



Presidential Advisory Committee  
Against Corruption

**CORRUPTION  
INFORMATION INTELLIGENCE  
SHARING PROTOCOL**



**Presidential Advisory  
Committee Against Corruption**

**CORRUPTION  
INFORMATION/INTELLIGENCE SHARING  
PROTOCOL**



## EXECUTIVE SUMMARY

Since September 11, 2001, the intelligence and law enforcement communities have struggled to adapt to new challenges by refocusing and reordering priorities in the area of information and intelligence sharing. The investigations of the 9/11 attacks concluded that both technical and policy barriers had limited sharing of information collected by different agencies that, if viewed together, could have provided useful insight into the unfolding plot of 9/11. Consequently, Anti Corruption Agencies (ACAs), Law Enforcement Agencies (LEAs) and the Intelligence Community recognize the need to collaborate, share, and exchange information.

The net result of the above is improved intelligence collection and analysis. Sharing of information and intelligence amongst these agencies through networks creates a system-wide understanding of any environment that is at threat. If information sharing fails, the ability of these agencies to make sense of the threat also fails.

Presently, the platform for information and intelligence sharing in Nigeria needs to be built upon as it has been observed that information at the disposal of various intelligence units in the country are not shared in a systematic and pragmatic manner to assist the fight against corruption and other related national security threats. These gaps have been identified as one of the weaknesses in the fight against corruption. Against the above background, the Presidential Advisory Committee Against Corruption (PACAC) developed a protocol on information and intelligence sharing for Anti Corruption & Law Enforcement Agencies and the Intelligence Community.

### **Recommendations**

This protocol recommends two options; a short-term measure aimed at an immediate solution as well as a long-term measure designed to establish an Information Technology (IT) driven National Criminal Database, to service all the ACAs, LEAs as well as the Intelligence Community.

#### **(a) Short Term**

For the short-term measure, the existing Nigerian Financial Intelligence Unit (NFIU) structure will be adopted as the center of Nigeria's intelligence databank for sharing information and intelligence on corruption. This is simply because the NFIU platform is already in place thereby making it cost efficient plus this platform meets all international standards in accordance with the Egmont group of Financial intelligence Units and the Financial Action Task Force (FATF) practice.

**(b) Long Term**

On the other hand, as a long-term measure, the National Assembly will need to pass an Intelligence Reform Bill into law. This law will provide for an Inter Agency Coordinating Group (IACG) platform for the sharing of corruption, terrorism and other serious crimes intelligence in a manner consistent with protecting Nigeria's national security.

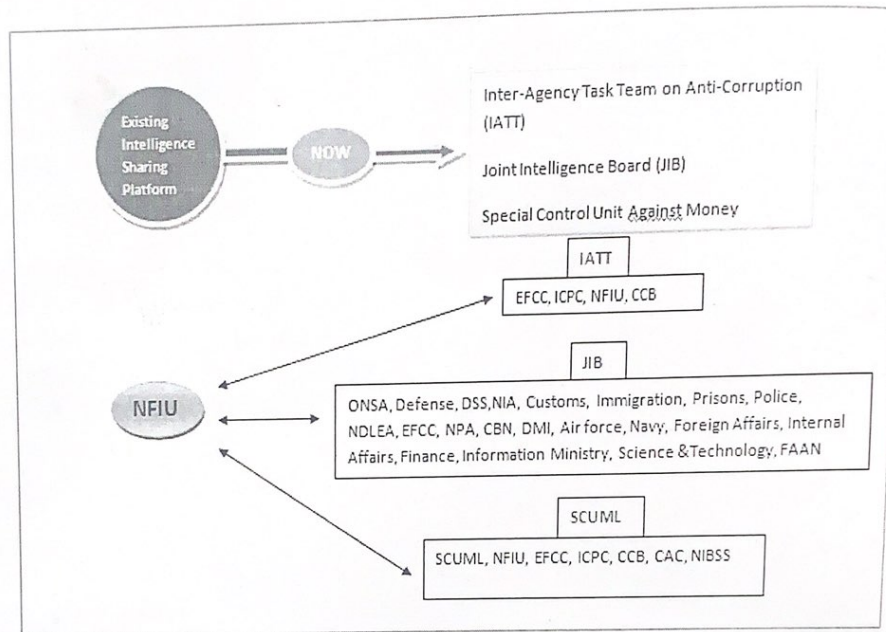
In addition, the IACG will also establish an intelligence community driven national criminal database that would serve as a platform for information and intelligence sharing. This platform will engender partnerships among all levels of government involved in the fight against corruption and other related offences.

What this protocol has succeeded in doing is to provide two different alternatives to achieving one goal. Ultimately, the resultant effect is basically to cure major impediments to the intelligence sharing mechanism in Nigeria by proposing the establishment of a platform that balances adequate information and intelligence sharing with effective information security.



