

Nigeria - [419 Coalition](#) 2004 News on Nigerian Scam / 419 Operations

31 DEC 2004

EFCC Commissioner Nuhu Ribadu selected as Man of the Year by ThisDay, a Nigerian newspaper:

Nuhu Ribadu: The Anti-Corruption Czar

By Simon Kolawole, 12.31.2004

Nuhu Ribadu is vindictive. Nuhu Ribadu is being used by President Olusegun Obasanjo to witch-hunt the president's political opponents. Nuhu Ribadu does selective justice. Nuhu Ribadu talks too much. Nuhu Ribadu grandstands. Nuhu Ribadu is power-drunk. Nuhu Ribadu has bitten more than he can chew. Nuhu Ribadu this. Nuhu Ribadu that.

That is just one side of the story, the unpleasant side of the story, depending on whether you have been pinched by the claws of the Octopus called Economic and Financial Crimes Commission (EFCC), headed by Nuhu Ribadu, an Assistant Police Commissioner who is the Executive Chairman of the Commission.

The pleasant part of the story is that Ribadu has inspired the commission to a height that could make Major-Generals Muhammadu Buhari and Tunde Idiagbon (late) envious, given their own spirited battle against corruption and indiscipline when they sat on the seat of power in 1984-85. Theirs was called War Against Indiscipline (WAI). Despite all their excesses, Buhari and Idiagbon are still recognised for making efforts to sweep corruption and other forms of indiscipline out of the nation's terrain.

The EFCC is saddled with the responsibility of fighting battles that even angels will tactically dodge. In a country where corruption is the major employer of labour, it takes a large injection of courage to stand out and be counted as an anti-corruption crusader. Ribadu is heavily injected with courage, perhaps an overdose of it, and he is suicidally wearing a battle gear against 419, bank frauds, fraud in the petroleum sector, pipeline vandalisation and money laundering among several other children and grandchildren of corruption.

He knows that too well. A devout Muslim, he readily admits that if it is the will of Allah that he should be consumed by this anti-corruption war, so be it. From Allah he came, and to Allah he shall return. "Believe me, I'm not afraid of death. I've got so many death threats. I am not bothered. I just checked my e-mail now and I received a threat mail from a Nigerian fraudster based in Germany. We just blocked a 419 deal he wanted to seal. He's furious. He said he is monitoring my movement, that he would deal with me. Of course, I just smiled. I get a lot of such letters everyday. I'm not worried at all," he once told this writer in an informal chat.

What makes the Ribadu story pleasing to the ear is that he is not a typical police officer. In fact, he had a rough battle with the police hierarchy when he was appointed chairman of EFCC. Their anger stemmed from the fact that President Olusegun Obasanjo appointed a 'junior' officer to head the commission. The position, they argued, was for a person with rank of Commissioner of Police. But Obasanjo stuck to his gun. He had heard a lot about the integrity of this particular police officer in a country where police officers and integrity don't mix as a matter of principle. Obasanjo had done his own surveillance gathering and was bent on scoring a vital goal with Ribadu's appointment.

Many were of the opinion that the police hierarchy did not like Ribadu's appointment, not because he was not qualified, but because of the billions of naira involved in the anti-corruption business. It was too juicy a job to hand over to a very young man, who was just hovering around 40 years of age then.

Fighting 419 was a very lucrative business in the past. Many Inspectors-General of Police had fed fat on the scams. There was an IGP who used to give police protection to 419 kingpins. The story goes that one day, an Assistant Inspector General of Police (AIG) was having a meeting with this IGP in question when a notorious 419 kingpin came in. The IGP told the AIG to 'please excuse us'. The AIG was so furious that as soon as he was appointed IGP, his first duty was to get the fraudster arrested and detained throughout his tenure. Such was the decay in the police hierarchy.

The official support and protection given to the fraudsters did sufficient damage to the image of Nigeria. The international community treated Nigerians with contempt, and when it came to business matters, they would not want to touch Nigerians with a long cable. The reproach was dehumanizing.

To make matters worse, the 419 kingpins were walking the streets as kings. They were openly celebrating their ill-gotten wealth. They were getting chieftaincy titles and granting press interviews. As soon as Ribadu came into office, he rounded them up. Many of them have been languishing in jail on court orders, and they have been fighting for their fundamental human rights since then.

Ribadu has fought wars with foreigners who evade taxes and duties despite the billions they made from the Nigerian economy. He has engaged fuel smugglers in a war on the borderline. He has taken on his own people like Alhaji Mohammed Bulama, the Managing Director of Bank of the North, who must have thought that the Arewa spirit would bless him with some protection. Those who accuse Ribadu of being used for political ends point directly to the case involving Governor Joshua Dariye of Plateau State. Many believe that it was because the president wanted to deal with the embattled governor that the EFCC has taken over the case. However, one point that cannot be discounted is that the Metropolitan Police of London wrote him and

detailed all the allegations of financial misdeeds against the governor. Should the EFCC fold its arms and go to sleep after receiving such a report? Even though, EFCC does not have the power to try a constitutionally-protected governor but by trying the governor's co-conspirators who do not have immunity, Ribadu may be scoring an even bigger point. It will serve as a landmark in the anti-corruption fight.

Indeed, Ribadu is a shining example. No matter his perceived imperfections, he stands out for daring to take up a dogged fight against corruption. Not many Nigerians can be counted as standing tall in integrity, but his slender frame houses both integrity and courage. And since these are very scarce qualities in Nigeria, Ribadu has clearly made a name for himself. And that is why he has been selected as THISDAY Man of The Year which just ended.

419 Coalition Note: 419 Coalition would like to congratulate Commissioner Ribadu on his selection as ThisDay Man of the Year. He is genuinely doing his best to bring down the 419ers, and that takes immense skill, courage, and perseverance. Mr. Ribadu is a true patriot and is Making a Difference for all Nigerians, at home and abroad. We often think of Mr. Ribadu as Nigeria's Eliot Ness. We thank the EFCC team and Mr. Ribadu for their efforts, and we applaud ThisDay for its selection of Commissioner Ribadu as Man of the Year.

31 DEC 2004

From Vanguard, a Nigerian newspaper:

FCT police boss blasts 419 victims, says they are greedy

By Kingsley Omonobi

Friday, December 31, 2004

ABUJA: THE Commissioner of police in the Federal Capital, Abuja, Mr. Emmanuel Adebayo yesterday lambasted victims of advanced fee fraud, saying their greed more than anything else usually makes them easy targets. "It is a pity, but 419 victims are those who want to become rich overnight. Any hard working person who is satisfied with his earnings would not easily get deceived by these fraudsters except he has greed in his system." (the rest of the article is not related to 419 matters).

419 Coalition Note: Of course, for these people to be 419 victims they must FIRST be targeted by the greedy, criminal 419ers. Yes, it sure is a pity that these greedy, criminal 419ers are not satisfied with their earnings from legitimate pursuits and want to become rich overnight by stealing from those who Have worked hard, and legitimately, for the monies that they lose.

Additionally, in many cases of goods and services 419, the targets have merely made the mistake of extending credit to, or of doing a favor for, their apparently above-board Nigerian business counterpart. Cases of Cashier's Check 419 and Charitable Organization 419 are often like this, for example.

In short, we hope that Commissioner Adebayo's remarks were misquoted, or were taken out of context, as he really can't be such an idiot about 419 matters as his remarks make him out to be. And even if he were, and did actually say what he allegedly said, 419 Coalition would like to point out that Greed, in itself, is generally not illegal, but Stealing Is. Therefore Commissioner Adebayo had better start arresting and convicting 419ers in his jurisdiction -- not One has been convicted in recent years -- before he runs off at the mouth and makes silly generalizations about 419 victims. Now That would be a productive use of the man's time.

27 DEC 2004

Credited to "Mid-Day" from Naijanet.com:

Mumbai, India: Two Nigerian scamsters debarred

By Vinod Kumar Menon

The Mumbai police took stern action against two Nigerian nationals on Friday by applying 'persona non grata' and thereby banned their entry into the country forever.

The men, identified as Ngozi Alexander Achiliho (30) and Joseph Iroka (35), were sent back to their country on Friday evening.

The duo would cheat people by sending them emails stating that someone had died in an accident leaving behind a huge sum in his savings account. And since the deceased shared the same surname as that of the victim, he was entitled to the sum.

Another method adopted by them was to pose as representatives of the United Nations and assure US \$10 million against \$7,000.

The victims would be assured of receiving the money through courier and asked to collect the trunk from the airport cargo section after receiving the US \$7,000 from them.

The trunk would contain 'anti breeze' paper bundles (a term used by the culprits) covered with black powder, which they said was done to disguise the dollar notes to prevent African terrorists

from learning about the huge sum.

The police found two laptops, six mobile phones and telephone diaries of their victims in their possession.

According to a police officer supervising the operation, necessary instructions have been given to all the concerned immigration centres about the ban on their entry.

Stern action has been taken against the duo on account of increase in cases of innocent people being duped by Nigerians and other African nationals in our country after being lured by promises of untold wealth.

The Bandra crime branch unit 9 had arrested two Nigerians a few months ago in a similar case.

The duo, Harrison Edward and Peter Johnson, had duped a businessman Deepesh Goel (34) from Rajkot to the tune of over Rs 5 lakh.

The police have requested the public to come forward and register a complaint against such crooks.

Also, they have cautioned people from getting carried away by such false promises and assurances of easy wealth.

Here is the URL of the article for as long as it is good:
<http://najjanet.com/news/source/2004/dec/27/1004.html>

20 DEC 2004

We were just made aware of these two news pieces from KGO-TV/DT ABC Channel 7 which serves San Francisco, Oakland, and San Jose. They were aired 26 MAY 2004. We thought they were excellent pieces! So we're putting them up - as they are just as cautionary now as they were then:

Bay Area Couple Swindled By Nigerian Email Scam
The I-Team Investigates (ABC7)

If you use e-mail, you've probably seen the spam - a wealthy Nigerian family needs your help, and in return, you'll receive a share of their fortune. That scam and others like it are bringing in hundreds of millions of dollars a year world-wide. We've found victims in the Bay Area. Dan Noyes has this I-Team investigation.

An elderly couple from San Jose got dragged into this scam by a local college professor. They've lost more than \$700,000. They're broke, and are being kicked out of the home they used to own.

This man had a long career as a typesetter at the San Jose Mercury News. In 1970, he bought a house on a double-lot in a nice neighborhood for \$25,000. He was set for life. What's happening now is so painful and embarrassing, he doesn't want us to show his face or use his name. He's deaf, so we spoke with him through a sign language interpreter.

Victim: "That money just went so fast, and I didn't realize I was in danger of losing the house."

His problems began when a friend from the Deaf Studies Center at Ohlone College came to him with what seemed to be the chance of a lifetime. Professor Brian Malzkuhn had an e-mail from the family of Sani Abacha. It's true that the Nigerian dictator looted more than four billion dollars from the government and sent it to overseas banks, before he died in 1998. The scam - his surviving family needed help retrieving the money.

John Schachnovsky, FBI White Collar Crime Squad: "I know a lot of people say, 'Why are people falling for this?' But, it's no question. People want free money, the prospect of free money and large amounts of money. The lottery's a very successful thing in this country and there's a reason for that."

All the San Jose man had to do was send the Abacha family some money - an advance, to help them deal with the overseas banks. In return, he would receive \$68 million. So, Malzkuhn helped the man and his wife mortgage their home, and refinance it several times.

Victim: "'I made a big, big mistake borrowing that money. That was one big mistake taking that loan out."

Even after the couple sent more than \$700,000, Malzkuhn and the Nigerians came back for more - just \$19,500 to finish the deal. The professor e-mailed the couple, "Wowow, this one is for real! I will keep you posted. Thanks for the nice visit. Praise the Lord and God be with us always, and God bless us indeed! Hugs, Brian."

Victim: "Brian asked me if I had faith in God, and God is going to bring the money."

The couple was tapped out, so Malzkuhn asked their neighbor for the \$19,500.

Mike McMahon, neighbor: "'He just kept pushing it and pushing it until he knew I wasn't gonna buy into it, and he got frustrated and walked out."

We tried to ask Brian Malzkuhn about all this, but he's been very difficult to track down. We left messages at his home, his work, and sent him e-mails. We finally reached him by phone, but Malzkuhn wouldn't answer any questions about the Nigerians or the money. He would only say,

"I love the (couple). I would never hurt them." After that conversation, he e-mailed the husband and wife, "Please fax (Channel 7) telling them to get off our backs, not to interview with you or me ever, because nothing is definite. We shall prevail!"

Victim: "Yes, I trusted him, he kept telling me that everything would be okay, I believed him."

But now, the husband and wife are in serious trouble. They haven't made their \$5,000 a month mortgage payment in a year, and the bank is foreclosing.

Stephen Gibbons, Santa Clara County Economic Crimes Unit: ""They're really the type of victim that in law enforcement we're most concerned about, because they can't protect themselves."

This Santa Clara County Assistant District Attorney says Brian Malzkuhn is under investigation by the Economic Crimes Unit, the FBI and the U.S. Secret Service. Possible charges include financial elder abuse and theft.

Gibbons: "If they provide, knowingly provide false information to an investor or a person to get their money, they lie to a person to get their money, that could be theft by false pretenses."

But, Gibbons says Malzkuhn told investigators he also got scammed by the Nigerians ... and, if he didn't keep any of the couple's money, he won't be prosecuted. The couple's last resort would be to sue Malzkuhn to try and recoup some of their losses. They don't seem to have the strength for that, and the pressure is building.

Victim: "I don't have a gun, but I'll wait and I'll buy a gun. And I'll have it at the ready."

The husband's talking about killing himself. Malzkuhn's convinced him the \$68 million is coming, but the Nigerians keep missing deadlines as recently as two days ago.

Victim: "It's better to die and just die in peace without people on my back all the time. If you're dead you can't feel somebody on you all the time, it's like too bad, sorry, just forget it."

