

Strengthening the Administration of Justice in Cases Involving Politically Exposed Persons in Nigeria: Legal Accountability, Due Process and Institutional Independence

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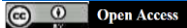
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ABSTRACT

Politically Exposed Persons (PEPs) occupy a distinctive position within the administration of justice because their access to public authority, institutional networks and economic resources may create heightened risks of corruption, money laundering, abuse of office and concealment of illicit proceeds, while their status may simultaneously expose them to politically motivated allegations, selective enforcement and prolonged legal disputes. Nigeria has developed an extensive legal and institutional framework for addressing these risks through the Money Laundering (Prevention and Prohibition) Act, 2022, Administration of Criminal Justice Act, 2015, Proceeds of Crime (Recovery and Management) Act, 2022, Economic and Financial Crimes Commission Act, Independent Corrupt Practices and Other Related Offences Commission Act and related regulatory measures. This study examines the relationship between PEP status and the administration of justice in Nigeria, with particular attention to investigation, prosecution, asset preservation, judicial proceedings, evidentiary standards, institutional independence and the protection of fundamental rights. The study adopts a qualitative documentary research design and draws on Nigerian legislation, institutional reports, international standards and relevant scholarly literature. It is guided by Rule of Law Theory and Principal-Agent Theory. The study finds that PEP status justifies enhanced preventive scrutiny but should not substitute for evidence, due process or judicial determination. It recommends stronger coordination among financial intelligence, investigative, prosecutorial and judicial institutions, clearer case-management procedures, enhanced judicial capacity and safeguards against both impunity and politically selective enforcement.

1. Introduction

The administration of justice represents one of the principal mechanisms through which a state translates the rule of law into practical governance. It encompasses the institutions, procedures and principles through which disputes are resolved, offences are investigated and prosecuted, rights are protected and legal obligations are enforced. In democratic societies, the administration of justice is expected to operate on the basis of legality, equality before the law, judicial independence, fair hearing and institutional accountability. These principles become particularly important where persons occupying or having previously occupied prominent public positions are involved in allegations of corruption, money laundering, abuse of office or other financial crimes because the justice system must simultaneously protect public resources, uphold accountability and prevent the criminal process from being influenced by political considerations. The challenge is therefore not simply whether politically influential persons should be investigated, but whether investigations and prosecutions can be conducted through procedures that are sufficiently independent, evidence-based and consistent to command public confidence (United Nations Office on Drugs and Crime [UNODC], 2023; Financial Action Task Force [FATF], 2023).

The international anti-money-laundering framework recognises Politically Exposed Persons as a category requiring enhanced preventive measures because individuals entrusted with prominent public functions may have greater opportunities to access public resources or influence decisions affecting financial and commercial interests. FATF standards consequently require financial institutions and designated non-financial businesses and professions to apply appropriate enhanced measures when dealing with foreign and domestic PEPs, including measures concerning customer due diligence, source of wealth and source of funds, senior management approval and ongoing monitoring. Importantly, PEP status is preventive and risk-based; it does not mean that an individual is presumed to have committed corruption, money laundering or any other offence. This distinction is fundamental to the administration of justice because preventive financial controls and criminal liability operate through different legal standards and institutional processes (FATF, 2023).

European jurisdictions have increasingly strengthened their mechanisms for addressing financial risks associated with PEPs while maintaining procedural safeguards. The United Kingdom's anti-money-laundering framework requires enhanced scrutiny of politically exposed persons, their family members and known close associates, while the broader criminal justice system requires allegations of criminal conduct to be established through applicable evidentiary and judicial procedures. The United Kingdom's experience illustrates the distinction between enhanced financial monitoring and criminal adjudication: being classified as a PEP may increase the level of due diligence applied by regulated institutions, but criminal responsibility still depends on investigation, evidence and judicial determination. Similar risk-based approaches have developed within the European Union, where AML rules require enhanced measures for relationships involving PEPs and greater attention to beneficial ownership and suspicious financial activity (European Union, 2024; FATF, 2023).

