



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Wednesday 7 June 2023

1. Prayers
 2. National Pledge
 3. Approval of the Votes and Proceedings
 4. Oaths
 5. Messages from the President of the Federal Republic of Nigeria (if any)
 6. Messages from the Senate of the Federal Republic of Nigeria (if any)
 7. Messages from Other Parliament(s) (if any)
 8. Other Announcements (if any)
 9. Petitions (if any)
 10. Matters of Urgent Public Importance
 11. Personal Explanation
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Admittance into the Chamber:

Hon. Alhassan Ado Dogowa:

“That the House Pursuant to Order Twenty–one *Rule 8 (1) (vi) & (viii)* of the Standing Orders, the House do admit into the Chamber, former Presiding Officers, Leadership and Clerks, House of Representatives, for the Purpose of a Valedictory Session for the House of Representatives, 9th Assembly 2019–2023”.

PRESENTATION OF REPORTS

1. Committee on Aids, Loans and Debt Management:

Hon. Ahmed Safana Dayyabu:

“That the House do receive the Report of the Committee on Aids, Loans and Debt Management on the Request of the President of the Federal Republic of Nigeria for the Issuance of Promissory Notes for the settlement of Top Priority Judgment Debt and General Judgment incurred by the Federal Ministries, Departments and Agencies” (*Referred: 7/6/2023*).

2. Committee on Capital Market and Institutions:

Hon. Babangida Ibrahim:

“That the House do receive the Report of the Committee on Capital Market and Institutions on the Need to Investigate the Rising Value of Unclaimed Dividends, Unremitted withholding Tax on Dividend and attendant Effects on the Nation’s Economy” (*Referred: 7/11/2019*).

3. ***Ad-hoc Committee to Investigate the Alleged Loss of over \$2.4 Billion in revenue from the Illegal sale of 48 Million barrels of Crude Oil in 2015 Including Crude Oil Exports from 2014 to date:***
Hon. Mark Gbillah Terseer:
 “That the House do receive the Report of the *Ad-hoc* Committee to Investigate Alleged Loss of over \$2.4 Billion in revenue from the Illegal Sale of 48 Million Barrels of Crude Oil in 2015 including Crude Oil Export from 2014 to date (*HR./104/12/2022*)(*Referred: 20/12/2022*).
4. ***Ad-hoc Committee to Investigate Diversion of 20 Billion Naira by the Staff of the Nigerian National Petroleum Corporation (NNPC):***
Hon. Kingsley Chinda:
 “That the House do receive the Report of the *Ad-hoc* Committee to Investigate Diversion of 20 Billion Naira by the Staff of the Nigerian National Petroleum Corporation (NNPC) (*HR. 27/04/2023*) (*Referred: 6/4/2023*).

ORDER OF THE DAY

CONSIDERATION OF REPORTS

1. **Committee on Aids, Loans and Debt Management:**

Hon. Ahmed Safana Dayyabu:

“That the House do consider the Report of the Committee on Aids, Loans and Debt Management on the Request of the President of the Federal Republic of Nigeria for the Issuance of Promissory Notes for the settlement of Top Priority Judgment Debt and General Judgment incurred by the Federal Ministries, Departments and Agencies and approve recommendation therein” (*Laid: 7/6/2023*).

approve the Promissory Note Programme and Bond Issuance to settle outstanding claims and liabilities of MDA’s involved in the sum of USD566,754,754,584.31, GB98,526.17 and N226,281,801,881.64

2. ***Ad-hoc Committee to Investigate the Alleged Loss of over \$2.4 Billion in Revenue from the Illegal Sale of 48 Million barrels of Crude Oil in 2015 Including Crude Oil Exports from 2014 to date:***

Hon. Mark Gbillah Terseer:

“That the House do consider the Report of the *Ad-hoc* Committee to Investigate Alleged Loss of over \$2.4 Billion in revenue from the Illegal Sale of 48 Million Barrels of Crude Oil in 2015 including Crude Oil Export from 2014 to date and approve recommendations therein” (*HR.104/12/2022*) (*Laid: 7/6/2023*).

The resolution of the House as articulated in the votes and proceedings of Tuesday 20th December 2022, gave the committee a multifaceted mandate hence the decision to provide the findings and recommendations of the committee in order of each related mandate.

