposed agent in respect of them. Consequently, Taxpayers must be served with copies of all substitution notices; the proposed agents, such as banks, must be informed of any pending objections or appeals; and if there is a pending objection or appeal, substitution notices cannot come into effect until the dispute resolution process is concluded. These due process safeguards are critical to secure citizens property rights, shield taxpayers from predatory behavior and protect proposed agents, including financial institutions, from undue legal liability.

While thanking you for your attention, I trust that the Central Bank of Nigeria, as primary regulator and custodian of the banking industry will play its role effectively in the implementation of the new tax regime.

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Address: 3rd Floor, Block 10, Plots2 &3
Admiralty way Lekki 1, Lagos, Nigeria.
105102
email: fd@funsodoherty.org

Thursday, March 5, 2026

The President
Court of Appeal of the Federal Republic of Nigeria
Court of Appeal Headquarters
Three Arms Zone,
Shehu Shagari Way,
Central Business District,
Abuja, FCT,
Nigeria



Your Lordship,

RE: THE NEED FOR SWIFT DETERMINATION OF APPEAL NO. CA/ABJ/CV/1613/2025 AND OTHER CONSOLIDATED APPEALS PERTAINING TO THE LEADERSHIP OF THE PEOPLES DEMOCRATIC PARTY (PDP)

I write as a concerned citizen of Nigeria, a member of the Peoples Democratic Party (PDP) (the Party), and, being an intending aspirant for public office in the upcoming General Elections, a person that will be very directly and materially affected by the eventual decision of the court.

Following a number of decisions by the lower courts, I am aware that the above-referenced appeal, together with other consolidated appeals touching on the national leadership of the Party were heard by the Abuja Division of the Court of Appeal on 12 February, 2026, and judgment therein has been reserved. As of this writing, no date has been communicated for Judgment.

Permit me to highlight, for the attention of Your Lordship, the fact that the pendency or outcome of these appeals will significantly affect not just the internal preparations and processes leading to PDP's party primaries and related electoral activities but also the validity and legitimacy of the ballot options that will be presented to the Nigerian public on Election Day. By extension, it could potentially also affect the ultimate validity of eventual outcomes of the polls in the General elections for various elective offices at all levels.

According to the timetable released by the Independent National Electoral Commission, party primaries will commence in a few weeks, on April 23, 2026. In view of the time-sensitive nature of election engagements and the need for clarity in light of the foregoing, I most respectfully crave the indulgence of Your Lordship towards swift determination of the consolidated appeal. A decision of the Court of Appeal ahead of the party primaries will provide invaluable direction on this matter to all parties and stakeholders including, most crucially, INEC.

I make this prayer with the utmost respect for the discretionary and constitutional mandate of the Court, ever mindful that the scheduling and delivery of judgments will nevertheless and always remain within the exclusive province of the Honourable Court.

Please accept the assurances of my full confidence and highest regards.

Yours faithfully,



Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Saturday, March 28, 2026

STATEMENT ON RESIGNATION FROM THE PEOPLE'S DEMOCRATIC PARTY (PDP)

A few days ago, I resigned my membership of the People's Democratic Party (PDP).

I did not come to this decision lightly. For the past two years, we have worked within the party, to help resolve multiple crises of internal and external origin and to move the party forward based on the conviction that a strong, united and established opposition platform is not a luxury in our democracy – it is a necessity.

The events of recent weeks, have however proven decisive.

As many will recall, I wrote a public letter to the President of the Court of Appeal, urging that a decision be delivered on the multiple litigations involving PDP, pending before the Court, ahead of imminent key milestones in the electoral calendar. I did so because I understood what was at stake, not just for our party, but for the integrity and legitimacy of the electoral process itself.

The ruling of the Court of Appeal came within days of my letter. It nullified our 2025 convention and its outcomes and, in effect, conferred primacy in the party's leadership to a group, prominent among whom is the FCT Minister, that has publicly and unambiguously declared its support for the re-election of the current APC administration.

Let's be very clear about what that means in practice. It means supporting an administration that is long on rhetoric, but that has presided over deepening poverty that has pushed tens of millions of Nigerians further into hardship through its Governance approach which is self-serving and extractive, rather than people-oriented and inclusive. Insecurity has escalated sharply. The cost of living has become an unbearable burden for ordinary families in Lagos, and in every corner of this country even as their standards of living drop precipitously.

I will not be a party to sustaining this tragic travesty. The people of Lagos State – many of whom have waited far too long for meaningful improvement in their

day-to-day lives from the actions of their Government – deserve much better than that.

For a long time, I have advocated the importance of a united opposition. Nigeria's democracy is fragile, and now under increasing threat, so this is not the time for fracturing and division of opposition political forces that believe in accountability, in constitutional order, and in the welfare of ordinary citizens.

The need for opposition unity, especially in Lagos State, has never been more urgent than it is today and I remain committed to working to make it happen. My departure from PDP is therefore also, partly driven by my belief in the pursuit of that united opposition.

To all those across party lines who are walking this road with me, who share a belief in the possibility of something better, I say thank you. The struggle for a better Lagos, a better Nigeria, must continue unabated and with renewed vigor.

To the great people of Lagos State: please stay tuned. I remain deeply committed to you, to our beloved city, and to the shining future we will build together.

More to come on this very soon.

Sincerely,



Funso Doherty.

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Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org
Address: 3rd Floor, Block 10, Plots2 &3
Admiralty way Lekki 1, Lagos, Nigeria. 105102

Friday, April 17, 2026

The Registrar General
Corporate Affairs Commission
Plot 420, Tigris Crescent,
Off Aguiyi Ironsi Street,
Maitama, Abuja,
Nigeria



Dear Sir,

OPEN LETTER - RE: FOLLOW UP REQUEST FOR INFORMATION ON LEKKI WORLDWIDE INVESTMENT LIMITED (LWIL) – A PUBLIC INTEREST ENTITY.