African countries have also strengthened their legal frameworks in response to corruption, money laundering and illicit financial flows involving public officials. South Africa's Financial Intelligence Centre framework provides for enhanced scrutiny of prominent influential persons and other higher-risk customers, while Ghana has strengthened its financial intelligence and anti-money-laundering institutions to improve the detection of suspicious financial transactions. These developments reflect a broader African recognition that public office can create financial crime risks requiring specialised preventive controls, but they also reinforce the need to ensure that financial intelligence is converted into lawful investigation and prosecution rather than treated as conclusive evidence of criminality (Financial Intelligence Centre [FIC], 2023; Financial Intelligence Centre Ghana, 2023).

Nigeria has developed a similarly extensive framework. The Money Laundering (Prevention and Prohibition) Act, 2022 expressly defines politically exposed persons to include persons entrusted domestically or by foreign countries with prominent public functions, including heads of state or government, senior politicians, senior government, judicial or military officials, senior executives of state-owned corporations and important political party officials, as well as relevant family members and close associates. The Act therefore recognises PEPs within the national AML framework and provides a legal basis for enhanced scrutiny of financial relationships involving such persons. The NFIU further identifies suspicious transaction reporting, financial intelligence analysis and dissemination to competent authorities as core elements of its mandate, while its guidance requires PEP transactions to be closely monitored and subject to enhanced due diligence (Federal Republic of Nigeria, 2022a; Nigerian Financial Intelligence Unit [NFIU], 2026).

Nigeria's administration of justice architecture also provides important safeguards for persons investigated or prosecuted for alleged offences. The Administration of Criminal Justice Act, 2015 was enacted to promote efficient criminal justice administration, speedy determination of cases, protection of society and protection of the rights and interests of suspects, defendants and victims. Recent Federal

Ministry of Justice reforms have focused on national minimum standards for implementation of the ACJA and greater coordination across justice-sector institutions, reflecting recognition that fragmented implementation can undermine consistency and efficiency in criminal justice administration (Federal Republic of Nigeria, 2015; Federal Ministry of Justice, 2024).

The relationship between PEPs and the administration of justice must therefore be approached from two complementary perspectives. The first concerns accountability: public officials and politically influential persons should not be insulated from investigation or prosecution merely because of their status, political connections or previous occupation of public office. The second concerns legality: the fact that a person is politically exposed should not lower the evidentiary threshold for criminal liability, justify arbitrary treatment or convert preventive AML measures into automatic assumptions of guilt. The central policy challenge is consequently to establish a system in which heightened financial scrutiny and robust investigation coexist with judicial independence, fair hearing, presumption of innocence and equality before the law.

This issue is particularly significant in Nigeria because allegations involving politically exposed persons often attract substantial public attention and may intersect with political competition, changes in government, institutional rivalry and debates concerning selective prosecution. Such circumstances can create competing perceptions about whether enforcement represents legitimate accountability or political targeting. These perceptions cannot themselves determine guilt or innocence; rather, they demonstrate the importance of transparent procedures, clearly documented evidence, institutional independence and judicial determination. The credibility of Nigeria's justice system therefore depends not only on the number of cases investigated or prosecuted but also on whether the institutions involved can demonstrate that cases are selected, investigated, prosecuted and adjudicated according to law.

Nigeria's recent AML/CFT reform experience further reinforces this requirement. FATF reported that Nigeria had made progress in strengthening risk-based supervision, beneficial ownership information and money-laundering investigations and prosecutions as part of its action plan. The NFIU has also continued to emphasise the importance of effective sanctions, inter-agency collaboration and institutional capacity. These developments demonstrate that the challenge has moved beyond simply enacting legislation toward demonstrating effective implementation, enforcement and institutional outcomes (FATF, 2025; NFIU, 2025).

2.0 STATEMENT OF THE PROBLEM

The involvement of politically exposed persons in Nigeria's criminal justice system presents a complex institutional problem because the same individuals who require heightened preventive scrutiny may also possess significant political, economic and social influence. Their status can create opportunities for abuse of public resources, concealment of beneficial ownership and movement of illicit proceeds, while their prominence can also expose investigations and prosecutions to public controversy. The administration of justice must therefore maintain a difficult balance between effective accountability and protection against arbitrary or politically motivated enforcement.

One major problem is the tendency to conflate PEP classification with criminal suspicion. PEP status is essentially a risk-management concept within the AML framework and does not establish that a person has committed an offence. However, public discourse may sometimes treat enhanced due diligence, suspicious transaction reports or financial intelligence as proof of wrongdoing. This can create reputational consequences before judicial determination and may undermine the distinction between preventive financial regulation and criminal adjudication. The justice system must therefore ensure that intelligence serves as a basis for lawful investigation rather than replacing the evidentiary process required for criminal conviction.