Alleged Loss of over \$2.4 Billion in Revenue from Illegal Sale of 48 Million Barrels of Crude Oil Export in 2015

Findings

- (i) The allegations about 48 million barrels of Nigeria’s crude oil stored in China being sold illegally without the proceeds being remitted into the account of the Federation surfaced in 2015 immediately after the advent of President Muhammadu Buhari’s administration but only became rife after an online news platform called Point Blank News owned by a Nigeria on asylum in the United States of America Mr Jackson Ude published the story with attachments that included a letter to the Group Managing Director of the Nigerian National Petroleum Corporation (NNPC) from a Nigerian law firm called Lords & Temple who claimed to be solicitors to a Mexican company called SAMANO SA DE CV and its President and Chief Executive Officer (CEO) a certain Jose Salazar Tinajero. The law firm claimed in the letter that Mr Tinajero was approached by an unidentified group in China in 2015 about the intention

of the NNPC to sell 48 million barrels of Nigeria's Bonny Light crude which they alleged had been stolen from Nigeria and stored in tank farms in China;

- (ii) The letter from Lords & Temple also claimed Mr Tinajero provided the information about the stolen crude to then NNPC Group General Manager (GGM) Crude Oil Marketing Department (COMD) Malam Mele Kyari who was the NNPC Group Managing Director (GMD) when the letter was written by the law firm, the late Chief of Staff to the President and Retired Air Commodore Umar Mohammed Gololo. The law firm claimed their client became aware in October 2015 of the efforts by the NNPC to sell the allegedly stolen crude in China and wrote an email to Malam Mele Kyari through an associate of their client a certain Marco Antonio Ramirez expressing their interest to buying the crude but did not receive a positive response from Malam Kyari or the Nigerian Government;
- (iii) The law firm also claims officials of their client were exposed to the threat of life harassment and persecution for seeking compensation from the Nigerian government for the information they provided about allegedly stolen crude oil cargoes in China and subsequently wrote additional letters to the then Minority Leader of the Senate Senator Godswill Akpabio and the former Director General of the Department of State Services (DSS) Malam Lawal Musa Daura about their claims. The letter from the law firm was accompanied by attachments which were published by Pont Blank News and included alleged authorization by NNPC bonny terminal for the sale of 9 million barrels of crude oil in storage in unverified tank farms in China which was allegedly part of an approved quantity to be lifted from the Bonny terminal, alleged storage information from the tank farms in China, copies of alleged email and WhatsApp exchanges between representatives of SAMANO SA DE CV (Jose Salazar Tinajero and Marco Antonio Ramirez) with Malam Mele Kyari, an alleged picture of SAMANO representatives with Malam Kyari at Transcorp Hilton, alleged picture of Jose Salazar Tinajero with Air Commodore Umar Mohammed (Rtd) and copies of letters written by Mr Tinajero on behalf of SAMANO to the President (which the law firm confirmed was not delivered), then Minority Leader, Air commodore Umar and the former DSS DG;
- (iv) Marco Antonio Ramirez is an American citizen who appears to have been acquainted with Mr Tinajero in the United States or elsewhere. He became familiar with Nigeria and certain Nigerian citizens during his previous visits to Nigeria when he claimed to be able to obtain American citizenship for Nigerians who invest in America. He became familiar with a certain Alhaji Ahmed Hamma Saleh who was interested in American citizenship and is a longtime associate of Air commodore Umar Mohammed (Rtd). It was Alhaji Saleh who knowing Air commodore Mohammed's close relationship with the President and the president's anticorruption stance took Mr Ramirez and Mr Tinajero to the Air commodore believing these allegations of Nigeria's stolen crude in China would be important to bring to the knowledge of Mr President;
- (v) Air commodore Umar Mohammed did not take Mr Ramirez and Mr Tinajero to the President or the presidents' late chief of staff but advised both individuals to approach NNPC or other relevant authorities with details of these allegations. He admitted taking a picture with the three individuals as a courtesy but insists the picture published by Point Blank News was doctored to show Mr Tinajero and himself as the only individuals in the picture. He insists he had no further contact with the SAMANO representatives and there is no evidence of wrongdoing against him regarding these allegations;
- (vi) Neither Mr Ramirez or Mr Tinajero has provided or has been able to provide the identity of the so-called group in China that alerted Mr Tinajero to the existence of up to 48 million barrels of Nigeria's Bonny Light crude oil in China to ascertain the veracity of their claims;