McMahon: "He really believes the money's coming. He thinks his best friend's gonna help him through it, and his best friend happens to be Brian. And that's gonna be sad, just to see this guy and his wife be escorted out by the sheriffs when all this could have been stopped years ago."

Clearly, this has reached a crisis point. Adult Protective Services went by to check on the couple - the situation is stable, at this point. The couple appeared in bankruptcy court today and the judge gave them some breathing room -- until September 1st to sell the home, or face foreclosure.

This may seem like an obvious scam to you, but all sorts of educated people are getting taken - CEOs, priests, even police officers. We spoke with one doctor in Modesto who just lost \$800,000 to the scam. Tonight at 11, we go to London where we set up a meeting with con artists who offered me \$46 million. Scotland Yard is also on the case.

[419 Coalition Note: Part 2 of the Story follows:]

I-Team Tracks Nigerian Email Scam To London
(ABC7)

Scams are spreading like wildfire across the internet. Con men and women are raking in hundreds of millions of dollars a year world-wide, and we've found several Northern Californians who've lost big money. Dan Noyes tracked one scam from here, to Africa, and to London.

We all know the expression about a fool and his money. But, all sorts of people are falling for these scams - CEOs, doctors, even police officers. We wanted to find out what it is that's attracting people. Our search took us to Scotland Yard.

If you use e-mail, you've seen the scams. Kingsley Seko from Zimbabwe wants me to help hide \$9.5 million lars from a corrupt government - I can keep 30 percent. Kizie Mulumba of South Africa asks me to pose as the next of kin to a rich, deceased businessman and claim \$25 million - my take, 40 percent. Before he dies of esophageal cancer, Ibrahim Gawish from Dubai wants to give me \$27 million to donate to charity - I get 10 percent. He even sent pictures from his death bed.

John Schachnovsky, FBI White Collar Crime Squad: "Really, even though they sound all different, it's all the same basic scam. You need to send us money, you have to give us your bank account for us to give you more money." [419 Coalition Note: Of course, this agent has things a bit wrong or has been misunderstood, as most 419 fraud is Advance Fee Fraud, where the targets Voluntarily send their money to the 419ers - as in This case. It is, however, a persistent myth that the primary purpose of the 419ers is to get the number etc. of a target's bank accounts and then reach in and empty them. Early on in 419 matters some official or other got things muddled up and described 419 operations that way, and the canard has been repeated ever since (sigh) giving people the wrong idea of how 419 scams operate. Once again, that is not how 419 works. The reason the 419ers ask for banking information etc. from the targets is primarily to build Faith in the mind of the target that monies will indeed be sent into the account. Hence, it is more of a confidence-building thing than anything else. 419ers count on people being willing to empty their bank accounts by Themselves - the 419ers as a rule do Not reach into people's accounts and empty them. Most 419 is Advance Fee Fraud.]

One San Jose man sent more than \$700,000 to Nigeria. He's losing the home he's owned for 34 years. He's so embarrassed, he doesn't want us to show his face or use his name. He's deaf, so we spoke with him through an interpreter.

Victim: "The Nigerians, I don't know if they ripped off my money, but they keep trying to get more

and more fees. I don't know, I can't explain it."

Glen Colvin, U.S. Secret Service: "We've had CEOs of companies actually been defrauded and lost their jobs. We've had priests, we've had the whole gamut, I mean doctors, lawyers."

As part of our research, the I-Team began responding to the scam spam, including this one from a private investigator in London. He wrote that a 19-year-old girl from the Ivory Coast of Africa needs help investing the \$45.6 million her father sealed in two trunks, before he was poisoned. Then, the girl named Grace sent us an e-mail with a picture, saying, "I can't wait to come and start living with you, Dad."

Schachnovsky: "A child, who lost their parents, who lost their mother, I can help this child, and at the same time, I can be rich, wow, this is a win-win for me."

Next came a flood of phone calls. The private investigator urged me to stay in touch with Grace.

Philip Browne: "You're supposed to e-mail her often to see, to ask her how she's faring about that."

Dan Noyes: "Oh, okay."

Browne: "Cause she's in a very, very difficult situation, you know?"

And, I received a contract by fax from Grace's law firm, Mohammed Kuri and Ass. It was official, "The sum of \$45,600,000" would be mine. The lawyer sent a copy of his passport, and the father's death certificate. Then, his associate in Germany told me the treasure chests had been moved from the Ivory Coast to London, and I would have to pay the freight charges.

Bernadette Rosenberg: "You'd have to bring along 7,500 pounds."

That's about \$13,500 American dollars.

Dan Noyes: "And they couldn't take that money out of what's in the boxes?"

Rosenberg: "No, the boxes are sealed."

Finally, the lawyer called with big news - Grace was leaving the Ivory Coast to meet me in England.

Mohammed Kuri: "We're all in this together."

That offer was hard to refuse, and we wanted to show you how the scam works. So, we agreed to meet Grace and her people here in London.

Vas Gopinathan, detective, Scotland Yard: "My advice would be that you don't get something for nothing."

Scotland Yard has seen the treasure chest scam before, they confiscated one in a bust just three months ago. It's filled with phony hundred-dollar bills with the word "copy" stamped in pink. The chemicals in this bottle make the pink disappear.

Robert Brandon, detective, Scotland Yard: "The only thing you need is to pay for chemicals. But, the bottle of chemical is \$60,000."

Scotland Yard asked us to delay our meeting with Grace and her lawyer, they wanted to set up a sting. We agreed, and did a little leg work. The addresses used on the correspondence were fake, the numbers came from disposable cell phones, and the e-mail accounts could be accessed from any internet café across London.

Gopinathan: "They are very, very slick. Something about them, they constantly adapt their method to try and encourage more victims to come into their system."

But the scam artists did not like us changing their plans. They kept me on the phone for hours, arguing with me.

Kuri: "You're not doing it the right way. You're, you, you didn't keep up to the appointment and you came at your own time, and you're not gonna do things your own way."

Grace's "lawyer" wasn't happy with me. He told me I would have to return to London in two weeks and he's still calling me. Scotland Yard warned me this is no harmless scam - money from this con often funds the trafficking of drugs and people. Americans have disappeared, been kidnapped and murdered. After they've gone to London or Africa to meet these people face to face.

Here are links to the two pieces so long as they are good.
You can even watch the pieces online if you wish:

http://abclocal.go.com/kgo/news/iteam/052604_iteam_deaf_scam.html
http://abclocal.go.com/kgo/news/iteam/052604_iteam_deaf_scam_two.html

23 NOV 2004

From The Punch, a Nigerian newspaper:

EFCC recovers N20bn from fraudsters

The Economic and Financial Crimes Commission has recovered over N20billion from

fraudsters across the country since its inception in 2003.

Chairman of the commission, Alhaji Nuhu Ribadu, stated this on Monday in Abuja, while defending the commission's 2005 budget estimates before the Senate Committee on Drugs, Narcotics and Financial Crimes.

According to him, the EFCC currently has over 100 criminal cases involving over 300 suspects pending in different courts within the country, adding, however, that financial constraints on the part of the commission had slowed down the prosecution of the cases.

419 Coalition note: However, to date EFCC has convicted NO 419ers and we know of NO instance where the recovered monies have been returned to the victims. Additionally, in the one case where Government of Nigeria announced years ago that it had recovered and would return the stolen monies to a specific victim, the Ghasemi case, no monies have been returned to the victim to date. The failure of Central Bank of Nigeria to return the Ghasemi's recovered money after making a big public to-do about how it was recovered and would be returned has largely deprived the Nigerian Government of any credibility it seeks in recovery and repatriation of 419ed monies.

18 NOV 2004

From Wire 2004 as posted on Naijanet.com:

Nigerian scam uses FBI letterhead

Unsolicited letters from Nigeria were sent to U.S. businesses using FBI letterhead as part of a fraud scheme, the FBI warned Wednesday.

The letters, or sometimes e-mails, appear to come from one or more non-existing entities and are entitled Memo on Debt Payment, the bureau said. The letters say a group called the Debt Settlement Panel is the approved paying office in Nigeria and encourage individuals to deal exclusively with that office.

The FBI said while most recognize these letters as obvious forgeries, others lose millions of dollars through such schemes each year.

The letters perpetrate a scam that has been on the Internet for years, combining the threats of impersonation fraud and identity theft.

A letter or e-mail offers the recipient the opportunity to share in a percentage of millions of dollars that the author, a self proclaimed government official, is trying to transfer illegally out of Nigeria.

The FBI urged anyone who receives such a request to contact a local FBI field office.

9 NOV 2004

From The Guardian, a Nigerian newspaper:

Crimes commission is illegal, Ajayi tells court

By Mustapha Ogunsakin, Senior Judicial Reporter

LAST week when he appeared as counsel to Chief Emmanuel Nwude, a suspect in Nigeria's biggest fraud case, Chief G.O.K. Ajayi (SAN) sought for time to study the charges against his client.

But when he returned yesterday to the Ikeja High Court in Lagos, Ajayi filed a motion, asking the court to declare the Economic and Financial Crimes Commission (EFCC) as illegal.

Nwude alongside Mrs. Amaka Anajemba and Chief Nzeribe Okoli are on trial, for allegedly swindling a Brazilian bank of N36 billion.

The case is being heard by Justice Olusanmi Oyewole, who adjourned the matter till yesterday following Ajayi's pleas.

Prior to Chief Ajayi's coming into the case, the trial had commenced and several witnesses gave evidence on how the monies were routed through several banks into Nigeria.

The suspects had entered into a "place bargaining" whereby they will refund the money for freedom. This was not allowed as the court declared on October 18, 2004 that "plea bargaining" was not known to the Criminal Procedure Laws.

When the court sat yesterday, Ajayi served it a motion on notice, seeking to strike out the charges against the accused persons because the Economic and Financial Crimes Commission Establishment Act (2002) and all measures taken and things done pursuant thereto by all of the commission were unconstitutional null and void for inconsistency with and violation of Section 214(1) of the 1999 Constitution.

The National Assembly, Ajayi argued, lacked the constitutional powers to enact the EFCC Act and the same and all acts and things done pursuant to the same by all officers, functionaries of the commission appointed thereby were unconstitutional, null and void.

He referred to section 214 of the Constitution, which established the Nigeria Police Force, while section four of the Police Act set out the powers of the Nigeria Police. "I submit that it is not possible to establish another body with the same powers reserved for the police, thereby

circumventing them," he argued.

Ajayi insisted that only the police had powers to investigate and prosecute crimes.

The offences for which the suspects were facing trial were under the state laws and that getting the Lagos State Attorney-General's fiat to prosecute them was symptomatic of the arrogance of the Federal Government in its dealings with other component parts that make up the federation.

"No federal agency can impose any duty on a state agency," he stated.

The lawyers also cited sections 18 and 19 of the EFCC Act, and submitted that it was a slight on the Chief Judge of Lagos State for and "an unsavoury attempt to put undue pressure on a state court that is not under the Federal Government," adding that it was an attempt to by-pass the constitution in a brazen manner.

Chief Ajayi therefore, submitted that in enacting the EFCC Act, the National Assembly acted ultra vires, as it cannot set up another agency, as a parallel body to which the constitution had established.

He told the court that the issue it had to resolve was whether or not the EFCC as set up by the Federal Government had not usurped the powers of the police; and whether the sum total of this situation was a violation of section 214 of the Constitution.

The lawyer also took a swipe at some federal agencies, declaring them as abnormal.

Ajayi said: "All these are in effect, a violation of the people's rights. The National Judicial Council (NJC) like other federal agencies is an anomaly. I wonder why the police were regionalised at independence. I am sure that all our delegates to that conference will continue to regret their decision in bringing the police under the central government."

"I therefore submit that the court should hold that the setting up of EFCC is a violation of the constitution. If this Act is void, it follows that all things done by its officers are utterly void," he concluded.

Justice Oyewole later adjourned the case till tomorrow to allow the prosecutor, Mr. Rotimi Jacobs to reply.

419 Coalition Note: This story was also carried by Vanguard and other Nigerian media.

8 NOV 2004

From the Australian Associated Press, sent in by an Associate:

The Australian mastermind of a global Internet scam was today sentenced to at least four years behind bars.

Nick Marinellis pleaded guilty in the NSW District Court to 10 counts of fraud and one count of perverting the course of justice over the so-called Nigerian or West African scam.

The ruse fleeced victims of AU\$5 million.

Judge Barry Mahoney sentenced Marinellis to five years and three months jail with a non-parole period of four years and four months.

The sentence will be backdated to October last year when the 40-year-old was first jailed.

Judge Mahoney said a significant sentence was needed to deter others from committing similar offences.

"None of the matters are trivial and the modus operandi was complicated and devious," he said. Marinellis will be eligible for release on February 28, 2008.

"The crime of fraud has been with mankind for a long time. This style of robbery is just a new theft technique using a modern tool - the internet," said Rob Forsyth, managing director for Sophos Australia and New Zealand.

"If an offer looks too good to be true, it probably is. With the increase of spam email, the old adage of caveat emptor -- let the buyer beware -- should be written in bold across the top of every computer screen."

"Sophos trusts that this substantial sentence delivers a clear message to all email fraudsters that the law and technology, supported by consumer education, is fast closing in on them," Forsyth said.

419 Coalition Note: And were the Nigerian 419ers who started the whole thing arrested or convicted of anything? Not that we know of. And are they still enjoying the benefits of the stolen monies? We'd assume so.

7 NOV 2004

From The Guardian, a Nigerian newspaper:

Nigerian 419 Wreck Lives In Australia

FROM NDAEYO UKO, CANBERRA

THE advanced free fraud, known here as the "Nigerian e-mail scam," is pushing its Australian

victims into jail and suicide.

A Melbourne High Court on Thursday sentenced a high-flying 58-year-old financial adviser, Robert Street, to jail for five years and three months for handing Australian \$1 million (N10 million) of his clients' money to a cunning 419 fraudster, who gave his name as Reverend Sam Kukah.