A second problem concerns institutional coordination. Cases involving PEPs may require the participation of the NFIU, EFCC, ICPC, Police, prosecutors, regulatory agencies, asset recovery institutions and courts. Where intelligence, investigation, prosecution and judicial processes are insufficiently coordinated, cases may experience delays, duplication, incomplete evidence or procedural disputes. The Federal Ministry of Justice has itself acknowledged the need for stronger coordination across the justice value chain, noting that fragmented approaches remain a challenge to effective justice-sector reform (Federal Ministry of Justice, 2025).

A third problem concerns the protection and recovery of public assets. Alleged proceeds of corruption may be transferred through complex financial structures, invested in companies or converted into property. The Proceeds of Crime (Recovery and Management) Act, 2022 provides a legal framework for the management and recovery of proceeds of crime, but effective implementation requires timely investigation, lawful preservation of assets, appropriate judicial orders and transparent management. The existence of a legal framework therefore does not by itself guarantee successful recovery.

A fourth problem concerns public confidence. Where politically sensitive cases appear to be pursued selectively, discontinued without adequate explanation, delayed for extended periods or repeatedly transferred between institutions, public confidence in the administration of justice may decline. Conversely, aggressive enforcement without adequate evidence or due process can also undermine confidence by creating perceptions that political considerations have influenced criminal proceedings. The fundamental problem is therefore one of institutional credibility: ensuring that PEP-related cases are treated neither with undue privilege nor with undue prejudice.

3.0 OBJECTIVES OF THE STUDY

The objectives of the study are to:

- i. examine the legal and institutional framework governing the administration of justice in cases involving politically exposed persons in Nigeria;
- ii. assess the challenges associated with investigation, prosecution, adjudication and asset recovery in PEP-related cases;
- iii. examine the relationship between enhanced financial scrutiny of PEPs and the principles of due process, fair hearing and judicial independence; and
- iv. propose institutional measures for strengthening accountability, consistency and public confidence in the administration of justice involving PEPs.

4.0 RESEARCH QUESTIONS

- i. What legal and institutional framework governs the administration of justice in cases involving politically exposed persons in Nigeria?
- ii. What challenges affect the investigation, prosecution, adjudication and recovery of assets in PEP-related cases?
- iii. How can enhanced financial scrutiny of PEPs be reconciled with due process, fair hearing and judicial independence?
- iv. What institutional measures can strengthen accountability, consistency and public confidence in PEP-related justice processes?

5.0 CONCEPTUAL CLARIFICATION

5.1 Politically Exposed Persons

Politically Exposed Persons are individuals who are or have been entrusted with prominent public functions. Under Nigeria's Money Laundering (Prevention and Prohibition) Act, 2022, the category covers relevant domestic and foreign public officials and persons entrusted with prominent functions by international organisations, together with specified family members and close associates. PEP

classification is intended to identify higher-risk relationships for enhanced financial scrutiny and does not constitute a finding of criminal conduct (Federal Republic of Nigeria, 2022a).

5.2 Administration of Justice

Administration of justice refers to the institutional and procedural processes through which laws are interpreted, disputes are resolved, offences are investigated and prosecuted, rights are protected and judicial decisions are enforced. It involves courts, prosecutors, law-enforcement institutions, correctional institutions, legal practitioners and other actors within the justice value chain.

5.3 Enhanced Due Diligence

Enhanced due diligence refers to additional measures applied where a customer or transaction presents heightened financial crime risks. In PEP cases, such measures may include establishing source of wealth and source of funds, obtaining senior management approval, enhanced monitoring and other risk-based controls.

5.4 Due Process

Due process requires public institutions to exercise their powers according to established law and fair procedures. In criminal proceedings, it includes lawful investigation, fair hearing, access to legal representation, presumption of innocence and determination by a competent and independent court.

5.5 Judicial Independence

Judicial independence refers to the ability of courts and judicial officers to determine cases impartially and according to law without improper interference. It is particularly important in cases involving politically influential persons because judicial decisions may have significant political and public consequences.