## 1. INTRODUCTION

The quest to establish a platform for Intelligence Sharing Protocol arose from the realization that the existing structure (as shown in the infographic below) for information/intelligence sharing in the country is grossly deficient.



In view of the above inadequacies, particularly the inability of IATT and JIB to effectively initiate and coordinate intelligence sharing amongst stakeholders, two options are hereby recommended as follows:

- a. Short term measure aimed at immediate (albeit temporary) solution and
- b. Long-term measure designed to establish an IT driven National Criminal Database (the IACG) to service all ACAs, LEAs and the Intelligence Community.

## 2. SHORT-TERM MEASURE

It is proposed that the existing NFIU structure is adopted in the short-term, as the nucleus of Nigeria's intelligence databank for sharing information/intelligence to ACAs, LEAs and IC. This recommendation is premised on the basis that NFIU being a member of Egmont Group and a signatory to FATF regulations, is well positioned to add needed value to the information/intelligence sharing process among ACAs, LEAs and the Intelligence Community (IC) in the following areas:

- a. *Analyzing SARs/STRs and detecting possible links to corruption:* One of the core functions of the NFIU is to receive, analyze and disseminate to competent authorities (including ACAs, LEAs, Intelligence and Security Agencies), disclosures on financial information. Since in large corruption cases, the location of the

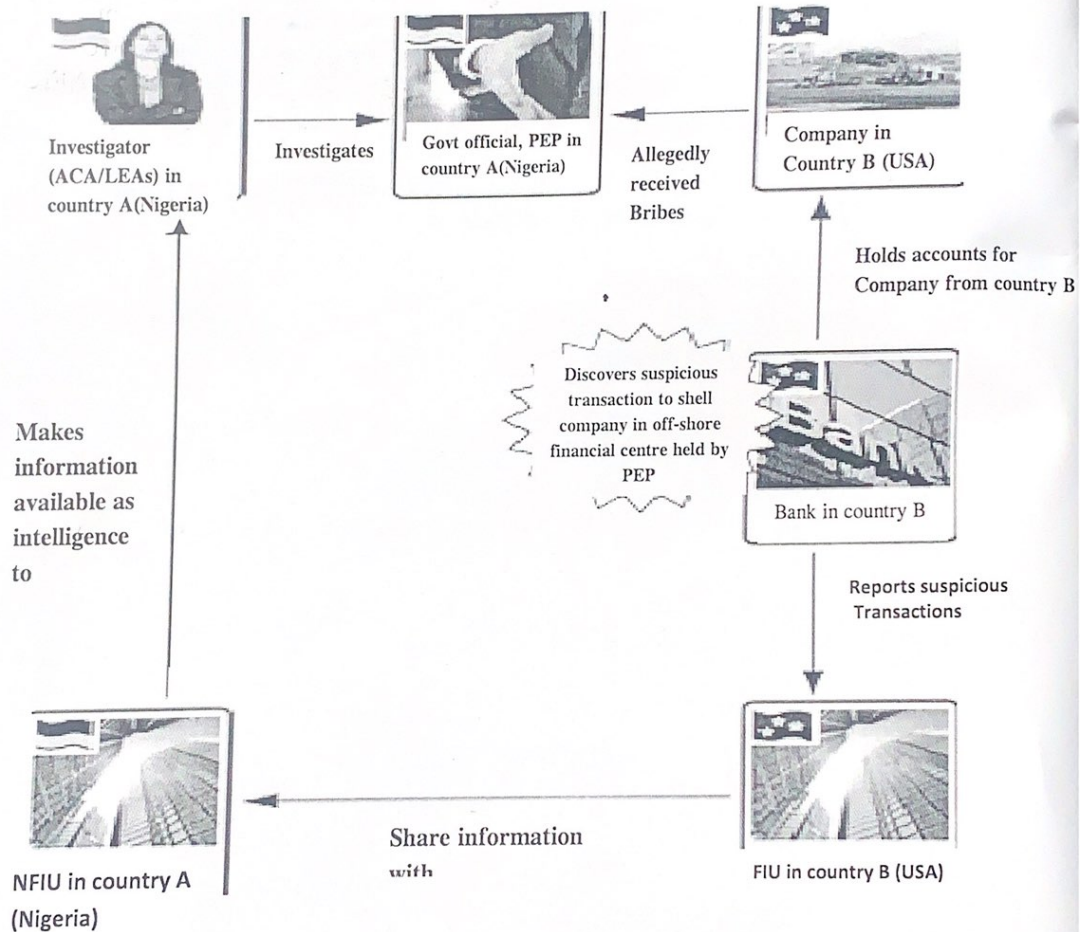
predicate offence (bribery or another corruption related offence) is different from the haven where the proceeds of corruption are laundered, the NFIU depends on information gathered from abroad and other sources and disseminate same to ACAs, LEAs and IC at the pre-investigative or intelligence stage.