Earlier, in Cairns, the tropical northern city of the State of Queensland, another Australian had to be talked out of jumping to his death by Queensland Police star negotiator, Inspector Tony Montgomery Clark, after the 419 victim, who had lost his business, livelihood and relationships decided to end his life.

With the rising profile of 419 victims and the increase in scam letters arriving in Australia, the authorities are so worried that in pamphlets distributed to all Australian homes they included the "Nigerian scam" as one of the social problems Australians should protect themselves from.

Nigeria's new High Commissioner to Australia, Dr Icha Ituma told The Guardian that the Nigerian government had fought gallantly to check this fraud.

"The Economic and Financial Crime Commission is handling the matter strictly at home," he said, adding, "in July or so more than 500 people were arrested."

When told that Nigerians in Australia were receiving complaints from Australians, Dr Ituma said the high commission "receives more protests than anyone" and affirmed his efforts to inform the host country that "anyone involved in this matter is fraudulent" and that Nigeria is doing its best to defeat the scammers.

Informal statistics show that hundreds of Australians fall for the scam every month mostly because, living on a faraway island, they care and know pretty little about the outside world. It is the high profile victims and those who lose huge sums that get exposed.

Street, a financial whiz kid, who became a bank manager at the age of 30, had received a substantial amount of money from clients for investments in high-tech devices that promised returns of between 10 and 500 per cent, The Australian reported.

But he sent the money to his Nigerian scammer, paying as much as Australian \$10,000 (N1 million) to send mobile phones to Nigeria.

"Considered objectively, your deceptive conduct appears deliberate and carefully considered but you," the presiding judge, Tom Wodak said as he delivered a verdict that shattered the financial adviser's future and Australian \$3 million (N300 million) business.

The court heard the fictitious Reverend Kukah promised Street \$US65 million (nearly N1 billion). Security agencies have also identified local networks run by Australians within the country.

In the commercial capital, Sydney, a 39-year-old Australian was also charged with 17 offences relating to a multi-million-dollar Internet scam based in Australia.

Agency reports quoted State police as saying that the arrest on Tuesday came after a four-month investigation, and was the first arrest of a key Australian allegedly involved in the global scam.

State Crime Command Assets Confiscation Unit (ACU) detectives arrested the Sydney man during a search of a property at Nyngan in the State's central west. Police simultaneously raided two homes in the city and police seized computers and documents.

ACU commander, Inspector Jennifer Thommeny said the "in the last six months, we've probably tracked about \$1.5 million."

Thommeny told reporters in Sydney that "this is really significant. We believe that this is the first arrest of its kind in the world relating to an Australian connection."

Sydney-based international syndicate had targeted hundreds of victims in Australia and overseas.

The agency identified victims who have been approached in NSW, South Australia, Victoria, Cyprus, Malaysia, Japan, Norway, Greece, Indonesia, Hong Kong, and England.

Authorities issued freeze orders on nine Sydney property, a UK property, and five vehicles. Meaning they could not be sold, and could be confiscated if prosecutions were successful, according to media reports.

Inspector Thommeny said the racket was relatively simple to set up, but that it was often difficult to catch the culprits because the victims usually lived overseas.

"It's difficult to say whether we'll see an end to it, because it's all about people's gullibility," she said.

Many victims were so embarrassed about being fooled that they never reported the crime.

"Sometimes you will get someone that's really ill and down on their luck and they think, 'Oh my God, it's a gift from heaven'," Inspector Thommeny said.

"It takes a very greedy, ruthless person to set up this scam, because it's very simple."

Some people realised their mistake after the first payment. Others kept handing over money, even when fraudsters demanded further fees.

Dr Ituma said the failure of the media to "depict what the Nigerian government is doing" and to represent the warnings Nigerian officials like himself had issued might be promoting ignorance about the advance fee fraud.

419 Coalition Note: Somebody needs to inform Dr. Ituma that the Nigerian Economic Crimes Commission does not agree with him that victims are criminals; and also that the EFCC, despite its best efforts, has yet to obtain even One conviction of a 419er in Nigeria.

6 NOV 2004

From the New Zealand Herald:

Investors hit twice in scams, court told

Investors in a failed upmarket Parnell apartment development were the victims of two Nigerian-type scams, a depositions hearing in the Auckland District Court was told yesterday.

In the first "advance fee fraud," as the Serious Fraud Office calls them, investors lost hundreds of thousands of dollars when American fraudster Greg Dutcher promised he would lend money for a housing scheme in St Stephens Ave, but investors had to put in money first.

After their money disappeared, they were told a rescue package was being put together.

But the SFO says they were stung again when it turned out to be another advance fee fraud - this time a classic Nigerian scam in which investors lost more than \$2 million.

Before the court are 65-year-old Patricia Lenine Mabel Walsh, who faces 89 charges of fraud, forgery and theft, and her 78-year-old aunt, Elva Mary Medhurst, accused of two charges of theft.

The SFO says that Walsh told many of the investors in the failed apartment scheme that an overseas charitable trust or a Christian benefactor who helped out people in dire straits would recoup their losses on the project.

But they had to pay expenses and fees involved in getting the trust's money to New Zealand.

The SFO claims that Walsh was putting their money into a Nigerian scam related to the supposed supply of computers to the Nigerian National Deposit Insurance Corporation.

Walsh was said to be expecting to make US\$28 million, but she also was duped.

A former partner in an Auckland law firm told Judge Simon Lockhart, QC, that he lost \$400,000 in the apartment failure and another \$1.2 million trying to get his money back.

The SFO says Walsh sent his \$1.2 million to Nigeria with other investors' money.

The lawyer, who like all the complainants has name suppression, told the court Dutcher was due to stand trial in the United States on fraud charges but committed suicide last month.

He told the court that he had been seeking \$8 million from the rescue package, supposedly financed by Middle East oil money, to pay taxes and creditors and provide for his child's education.

[419 Coalition note: See 4 NOV 2004 News for more on this case.]

5 NOV 2004

Sent in by an Associate from the Herald Sun newspaper of Melbourne, Australia:

Nigerian-scam adviser jailed
By Christine Caulfield and Ian Royal

A FINANCIAL adviser has been jailed for at least four years after losing more than \$1 million of his clients' money in a Nigerian banking scam.

Robert Andrew Street, 58, then a licensed securities dealer, deceived clients into handing over retirement savings after being fooled by the scam.

The County Court heard Street told victims he would invest their money in risk-free projects, but instead transferred \$1,039,910 overseas to the frauds.

Street had been hoodwinked by a person claiming to be a representative of a Nigerian government committee, who offered him \$65 million on payment of certain "upfront fees".

He also used \$10,000 of his clients' funds to buy mobile telephones, which he arranged to be delivered to an address in Nigeria.

The money has not been recovered and Street never received his promised millions.

Street, of Mitcham, pleaded guilty to five counts of obtaining financial advantage by deception between September 2001 and August 2002, following an investigation by the Australian Securities and Investments Commission.

Judge Tom Wodak yesterday sentenced Street to a maximum five years and three months' jail.

He described the fraud as a serious breach of trust. "That you were a person of apparent good reputation no doubt assisted you to reach the position in which you were able to do as you did,"

he told Street.

"The gravity of these offences is illustrated by your relationship with your clients, some of whom had become friends."

Judge Wodak said Street actively concealed from his clients the truth about his misappropriation of their savings, telling victims they were investing in projects guaranteeing returns of up to 500 per cent.

"The circumstances of these offences truly portray a sad story. It is one of tragedy, and financial hardship for each of your victims," Judge Wodak said.

4 NOV 2004

From the New Zealand Herald, sent in by an Associate:

Pair in court over Nigerian money scam

A 78-year-old Howick woman and her 65-year-old niece are facing charges laid by the Serious Fraud Office over a \$2 million Nigerian investment scam.

Elva Mary Medhurst is accused of two charges of theft by misappropriation with her niece, Patricia Lenine Mabel Walsh, also of Howick.

Walsh faces a further 87 charges including false pretences, forgery, and uttering false documents.

Typically "Nigerian advance fee frauds", as the SFO terms them, involve a person in Nigeria sending a stream of emails or faxes giving elaborate details of vast amounts of money tied up in a Swiss bank account - funds that can only be released if some money is paid up-front.

In the Auckland District Court yesterday, SFO prosecutor Dawn Roscoe told Judge Simon Lockhart, QC, that Walsh defrauded eight individuals or couples and sent their money to Nigeria in the unrealistic expectation by Walsh of a US\$28 million (\$40.9 million) return.

One of the victims, a former senior partner in a large Auckland law firm, lost \$1.17 million, and has since been declared bankrupt.

All the victims have name suppression at this stage.

Judge Lockhart was told that at one stage in June 2002 Walsh and a man travelled to Amsterdam where they met two men, Kingsley and Johan, at the Nigerian consulate and were shown a box which they were told contained US\$28 million.

But they could not take the cash, as Johan had to go to London to sort out another contract, this time for \$50 million.

Ms Roscoe said that most of the complainants had been involved in a failed property project in St Stephens Ave initiated by Walsh in the late 1990s, and had lost large sums of money.

Walsh and her husband suffered substantial losses and were declared bankrupt.

Ms Roscoe said that Walsh told the complainants that she had come up with a rescue package for investors in the St Stephens project and needed money to establish a trust for that purpose.

She also said that a US trust wanted to set up a trust to distribute funds to people in need in New Zealand.

Ms Roscoe said that Walsh also claimed to be doing the legwork for a Christian benefactor in the US and the UK who assisted people who got into difficulty through no fault of their own.

The victims were promised that their losses in the St Stephens project would be recouped and they would double their investment.

The money was needed for legal expenses, bank fees and taxes.

Ms Roscoe said that having obtained the funds from the complainants, Walsh sent the money to Nigeria.

Ms Roscoe told the court that Walsh presented the complainants with forged documents to persuade them to give her money.

"Some of the complainants queried the validity of Mrs Walsh's requests and in response she provided them with documents forged by her to support her requests for funds. Reassured by the forged documents, the complainants continued giving Mrs Walsh money."

She made no mention that money was going to Nigeria.

The two charges jointly faced by Walsh and Medhurst allege that money paid by two of the complainants was to remain in the Jabez trust account at the ASB, to be returned after a month. The money was withdrawn by Walsh and Medhurst, a trustee of the trust, and was not returned to the providers.

Walsh is represented by Mark Edgar and Jeremy Bioletti and Medhurst by Shane Tait.

African frauds

Typically involve numerous emails or faxes from a person giving intricate details of vast amounts of money tied up in Swiss bank accounts.

The target is told the funds can be released only if some money is paid upfront.

419 Coalition note: Though the author seems so be a bit confused over the various types of 419 and is inaccurate that mentions of Swiss accounts are the norm, a cautionary piece....

1 NOV 2004

From ThisDay, a Nigerian newspaper:

\$242m Scam: Anajemba Appeals Forfeiture of Properties

From Lillian Okenwa in Abuja

One of the suspects facing trial for defrauding a Brazilian bank of \$242 million, Mrs. Amaka Anajemba has filed an appeal at the Court of Appeal, Abuja challenging the refusal of a Federal High Court to discharge an interim order forfeiting her properties.

She filed seven grounds upon which the court of appeal should vacate the high court order.

One of the grounds is that the high court erred in law for refusing to discharge the order despite the fact that the main suit upon which the application for forfeiture was predicated had been determined.

Her counsel, Chief Chris Uche said, in the notice of appeal, "It was wrong for the trial judge to refuse to discharge the said ex-parte order upon the determination of the matter it was predicated upon, and even so to refuse to do so three months after the determination of the matter."

The second ground was based on the allegation that the judge that made the order did so in violation of Anajemba's right to fair hearing.

Uche said that the order should not have been granted ex-parte giving the fact that Anajmeba was within the court's jurisdiction and could have been served with the notice of the application.

The court of appeal is yet to fix a date for hearing.

Anajemba had unsuccessfully applied to the Federal High Court to set aside the ex-parte order obtained by the Economic and Financial Crimes Commission for forfeiture of her assets

She argued that all the properties listed against her name and upon which the court relied in granting the ex parte order belonged to third parties who were not standing trial.

She also challenged the jurisdiction of the court to grant the order on the ground that she was already facing trial before the Chief Judge of the Abuja High Court, Justice Lawal Gumi.

EFCC May 26 this year, obtained an order from the Federal High Court freezing the banks' accounts of Chief Emmanuel Nwude, Anajemba and Nzeribe Edeh Okoli, three suspects charged with defrauding a Brazilian Bank to the tune of \$242 million.

EFCC was acting on information that some of the suspects were making clandestine moves to dispose their properties because they are likely to forfeit same to the state in the vent that they are found guilty. The following properties belonging to one of the suspects, Chief Nwude the commission listed the following properties for forfeiture; 36 Ikoyi Crescent, Ikoyi, Lagos, 60 Marina, Lagos, 34 Bourdilion Road, Ikoyi, Lagos, 43 Afribank Road, Victoria, Lagos, 80 Allen Avenue, Ikeja, Lagos and 3/5 Abagana Close, Agidingbi, Ikeja, Lagos, Others are 37/39 Awka Road, Onitsha, Anambra State, Russel Centre, Wuse, Abuja FCT. 60 Chime Avenue, Enugu, Enugu State, 2 Trans-Ekulu Avenue, Enugu, Enugu State, Petrol Station at Oye Agu, Abagana, Anambra State and F22 Sani Abacha Road, GRA Phase 111 Port Harcourt, Rivers State. Vehicles sought to be forfeited allegedly owned by Nwude are, BMW, registration number GA823 AAA, Honda Acura registration number DE712KJA, Mercedes Benz, registration number DJI 70AAA, Porsche, registration number CP524AAA, Jaguar, registration number CA340KJA, BMW, registration number CH238 SMK and Mercedes Benz registration number, CE511LND. He was said to have 65,119 ordinary shares in Union Bank of Nigeria Plc. The shares were registered in different names.