6.0 THEORETICAL FRAMEWORK

6.1 Rule of Law Theory

Rule of Law Theory provides the principal theoretical foundation for this study. The theory is based on the proposition that public authority should be exercised according to established law and that individuals and institutions should be subject to legal rules rather than arbitrary power. Applied to PEP-related cases, the theory requires that public officials should be accountable for unlawful conduct while also receiving the same procedural protections available to other persons.

The theory is particularly relevant because PEP-related investigations often involve powerful individuals and substantial public interest. A rule-of-law approach requires investigators and prosecutors to act within statutory powers, courts to remain independent and defendants to receive fair hearing. It therefore provides a framework for examining how Nigeria can simultaneously pursue accountability and prevent arbitrary enforcement.

6.2 Principal-Agent Theory

Principal-Agent Theory explains governance relationships in which principals delegate authority to agents who may possess greater information or discretion than the principals themselves. In public administration, citizens constitute the ultimate principals, while public officials exercise delegated authority on their behalf. Where public officials exploit delegated authority for private gain, corruption and abuse of office may occur.

The theory is relevant to PEPs because prominent public officials frequently exercise substantial control over public resources, contracts, appointments and regulatory decisions. Effective accountability mechanisms are therefore required to ensure that delegated authority is exercised for public rather than private purposes. At the same time, the theory underscores the importance of independent oversight institutions capable of investigating and sanctioning abuse without becoming instruments of political retaliation.

7.0 METHODOLOGY

The study adopts a qualitative documentary research design. The design is appropriate because the study examines legal provisions, institutional mandates, regulatory standards, justice-sector policies, international AML/CFT standards and documented institutional developments relating to PEPs. Primary sources include Nigerian legislation and official institutional documents, while secondary sources include reports of international organisations, scholarly publications and relevant policy literature.

The documentary materials were analysed thematically around five principal issues: PEP classification and financial scrutiny; investigation and prosecution; judicial process; asset recovery; and institutional accountability. The analysis focuses on the relationship between preventive AML measures and criminal justice processes, with particular attention to the need to preserve due process and judicial independence.

8.0 NIGERIA'S LEGAL AND INSTITUTIONAL FRAMEWORK FOR PEPs

Nigeria's legal framework for addressing PEP-related financial risks is principally anchored in the Money Laundering (Prevention and Prohibition) Act, 2022. The Act defines PEPs broadly and establishes obligations relating to customer identification, suspicious transactions, reporting and enhanced measures. It operates alongside the NFIU Act, 2018, which established the NFIU as an autonomous financial intelligence institution responsible for receiving, analysing and disseminating financial intelligence to competent authorities (Federal Republic of Nigeria, 2018; Federal Republic of Nigeria, 2022a).

The framework is complemented by the Proceeds of Crime (Recovery and Management) Act, 2022, which provides mechanisms for the preservation, forfeiture, management and disposal of proceeds and instrumentalities of crime. The EFCC Act and ICPC Act provide additional foundations for investigating and prosecuting economic and financial crimes and corruption-related offences. Together, these laws create multiple institutional pathways through which suspected financial misconduct involving PEPs can enter the justice system.

The Administration of Criminal Justice Act, 2015 provides an additional procedural framework for criminal proceedings at the federal level. Its objectives include efficient criminal justice administration, speedy determination of cases and protection of the rights and interests of suspects, defendants and victims. The implementation of corresponding Administration of Criminal Justice Laws at state level further reflects the effort to standardise criminal procedure and reduce institutional inconsistencies (Federal Republic of Nigeria, 2015).

9.0 PEP STATUS AND ENHANCED FINANCIAL SCRUTINY

PEP classification is primarily a preventive mechanism. Financial institutions and other reporting entities are expected to recognise the higher risks associated with prominent public functions and apply enhanced measures. The NFIU's current guidance makes clear that financial institutions should not automatically file suspicious transaction reports merely because a customer is a PEP; suspicious activity must exist, while PEPs are subject to enhanced due diligence and monitoring (NFIU, 2026).

This distinction is critical because an AML reporting system operates before the criminal justice system establishes guilt. A suspicious transaction report provides intelligence that may justify further analysis or investigation; it does not constitute a judicial finding that the transaction represents proceeds of crime. Consequently, investigative agencies must independently establish the facts, identify the predicate offence where applicable, establish financial links and satisfy evidentiary requirements before criminal liability can be determined.