- b. *Performing strategic analysis on patterns for corruption:* NFIU operations which are coordinated with the ongoing TWG Egmont project on strategic analysis have collected substantial amount of tactical and operational intelligence. The database of the NFIU can be accessed on request by ACAs, LEAs and the IC. The NFIU sources of information on corruption related matters include:
- Reports provided by the reporting entities (STR and/or CTRs).
  - NFIU's own operational intelligence.
  - Public sources.
  - Commercial databases.
  - ACAs, LEAs etc.
  - Specialized and trusted NGOs.
- c. *Exchanging information, domestically and internationally:* Through the receipt of STR and other information the NFIU is a repository of vital financial information that could prove critical in assisting law enforcement agencies such as the ACAs and LEAs in initiating or enhancing corruption related investigations. Moreover, the NFIU can assist corruption investigators to trace the proceeds of corruption. Information received from reporting entities can be enhanced where the NFIU has the possibility to access databases, whether held by reporting entities or government agencies (tax, customs, police, etc.) to undertake its core functions, notably the operational analysis of STRs and related data. The NFIU is uniquely positioned and trained to assist corruption investigators regarding financial investigations.
- d. Coordinate the AML/CFT activities in Nigeria through the platform of AML/CFT Inter Ministerial Committee (IMC);
- e. The intelligence gathering operations of NFIU are IT driven through a robust application with stringent measures put in place by FATF.
- f. NFIU has a governance structure that drives its operations and its IT system complies with international best practices and reasonable security protocols.
- g. Without prejudice to this recommendation, the NFIU has been a hub for disseminating information to ACAs, LEAs, ONSA/DSS etc.



### 3. NFIU AS THE SHORT-TERM HUB FOR INFORMATION/INTELLIGENCE SHARING PROCESS

The info-graphic below shows the working process and relationship between the NFIU, ACAs, LEAs and ICs and how this can be deployed in fulfillment of their respective individual and collective mandates.



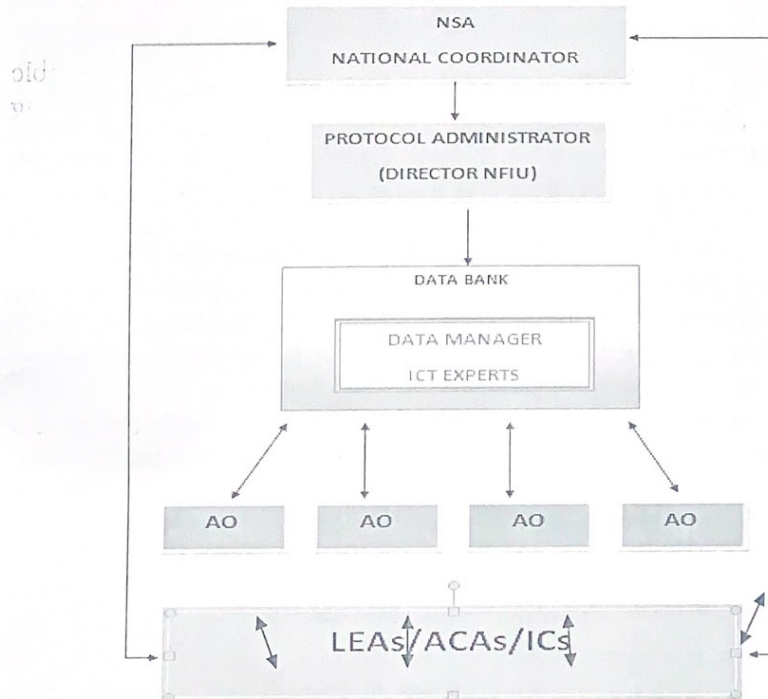
- A senior government official, a Politically Exposed Person (PEP) from country A (Nigeria) receives a series of payments from a company located in country B (USA).
- The financial institution that holds the account for this company detects that the payments are made to PEP in Nigeria and, as suspicion arises, reports these transactions to its country's FIU.
- The FIU in country B (USA) requests information from its counterpart NFIU in country A (Nigeria).

- d. The NFIU in country A requests additional information from the domestic ACAs Agencies (for example CCB). The ACA reports that an investigation for abuse of office has been launched against the public official in question.
- e. The NFIU in country A informs the FIU USA of these facts. FIU in country B (USA) disseminates the SAR to its own law enforcement agency and informs this agency of the ongoing investigation in country A.
- f. The ACA or LEA in country A (Nigeria) informs its counterpart agency in country B for ("spontaneous" mutual legal assistance, as provided for in *Article 56 of UNCAC*) of the assets held in the bank account. This information will allow the ACA (especially EFCC) or LEA to pursue its investigation, and confiscate the proceeds of crime.