26 OCT 2004

From the Daily Independent (Online) a Nigerian newspaper:

No out of court settlement with 419 suspects, says FG

By Victor Efeizomor, Law Reporter, Lagos

A determined government out to clean up Nigeria's soiled image refused flatly on Monday to do a deal with financial crime suspects which would have let them off the hook to enjoy half their quarry.

Abuja poured cold water on the idea of an out-of-court settlement for suspects standing trial for alleged involvement in advance fee fraud (popularly called 419) cases now pending in various courts.

Among those being tried are Union Bank former director Emmanuel Nwude, Amaka Martina Anajemba and Nzeribe Edehe Okoli, who are charged at the Ikeja High Court with alleged

involvement in a \$242 million (N33.88 billion) scam.

The government was reacting to the moves they reportedly made to settle the matter out of court.

A counsel with Economic and Financial Crimes Commission (EFCC), Rotimi Jacobs, confirmed the development and said the Presidency turned down the offer because it is not satisfied with the terms.

The suspects had a secret negotiation with the victims' counsels who visited the country a fortnight ago, and concluded arrangements on how to refund the money. But they reached a deadlock when the government threw a spanner in the works.

Said Jacobs: "The moves failed because the accused persons were not ready to surrender 100 percent of their loot. They are saying they would only refund 50 percent, and that is not acceptable. It would send a wrong signal about Nigeria. You see, it would mean that our country encourages its citizens to defraud people and they would not be prosecuted after remitting 50 percent".

Jacobs, EFCC lead counsel in the case, said the government is determined to prosecute the accused persons to the logical conclusion and would confiscate their properties if they are found guilty.

But Nwude faulted the government position. He spoke through his counsel Amobi Nzelu, saying the victims are "very satisfied with the arrangement as modalities have been worked out on how to pay the money gradually over a period of time".

He stated that the stance casts doubt on the sincerity of the government, questioned the essence of taking the matter to court when the suspects and the victims are ready to settle out of court and speculated that the state has a secret agenda to persecute them and not to prosecute.

Nwude said he and the other accused persons doubt the impartiality of the courts, "which appear to be acting out a script from above", as the utterances of the judge and the speed at which the case is being handled raises suspicion.

The accused persons have filed a motion on notice which challenges the jurisdiction of the court to continue with the trial.

Further hearing has been adjourned till November 1.

Here is the URL of the article for as long as it is good:
<http://www.independentng.com/news/nnoct260401.htm>

21 OCT 2004

From The Guardian, a Nigerian newspaper:

How fraud suspect transferred N200m from abroad, by witness
By Mustapha Ogunsakin, Snr. Judiciary Reporter

An insight into how suspected swindlers route their ill-gotten wealth from abroad into clean bank accounts in Nigeria was yesterday given at an Ikeja High Court, Lagos.

A witness, Mr. Abdul-Rasak Isa, disclosed how one of the suspects in the reported biggest fraud trial, Chief Nzeribe Edeh Okoli, transferred N206,677 million from abroad into a bank in Nigeria.

Standing trial along with Okoli in the matter are Chief Emmanuel Nwude and Mrs Amaka Martina Anajemba.

Isa, the Executive Director of Safe Trust Savings and Loans Limited, told Justice Joseph Oyewole of his company's role in the funds transfer.

The suspects are accused of defrauding a Brazilian bank of N62 billion.

Nwude yesterday filed a motion on notice before Justice Oyewole seeking to quash the 98-count charge of conspiracy and advance fee fraud preferred against him and the other two suspects.

Led in evidence by the prosecution counsel, Mr. Rotimi Jacobs, Isa disclosed that a large chunk of the transferred sum was eventually deposited into his company.

He also said that following the inability of his company to get directly involved in the deal, he introduced the Nigerian bank which finally got the job done for Okoli.

The evidence went thus:

What is the nature of your company?
It is a licensed deposit company and lending money towards property development.

Do you know somebody called Nzeribe Ede Okoli?
Yes, he is a customer with our company. He became our customer in 1995.

Isa narrated how Okoli was introduced to his company by the deceased husband of the accused, Mrs. Anajemba, Ikechukwu. Okoli opened a personal and company account in the name of Ocean Oil Marketing Company Limited.

Isa named Nwude as the referee to Okoli's account, which was opened with the savings and loans company.

Recounting how the money was transferred, the witness said: "The customer asked us if we were interested in buying foreign exchange, to which we said 'no', we were licensed deposit operator and not into foreign exchange."

Isa continued: "However, we said we could introduce him (Okoli) to commercial or merchant banks which could buy FOREX from him. Thereafter, he could bring his naira to his account with us.

"We now called on some banks and one of the banks offered to buy FOREX from him. He requested for the bank's foreign correspondence account. They sent it to us and we sent the account number to him.

"Thereafter, the bank called us that they had received money in the name of Ocean Oil Marketing Company Ltd. They now issued the naira cheque value and sent it to us to lodge in the account of the Ocean Oil Marketing Co.

"After this, the cheques were sent for clearing after which the customer was free to raise cheque to draw money and draft. The customers wrote letters instructing us to raise cash and sometimes instructed us for payment."

According to him, a total sum of N206,672 million was transferred at different dates between May 12, 1995 and June 30 of the same year.

Isa also said that the accused person instructed the savings and loans company on how the money was to be paid.

He added that the business relationship ended via a letter dated February 24, 1997, when Okoli requested for the closure of his account after some of the funds had been moved.

The witness told the court that Okoli only informed him that the funds were from oil business transactions.

Besides, he told the court that the late Anajemba's account was taken over by his wife, Amaka, after his death. The trial continues today.

Nwude's motion to quash the charges was filed by his lawyer, Dr. Alex Izinyon (SAN).

The first accused person wants the court to safeguard his landed property, which he might lose if found guilty.

The property include: 36 Ikoyi Crescent, Lagos; 60, Marina, Lagos; 60 Bourdillon Road, Ikoyi, Lagos; 43 Afribank Road, Victoria Island Lagos; and 80 Allen Avenue, Ikeja, Lagos.

Others are 3/5 Abagana Close, Agidingbi, Ikeja, Lagos; 37/39 Awka road, Onitsha, Anambra State; Russel Centre, Wuse, Abuja; and 60 Chime Avenue, Enugu, Enugu State.

The rest are 2 Trans-Ekulu Avenue, Enugu, Petrol Station at Oyo Agu, Abagana, Anambra State and F22 Sani Abacha Road, G.R.A, Phase III, Port Harcourt, Rivers State.

He may also lose the following vehicles: BMW with registration number GA 823 AAA, Honda Acura with registration number DE 712 KJA, Mercedes Benz with registration number DJ 170 AAA, Porsche with registration number CP524 AAA, Jaguar with registration number CA 340 KJA, BMW with registration No CH 238 SMK, and a Mercedes Benz with registration number CE 511 LND.

Also at risk are 65,119,000 ordinary shares in Union Bank of Nigeria Plc registered in the names of Emmanuel Nwude-Odingwe, 4,101,000; Precious Nwude one million, Russel Elochukwu 1 million, Daniella Nwude one million, Dian Ebelechukwu 1.5 million, Ekene Nwude two million, Russel Shopping Mall Ltd 6,050,000, Emms Auto Nigeria Ltd 8,130,000, and African Shelter Bureau Ltd, 9,890,00

He also stands to lose all his shares in his four companies Dax Petroleum, Dax Holdings and Properties, Godax Group Ltd, Primrole Communications.

In a 12-paragraph affidavit sworn to by one Bello Kasim Abu, the accused person averred that the Schedule of Assets contained in the proof of evidence at page 727 which stated the above assets was oppressive against him to allow the trial to proceed. [419 Coalition Note: We assume that what is meant is that the accused feels that putting the above assets at risk is too oppressive towards him to allow the trial to proceed, if so, That's some interesting logic, eh what?] :))

"It is in the best interest of justice to quash the charges, discharge and acquit the applicant," Bello averred.

419 Coalition Note: Most of the major Nigerian newspapers also carried pieces on these developments, including ThisDay, Vanguard, and The Punch.

19 OCT 2004
From NewAge (Online), a Nigerian newspaper:

ANAJEMBA \$242 MILLION SCAM:
Ecobank, MBC and Diamond bought dollars from Anajemba - Witness

By Blessing Eghagha

The on-going trial of Chief Emmanuel Nwude, Mrs. Amaka Anajemba and Chief Okoli Nzeribe continued yesterday with a prosecution witness Mr. S. Edezo Daniel Nwangu saying that Ecobank, MBC International and Diamond Bank were major beneficiaries of funds running into millions of dollars allegedly transferred from a New York bank account run by the late Chief Anajemba to off-shore accounts operated by the banks in London.

Mr. Nwangu who was being led in evidence by EFCC chief prosecutor Mr. Rotimi Jacobs also told the court that as chief executive and chairman of six companies namely Masters Travels Agency, Dan Starcher Turnkey Contractors, Omega Engineering Ltd., General Securities and Finance Company Ltd., McDaniels Nig. Ltd and McDaniels U.K Ltd., he was licensed to operate a Bureau de Change. At an occasion he told the court, he met the late Chief Anajemba who told him that he had some hard currencies he made from petroleum business and that he was in desperate search for a buyer that would pay the equivalent of \$5 million in naira.

Consequently, he contacted MBC International Bank which bought \$1.7 million and paid N142 million into the late Anajemba's account here in Nigeria. He also told the court that he sold \$1.7 million to Ecobank and another \$1.2 million to Diamond Bank. Others who received monies in the laundering deals included G. Cappa Limited which received \$300,000 (three hundred thousand dollars) and Campbell Tobacco which also received the sum of \$560,000 (five hundred and sixty thousand) on the instruction of the late Chief Anajemba.

When asked by Mr. Jacobs whether he knew the source of the funds he answered "it was during investigation that I discovered that the money was paid by Stanturn Development Corporation."

Furthermore, he told the court that his business transactions with the late Chief Anajemba has put his company and himself into "great financial and emotional strain" saying that he has been dragged to different courts in New York, New Jersey, Florida and London. These transactions, he told the court "have been ruinous to me."

Earlier on, presiding judge, the Hon. Justice Kayode Oyewole complained to Chief Chris Uche (SAN) and Mr. Ofolue, defence counsel that he had received one or two visitors whom he would not like to name. He warned that nobody should interfere with the course of justice saying that as "a judge I am also a human being."

"I have relations. I have friends. I went to school so people know me. But I will not decide this case on anything outside what is presented before the court."

Mrs. Amaka Anajemba, Chief Emmanuel Nwude and Chief Okoli Nzeribe are facing a 92 count charge of obtaining money by false pretences, money laundering and other related offences. They were alleged to have duped one Mr. Nelson Sakaguchi of the sum of \$242 million in a scam that has been described as the single biggest fraud in the world. A leading bank in Brazil was liquidated in the business deal. It was reported that some of the directors in that bank committed suicide in order to avoid prosecution. Trial resumes next Wednesday.

It would be recalled that a witness, at the last hearing had named three other banks as having served as conduits for the Anajemba booty.

Here is the URL of the story for as long as it is good:
<http://www.newage-online.com/news/article03>

419 Coalition note: Most of the major Nigerian papers carried this story as well.

18 OCT 2004

From the Australian Associated Press (AAP):

Melbourne, Australia: Financial planner falls for Nigerian scam

A financial planner today pleaded guilty in the Melbourne County Court to fraud after being caught up in a Nigerian scam.

Robert Andrew Street of Mitcham, an eastern suburb in Melbourne, pleaded guilty to five charges of obtaining a financial advantage by deception between September 2001 and August 2002 to a total of \$1.03 million.

The court heard that an investigation carried out by the Australian Securities Investment Commission (ASIC) found Mr Street told clients he needed funding to complete a number of investment projects he was developing, including an electronic system of tracking stolen cars and a bank scheme to reduce mortgage repayments.

ASIC said that instead, Mr Street was caught up in a Nigerian scam where he believed that a person purporting to be a representative of the Nigerian government had offered to transfer \$US65 million to him, upon payment of certain up-front fees.

Mr Street transferred the majority of the clients' funds to various overseas destinations and also spent \$10,000 of clients' money to buy mobile telephones which he sent to an address in Nigeria.

None of the clients' money has been recovered.

The case has been adjourned to November 4 for sentencing.

8 OCT 2004

From the Daily Independent (Online) a Nigerian newspaper:

Police arrest LASU student, others for swindling Briton

By Maxwell Oditta, Senior Correspondent, Lagos

The Lagos State Police Command has arrested a 200 level student of Industrial Relations and Personnel Management at the Lagos State University. The student identified as Mobolaji Abdullahi Ashimi with two others, were alleged to have swindled a Briton, Miss Jane Harris.

Ashimi was also alleged to have used a fake name, Ben Jackson, in the course of transaction with Miss Harris to order the purchase of a computer laptop through the Internet and paid the sum of £350 with a forged international bank draft of the Bank of Ireland.

The Lagos State Commissioner of Police, Mr. Israel Ajao, paraded 23-year-old Ashimi and his co-conspirators, Akin-Wale Victor and Moshood Banjo, before newsmen on Tuesday at his command headquarters in Ikeja. The police chief recounted the incident thus:

"The complainant (Harris) believing the transaction was genuine posted the computer through United Parcel Services (UPS) to the said Ben Jackson whose actual name is Mobolaji Abdulahi Ashimi. On presentation of the cheque in England, it was found to be forged."

Harris, who gave her address as No. 95, Meadfield Road, Langley, England, quickly contacted Ajao through his direct line. The Lagos police boss said he swiftly deployed all necessary instruments to recover the consignment and arrest the suspects on Wednesday, September 29, 2004.

Ajao said the police recovered the computer from the UPS by posing as UPS officials and inviting Ashimi to pick up his consignment. He was arrested the moment he showed up at the UPS office. His two accomplices, both practicing computer maintenance engineers, were subsequently arrested.