The preventive system is nevertheless important because PEPs may be positioned to influence public procurement, licensing, taxation, regulation, public expenditure and other areas capable of generating corruption risks. Enhanced monitoring can therefore assist financial institutions and

competent authorities in detecting unusual transactions and identifying potential conflicts between declared income, source of wealth and observed financial activity.

10.0 INVESTIGATION AND PROSECUTION OF PEP-RELATED OFFENCES

Investigation is the stage at which financial intelligence and other information are converted into admissible evidence. In PEP-related cases, this process may involve tracing bank transactions, examining procurement records, reviewing corporate ownership, establishing beneficial ownership, analysing property transactions and interviewing relevant persons. The investigation must remain evidence-driven because the prominence of the suspect cannot substitute for proof of the elements of an offence.

The prosecution stage introduces another institutional threshold. Prosecutors must assess whether the available evidence supports the charges and whether the case can be proved according to the applicable standard. This is particularly important in politically sensitive cases because weak or poorly prepared cases may collapse in court, while prolonged proceedings may impose costs on both the accused and the justice system.

Nigeria's recent AML/CFT reforms have increasingly emphasised the effectiveness of investigations and prosecutions. FATF's monitoring of Nigeria has included sustained increases in money-laundering investigations and prosecutions among the country's identified reform objectives (FATF, 2024; FATF, 2025). This demonstrates that international assessment increasingly considers not only whether laws exist but whether institutions are capable of producing effective outcomes.

11.0 JUDICIAL INDEPENDENCE AND PEP-RELATED CASES

The judiciary occupies a central position in determining whether allegations against PEPs satisfy the requirements of criminal law. Judicial independence becomes especially important because cases involving former or serving public officials may attract intense public attention and may have consequences beyond the individual parties.

An independent court must therefore determine cases based on evidence and applicable law rather than public sentiment, political pressure or institutional expectations. The principle applies equally where the defendant is a powerful public official and where the defendant is an ordinary citizen. Equality before the law requires neither preferential treatment nor discriminatory treatment.

The NFIU has recognised the importance of judicial capacity in AML/CFT enforcement and has engaged the Nigerian Judicial Institute on relevant legislation and international standards. Such engagement is significant because judges dealing with complex financial crime cases may encounter sophisticated financial structures, corporate vehicles, digital transactions and international elements requiring specialised understanding (NFIU, 2023).

12.0 ASSET PRESERVATION, FORFEITURE AND RECOVERY

Financial crime cases involving PEPs frequently extend beyond the prosecution of individuals to the preservation and recovery of assets allegedly derived from unlawful conduct. Nigeria's Proceeds of Crime (Recovery and Management) Act, 2022 provides a framework for managing proceeds and instrumentalities of crime and establishes procedures through which assets can be preserved and ultimately subjected to appropriate judicial processes.

Asset recovery must nevertheless remain connected to legality and judicial oversight. The identification of an asset as belonging to a PEP does not by itself establish that it represents proceeds of crime. Investigators must establish the relevant legal and factual connection between the property and unlawful conduct, while the appropriate court or legally authorised process determines the consequences.

This distinction is important because aggressive asset recovery without adequate procedural safeguards can create legitimate concerns about arbitrary deprivation of property. Conversely, excessive

procedural delay can allow illicit assets to disappear or lose value. Effective administration of justice therefore requires a balance between timely preservation and lawful adjudication.

13.0 INSTITUTIONAL COORDINATION

PEP-related cases often require several institutions to operate within a single evidentiary chain. The NFIU may provide financial intelligence, the EFCC or ICPC may conduct investigations, prosecutors may evaluate and present evidence, regulators may provide sector-specific information and the courts determine legal disputes and criminal liability. The effectiveness of the system therefore depends on institutional coordination without compromising the independence of individual institutions.

Nigeria's Federal Ministry of Justice has recently emphasised that justice-sector challenges are interconnected and that fragmented institutional approaches are insufficient. The Federal Justice Sector Reform Coordinating Committee has consequently promoted stronger alignment among courts, law-enforcement institutions, correctional bodies and other justice-sector actors (Federal Ministry of Justice, 2025).

For PEP-related cases, coordination should focus particularly on information quality, case ownership, evidence preservation, asset tracing and timely prosecution. At the same time, coordination should not become institutional interference. Each agency must remain within its statutory mandate, while mechanisms for information exchange should be sufficiently clear to avoid duplication and institutional conflict.