#### 4. THE PROPOSED GOVERNANCE STRUCTURE

Below is the Organogram of the proposed platform for sharing Corruption Information/Intelligence to ACAs, LEAs and Intelligence Agencies.

#### ORGANOGRAM



**Key to the Organogram:**



- a. NSA- National Security Adviser.
- b. D-NFIU Director Nigeria Financial Intelligence Unit.
- c. Data Manager/ICT Experts-Information and Communications Technology.
- d. AOs-Authorized Officers.
- e. ACAs-Anti Corruption Agencies.
- f. LEAs-Law Enforcement Agencies.
- g. IC-Intelligence Community

#### **5. NSA AS A PROGRAMME COORDINATOR**

As shown in the organogram, the Office of the National Security Adviser (ONSA) is by statute the national coordinating body for all security and law enforcement agencies under the Terrorism Prevention Act, 2011 (as amended). The NFIU and other ACAs, LEAs and the IC report to the ONSA. The role of NSA is to supervise and ensure that NFIU, ACAs, LEAs, security and intelligence agencies develop sufficient synergy to allow each Agency benefit from the other's work in pursuing the common goal of managing national security threats, corruption and criminality. The NFIU is therefore a vehicle to be used by the NSA to coordinate information/intelligence-sharing functions.

#### **6. THE ADMINISTRATOR**

To operationalize the information/intelligence sharing in the short-term, the NFIU Director would be designated as the Administrator of the platform. He should be solely responsible for receiving and disseminating information to all stakeholders on need-to-know basis. The NFIU already has a functional database and ICT experts to enable it undertake the responsibility of information/intelligence sharing protocol for all ACAs, LEAs and IC. In its present state, the Unit would neither need more manpower nor fresh training to carry out any new function. Therefore, adopting NFIU would be a seamless transition to higher responsibility with minimal cost and disruption to its management. The duties of the Administrator will include:

- He will be solely accountable to the NSA who by provisions of the law, as it presently stands, should supervise the programme.
- Ensures that the database of the Unit can be accessed on request for needed information/intelligence by stakeholders.
- Being a repository of vital financial information through the receipt of Suspicious Transaction Reports (STRs) and other information, the NFIU will play a critical role in assisting ACAs and LEAs in initiating and enhancing corruption-related investigations.
- Proactively share intelligence by providing reporting entities with intelligence relating to PEPs.
- Responsible for prudential oversight of the activities of the Information/Intelligence Sharing system.
- Issuing of and training on indicators for corruption.
- Provision of national PEP lists.

## **7. THE DATA CENTRE**

The NFIU data centre is serviced by ICT experts with hands-on expertise to receive, (and as permitted) disseminate to the competent authorities, and the disclosures of stored information. Moreover, the function of the NFIU like other FIUs worldwide is to serve as the national centre for the receipt, analysis, and dissemination of intelligence to relevant law enforcement agencies and or stakeholders.

## **8. AUTHORIZED OFFICERS (AOs):**

For the NFIU data platform to work efficiently all ACAs, LEAs, IC and financial sector regulatory agencies in Nigeria should set up a well-established AML/CFT Units. The AML/CFT Units in these agencies will serve as contact points in all matters relating to AML/CFT regime in the various agencies. This development has significantly impacted on implementation of AML/CFT leading to improved utilization of intelligence produced by the NFIU.

The interface between the NFIU and other stakeholder agencies in Nigeria will be anchored more effectively through the designation of senior officers of management cadre (with sufficient security clearance) as Authorized Officers (AOs) to handle matters of AML/CFT issues and relate with the NFIU for safe, secured and speedy information exchange.

The NFIU will conduct training programmes for designated officers of these agencies to help deepen knowledge of AML/CFT issues as well as matters of security and confidentiality of information handling and dissemination.

## **9. DATA SHARING IN PRACTICE**

All ACAs/LEAs enter records into the database through their respective Authorized Officers. The Authorized Officers in turn search or receive/retrieve (as the case may be) information from the Centre to the agency they represent. With relevant codes or PINs provided by NFIU, the system responds instantly. In all cases, when required, the Director NFIU who is the Administrator of the Information Centre shall be able to report on agencies and their response to contributing information to the database. The Director should also be able to make contacts requesting an agency to verify the accuracy of information. The facets of inquisition on the information entered into the data bank will be as desired and agreed by the protocol on information sharing.

**10.** The Authorized Officers are required to be senior staff of management cadre of their respective agencies with sufficient security



clearances to handle highly classified matters. While they carry out their respective daily schedules in their parent agencies, they also serve as focal points in the management of information related to AML/CFT.