Items recovered from the three include a blank international bank draft of Bank of Ireland, a blank cheque of Bankers Trust Company payable at Bankers Trust in New York, cashier cheque of Bankers Trust Company also payable in New York. The police say all recovered cheques have already been signed by the suspects and ready for fraudulent use against unsuspecting Internet traders.

Furthermore, other items recovered also from the suspect include the list of 39 foreign nationals containing their addresses, e-mail, zip code, including that of Harris, who are suspected to have been defrauded. "During the search, we also found a First Bank of Nigeria Statement of Account, Lagos State Government Income Tax Clearance, fake Corporate Affairs Commission certificate of registration, among others," Ajao said.

Daily Independent investigation revealed that 22-year-old Akinwale prepared the fake cheques, while 27-year-old Banjo arranged business negotiations with prospective 'clients'. But Banjo, who introduced himself as Ashimi's cousin, denied his role, saying he was implicated when the police saw his name in an envelope in his cousin's abode.

When he spoke with our correspondent, Ashimi expressed regret for the attempted swindle, saying he needed the proceeds for paying his school fees.

"I believe I have already tarnished my image by dubbing an innocent woman. My advice to people is that they should always wait for their turn," he added.

6 OCT 2004

From the Khaleej Times Online, Dubai UAE:

Nigerian con man takes Kuwaiti for Dh3.1 m ride

By Hani M Bathish

Kuwaiti businessman has filed a civil case against a Nigerian con artist who managed to cheat him out of Dh3.1 million. The con man, S. M. B., is currently a resident of the Dubai Central Jail having been sentenced to three years in prison earlier this year by the Dubai Court of First Instance for cheating Y. Y. A., a Kuwaiti national of large sums of money.

After a ruling was issued in the criminal component of the case, the Kuwaiti businessman, represented by the lawyer Sameer Ja'afar, filed a civil case to recover his money.

The case goes back to early January this year, when S. M. B. contacted Y. Y. A. in Kuwait telling him that he had heard of him through business colleagues in

Egypt and wanted to meet the Kuwaiti businessman face to face in Dubai to propose a business venture. After repeated calls, Y. Y. A. finally agreed to meet with S. M. B. in Dubai where they met on January 20.

S. M. B. said that he and other colleagues had hundreds of millions in Euros and GBPs but were facing political difficulties in transferring these funds out of Nigeria and wanted Y. Y. A.'s assistance in accessing these funds. In return the Kuwaiti businessman would be paid 15 per cent of the total amount for his assistance. To reassure Y. Y. A. that he was being honest with him, S. M. B. took him to his apartment and showed him a brief case full of Euros and gave him a sample of the cash to check for himself.

After taking a sample of the money, Y. Y. A. went to his bank to check its authenticity and upon confirmation from the bank that the banknote was genuine, Y. Y. A. withdrew \$551,000 in cash from his account, as well as 20 kilos of gold, worth Dh1.1 million, and Dh10, 000 in cash and gave it to S. M. B..

Y. Y. A. also agreed to transfer a further 200 kilos of gold to Switzerland the next day but did not as he grew suspicious of S. M. B. and called the police. S. M. B. was arrested while boarding a flight bound for Ethiopia.

Police recovered only \$ 69,694, Euro 30,000 and small amounts in other currencies, as well as 30 gold coins and some gold jewellery that was with S. M. B.. The rest of the money had already been transferred out of the country.

Here is the URL of the piece for as long as it is good:

http://www.khaleejtimes.com/Displayarticle.asp?section=theuae&xfile=data/theuae/2004/october/theuae_october111.xml

6 OCT 2004

From the Daily Independent, a Nigerian newspaper:

Suspects in \$247million fraud seek out of court settlement

By Victor Efeizomor, Law Reporter, Lagos

Indications emerged on Tuesday at the Ikeja High Court that the three suspects standing trial over alleged involvement in an advance fee fraud of \$247 million (about N34 billion) are making frantic efforts to settle the matter out of court.

At the resumed hearing of the matter, counsels to the accused persons led by Alex Izinyon (SAN) said the accused persons have been holding discussions with the prosecution and the victims of the scam since Monday, and that court should step down on the matter for some time to enable them reach an agreement.

At this point, the prosecution counsel Mr. Rotimi Jacobs, told the court that he has no objection and that the court should stand down the matter for a short while.

Following this development, the presiding Judge, Justice Joseph Oyewale granted the application and asked the parties to go for a brief discussion. He however quickly added that the decision of the parties was not binding on the court.

The parley, involving all the accused persons, Chief Emmanuel Nwude, a Director at Union Bank, Mrs. Aamaka Maritina Anajemba and Chief Edeh Okoli as well as the victims of the scam including officials of the Brazilian Bank, lasted for two and half hours outside the courtroom.

When the parties returned to the courtroom for the proceeding to commence, Izinyon, counsel to the first accused person, sought the courts permission to move an application for adjournment, to enable him prepare for the Abuja New Legal Year celebration where he is expected to present a paper. But Justice Oyewale interjected saying that he did not plan for the stand down and adjournment as he was prepared to continue with the matter.

While alluding to the import of the discussion, Izinyon quickly told the judge that if he was privy to the discussions, he would know its usefulness as that would save him the trouble of bothering himself with too much writing in the court.

The defence counsel agreed to the adjournment, while Jacobs, the prosecution counsel who initially objected to it, after listening to the argument of other counsels agreed to an adjournment.

Justice Oyewale therefore fixed October 18, 20, 21 and 23, 2004 respectively, for the hearing of the matter.

Note: ThisDay also carried a piece on this story.

5 OCT 2004

From ThisDay, a Nigerian newspaper:

\$242m Scam: 3 Banks Named in Money Laundering Deals

By Abimbola Akosile

Three banks and two companies were yesterday named as active participants in a \$242 million Advance Fee Fraud a.k.a. 419 scam, involving Mrs. Amaka Anajemba, Chief Emmanuel Nwude, and Mr. Nzeribe Edeh Okoli, which took place over a three-year period.

Following examination of the 1st Prosecution Witness (PW1), Mr. John Babatunde Soares in the de novo (fresh) trial before Ikeja High Court judge, Justice Olunmi Oyewole, Chief Emmanuel Nwude (1st accused person), Nigerian Intercontinental Merchant Bank (now Inter-continental

Bank), Industrial Bank (now City Express Bank), Equatorial Trust Bank (ETB), Union Trust Building Society Limited, and an Indian company, Royal Crest Nig. Limited, were named in several money laundering deals.

The accused persons, who were re-arraigned in Lagos on Friday, July 23, by the Economic and Financial Crimes Commission (EFCC) following an Abuja High Court dismissal of the former 86 - count charge brought against them in July, are to face a fresh 98-count charge, in accordance with Sections 1(1)(a) and (3) of the Advance Fee Fraud Act of 1995 as amended by Act 62 of 1998. The trial is expected to last till October 6.

In a packed courtroom yesterday, Soares, a chartered banker, in response to questions during the evidence-in-chief by Mr. Rotimi Jacobs (EFCC counsel), revealed how he carried out several foreign exchange transactions between the above-mentioned banks and companies, on behalf of Nwude and the late Ikechukwu Anajemba.

Soares, formerly a suspect arrested by EFCC who later turned prosecution witness, confessed to having moved foreign currencies totalling \$10.1m in forex deals on behalf of Nwude, who had allegedly told him he was into spare parts, tyres, and crude oil businesses...

For the rest of the article, which is basically detail testimony from Soares, go here for as long as the link is good:

<http://www.thisdayonline.com/news/20041005news03.html>

19 SEP 2004

From the Daily (Sunday) Champion,
a Nigerian newspaper:

Cybercafe fraudsters arrested in EFCC-FBI joint operations

\$3.5m recovered

TWENTY-eight Internet fraudsters have been arrested in Lagos, in joint operations between the Economic and Financial Crimes Commission (EFCC), and the United States Federal Bureau of Investigation (FBI).

Also, \$3.5 million (N490 million) was recovered in fraudulent cashier cheques and goods bought over the Internet and shipped to Nigeria by credit card scammers.

A release signed by Mr Osita Nwajah, head, Media and Publicity of EFCC said the year-long cooperation targeted the rising cases of cyber crime, especially credit card fraud in Nigeria. Some of the suspected fraudsters are to be charged to court soon, Nwajah said.

Meanwhile, the United States Attorney General, John Ashcroft has commended President Olusegun Obasanjo for setting up EFCC.

Ashcroft gave the public commendation, last month at an international media conference of law enforcement agencies to review Operation Web Snare, an inter-agency initiative, in Washington USA.

Ashcroft, noted that cyber crime was a major global source of worry adding that only committed governments and cooperative efforts between law enforcement agencies around the world can effectively tackle the menace.

He singled out Nigeria as one fine example where such a government exists and where joint operations between EFCC and FBI have been exceptionally fruitful.

419 Coalition comment: We anxiously await both convictions and repatriations of funds in these and other cases, but there has been neither to date - not even in the Ghasemi case where CBN announced years ago that it had recovered the victim/s money.

8 SEP 2004

For those interested in a bit of gallows humor, please see the following piece from The Register in the UK and be sure to click on the links :)

The piece is titled:
"419ers launch online educational facility"

Here is the URL for as long as it is good:

http://www.theregister.co.uk/2004/09/08/university_of_nigeria/

8 SEP 2004

Ultrascan Advanced Global Investigations, out of Holland, is interested in the whereabouts of this alleged 419er and any other details anyone has on him. If you recognize this man, and have details on him, please contact Monica at ultrasca@apexmail.com

This pic seems to be an odd type file(.oko) but we were able to open it with the Windows Fax and Picture Viewer.



30 AUG 2004

From the Straits Times, Singapore:

Nigerian scams: Now who's the fool?

By Arlina Arshad

Though his family dragged him - five times - to the Nigerian High Commission, the elderly man still believed he was about to become rich, as promised in a faxed letter.

He ignored warnings of the High Commission staff that he was the target of the much publicised Nigerian scams.

A few months later, the 80-year-old Singaporean returned. How could he recover money scammed from him, he asked. The High Commission told him to contact the police.

Mr Georges Alabi, the Acting Nigerian High Commissioner, told the story in the first media interview with the High Commission on scamming.

'That's the biggest problem we face, people who simply refuse to believe us when we tell them they're dealing with fraudsters.

'Instead, they called us fools and said that we're blocking them from getting their money.'

Often, people are not forthcoming in supplying information, which slows down investigation, he added.

He said there were two other cases of Singaporeans losing money after being warned by the High Commission.

The Commercial Affairs Department here reports three Nigerian scam cases in the first half of this year in which victims lost between \$5,000 and \$30,000 each.

Mr Alabi said the so-called Nigerian scam is over 20 years old. Targets, picked at random, are offered shares in non-existent family fortunes or shady deals involving transfers of large sums of money - but are told they must pay a small amount first.

Mr Alabi said the Nigerian government was serious about busting 'scammers who bring the country's name to disrepute', by using the names of the country's political leaders or seemingly genuine government letterheads and seals.

He said any Singaporean who applies for a visa to visit Nigeria gets a warning leaflet and a police notice.

Since last October, the High Commission has received 134 faxes concerning scam letters: 'Phone numbers of the agents are all compiled and sent to the Nigerian authorities for investigation.'

Mr Alabi also said the chambers of commerce here have been warned that many scam letters were sent through company faxes.

A commission was set up in 2002 in Nigeria to combat crimes like money laundering and advance-fee frauds.

A Nigerian legislator was thrown into jail last year, Mr Alabi said, when the telephone in his office was found to be linked to the scammers.

He died in custody.

Mr Alabi added that the scammers are 'faceless people who operate like a cult'. 'Scams are not peculiar to any country. There are 140 million people in Nigeria but that doesn't mean all of us are dishonest.'

Last October, the Spanish newspaper 20 Minutos had said Nigerians were chief players behind Spanish lottery scams.

Mr Joseph Tan, whose Internet portal www.crime-library.org discusses crime news, said he has received 49 calls and e-mail messages this year from Singaporeans who responded to scam letters.

They pulled back only when asked to put US\$500 (SS856) into overseas bank accounts.

26 AUG 2004

Relevant portion of a speech by John Ashcroft, Attorney General of the United States, on Operation Websnare, a crackdown on internet fraud:

"In response to the rising tide of Internet crime emanating from Nigeria and other West African nations, the President of Nigeria in 2002 established the Economic and Financial Crime Commission. To further strengthen our international cooperation, the FBI has assigned an agent to work exclusively with Nigeria's Economic and Financial Crime Commission. This coordinated effort is dedicated to rooting out advance-fee schemes-such as the email-based frauds that ask recipients to help the email senders move money out of Africa but require recipients to send their own money or bank-account information first. Thanks to this partnership, I am pleased to say that the Economic and Financial Crime Commission authorities conducted a number of controlled deliveries and arrested a number of subjects as part of Web Snare.

To increase our success in stopping Internet fraud, the Department of Justice has invited two EFCC attorneys from Nigeria to attend upcoming Internet fraud training with our federal prosecutors. Ibrahim Lamorde, the EFCC's Director of Operations, is with us today. I thank you for Nigeria's help and for the Economic and Financial Crime Commission's contributions to Operation Web Snare."

Here is the link to the complete speech for as long as it is good: <http://www.usdoj.gov/ag/speeches/2004/82604ag.htm>

25 AUG 2004

From Vanguard, a Nigerian newspaper:

Corruption among law enforcers hinders anti-graft war, says Ribadu

By Innocent Anaba

ABUJA -CHAIRMAN of the Economic and Financial Crimes Commission (EFCC), Mallam Nuhu Ribadu yesterday said that corruption amongst law enforcement officers was a major problem responsible for failure of the Federal Government's anti-corruption campaign, even with whopping sum of over N250billion being expended by government on the said officers.