14.0 CHALLENGES IN THE ADMINISTRATION OF JUSTICE INVOLVING PEPs

The first major challenge is the potential politicisation of criminal justice. Because PEPs are often associated with political office, allegations against them may become entangled with political competition. The appropriate response is not to assume that every prosecution is politically motivated or that every investigation represents genuine accountability, but to strengthen transparent procedures through which the evidence, legal basis and progress of cases can be independently assessed.

The second challenge is institutional capacity. Complex financial crime cases require forensic accountants, digital investigators, financial analysts, prosecutors and judges with specialised knowledge. The sophistication of contemporary financial transactions can exceed traditional investigative approaches, particularly where assets are distributed across several jurisdictions.

The third challenge is delay. Criminal proceedings involving substantial documentary evidence and multiple defendants can take considerable time. Delay may undermine the interests of victims, defendants and the wider public. Effective case management, specialised judicial capacity and appropriate use of technology can assist in reducing avoidable delays without compromising fair hearing.

The fourth challenge concerns beneficial ownership. PEP-related assets may be held through companies, nominees, relatives or associates, making it difficult to determine the ultimate beneficial owner. FATF has specifically identified timely access to accurate and up-to-date beneficial ownership information as an area relevant to Nigeria's AML/CFT effectiveness (FATF, 2025).

The fifth challenge concerns public perception. High-profile investigations generate substantial public attention, and premature public statements can create the impression that guilt has already been determined. Justice institutions should therefore distinguish carefully between announcing lawful investigative actions and making conclusions that properly belong to the courts.

15.0 TECHNOLOGY AND THE ADMINISTRATION OF JUSTICE

Technology can strengthen the administration of justice involving PEPs by improving financial intelligence analysis, case management, evidence organisation and judicial access to complex records. The NFIU's role in collecting and analysing financial disclosures demonstrates the importance of data-driven approaches to identifying suspicious financial activity. Its mandate includes analysis of

information from relevant local and international databases and dissemination of resulting intelligence to competent authorities (NFIU, 2026).

Financial crime investigations can increasingly involve large volumes of banking information, company records, property transactions and electronic communications. Analytical technologies can assist investigators in identifying relationships and transaction patterns that may not be readily visible through manual review. However, technological tools should remain aids to investigation rather than substitutes for human judgment, legal standards and judicial evaluation of evidence.

Digital case-management systems could also improve coordination among investigative and prosecutorial institutions by recording case status, pending applications, evidence requirements and court dates. Such systems should incorporate appropriate access controls, audit trails and data-protection safeguards to prevent unauthorised disclosure of sensitive information.

16.0 BALANCING ACCOUNTABILITY WITH DUE PROCESS

The administration of justice involving PEPs requires a balanced institutional approach. On one side, public officials should not be shielded from lawful investigation merely because of their political status. On the other side, the designation of an individual as a PEP should not be treated as proof of corruption or money laundering. The appropriate institutional principle is therefore enhanced scrutiny without reduced legal protection.

This balance can be expressed through a clear distinction between three stages: preventive monitoring, criminal investigation and judicial determination. Preventive monitoring may apply enhanced due diligence because of the person's risk profile; investigation begins when information provides a sufficient basis for examining suspected unlawful conduct; and judicial determination establishes criminal responsibility according to applicable law and evidence.

Such differentiation would strengthen both accountability and fairness. It would allow financial institutions to meet AML obligations without making premature conclusions, enable investigators to pursue credible allegations without political interference and allow courts to determine cases independently. The approach would also reduce the possibility that financial intelligence reports are misunderstood as convictions or that preventive controls are interpreted as criminal sanctions.

17.0 DISCUSSION

The analysis demonstrates that the central challenge surrounding PEPs and Nigeria's administration of justice is not the absence of legal recognition. Nigeria has established a relatively broad legal and institutional framework encompassing PEP identification, enhanced due diligence, financial intelligence, criminal investigation, prosecution, asset recovery and judicial determination. The more significant challenge is ensuring that these components operate consistently and independently throughout the justice chain.

The distinction between risk and guilt remains particularly important. A PEP classification is a risk-management mechanism, while criminal liability requires proof of an offence. Treating the two as interchangeable could undermine both AML effectiveness and constitutional protections. Financial institutions may become reluctant to serve legitimate customers, while individuals may suffer reputational consequences without judicial determination.