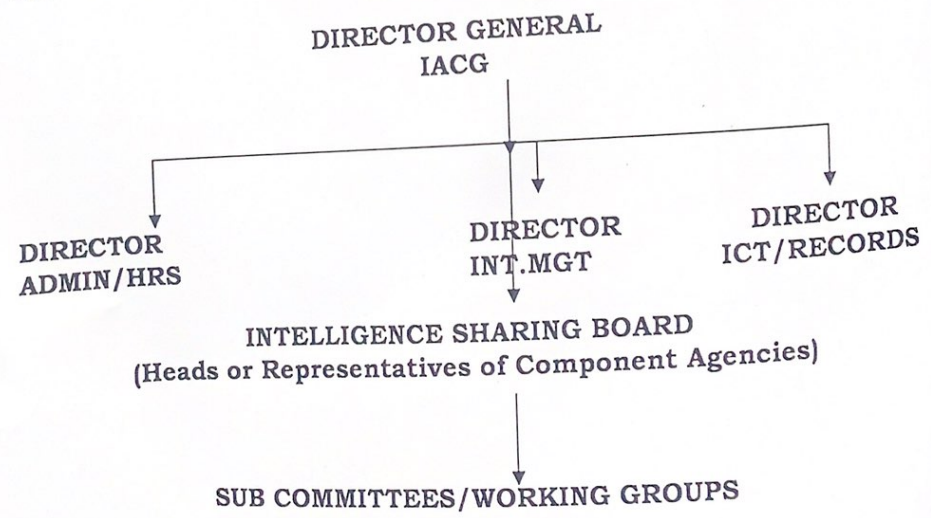
**11. ADVANTAGES/DISADVANTAGES OF SHORT-TERM PLATFORM**

The main advantage of the short-term measure is that it does not require additional legislation. In addition, the structure is already in place, thus making it cost efficient and meeting international (EGMONT and FATF) acceptable practice/standard. On the other hand, adopting NFIU as a platform might expose the Unit to higher public visibility, making it vulnerable to politically motivated distractions. Nonetheless, these fears can be adequately managed.

**12. LONG-TERM MEASURE: LEGISLATIVE ESTABLISHMENT OF INTER-AGENCY COORDINATION GROUP**

As a long-term measure, it is suggested that the National Assembly should forward an Intelligence Reform Bill to the President to sign into law, an Act to be known as Intelligence Reform Act, 2016 (IRA) which provides for a platform, an Inter-Agency Coordinating Group, IACG (or whichever name is preferred). This Act would establish an Inter-Agency Coordination Group (IACG) for the sharing of corruption, terrorism and other serious crimes intelligence in a manner consistent with protecting Nigeria's national security. It is also proposed that the IACG will, in addition, aim at establishing a brand new IC driven National Criminal Database for ACAs, LEAs and ICs to serve as a platform for intelligence sharing.

**13. PROPOSED GOVERNANCE STRUCTURE FOR IACG**



#### **14. IACG'S GOVERNANCE STRUCTURE**

The DG IACG reports directly to the President and National Assembly. The DG-IACG will be responsible for planning, overseeing the implementation of, and managing the Intelligence Sharing Environment (ISE), including monitoring and assessing progress, the development of policies, procedures, guidelines, rules, and standards to foster the development and proper operation of the ISE. The DG-IACG draws his staff from officers of participating agencies, including NFIU, NCTC, FIB, DSS, NDLEA, CCB, ICPC, EFCC etc.

#### **15. INTELLIGENCE SHARING BOARD (ISB)**

At the policy level of the Intelligence Sharing body is the ISB. All the Heads of participating agencies are automatically members of the Intelligence Sharing Board (ISB). The ISB deals with formulation of policies, procedures, guidelines, rules, and standards necessary to establish, implement, and maintain the Intelligence Sharing Environment. Additionally, it works to ensure coordination and synergy among Federal Departments and Agencies participating in the IACG. Finally, the ISB establishes Standing ISB Sub-Committees or Working Groups charged with the following responsibilities:

- To draw up and advise the Board on inventory of requirements for intelligence sharing (such as policies, procedures, programs, systems, architecture, and standards) consistent with the law establishing it.
- Developing a framework through which corruption, money laundering, terrorism intelligence etc can be shared between and among the participating agencies of government.
- Addressing issues related to sharing both classified documents and sensitive but unclassified information (SBU).
- Prioritize implementation actions to respond to changing conditions and IACG performance;
- Conduct IACG Performance Reviews to set goals and measures to assess capabilities for sharing crime intelligence;
- Conduct operational exercises to test and evaluate intelligence sharing capabilities;
- Sponsor evaluation environments to identify new requirements, performance elements, capabilities, and standards; and
- Compile an Annual Performance Report as per the requirements of IRA to advise the President and National Assembly on IACG performance.
- Fostering a culture of intelligence sharing across security and government agencies involved in the fight against corruption, money laundering, terrorism etc.
- Developing initiatives, including training and performance measurement that will stimulate the development of the culture that will build trust among IACG participants. This will include developing curricular for capacity building for officers involved in Intelligence Operations in line with global best practices.