- (vii) Contrary to claims by Lords & Temple in their letter that their client was in possession of documents including bank transfer details, names of vessels and their captains to show that the allegedly stolen crude was illicitly sold by some officials of the Nigerian government and the NNPC, none of these documents or any other documents have been provided by either Mr Ramirez or Mr Tinajero to corroborate their allegations;
- (viii) Records show Nigeria produces about 250,000 (Two Hundred and Fifty Thousand) barrels of bonny light crude daily and is exported mainly from one terminal (Bonny) so it would take about 6 months and 12 days for up to 48 million barrels of Nigeria's bonny light crude to be produced. It is not feasible to think for over half a year the entire quantity of this very sought-after type of crude oil grade produced by Nigeria and exported from this terminal was stolen out of the country without trace;
- (ix) 48 million barrels of crude translates to not less than 48 vessel cargoes of crude oil using the usual maximum loading quantity of averagely around 950,000 barrels per vessel with adequate draft at the terminal. It is not feasible that up to 48 vessels which have identifiable IMO numbers would be utilized to steal Nigeria's crude oil without a trace when a letter of credit (LC) is usually required to be issued for each crude oil export from Nigeria;
- (x) The DSS confirmed receipt of a letter from Jose Salazar Tinajero to the former DSS DG on behalf of SAMANO SA DE CV alleging existence of stolen crude oil from Nigeria in China. Considering the magnitude of these allegations the DG responded to the letter expressing the interest of the service to verify these allegations and requesting that SAMANO provide the service with related documents and evidence to assist the service in carrying out its investigation. The DSS did not receive corroborating evidence or documents from SAMANO and after very high-level correspondence and communication with the authorities in China the DSS concluded in correspondence to the committee that the entire allegations by SAMANO were a scam intended for a pecuniary benefit;
- (xi) Mr Jose Salazar Tinajero has previously been arrested in Paraguay for trying to smuggle gold, bronze, zinc and other metals into the US city of Atlanta. He was also indicted in the US city of Maryland for fraudulently reporting the social security number of another US citizen who he has no relation with and for utilizing addresses he had no connection with or presence at for companies he registered in the US. Please see attached documents in related Annexure;
- (xii) Marco Antonio Ramirez has previously been indicted for crimes in the United States and was found guilty in Nigeria of defrauding Nigerians to the tune of \$ 2.5 million and is currently serving a jail term in the Ikoyi prisons. Alhaji Ahmed Hamma Saleh himself was defrauded by Mr Ramirez after he paid what he believed would be an investment towards American citizenship;
- (xiii) The credibility and character of the individuals who made the allegations of stolen Nigerian crude oil cargoes in China are clearly questionable and was emphasized by their desire for monetary compensation from the Nigerian government for information that was not corroborated and did not lead to any recovery by the Nigerian government which is the premise upon which compensation can be considered in line with the whistleblower policy of the government after a formal agreement in that regard which did not happen in this instance;
- (xiv) The following Nigerians Mr Andrew Macaulay, Mr Francis Ibomor and Mr Kelvin Ibomor (who is currently in Canada and is alleged to have fled after their arrest by the police on allegations of blackmailing Nigerian government officials for pecuniary benefit) who claim to have information and evidence about the sale of allegedly stolen crude oil from Nigeria had no previous association or relationship with either Mr Jose Salazar Tinajero or Mr Marco Antonio

Ramirez, they only became acquainted with these individuals at the Transcorp Hilton in 2017 or 2018 through their brother Francis Ibomor who used to drive them around and overhear their conversations about their business interests and the allegedly stolen crude oil. They had no first-hand information about these allegations and appear to have involved themselves in what appears to be a fraudulent scheme because of the pecuniary benefit they believed they would obtain;