He also blamed insufficiency of courts and judges for the congestions of cases in court, particularly the prosecution of economic and financial crime related cases, adding that, bank frauds are on the increase, forex abuses and manipulations are still the stock of many banks, 419 still looms large, money laundering from corrupt proceeds is still visible and apparent.

According to him, the commission is prosecuting over 100 cases in court, while about 300 other cases are at various stages of investigation.

Speaking at the on-going Nigerian Bar Association (NBA) national conference in Abuja on the topic Problems Associated with Enforcement of Economic Crimes, Mallam Ribadu said, the principal reason for the failure of our law enforcement agencies is corruption. In fact, it went so bad that in some cases, law enforcement officers were found to be the principal perpetrators of the crimes.

Invariably, there was no law, because those that are supposed to enforce the law became the worst culprits of breaking the law. This was quite worrisome because as the custodians of the law and order, they were supposed to lead by example and be above board. Apparently, the failure on the part of law enforcement agencies and the eventual breakdown of law and order grossly affected the administration and delivery of justice and led to loss of confidence by the public in justice administration.

Further he said as at today, we have over 500,000 law enforcement personnel working in various law enforcement agencies, while Nigeria spends averagely N250billion on law enforcement agencies. Despite the large number of law enforcement workforce, nothing seems to be happening.

The congestion of cases in our courts and slow pace of court proceedings occasioned by insufficient numbers of courts and judges and the manual recording system take their share of blame in the problems associated with the enforcement of our laws particularly the prosecution of economic and financial crimes. This had hampered speedy and timely prosecution of cases.

22 AUG 2004

From the Daily Independent, a Nigerian newspaper:

When a Hunter became the hunted

How a Lagos Pastor walked into security net in attempt to swindle two Americans of \$5.3Million in crude oil deal

Bassey Udo, Snr Correspondent, Abuja

Dr Benjamin Brown could not believe he could fall prey to a bait that could make him look like a cheap criminal. He always considered himself smart, or so he thought, when he came in contact with Damon Lee, a young American commodities trade businessman and President of Resource Petroleum and Petrochemicals International Incorporated, based in Long Island city,

New York, United States.

For more than a year, he and his friend, Alhaji Mohammed Bakindo, presented split personalities to Lee and his Indian-American wife, Daunette Chung. Though members of a steely-eyed syndicate of Nigerian fraudsters, Brown and Bakindo presented themselves as pious religious personalities and preyed on them.

Dr Brown claimed to be a pastor of an unnamed Pentecostal church in Lagos, while Alhaji Bakindo cut the personality of a staunch Muslim leader who could hardly hurt a fly. It was this deceptive picture they cut that deceived Lee and Daunette into taking them into a business confidence that almost cost them a \$5.3 Million crude oil sales swindle.

Lee has been involved in commodities trade business for more than 25 years. Throughout the period, Nigeria was never his customer. Two years ago, Lee's company became interested in trading in Nigeria's oil. Lee's first contact for information about doing oil trade business in Nigeria was the Nigerian Embassy in New York. But, the process, for Lee, appeared to have dragged endlessly, without any headway, even where huge resources had already been spent sponsoring some officials to Nigeria from New York each time it became necessary. Lee got fed up and terminated the relationship.

Shortly after severing relations with the Embassy officials, Lee came in contact with a Nigerian, resident in the US and working with Globex International, who introduced Dr Brown and Alhaji Bakindo to him as representatives of Hyson Nigeria Limited, one of the commercial and investment arms of the Nigerian National Petroleum Corporation (NNPC).

Brown later told Lee he was a top official of Hyson, with wide contacts with the hierarchy of the NNPC and the Nigerian oil industry, while Bakindo also presented himself as the point man for the General Manager, Crude Oil Marketing, NNPC, Alhaji Aminu Baba-Kusa.

Lee could not believe his luck to have come into such high level contacts. He wasted no time opening discussions on a proposal to secure about six million barrels of Nigeria's crude oil. Before the formal signing of the contract, Brown and Bakindo demanded and collected \$50,000 for "crude allocation assignment fees". Later, following the signing of the contract, another sum of \$450,000 was received for "wharf charges" by the Nigerian Ports Authority (NPA) to facilitate the use of the ports to transport the commodity to the US. What was left was the total value of \$450 million for the crude allocation.

At no point did Lee suspect anything was going wrong. Not even his request for Hyson and NNPC's telephone numbers could give any inkling, as Brown would promptly supply the correct information. Brown even encouraged him to get in contact with either Hyson or NNPC to make his independent findings whenever he felt dissatisfied with any information they provided about the transaction. They even suggested that the FBI could contact them if there was any information they needed to confirm. If there were still any doubt, they said the Interpol in Nigeria could contact the FBI, or the FBI could come to Nigeria to look for them to verify. This made Lee comfortable to continue dealing with them. All the documents used for the transaction, including the ports papers and receipts, appeared impeccable. One needed to work as an insider in the oil industry or the NPA to know their difference with the original.

At times when things appeared not be moving as expected, Alhaji Bakindo would call up Lee, his brother in Islam, and both would solicit Allah's divine intervention. He never tired telling Lee how as an ardent Moslem, committed to his faith, he cannot tell him a lie, or deceive.

On several occasions, Brown, "the pastor", would also call up Lee's wife, and for hours both would petition God in prayers on phone. Both would even fast together seeking God's face.

"I have never seen somebody so prayerful like Dr Benjamin Brown. I have lost count of the times he and my wife prayed together on phone, or reading the Bible for hours. And Mohammed Bakindo, my brother in Islam, I have never seen a person so devoted to his faith. He always told me, as an Alhaji he could not tell lies. And I believed them. I do not know how their congregation would feel about their conviction over case", Lee disclosed remorsefully last week.

But, Lee became suspicious when Brown's demands for more money from the transaction became too frequent. The impression created was that top officials of the NNPC, particularly the Group Managing Director (GMD), and the General Manager, Crude Oil Marketing, were making demands that were stalling the approval of their crude oil allocation. They even said these people were demanding the payment of the full amount of the allocation before any thing could be done on the application.

Then, Lee and Daunette decided to visit Nigeria, to meet with these officials and attempt to persuade them to cooperate. They did not let Brown and Bakindo know about their move. Before they left the US, they set up a three-way communication link between them in Nigeria and the office in the US, such that throughout their stay each time Brown or Bakindo called their US lines, they would be answering as though they were in the US.

On arrival in Nigeria early last month, the first time in their lives, they had a meeting with the General Manager, Crude Oil Marketing, NNPC, Alhaji Aminu Baba-Kusa at the NNPC office in Abuja, where they presented the contract papers they claimed they had. After assessing the documents, Baba-Kusa told them in unmistakable terms that what they had were fake. They were devastated as they left the NNPC, but kept touch with Brown and Bakindo through calls routing their US office. That arrangement continued for about ten days.

After due consultations with the US Embassy in Nigeria, they were advised to make a case with the Chairman of the Economic and Financial Crimes Commission (EFCC), Nuhu Ribadu. They promptly did. At the end of the briefing, the EFCC advised that since it was more money that Brown and co wanted, another "investor" interested in buying even bigger quantity of Nigeria's oil, should be arranged for them. Lee bought the idea, scouted and got a personality that fitted

the perfect description of a Swiss "investor". After briefing him about the deal, the 'investor' was lodged at Eko Le Meridien suites in Lagos. Then, Lee got in touch with Dr Brown and Alhaji Bakindo to inform them of the Swiss business. Lee also requested and secured their permission to give their contact telephone numbers to the Swiss, who, they were told, might be desirous to either call them to discuss details of the transaction, or visit Nigeria to see them, to be sure what they were doing was real, before making the necessary payments. Everything looked tidy, and they obliged. The setting was thus right for the hunted to hunt the hunter.

As soon as the "investor" settled down, he put a call through to Brown informing him of his arrival in Nigeria and the need for a meeting as soon as possible to seal the transaction.

Brown's excitement knew no bounds. He was too glad over the prospect of a bigger deal. His only worry was the "investor's" demand for the meeting to hold at his instance at his suite. He smelt a rat and demanded relocation to his hotel. At the insistence of the investor, he conceded.

But, before setting out for the meeting, he called Lee's US line trying to find out what was amiss. But, Lee was fully in the know about what was going on, feign ignorance in his reply, and encouraged him to keep the appointment, since he was sure they had nothing to hide.

For about five hours they kept calling Lee's US line. They sounded worried as if they sensed something ominous. The waiting game was becoming frustrating for Lee and the "investor". But, just as they were about to give up, Brown's call came through to Lee's phone, assuring him he was on his way to keep the appointment. Lee's only request was for him to ensure that before the meeting commenced he asked the investor to call and speak with him, to ensure that he was dealing with the real Brown.

Brown agreed and left for Le Meridien for the meeting. On arrival, he called the "investor" to come down and meet with him. The "investor" obliged, but before going upstairs together Brown introduced the other person that was with him as his bodyguard. In reality, the supposed bodyguard was Alhaji Bakindo, his partner in crime.

On getting to the "investor's" room, Bakindo, acting his script as bodyguard, opened the hotel's bathroom to check there was nobody there. Then, Brown, ostensibly not wanting the "investor" to incur any expenses using his phone, rather than allow the "investor" to use his phone to call Lee, did so with his, saying: "Donald, I am here with the investor, speak to Mr Henri Billow. I call you personally on my phone". Lee's conversation with the "investor" confirmed Brown's identity. When the phone was handed over to Brown, Lee told him he was confident that he was capable of handling the negotiations with the "investor" on their behalf, as they were very interested in getting the crude oil allocation.

Just as they were settling down for discussions with the "investor", there was a knock on the hotel room door. Unknown to them, it was the police and the EFCC officials. When Bakindo sought to know who was at the door, the answer was: "Room Service". And as Bakindo opened, the team swooped on them and rounded the two of them up. The duo on seeing Lee and the wife knew the game and the deal were up.

22 AUG 2004

From the Daily Independent, a Nigerian newspaper:

"Abacha's - daughter" dupes American N980m

Tayo Elebijo
Senior Correspondent

An American, Mr. Timothy Hassen, has become the latest victim of an advance fee fraud involving N980 million by a woman who presented herself to the American as one of the daughters of late dictator, General Sani Abacha.

The woman, later identified as Linda Ozoamaka by detectives from the Economic and Financial Crime Commission (EFCC), had introduced herself to Mr. Hassen as a daughter of General Abacha to convince him to part with about \$7million.

The Abacha's fake daughter, believed to be presently hiding in London, had allegedly in 1999 presented a proposal to the American, intimating him that the late General left \$100billion in a coded account with the Central Bank of Nigeria (CBN) and asked Hansen to contribute about \$7million towards getting the money out of the CBN vaults.

According to EFCC detectives, Linda Ozoamaka promised the American 30 per cent of the \$100billion on the condition that Mr. Hassen supplied his letter head paper with which she would write the CBN for the release and his account number to which the loot was to be transferred.

Quoting a report lodged with the EFCC, detectives said that Ozoamaka later requested for \$5 million, which she claimed, would be used to bribe some top officials of the CBN to get the money out of the bank and ultimately out of the country.

On receipt of the money, she was said to have traveled to Ghana where she lodged at an hotel and lived like a queen.

Ozoamaka, according to the EFCC officials, demanded another \$2 million from the American under the pretext that the \$5 million earlier requested was not enough to secure the release of the \$100 billion from the CBN.

The American, it was learnt, made the fresh payment, into a London account on the instruction of Ozoamaka.

Linda Ozoamaka later returned to Enugu State with her loot and built a hotel, which she

allegedly named the Golden Tulip Hotel after the one she stayed in Ghana.

Detectives working on the case, Saturday Independent learnt, had already seized the hotel in Enugu State in addition to some posh cars.

EFCC spokesman, Mr. Osita Uwaja, confirmed to Saturday Independent that the International Police (Interpol) had already been informed and are on the trail of Linda.

Mr. Uwaja also disclosed that a Lexus Jeep, a Mercedes Benz car and a Honda car had been impounded from the premises of Linda Ozoamaka in Enugu.

He said only the Honda car was brought to Lagos while the Lexus Jeep and the Mercedes Benz car are in the custody of the New Haven Police station in Enugu.

20 AUG 2004

From ThisDay, a Nigerian newspaper:

\$242m Scam: Court Refuses Bail Applications for Anajemba

By Abimbola Akosile

Hope by three accused persons Mrs. Amaka Anajemba, Chief Emmanuel Nwude, and Mr. Nzeribe Edeh Okoli, to regain their freedom pending trial before an Ikeja High Court, were dashed as presiding judge, Justice Olunmi Oyewole, refused and dismissed their bail applications.

He instead insisted on accelerated trial with trial dates set for October 4, 5, and 6th.

The accused persons were re-arraigned in a de novo trial in Lagos on Friday, July 23rd by the Economic and Financial Crimes Commission (EFCC) for their alleged involvement in a \$242 million Advance Fee Fraud a.k.a. 419 scam, following an Abuja High Court dismissal of the former 86 count charge brought against the accused persons, allegedly for lack of jurisdiction since the offences were committed within Lagos jurisdiction.

Even though accused persons' counsel had relied on Section 35(4) (a) of 1999 Constitution on right to liberty pending trial, Justice Oyewole had affirmed that the 95-count charge against the suspects were serious and attracted severe punishment upon conviction.

In a forty-five minute ruling yesterday, Justice Oyewole said, "there is no absolute and unlimited guarantee of liberty. Necessary demands of good governance and orderliness in society cannot allow for such. From Section 35 of the Constitution, it is clear that a person can be deprived of his liberty upon his being reasonably suspected of committing a criminal offence".

"Court still has discretion to exercise in deciding whether or not to grant accused persons bail.

The exercise of this discretion must be made judicially and judiciously taking into consideration relevant laws and principles. Subject to proof at trial, I hold that there evidence against the accused applicants, which could possibly induce them to evade trial", he said.