- Setting up the Records Access and Intelligence Security Policy Coordination Committee (RAISPPC) to review and possibly update classification system with particular attention to implementation in a network-centric IACG.

## **16. BASIC REQUIREMENTS FOR IMPLEMENTATION OF INTELLIGENCE SHARING PROTOCOL**

In order to attain the goals outlined in the proposed Intelligence Sharing Protocol for ACAs, Law Enforcement Agencies and the Intelligence Community, regardless of size, all participating agencies should adopt the minimum standards for intelligence-led policing. The standards would focus on the intelligence process and include elements such as the mission of the intelligence unit, management and supervision, personnel selection, training, security, privacy rights, development and dissemination of intelligence products, and accountability measures.

## **17. BENEFITS OF IACG**

The benefits of the envisaged platform will engender partnerships among all levels of government, anti-corruption, law enforcement and Intelligence Agencies involved in the war against corruption, money laundering, terrorism etc in order to more effectively detect, prevent, disrupt, preempt, and mitigate the effects of above crimes against the territory, people, and interests of Nigeria. This partnership will:

- enable greater coordination at the Federal level, so that strategic and time-sensitive threat intelligence gets into the hands of those who need it to protect our local communities and our Nation's interests at home and abroad;
- facilitate the exchange of coordinated sets of requirements and intelligence needs to help guide the targeting, selection, and reporting of corruption, terrorism and other related information;
- make certain that intelligence products can be easily shared, as appropriate, with those that need them.
- ensure that efforts to prevent crime or terrorist attacks are risk-based, intelligence-driven, and supported by a greater understanding of our adversaries' motivations, intentions, and plans; and
- change government culture to one in which intelligence is regularly shared with those that need them and should only be withheld with exception.

## **18. DISADVANTAGES**

The major drawback to the long-term measure is the issue of timing. Perhaps, it would take the National Assembly a minimum of two years to pass the Bill on Intelligence Sharing Protocol. In addition, bearing in mind that the structure is technology driven, it would take some years to train the personnel and put the structure firmly on the ground. This notwithstanding, it is believed that the submission for the IACG is

designed to formalize and institutionalize the information/intelligence sharing process in the country in due course.

**19. CONCLUSION**

Mindful of the fact that short-term measure does not require additional legislation, since NFIU has the requisite infrastructure and competency, it is proposed that NFIU be adopted as the platform for intelligence sharing in the short-term while in the long-term, the National Assembly should pass a Bill for the establishment of an IT driven IACG.

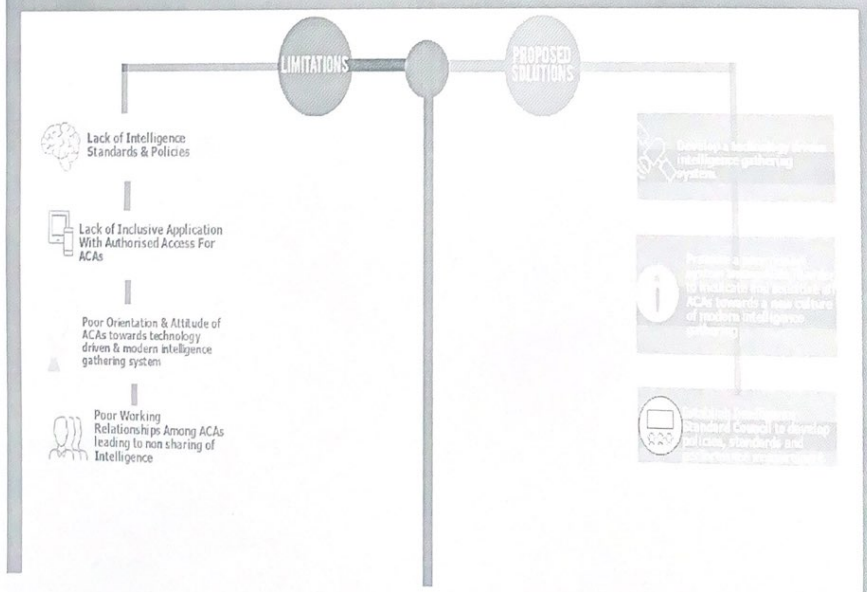
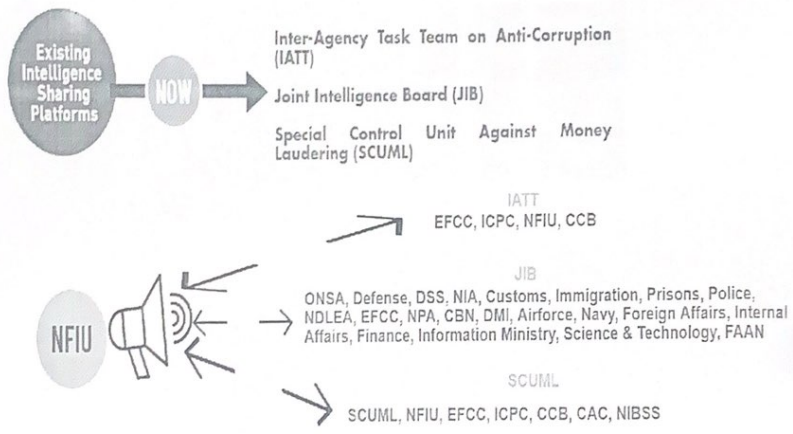


