

FEATURES: Fraud fighter faces Nigeria's hard grafters

By Michael Peel

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At the high-rise Lagos office of Nigeria's National Agency for Food and Drug Administration and Control, Dora Akunyili gestures theatrically to two large bundles arranged by her staff on her table. The parcels, imported from India and seized that morning, contain fake pills and packets of Tramal, a painkiller manufactured in its legitimate form by the German company Gunental. Pointing to a label bearing the names of the Nigerians accused of receiving the goods, Ms Akunyili speculates that she may concentrate on embarrassing the suspects rather than hitting them with the full force of the law.

"We normally publicise them because the embarrassment they get from publicising their name is worse than taking them to court," she explains. "They become socially stigmatised."

Ms Akunyili's unusual approach to one of Nigeria's biggest social problems has helped earn her both domestic acclaim and a special prize, awarded in May by Transparency International, the anti-corruption campaign group. In her role as food and drug administration director-general, she has a task no Nigerian would envy: dealing with the twin monsters of a graft-riddled bureaucracy and a manufacturing sector plagued by counterfeiting, sub-standard products and misrepresentation. Her agency's successes - as well as its enduring shortcomings - offer important insights into how to tackle fraud and financial crime in a country that is notorious for both.

"Once you are carrying out a strategy and you don't bend, it works," she claims. "Because what people look for is a way to circumvent it - and when people see that they cannot circumvent it, they fall into line."

In her two years at the head of Nafdac, Ms Akunyili, a pharmacologist by training, has proved she is prepared to confront both prominent Nigerians and western multinationals. She has embarrassed leading consumer goods companies, such as Cadbury Nigeria and Nestlé of Switzerland, by launching high-profile investigations into their activities. Cadbury settled out of court last year over allegations that it imported goods labelled with misleading safety and quality information, while Nestlé admitted a "clerical error" by a supplier led to mistakes on the packaging of a batch of imported milk, although it denied the mis-labelling was deliberate.

Nafdac's highest-profile work is its campaign against the counterfeiting that has helped earn Nigeria international notoriety for fraud. Examples vary from the trivial, such as packets displaying pictures of Danish butter cookies but containing biscuits of dismal

quality, to the illegal manufacturing operations that produce life-threatening fake drugs.

A 2001 survey found that almost half of 581 drug samples taken from Nigerian pharmacies contained drug concentrations outside set limits; for Nafdac, faced with a huge work-load and limited resources, it is essential to find inventive approaches that keep such cases out of the courts where possible.

Ms Akunyili's strategy is based partly on an optimistic view that many of the small-time dealers she is pursuing are fundamentally reasonable people who are more likely to respond to social pressure than to prosecution. She portrays many of them as artless or unwitting villains more deserving of education than criminal sanction - such as the market traders who had left their pharmaceuticals to spoil in the sun. "That was the first time I truly understood that part of the problem of these drug barons is ignorance," she says. "It is greed and ignorance - a terrible mixture."

A second reason for preferring negative publicity to other penalties is to help empower media that are often self-censoring in their approach to the "big men" dominating public life. Newspapers frequently eulogise shady business people and corrupt politicians simply because they are in office, hold a traditional title or possess huge wealth.

Ms Akunyili's strategy is that the threat of loss of face can be potent even for a fraud kingpin who may have high social standing regardless of his activities.

Her policy has a third, pragmatic virtue of sidestepping a criminal justice system plagued with the same issues of corruption and inefficiency as many other branches of government.

As if to demonstrate the depth of the problem, a police officer on the gate to the Nafdac office complex asks for a bribe to allow this correspondent's car to park. The request is typical of a daily reality in Lagos that belies the high-profile anti-corruption pledge made by President Olusegun Obasanjo - whom Ms Akunyili nevertheless praises.

The long-term challenge for Ms Akunyili and other senior officials is to ensure the standards of transparency Nafdac is applying to the private sector are also observed in public life.

She admits it is unsatisfactory that her agency publishes no accounts, although she says she cannot change this unilaterally for fear of antagonising other areas of government that would prefer to remain opaque.

"[It's] a good point," she acknowledges. "It's important for the public to know how their money is spent."

A further issue is to ensure the rules on transparency that do exist are seen by the public as holding officials to sufficiently high standards of behaviour. In an unintentionally revealing moment, Ms Akunyili recounts how she once returned £12,000 out of a £17,000 grant of government money made to her for medical treatment in Britain.

The story is meant to demonstrate her own honesty - it is only when prompted by questioning that she addresses the ethical issue of whether officials should be able to use public funds to finance expensive overseas healthcare. "If you are doing something wrong your conscience will tell you, law or no law, rule or no rule," she reflects, "Because everybody wants to live."

Her willingness to argue the point is in itself refreshing in a culture in which many elected officials and civil servants give little sense of feeling accountable to the public. And her tough approach appears to be winning converts: "[Criminals] are coming to confess," she says. "'Madam, we were doing what we were doing before because we had no guidance.' "

After the interview, Ms Akunyili hands over a letter written two years ago by Marcel Nnakwe, managing director of a pharmaceuticals company in the east of the country.

In it Mr Nnakwe, who lists himself as holding both a knighthood and a traditional chieftaincy, offers meek apologies to Nafdac and the "good people of this Nigeria" for importing counterfeit and expired drugs.

The letter goes on to offer a humble pledge that is as uncharacteristic of a big man as it is typical of Ms Akunyili's striking style of regulatory enforcement: "I promise that I will never again involve myself in this illegal business."

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