I write in follow-up to enquiries made by my representatives to the CAC regarding the above entity, LWIL, a private limited liability company established by the Lagos State Government during the tenure of the then Governor, and now current President, Bola Tinubu.

BACKGROUND

The Lekki Free Zone (LFZ) in Lagos State was conceived during the tenure of Governor Tinubu and implementation commenced in 2006. As part of this initiative, a total of 16,500 hectares of mostly communal Lands were compulsorily acquired and designated for the LFZ prior to the end of then Governor Tinubu's tenure.

It should be noted that 16,500 hectares is is a vast area representing approximately 5% of the entire Landmass of Lagos State. It is an area that is larger than all but 6 of the local government areas in Lagos State.

LWIL is vested with the responsibility and authority to develop and manage the LFZ. It is empowered to grant concessions, to enter into joint ventures, to transfer portions of the Lekki Free Zone land under its management and to receive and take ownership interests in any joint ventures in return for Land transferred.

THE ISSUES

1. According to CAC records, approximately 41% of LWIL's issued shares are owned by LSDPC. Another 41% is owned by Ibile Holdings. The ownership of the remaining 18% is neither disclosed in CAC records nor available in the public domain. Attempts to clarify this from the CAC have proven unsuccessful

Funso Doherty
Lagos Nigeria

ADC
AFRICAN DEMOCRATIC CONGRESS

2. LWIL is substantially funded by Lagos State's public funds. It administers and deals in vast tracts of lands (16,500 hectares) compulsorily acquired by Lagos State.

3. LWIL typically transfers LFZ Land to joint ventures with its selected partners and, in return, receives ownership interests in those joint ventures.

4. Examples of some of the assets that have been received and that are owned today by LWIL in return for having transferred or concessioned LFZ land include significant ownership interests in the Lekki Free Zone Development Company (LFZDC) – 3000 hectares and Alaro City FZC - 2000 hectares.

5. None of LWIL itself, the joint ventures in which it has received ownership interests in exchange for LFZ land nor its public sector majority-owners (LSDPC and IBILE Holdings) publish financial information or audited accounts available in the public domain.

6. The processes by which LWIL grants concessions and/or selects joint venture partners as well as the transaction terms are not disclosed. Being a public interest entity, these processes should ordinarily be open and preferably competitive to reflect high procurement and contracting standards that will secure public interest and value for money.

7. The LFZ and, by extension, LWIL continues to receive significant public sector infrastructure investments - principal among which are the on-going Sections 1 & 2 of the Lagos-Calabar Coastal Highway, linking Eko Atlantic to the Ogun state border through the LFZ. These sections are being constructed by the Chagoury groups's Hi-Tech Construction for over N2 trillion funded entirely from the public purse.

These critical concerns call for deeper scrutiny and review. An important first step however, is that the ownership of LWIL, which is a direct beneficiary of proceeds or assets realized from the disposal or concessioning of public lands and assets must be fully transparent. Its ownership structure must be fully known, clear, unambiguous and consistent with the public and not private interests.

I therefore call on the CAC to address these highlighted gaps in the disclosure of the ownership structure of LWIL.

Appropriate steps to address the other highlighted issues will be taken up with the relevant parties involved.

Yours Faithfully,

Funso Doherty

Funso Doherty
Lagos Nigeria
email: fd@funsodoherty.org

Thursday, May 7, 2026

Dear Lagosians,

STATEMENT ON RESIGNATION FROM THE AFRICAN DEMOCRATIC CONGRESS (ADC) AND JOINING THE NIGERIA DEMOCRATIC CONGRESS (NDC)

Most of us are aware of developments concerning the ADC that have collectively resulted in a division of the coalition with some leaders moving to the NDC and some remaining in the ADC.

We had hoped that ADC would be the vehicle that would unite the opposition. That is now clearly no longer the case. In these circumstances therefore, we must each individually make a decision as to whether to remain with the ADC or move to the NDC.

After due consultation, careful deliberation and prayerful reflection, I have joined the NDC. I am convinced that this is the path that will enable us to deliver the benefits of good governance to those to whom they are due - every citizen, without exception.

The battle ahead remains formidable, but I invite you to join us on this exciting, though sometimes turbulent, journey to a brighter future that has been long-promised and that has so far proven elusive, but that is, by the Grace of God, now imminent.

Sincerely,

Funso Doherty

OTiYa

It is time

FUNSO 2027
DOHERTY
FOR GOVERNOR
OF LAGOS STATE.

NDC
Service to the People

9th of July, 2026

STATEMENT FOLLOWING INTERACTIVE SESSION WITH THE STATE WORKING COMMITTEE OF THE NDC

I recently had the pleasure of engaging with the State Working Committee of our great party the Nigeria Democratic Congress (NDC) led by Chairman King Okuneye, during a luncheon and interactive session convened to strengthen relationships and share updates on current developments.

The session provided a valuable opportunity for positive interaction, open dialogue, reflection, and exchange of perspectives. Members of the SWC shared useful insights from their respective areas of responsibility, while I also provided some updates and highlighted areas where I believe continued collaboration will be essential.

We reaffirmed the importance of party unity, discipline, inclusiveness, and sustained engagement at all levels. We committed to broadening our engagement to other stakeholders, in a spirit of mutual respect, shared purpose and, above all, service to the people.

Funso Doherty
NDC Gubernatorial Candidate for Lagos State

NDC!!! SERVICE!!!

email: fd@funsodoherty.org