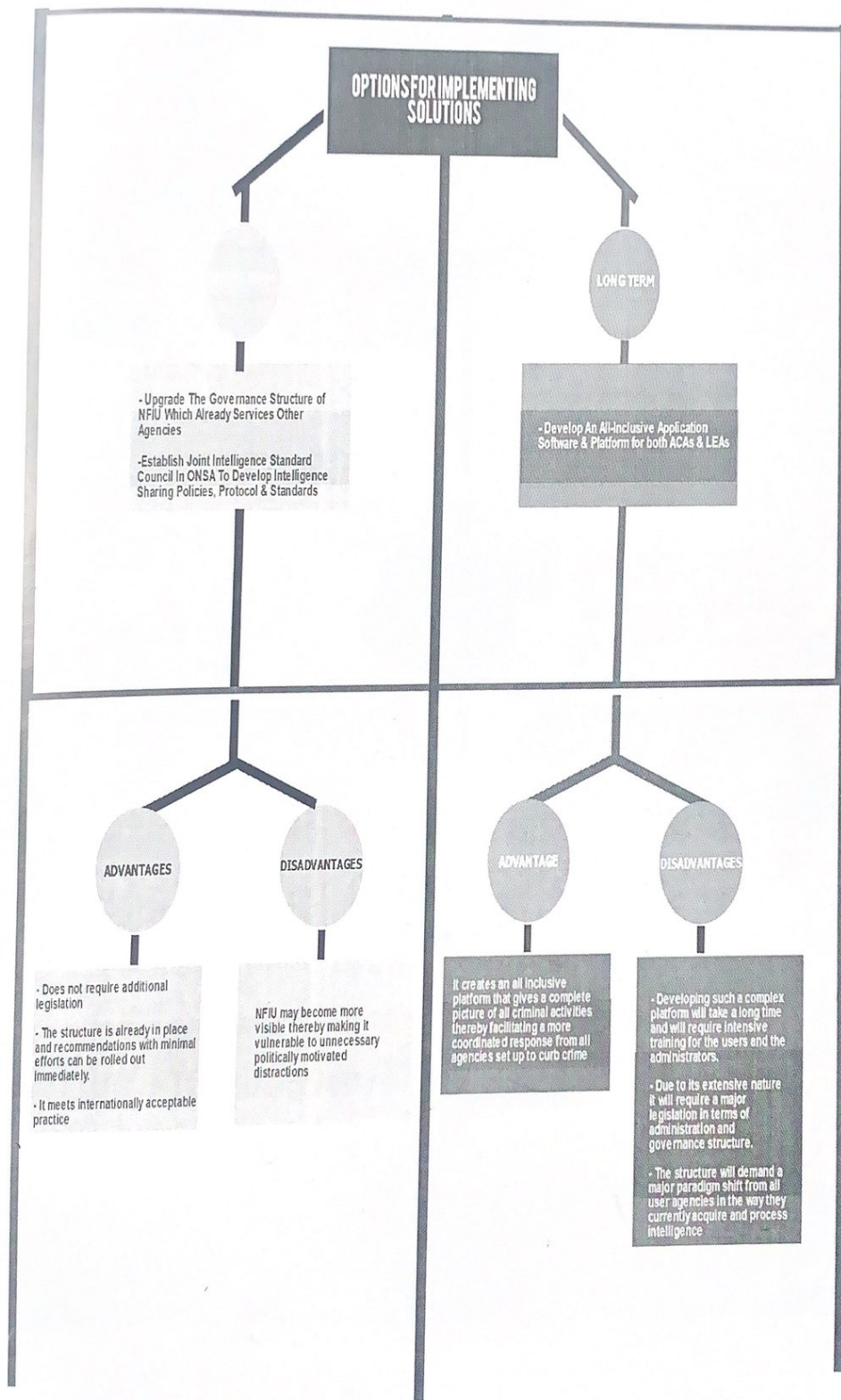
Presidential  
Advisory  
Committee  
Against Corruption



# CORRUPTION

Protocol on Intelligence Sharing  
for Anti-Corruption Agencies







BEST OPTION

TO ADOPT AN UPGRADED NFIU STRUCTURE AS THE INTELLIGENCE SHARING PLATFORM

HOW

NFIU

Review the process and governance structure of NFIU and upgrade it to service the intelligence needs of ACAs

Recruit, train and integrate suitable persons from various ACAs and LEAs into the expanded structure

GOVERNING STANDARD

Establish Joint Intelligence Standard Council (JISC)  
The Joint Intelligence Standard Council (JISC) should be established under the ONSA and given the responsibility for developing protocols and regulating standards pertaining to intelligence gathering and processing in Nigeria.