At the same time, excessive concern about due process should not be used to prevent legitimate investigation. The rule of law protects both individual rights and the public interest in accountability. Where credible evidence indicates possible corruption, money laundering or abuse of office, competent institutions should investigate and, where the evidence supports it, prosecute according to law.

Institutional independence is therefore essential. Investigative agencies must be able to examine credible allegations without improper political interference; prosecutors must exercise professional judgment; and courts must determine cases independently. This is consistent with the Federal Ministry

of Justice's broader reform emphasis on coordinated but effective justice-sector institutions and with Nigeria's continuing AML/CFT reforms.

The study further finds that judicial capacity should receive particular attention. Complex PEP-related cases may involve financial intelligence, international transfers, beneficial ownership, corporate structures and digital evidence. Judicial officers therefore require continuing professional development in financial crime, AML/CFT legislation, asset recovery and emerging financial technologies. The NFIU's engagement with the Nigerian Judicial Institute provides an existing institutional basis that can be further strengthened.

18.0 CONCLUSION

Politically Exposed Persons occupy a distinctive position within Nigeria's administration of justice because their public responsibilities can create heightened financial crime risks while their political prominence can expose the justice system to heightened public scrutiny and competing interpretations. Nigeria's legal framework recognises these risks through enhanced financial monitoring, suspicious transaction reporting, financial intelligence and criminal justice mechanisms.

The study concludes that PEP status should remain a basis for enhanced preventive scrutiny rather than a presumption of criminality. Effective administration of justice requires that allegations involving PEPs proceed through the same fundamental principles of legality, evidence, fair hearing and judicial independence applicable to other criminal cases. At the same time, public office should not constitute immunity from lawful investigation or prosecution.

The central reform requirement is therefore institutional consistency. The NFIU, EFCC, ICPC, prosecutors, regulators and courts should operate through clearer coordination mechanisms while preserving their respective statutory independence. Asset recovery should be pursued through lawful processes, and complex financial crime cases should receive appropriate technical and judicial capacity.

Ultimately, the credibility of Nigeria's justice system in PEP-related cases will depend not simply on the number of investigations or prosecutions undertaken, but on whether cases are demonstrably evidence-based, procedurally fair, institutionally independent and capable of reaching timely judicial determination. A justice system that combines accountability with due process will be better positioned to protect public resources, uphold individual rights and strengthen confidence in the rule of law.

19.0 RECOMMENDATIONS

Recommendation One

The Federal Government should strengthen a coordinated justice-sector framework for handling cases involving politically exposed persons while preserving the statutory independence of investigative, prosecutorial and judicial institutions.

Implementation Strategies

- i. Federal Ministry of Justice to establish standard procedures for inter-agency coordination in PEP-related investigations, prosecution and asset recovery.
- ii. NFIU in collaboration with the EFCC and ICPC to strengthen structured information-sharing mechanisms for PEP-related financial intelligence and investigations.

Recommendation Two

The Federal Government should strengthen judicial capacity for the effective and timely adjudication of complex financial crime cases involving politically exposed persons.

Implementation Strategies

- i. National Judicial Institute to expand specialised training for judicial officers on AML/CFT, financial intelligence, beneficial ownership and asset recovery.
- ii. Heads of Courts to strengthen case-management mechanisms for complex financial crime proceedings to minimise avoidable delays.

Recommendation Three

The Federal Government should maintain enhanced financial scrutiny of politically exposed persons while ensuring that PEP status is not treated as evidence of criminal liability.

Implementation Strategies

- i. NFIU and relevant regulators to strengthen guidance on enhanced due diligence, source-of-wealth verification and risk-based monitoring of PEPs.
- ii. CBN and other supervisory authorities to strengthen compliance monitoring and sanctions for institutions that fail to implement applicable PEP controls.

Recommendation Four

The Federal Government should strengthen safeguards that promote evidence-based prosecution, due process and public confidence in PEP-related criminal proceedings.

Implementation Strategies

- i. Federal Ministry of Justice to develop case-review procedures for ensuring that PEP prosecutions are supported by sufficient evidence and applicable legal provisions.
- ii. Justice-sector institutions to strengthen transparent case-management and public communication practices while protecting confidential investigative and judicial information.

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