- (xv) Malam Mele Kyari in 2015 was the NNPC Group General Manager (GGM) Crude Oil Marketing Department (COMD) when these individuals made these allegations and considering the issues under investigation were directly under his purview before the Petroleum Industry Act, he was delegated by the government to interface with them during the course of the government's investigation and was constrained to manage the relationship with Mr Ramirez and Mr Tinajero the main proponents of the allegations and their new Nigerian cohorts to ensure the government was able to obtain the facts. This explains the existence of photographs, email, WhatsApp and text correspondence with some of these individuals as he could not carry out the government's bidding without directly interfacing and relating with these individuals. Malam Mele Kyari's termination of his interaction with these individuals after the government determined their allegations were false and fraudulent displeased them because of the privileges they felt they enjoyed and informed their obsession with making personal accusations against him. There is no evidence of wrongdoing against Malam Mele Kyari with regards to these allegations;
- (xvi) The current Commission Chief Executive of the Nigerian Upstream Petroleum Regulatory Commission (NUPRC) Engr Gbenga Komolafe was the Executive Director of NNPC Upstream department when these allegations were made but was not involved in the investigation of these allegations as the government did not involve. He was previously a member of a presidential committee investigating crude oil theft in 2014 as NNPC representative but this committee was unrelated to these allegations and the committee completed its assignment before these allegations came to the fore. There is no evidence of wrongdoing against Engr Gbenga Komolafe with regards to these allegations;
- (xvii) There is no evidence of wrongdoing by the then NNPC with regards to these allegations;
- (xviii) The Nigerian Police Force and the Attorney General of the Federation confirmed a formal suit was instituted against Jose Salazar Tinajero, Marco Antonio Ramirez, Francis Ibomor, Andrew Macaulay and Kelvin Ibomor in a Federal High court in Abuja in response to a petition against them for blackmailing and trying to extort government officials and other prominent Nigerians. This case appears to have been stalled ostensibly because two of the accused individuals Mr Tinajero and Kelvin Ibomor left Nigeria and Mr Ramirez is currently incarcerated for another crime;
- (xix) The SAMANO proponents and their Nigerian cohorts are discovered to have sponsored protests against the committee and the Chairman outside the National Assembly through a certain individual George Uboh and another entity George Uboh whistleblower network making frivolous and libelous accusations and have gone ahead through the same George Uboh to institute legal action against the committee seeking to stop the committee's investigation. The committee's insistence of its inability to pursue payment of compensation to them for the information they claim to have provided the Nigerian government with because there was no evidence or recovery, refusal to expressly condemn NNPC and certain individuals without proper investigation, and likelihood of conclusion that there was no evidence to back their

allegations, might not be unconnected with why they instituted legal action against the committee. The legal department of the National Assembly is currently representing the committee and committee chairman.

Recommendations

- (i) The committee advises the National Assembly (Senate and the House), antigrift and other agencies of government not to waste taxpayer's funds on further future investigation of these allegations as they appear to be completely fraudulent and unsubstantiated;
- (ii) The security and antigrift agencies should be advised to prosecute any of the individuals who initially made these allegations if any one of them continues to peddle these false allegations after the committee's investigation;
- (iii) The Abuja Height court handling the case against the related individuals is advised to resume the hearing and prosecution of the case so justice can be meted out appropriately if any of the individuals are found culpable;
- (iv) Mr Jackson Ude and Point Blank News should be advised to issue a public retraction of their publication of these allegations on their website and other media outlets considering the damage this publication has done to the reputation of related government officials and should strongly be admonished to be more circumspect in their future publications.

All Crude Oil Exports and Sales by Nigeria from 2014 till date

Findings

- (i) All the oil and gas companies the committee requested information from did not provide most of the information requested for while some of them refused to respond or appear before the committee. The delayed responses by the companies and the impending end of the 9th assembly prevented the committee from comprehensively concluding its investigation on this aspect of its mandate;
- (ii) Additional information from NIMASA and other international companies confirmed the federal government engaged consultants and a legal team to investigate and prosecute identified losses of revenue from Nigeria's crude oil exports. A judgement for payment of \$1.69 billion was obtained by this legal team against Atlantic Energy Drilling Concepts Nigeria Limited based on a KPMG forensic report but till date no action appears to have been taken to recover these funds for the country. Information obtained by the committee also shows the existence of at least 10 cases in court against a number of International Oil Companies operating in Nigeria for the loss of revenue from the export and sale of Nigeria's crude while a detailed report by the consultants which was not provided to the committee before the conclusion of this report allegedly provides a record of discrepancies in the quantity of crude oil exported out of Nigeria and what was delivered to the end buyers resulting in the loss of billions of dollars by the Nigerian government;
- (iii) The submissions of Agencies of Government revealed that the total volume of crude oil declared to have been lifted in the period under review by various Agencies are at variance with one another. All things being equal, the Committee takes the view that the quantity of crude oil reported by the Agencies of Government to have been lifted should have been the same particularly Nigeria Ports Authority, Nigeria Upstream Petroleum Regulatory Authority and Nigeria Extractive Industry Transparency Initiatives.