The core objectives should be:

- To develop a set of operational and performance standards for ACAs and LEAs engaged in intelligence processing.

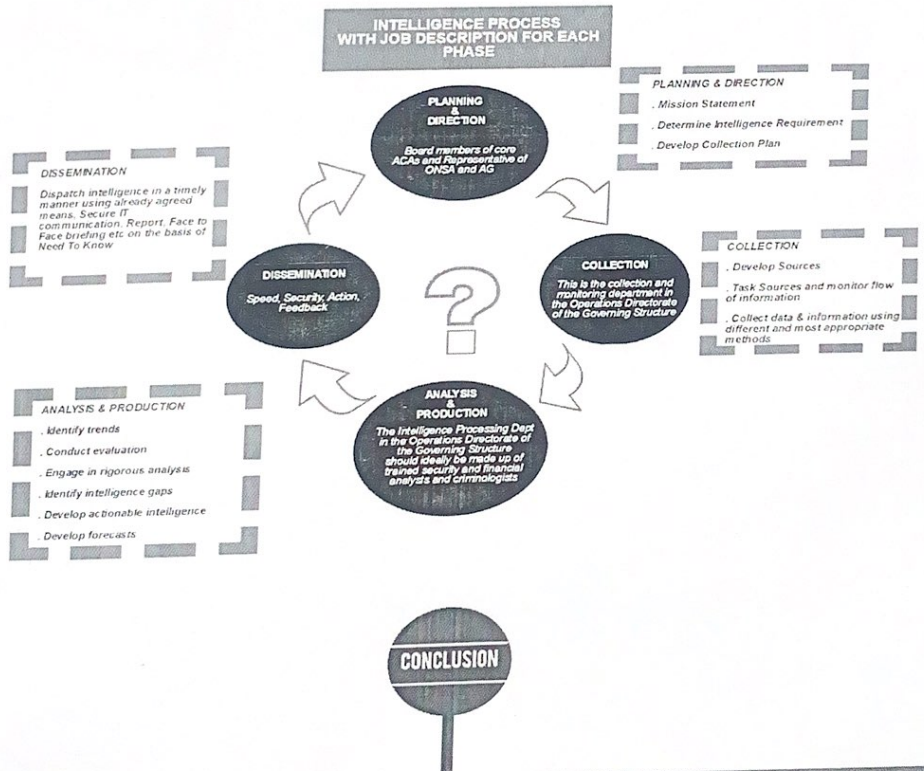
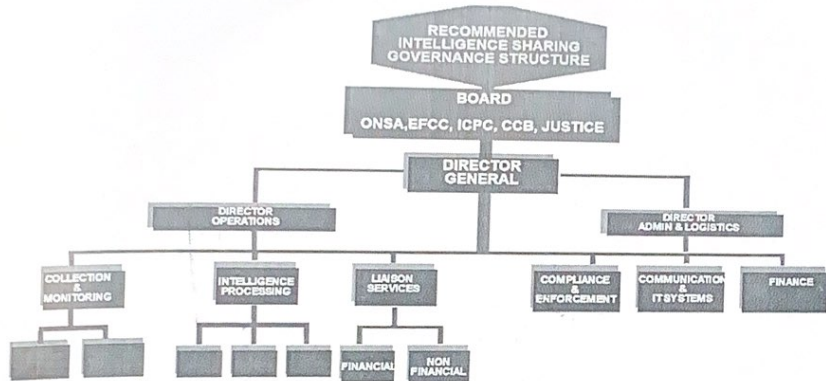
- To ensure that those recruited to perform intelligence processing duties are fit and proper persons who are qualified to perform the job.

- To develop training requirements for intelligence officers.

- To conduct periodic audit to ensure that agreed standards are being followed, and where gaps are identified recommend remedial measures.

SUGGESTED COMPOSITION OF JISC

1. A senior representative of ONSA
2. A senior representative of Intelligence Directorate in CDD, USA, DSS
3. A senior representative of CBN
4. A senior representative of Ministry of Justice
5. A senior representative of Standards Organisation of Nigeria (SON) to serve as secretary



The above report on Coordination Protocol on Intelligence Sharing considered the imperatives for establishment of a platform for Intelligence Sharing amongst ACAs. We considered two options - the first option is short - medium term and the second futuristic and long term. The short term requires leveraging on the existing structure by enhancing it to meet the immediate requirement. The second option will require a more elaborate structure and extensive orientation, training and attitudinal change to bring it to an acceptable fruition. The sub committee is recommending the first option.