16 AUG 2004

Dr. Femi Ajayi of Atlanta, GA has published an interesting essay on the Nigeriaworld website called "The Nigeria Image Project - The Way to Go". It is a bit long to present here, and only partially deals with 419, but for those interested here is the URL for as long as it is good:

<http://nigeriaworld.com/columnist/ajayi/081604.html>

17 AUG 2004

From the Daily Independent, a Nigerian newspaper:

Two nabbed in N672m crude oil scam

By Basse Udo

Snr correspondent, Abuja

Hunters became the hunted last week in Abuja as an attempt by Nigerian fraud (419) syndicates to steal more money from American businessmen in a \$4.8 million (N672 million) oil scam unravelled.

Two members of the syndicate who posed as representatives of Hyson Nigeria Limited, one of the commercial and investment arms of the Nigerian National Petroleum Corporation (NNPC), are now helping the Economic and Financial Crimes Commission (EFCC) in its investigations.

The syndicate, operated by Benjamin Brown and Mohammed Bakindo, was said to have duped Resource Petroleum and Petrochemicals International Incorporated, a commodity trading company based in Long Island City, New York, United States, of about \$500,000 before they landed in security net.

The amount was the initial fees of \$50,000 and \$450,000 the company paid for "crude allocation assignment fees" by the NNPC and "wharf charges" by the Nigerian Ports Authority (NPA) for six million barrels of crude valued at about \$4.8 million.

Resource Petroleum President Damon Lee and its Vice President Daunette Chung said in an

interview in Abuja that they have been in Nigeria in the last one month on the trail of the duo who they said impersonated the General Manager of Hyson and his counterpart in the Crude Oil Marketing Division of the NNPC, Aminu Baba-Kusa.

Both men were introduced to Lee and his deputy by another Nigerian who is resident in the U.S. and working with Globex International when they showed interest in trading in Nigerian oil.

Said Lee : "I had a contract signed with Muhammed Bakindo who claimed to be the Managing Director of Hyson Nigeria Limited. Things appeared to have moved well until he began to ask for more money to secure our allotment and for shipping.

"When we suspected they were cunning us into paying the full cost of \$4.8 million before the allotment, we thought we should come to Nigeria to meet and speak with the individuals we were told were holding our allocation the Group Managing Director of the NNPC (Funsho Kupoloku) and its General Manager, Crude Oil Marketing (Aminu Baba-Kusa)".

Lee said on arrival in the country, it became obvious that the deal is a fraud, as Baba-Kusa declared that the contract documents are fake. The company is doing business with Nigeria for the first time.

The men reported the case to the EFCC on discovering that they have been swindled.

"When we came to Aminu Baba-Kusa, and after he told us that the documents were fake, we decided that we should meet the Chairman of EFCC, Nuhu Ribadu, who suggested that since it was more money that the syndicate wanted, an investor' should be arranged for more volumes of the commodity".

It was in the process of the syndicate going to seal the deal for more crude allocation for the Swiss "investor" at the Eko Le Meridien Hotel in Lagos that Brown, said to be the Pastor of an unnamed Pentecostal church in Lagos, and his accomplice Bakindo, a Muslim, were rounded up by security operatives.

"I have never seen somebody so prayerful like Dr Benjamin Brown. I have lost count of the times he and my wife prayed together on phone or reading the Bible for hours.

"And Mohammed Bakindo, my brother in Islam, I have never seen a person so devoted to his faith. He always told me as an Alhaji he could not tell lies. And I believed them. I do not know how their congregation would feel about their conviction over this case", Lee said.

11 AUG 2004

From the San Diego CityBeat (also see companion piece which immediately follows this one):

GREETINGS FROM AFRICA

Are you gullible enough ~and greedy enough~ to be victimized by the 419 scammers?

by David Rolland

I don't know how often former heads of foreign states in desperate need of assistance and nowhere else to turn contact you for help, but it happens to me very infrequently.

So, imagine my surprise that day back in March when Charles Taylor, the former embattled president of Liberia, contacted me. Of all the people around the world he could have asked for help, he turned to little ol' me in his time of need. Well, of course, I was honored. I didn't even realize he knew me.

And, man, was Taylor ever in a pickle.

Using an e-mail address of a fellow named Jeffrey Good must be a close friend of Taylor's—the former Liberian leader noted how he had recently been forced to resign as the president of Liberia in West-Africa by the United Nations / international communities which was spearheaded by the American president, Mr. George-Bush. In exile in Calabar, Nigeria, Taylor told me he had \$200 million that he needed to get into a foreign bank account in the worst way.

Evidently, being the Liberian president is highly lucrative. If indeed he earned that money while president, that comes to \$33 million for each year of his six-year reign. In any case, he said the money is his future hope.

I am being monitored and I do not want to take chances, Taylor explained. For your information, my communication and movements are under strict surveillance. That must be why he's using Jeffrey Good's e-mail account. Taylor instructed me to communicate with him through his attorney and close confidant, Dennis George, and he kindly gave me George's e-mail address. He said his lawyer would be able to establish an investment with your assistance on my behalf until I come out of my travail and tormentors.

Travail? Tormentor? Sounded like Taylor was in quite a spot. I like to think I'm the kind of guy who lends a hand when someone truly needs it. But this Charles Taylor fellow - I don't know, he was indicted for horrible atrocities last year by a special United Nations war-crimes court, which he neglected to mention in his e-mail to me.

Taylor was charged with arming the Revolutionary United Front, a paramilitary rebel group that, at the time, was engaged in a nasty, ongoing skirmish with the government of neighboring Sierra Leone. Apparently, the U.N. court judges determined that Taylor must have been aware that the beneficiaries of his largess were going about their business in rather violent ways allegedly killing, mutilating, raping and kidnapping tens of thousands of people as they battled

the government for control of Sierra Leone and its coveted diamond mines. Rumor has it, these thugs chopped off arms, legs, noses and breasts of lots of people, including children.

Maybe I shouldn't be so quick to do business with a character carrying this sort of unsavory baggage.

Then again, Taylor offered me 40 percent of the \$200 million. That \$80 million could come in handy. And he seems awfully polite: I wait patiently for your response. Yours truly. Charles Taylor. Ex-president of Liberia.

Truth be told, the guy attempting to pass himself off as Charles Taylor isn't the only person from Africa who's contacted me in the past few months. Since March, I've saved 29 e-mails from people claiming to be in desperate straits in exotic locales such as Liberia, Sierra Leone, Benin, the Congo, Zimbabwe, Tunisia, South Africa, Ghana, Angola, Zambia and Nigeria, not to mention the United Arab Emirates on the Arabian Peninsula. (Please see sidebar, Friends in need.)

The creative stories vary in detail, but they each involve the need to move lots of money into a foreign account, which the e-mail writers claim they can't do themselves, for various reasons. Each one promises me a handsome sum in exchange for my assistance.

Afoot here is foul play - illegal scams intended to separate e-mail recipients, made gullible by visions of vast riches, from their money. It's called a 419 scam, named for the section in the Nigerian criminal code for this sort of financial malfeasance. It's a rather widespread phenomenon chances are, the former president of Liberia has requested your help, too.

It's been going on since the early 1980s, says Charles Pascale, the Virginia-based coordinator of the 419 Coalition, an organization that operates an online clearinghouse of information on 419 scams so that others looking into 419 matters would not have to start from scratch in their research.

When told of the Charles Taylor e-mail, Pascale forwarded to me a small sampling of variations on the Taylor 419 that he had accumulated. Taylor 419 is a kind of Classic 419, Pascale said, a relatively simple request to move money into a foreign account. There's also Black Currency, Oil Scam 419, Lottery 419, Charitable Organization 419, Cashier's Check 419, Real Estate 419, Extortion 419 and Goods and Services 419, which includes eAuction 419.

They're all different means to the same end: to get the victim to voluntarily send the 419er money. Once the victim is hooked by the initial solicitation, he or she is asked to pay some sort of advance fee a transfer tax or a performance bond, for example, or asked to refund change on a phony check sent to the victim by the 419er. Inevitably, complications arise, and the victim, who by this time has likely reached a point of no return, is asked to pay still more unforeseen fees. All this is why the scam is also called advance-fee fraud. Common misconceptions are that victims are always asked to do something illegal or unethical although there are some cases of that and that 419ers do their thing by conning a victim out of his or her banking information and then bleeding the account dry.

The scam was started by the Nigerians, and to this day it's still mostly the Nigerians who are doing it, although copycat opportunists from other African nations have at times gotten in on the act. Despite international efforts to police 419 scams, only a handful of Nigerians have ever been convicted, and very little money has been recovered. (Please see sidebar, Exercise in futility.)

In the beginning, victims received scam letters through the U.S. mail. When the Postal Service cracked down and began intercepting mail postmarked in Nigeria, the 419ers, as they're called, started using the fax machine, and then e-mail.

I can still remember back in 1997 or so, Pascale said, when the No. 2 man of the Joint West African Fraud Task Force and I were discussing the inevitable move of the 419ers from letter and fax to e-mail. We knew, of course, that would be an awful mess.

However, Pascale said the move to e-mail also presented an opportunity. At the time, counter-419ers had the chance to get a jump on the scammers, as the counter-419ers had the technology before the 419ers did, he said. The good guys had a window of opportunity to put systems in place to contain the spread of 419 via the web and e-mail, but the 419ers caught up and overwhelmed any potential countermeasures before they could be put in place. Our side simply was unable to move fast enough to capitalize on the window of opportunity available to it.

One high-profile victim was Chula Vista's own James Adler, owner of a Tijuana furniture store, who received a 419 solicitation back in the early 1990s. Adler agreed to set up a foreign account, where the 419ers would deposit \$130 million ostensibly stolen from a previous Nigerian regime. Adler's take was to be \$60 million. Several years and numerous trips to meet with government and banking officials in Nigeria later, Adler was out more than \$5 million. He took the case to court, but a Superior Court judge, backed by an appeals court, ruled that since the original solicitation was, on its face, proposing a criminal transaction, and since Adler knowingly agreed to it, his hands were "unclean." He got nothing.

However, the Adler case was significant in that it was the first time a court determined that some Nigerian government officials were in on the scam.

I told Pascale that the e-mails I've received are obviously the work of flimflam men, and I asked him how people so easily allow themselves to be fooled. He seemed to take umbrage at the implication that one must be a dimwitted boob to fall prey to the 419. Victims, usually successful and well-educated, do their due diligence, he said, and still get ripped off.

Targets will do things like get the number of the organization their contact supposedly works for

say the Central Bank of Nigeria from directory assistance, call the number, ask for their contact by name, get put through to him by the switchboard and discuss the deal, Pascale said. Sometimes they will fly to Nigeria and meet with their contacts in bona fide Nigerian government offices this was also testified to before Congress by U.S. government officials.

What happens, he said, is that everything they check out checks out, so the targets send the money. Then after the 419ers have bled the target dry, then all of a sudden * poof* nothing checks out. So, in short, the 419ers are excellent in convincing their targets of the viability of the deal. After all, they are arguably the best conmen in the world.

But Robert Heyer, assistant special agent in charge of the U.S. Secret Service's San Diego field office, said there's something else at play.

This type of fraud is successful, I think, because it kind of operates on a piece of human nature that we don't always like to recognize that we have, and that's greed, Heyer said. If you fall victim to this, you are kind of looking to get something for nothing.

Here is the URL of the piece for as long as it is good:

<http://www.sdcitybeat.com/article.php?id=2324>

11 AUG 2004

From the San Diego CityBeat (companion to the above piece):

EXERCISE IN FUTILITY

Ever hear the one about the people who tried to combat 419 scams?

by David Rolland

Anti-419 activists say that in the roughly 20-year history of the crime, only about a dozen people have ever been convicted, according to the Nigerian government's own figures. It is a crime with little to no downside - fighting it is next to impossible.

In 2002, the Nigerians established the Economic and Financial Crimes Commission (EFCC) and charged it with among other things, enforcing that country's Advance Fee Fraud and Other Fraud Related Offences Act 1995, but American activists say no new convictions have resulted since.

To date, said activist Charles Pascale, coordinator of the 419 Coalition, law enforcement agencies worldwide have been unable to deal effectively with the problem. Of the \$500 million in 419ed monies the EFCC says it has recovered, not one cent of those monies has yet been repatriated to victims.

Pascale said 419 scams defraud Americans alone to the tune of \$300 million a year, and \$700 million worldwide. He gets his numbers from the testimony before a congressional subcommittee of the head of the now-defunct Joint West African Fraud Task Force. Multiplying \$700 million by 20 years, Pascale comes to \$14 billion, which he downsizes a bit and arrives at a conservative estimate of \$10 billion in worldwide losses to date.

The biggest single loss anyone has ever heard of is a Brazilian bank, which lost \$242 million dollars through the involvement of a top executive, he said.

Brian Wizard, an investigative novelist and 419 expert, told CityBeat in an e-mail interview that, in the world of advance-fee fraud, law enforcement is an exercise of futility. No government has the time, money or manpower to police the world's 419 criminals. To compound the problem, Nigeria itself has never been up for the challenge of dismantling one of its greatest cash-flow enterprises.

If law enforcement worldwide could arrest, detain, put out of commission each and every 419 operative working today, Wizard added, such 419 operatives would be replaced by more enthusiastic and hungry 419 operatives tomorrow.

Wizard said the handful of arrests in the U.S. have resulted in some jail time, but for the most part, convicts are deported and welcomed home as heroes.

Investigating and prosecuting 419 crimes is tricky business, said Robert Heyer, assistant special agent in charge of the San Diego field office. The agency would certainly like to be more successful, Heyer said, but agents need good suspect leads, which are difficult to come by, and the suspects have to be in the U.S. We can't go outside of our borders to make an arrest, he said.

First of all, we have to know who's perpetrating this crime, and in today's electronic world, it is very easy to obscure who you are as you perpetrate this crime. It is a very difficult crime to investigate.

Most often, 419ers are overseas. In such cases, information has to be shared with the host country. Even though you may have a country that we've developed a rapport with, Heyer said, it may be a country [where] some people are paid to look the other way.