AGENCY	VOLUME OF CRUDE OIL LIFTED	VALUE OF CRUDE OIL LIFTED	PERIOD	REMARKS
NIGERIA PORT AUTHORITY	5,813,486,120	0	2015 -2023	No record of 2014 due to loss of data during “End Sars” attack and reconfiguration of soft ware
NUPRC	0	0	2014 -2022	None of the submissions showed record of the volume and the value of crude oil lifted
NNPCL	0	0	2014 - 2022	No submission
NEITI	5,017,273,539	0	2014- 2020	2021 and 2022 compilation on going by NEITI
NIMASA	0	0	2014 -2022	NIMASA only charges 3% Statutory fee on gross freight earning on all crude. It does not involve in sales of crude oil

- (i) We observed instances where the Value of crude oil lifted in the period under consideration was declared by one Agency of Government while others failed to declare;
- (ii) Only Nigeria Extractive Industries Transparency Initiatives and NUPRC declared the total volume of crude oil stolen in Nigeria from the year 2009 to 2020;
- (iii) The volume of crude oil allegedly stolen between 2009 and 2020 according to NEITI was **619.7m** million barrels valued at **\$46.16billion or N16.25** trillion, however, records of crude oil theft for the year 2021 to 2022 was not made available;
- (iv) NEITI did not reveal to the Committee how it arrived at the above figure but only referred the Committee to obtain its report from the Office of the National Security Adviser;
- (v) According to NUPRC, **149,608,094.80** represented estimated crude oil theft (net barrel) between 2014 to 2022 but the corresponding value of the crude was not provided;
- (vi) NNPCL made no submission with regards volume and value of crude oil lifted or stolen;
- (vii) Records relating Clean Certificate of Inspections and the Name of the Federal Government Appointed Agents were not provided. And where provided, they were found to be incomplete;
- (viii) The Committee was unable to track records of repatriation of crude oil sale proceeds back to Nigeria in line with the pre-shipment inspection act as IOCs failed to make available to the Committee their account details, NXP numbers and Statement of accounts;
- (ix) Details of Vessels, their IMO numbers, Q88 information and country of destination of crude oil were not sufficiently provided for tracking;
- (x) The table below provides an insight into how much the International Oil Companies paid into government coffers as Taxes and Royalty between 2014 and 2020. The figures below were extracted from the submissions of Nigeria Extractive Industry Transparency Initiatives (NEITI). Other government agencies such as FIRS, NNPCL and NUPRC did not provide information regarding this neither did International Oil Companies avail themselves the opportunity of presenting to Nigerians sufficient information regarding the Taxes and Royalty they paid within the period under review.

The year 2014-2020	Petroleum Profit Tax \$	Royalty oil \$	Gas Flare Penalty \$	Rental \$	EDT \$	CIT \$	Signature Bonus \$
	38,223,279,348	23,926,583,670	596,865,400	18,689,326	2,724,034,814	2,493,818,682	2,022,971,109

Recommendations

- (i) The committee recommends the continuation of a detailed investigation of all crude oil exports from Nigeria from 2011 till date involving ALL oil and gas companies operating in Nigeria who are involved in crude oil production and exportation and the detailed investigation of report of the consultants and legal team engaged by the federal government through NIMASA who identified loss of revenue to Nigeria from discrepancies in quantities of crude oil exports;
- (ii) House committee on petroleum resources (upstream) of the 10th assembly should prevail on the Ministry of Petroleum Resources, Nigerian Upstream Petroleum Regulatory Authority, Nigerian National Petroleum Company, Nigeria Extractive Industries Transparency Index and other government related entities to explore the production of a harmonized, central and regularly updated record of Nigeria's crude oil exports and proceeds and the committee should superintend the execution of same;
- (iii) A further investigation by related house committee in the 10th assembly should be conducted into the level of compliance to the payment of royalty and other related taxes by oil and gas companies including details of payments made to date;
- (iv) NEITI should be advised to provide its updated records of royalty and taxes paid in 2021 and 2022 and explore an efficient way to ensure its records are up to date considering its watchdog status.

Whistleblower and other Illicit Fund Recoveries by the Federal Government

Findings

- (i) The whistleblower policy of the federal government is commendable, but records obtained from the Ministry of Finance show a sharp decline in recoveries which according to the Ministry was allegedly due to the revelation of the identities of the whistleblowers whose lives became threatened and discouraged other potential whistleblowers from coming forward. The committee also believes this decline might be due to the lack of certainty about the payment of the percentage compensation to potential whistleblowers by the government;
- (ii) The Ministry of Finance, the Accountant general of the Federation and the Attorney general of the federation did provide the committee with a harmonized position with regard to the actual total amount recovered and payment of compensation to whistleblowers. Other information regarding the utilization of recovered funds and evidence of such expenditure was also not provided.

Recommendations

- (i) The committee recommends that the 10th National Assembly consider the passage of a comprehensive whistleblower act as a priority in its legislative agenda as this will be of immense benefit to the country in the fight against corruption and will enhance Nigeria's status in the global anti-corruption index;
- (ii) The committee recommends a further detailed investigation by the 10th assembly into the whistleblower and other recoveries made by the federal government including utilization of these funds and evidence of same.

Other Whistleblower Revelations

Findings

- (i) Allegations against the current NIMASA Director General about his operation of Fidelity Bank accounts where millions of dollars was paid was found to be false. From the account statements and testimony by the banks officials the accounts in question were not his and no such amounts were found in the accounts. The committee summarily cleared the NIMASA DG of these allegations;
- (ii) The owners of the Sandesara Group which includes Sterling Global Oil and Gas and Sterling Oil Exploration and Energy Production Company Limited were found to have been accused by the Indian security and anti-graft authorities of defrauding banks in India to the tune of almost \$2billion dollars and are accused by the Indian authorities of being fugitives in Nigeria evading justice in India. The Indian authorities requested the extradition of these Indian national from Nigeria but claim the Nigerian government refused to honour their request. The committee confirmed these individuals are doing business in Nigeria and the attorney general of the federation claims the case against these individuals appears to be politically motivated because of their support for an opposition party in India;
- (iii) Allegations against the current Managing Director of Nigerian Ports Authority about his obtaining payment from a company called Trepole Nigeria Limited and his award of choice contracts to the company were unsubstantiated from the committee's investigations, account statements and testimony of bank officials;
- (iv) The committee confirmed the payment of ₦16,250,000,000.00 (Sixteen Billion, Two Hundred and Fifty Million Naira) into each of the UBA accounts of Bizplus Consulting Services Limited and GSCL Consulting Services Limited by the Central Bank of Nigeria. Both accounts were opened by UBA for each company about the same time, payment was made by the CBN to both accounts on the same day, the money was withdrawn from both accounts within the same period of about 2 months and from account statements submitted by the bank both accounts were not operated again thereafter. It appears both accounts were opened only for the purpose of lodgment of these payments. The accountant general and the Ministry of Finance claim not to have any knowledge of these payments or the reasons for same while the Central Bank of Nigeria and Accountant Generals office did not respond to the committee's queries in this regard.

Recommendations

- (i) The committee recommends that the federal government engage with the Indian government diplomatically to ensure the amicable resolution of the matter of the Sandesara brothers to avoid unnecessary friction in the relationship between both countries;
- (ii) The committee recommends no further investigation into the issue against the NPA MD as these allegations appear to be premeditated;
- (iii) A detailed forensic investigation should be carried out by the related House committee in the 10th assembly to ascertain the facts and reasons behind the Central Bank of Nigeria's payment of ₦16,250,000,000.00 (Sixteen Billion, Two Hundred and Fifty Million Naira) into each of the UBA accounts of Bizplus Consulting Services Limited and GSCL Consulting Services Limited.