With good, solid leads on suspects hard to come by, and given the jurisdictional constraints, the U.S. government pretty much has to fall back on educational outreach to fight 419 crime.

The U.S. Secret Service has all but thrown in the towel on combating the 419, Wizard said. They have decentralized the data gathering and, the last they told me, have pulled their 419 agents out of Nigeria and dismantled their 419 Task Force. Why? It was all an exercise of futility counting stolen money and victims.

If Wizard were in charge, he'd start investigating links between advance-fee fraud and terrorism, and he has suggested that tack to U.S. law-enforcement agencies.

It is a simple picture to draw, he said, if one had the desire and resources to do so. The Department of Homeland Security cares nothing about the 419 success at stealing millions of dollars from the U.S.A. yearly. What's that all about? Why the lack of concern by those paid to protect us from fraud and financial terrorism?

It's enough to leave an investigative novelist awfully frustrated.

Tell your readers that it is their responsibility to become educated and updated on all 419 scam operations, Wizard said. They cannot depend on our government's law enforcement agencies to protect them in any way whatsoever.

Here is the URL of the piece for as long as it is good:

<http://www.sdcitybeat.com/article.php?id=2326>

28 JUL 2004

From TheChamplainChannel.com NBC Channel 5 Plattsburgh, NY:

'Nigerian Scam' Snags Local Couple

Eric Brown Duped After Selling Harley Over Internet

Each day, the Secret Service hears from hundreds of people who have lost thousands of dollars in a so-called "Nigerian Internet scam." Now, the scammers actually send you a check.

A couple in the Champlain Valley fell victim to the scam.

Eric Brown considers himself computer savvy. He and his girlfriend thought it would be easy to make some cash selling items on the Internet.

Last month they were selling a baby Harley on eBay, and were contacted by a man in Nigeria who wanted to buy it. After a couple of e-mails, a deal was made.

The man sent a check to pay for the bike and the shipping. The catch -- Brown had to send some of that money back to pay the shipping charge.

"He sent us a check for \$4,500, and we sent \$1,800 back to him. A week later, the check came back counterfeit."

Brown was a victim of what authorities call "the Nigerian scam."

Police said they've been getting calls from all over the country about the scam. They say that most of the scam artists never get caught.

Now, Brown thinks twice before heading to the Internet to make some extra cash.

"Now that I lost money, I want people to know about this," Brown said.

Here is the URL for as long as it is good:

<http://www.thechamplainchannel.com/news/3589277/detail.html>

27 JUL 2004

From the Daily Independent, a Nigerian newspaper:

Scotland Yard absolves Ajudua of forgery

By Victor Efeizomor

Law Reporter, Lagos

A Scotland Yard police detective has told an Ikeja High Court that the forged signature of the former Finance Minister, Mallam Adamu Ciroma, was not traceable to Mr. Fred Ajudua.

The detective, Mr. Barry Bryan, who investigated the Advance Fee Fraud (419) case involving Ajudua and Charles Orie who allegedly swindled a British national, Remi Cima, of the sum \$2 million (N2.72 billion), said the letter sent to Cima purportedly emanating from the ministry of finance could not be traced to Ajudua.

Bryan said on Monday during a cross-examination by Ajudua's counsel, Mr. Olalekan Ojo, that during his investigation, the bank accounts used to transfer the money and the telephone number did not have any link with the first accused person, Fred Ajudua.

He also told the court presided over by Justice Joseph Oyewale that when the case was reported to the Scotland Yard, he detailed some of his men to carry out the investigation and that several search and arrests were made in London in connection with the scam but that Ajudua was never arrested neither did any of the documents recovered during the search have any link with the accused.

Bryan added that all the information received during the investigation in London and Nigeria were supplied by one David Gold and Cima, victims of the alleged scam, explaining that their findings did not show whether Ajudua or his wife, Princess, received any money into their account in respect of the scam.

Justice Oyewale has, however, granted bail to Orie, Ajudua's co-accused on health grounds

after his counsel made an oral application drawing attention to the state of his health.

19 JUL 2004

From the Daily Independent, a Nigerian newspaper:

'419' operators devise new tricks

Stories by Alex Oni,
Head, Crime Desk

Emmanuel Saloka was in his posh office in Port Harcourt when a call came in from Lagos. The person on the other side of the phone was a complete stranger. All the same, he introduced himself as a representative of a group of international businessmen, who are interested in doing business with their Nigerian counterparts.

He further told Saloka that he got his phone number from a business associate, who recommended him as a dependable businessman they can do business with.

For a start, he verbally instructed Saloka to supply N800,000 worth of plantain, which will be shipped to some unnamed business associate in Switzerland.

Saloka could not believe his good fortune. That he could get a contract that would fetch him over N5 million for supplying N800,000 worth of unripe plantain on phone.

He immediately put certain machineries in motion. First, he secured a loan from his bank and headed for Suleja where he purchased the plantain and chartered a trailer at an exorbitant price to take the goods to Lagos.

He was instructed to discharge the goods at a designated place in Lagos. For his payment, he was asked to report to an office at No. 21, Wole Ogunjimi Street, off Allen Avenue, Ikeja.

It was on getting to Wole Ogunjimi Street that he was told he would paid an extra N1.4 million as "insurance fee" before they could release the N5 million to him.

Saloka was a little bit confused. He, however, reassured himself that even with the payment of additional N1.4 million "insurance fee" and the haulage cost, he still stands to make close to N3 million.

Consequently, Saloka went to his bankers again and asked for an additional N1.4 million loan, which was granted.

Promptly, Saloka delivered the money to his "business partners" hoping his claims would be settled immediately.

This was not to be as he was asked to check back in two weeks time.

Two weeks after Saloka reported back at No 21, Wole Ogunjimi Street, Ikeja, and was told he would pay an additional \$7,000 as "service charge".

It was at this stage it dawned on Saloka that he had been duped. Everything now fell in place, but he quickly adjusted himself and decided to pay the fraudsters back in their own coin.

He promised his supposedly "business partners" he would make the money available within three days.

However, he contacted the police at Area "A", Lion Building, Lagos and a trap was set for the fraudsters.

He lodged at a hotel in Ikeja, and called the fraudsters to come to his hotel room and pick up the money.

One of the fraudsters, who claimed to be a driver to the gang, appeared at Saloka's Country Club Hotel room at noon on December 26, 2003, to pick up the money. A team of armed police detectives, who had laid ambush around the hotel immediately arrested him and whisked him away.

His arrest led to the arrest of two other members of the gang.

The gang made confessional statements that they were actually out to "clean-up" Saloka. On the night of the arrest, the gang refunded N100,000 and promised to refund the rest.

The police at Lion Building released them on bail on condition that they report at the station on a daily basis with a view to repaying Saloka's money.

However, after many months, and despite repeated demands, the fraudsters failed to make any more repayments.

Consequently, the police arraigned them before Chief Magistrate O. A. Isaac of the Igbosere Chief Magistrate's Court on a two-count criminal charge.

Prosecuting Police Officer, Mr. Albert Ebhota (ASP), alleged in the charge that the three accused persons, Jelili Balogun (32), Tafa Adegoke and Hamed Jide Balogun, conspired on December 26, 2003, at noon, at the Country Club, Lagos, to commit felony by obtaining money under false pretences, an offence punishable with imprisonment under section 516 of the criminal code.

The second count alleged that the three accused persons fraudulently obtained a total of N2.2

million from Emmanuel Saloka under false pretences, an offence punishable under section 419 of the criminal code.

All the accused persons pleaded not guilty and Chief Magistrate O. A. Isaac granted them bail.

In a related development, a Lagos-based businessman, Alhaji Hamsat Anifowoshe (52), has appeared before the same court, accused of fraudulently obtaining N2.4 million from a business partner.

The police at zone II command, Onikan, alleged that sometime in April, 2003, at 10 a.m., at 57, Olorunsogo Street, Mushin, Lagos, Alhaji Anifowoshe conspired with some other suspects now at large to commit felony by fraudulently obtaining N1.2 million from Bunmi Adewale under false pretence that he had some provisions valued at N2.4 million, which he would supply to his office.

Also docked was Joe Iyiola Ojo, for allegedly stealing N2,250,000 from Victor Properties Ventures.

Also in the dock are two Lebanese, Nahel Mansour (45), Norbert Mafeni (42) and their Nigerian partner, Oladele Olagbaju (37).

The police alleged that on or before March 25, this year, the accused persons conspired among themselves and fraudulently obtained N63,650,000 from Ms. Yemisi Stella Abiola, on the pretext that they had equivalent of the amount in dollars to give to her, which they failed to do nor returned her N63 million.

16 JUL 2004

From The Register, a UK newspaper:

Charges against Amsterdam 419ers dismissed
By Jan Libbenga

The Dutch Department of Justice yesterday suffered bitter defeat in a court case against thirteen West African men, who allegedly sent thousands of 419 or advance fraud fee letters through the Amsterdam cable network of UPC. The court ruled that there wasn't enough evidence to link the suspects individually to the scams.

Earlier this year Dutch police arrested 52 Nigerian email scammers at 23 locations in Amsterdam in what was believed to be the biggest raid of its kind. Police confiscated several PCs, mobile phones, false documents and € 50,000 in cash, as well as illegal cable modems provided by a UPC employee who is still at large.

The Dutch fraud squad believed the criminals sent more than 100,000 messages to victims in Japan and the USA, offering them vast profits in return for their help in a dubious business scheme. Some of the suspects were deported immediately by the Dutch alien registration department, while others were kept detained.

Although Dutch police was able to confiscate several cable modems, mobile phones, PCs with spamming software and an ironing board with a list of names of fake companies and directors, none of the suspects were caught red-handed. And not a single PC was switched on when the police searched their houses. The fact that people were present in these buildings, the court ruled, was insufficient for a conviction.

The Department of Justice has yet to decide if it will appeal the ruling.

Last year, Dutch prosecutors had more success when the courts sentenced six Nigerian scammers to between 301 days and 4.5 years for email fraud. The evidence in this case provided enough support for a conviction: police had tapped their phones.

Here is the URL for as long as it is good:
http://www.theregister.co.uk/2004/07/16/amsterdam_419_charges/

419 Coalition Note: Our associates Ultrascan in the Netherlands had these remarks concerning the above: "Of the 52 arrested in January only 14 were prosecuted, the rest were sent back to their country immediately. The 14 prosecuted were all but 1 released by the court on not enough evidence for organized 419 email fraud, the prosecutor could not prove who was behind the computer when the mostly initial 419 spam was sent..." So it would seem that of the 52 arrested, 38 were deported, and 14 prosecuted - of which 13 were released and one held for trial etc.

16 JUL 2004

From NewAge Online, a Nigerian news publication. Sent in by a concerned Nigerian:

FG to return \$300m to 419 victims abroad
By TONY IKPASAJA and UMAR AFEGBUA, Abuja

The Federal Government underlined its determination to improve on its international image with the disclosure by Vice-President Atiku Abubakar yesterday that about \$300million belonging to victims of 419 scams perpetrated by Nigerians would be returned.

The Vice-President who was represented by the FCT Minister, Mallam Nasir

el-Rufai during the presentation of a documentary film titled Brain Drain in Nigeria, organised by the Nigerian Television Authority, (NTA), in Abuja, also revealed that over \$3 billion was invested in the nation's economy by Nigerians in the diaspora in 2003 alone, giving hope that more may subsequently come in. El-Rufai defended the current economic policies of President Olusegun Obasanjo and said they were targeted to change the fortunes of the nation...

[other non-419 related material omitted]

12 JUL 2004

From the Daily Times, a Nigerian newspaper:

NBA accuses Ribadu of constitutional breaches, threatens legal action

By Rotimi Fadeyi

Senior Correspondent, Abuja

The Nigerian Bar Association, (NBA) Abuja branch has issued a seven-day ultimatum to the Chairman of the Economic and Financial Crimes Commission (EFCC), Mr. Nuhu Ribadu, within which to apologise for blaming the judiciary for the high incidence of Advance Fee Fraud cases.

The NBA, which also accused Ribadu of carrying out activities of the commission with sheer disregard for the provisions of the 1999 Constitution, said Ribadu should retract the statement he made to the judiciary and tender apology within the seven days or face legal action.

The NBA Chairman in Abuja, Joe Kyari Gadzama (SAN), while reacting to statements credited to Ribadu said, " If by seven days Ribadu failed to tender an apology, the association would commence action against him."

He added, "In the event of non compliance with the forgoing, the NBA, Abuja Branch, shall be consistent with its resolve to uphold the constitution of Nigeria, set the machinery in motion to challenge in a court of law the above mentioned constitutional breaches as well as every other section of the EFCC Act 2002 perceived to be in violation of the provisions of the constitution.

"Additionally, the NBA shall take steps and ensure that the names of the Chairman of the EFCC and all lawyers in the EFCC who abet the commission of such violations shall be placed in the black book of the NBA."

11 JUL 2004

From the Daily Independent, a Nigerian newspaper:

4-1-9: Ghanaian arrested over N135m oil deal

Rotimi Sulyman,

A Ghanaian, Aliyu Abubakar has been arrested by the police in Nigeria for alleged advance fee fraud (419) scam amounting to \$1million (about N135m).

His arrest came on the heels of recent crackdown on foreigners engaged in nefarious activities in the country, resulting in the smashing of a syndicate specialized in pirating home videos.

Task Force of the Nigerian Copyrights Commission had penultimate week arrested 12 Chinese nationals operating an illegal factory in the Ikeja area axis of Lagos, prompting a renewed crackdown on pirates, including foreigners.

Saturday Independent learnt that the arrest of the latest suspect, Abubakar, who runs a Bureau de Change on the premises of the Airport Taxi Park, Ikeja, Lagos, was reportedly effected penultimate Wednesday after a tip-off.

He is alleged to have operated a fake business company in London where he duped unsuspecting victims before fleeing to Nigeria.

Abubakar's alleged negative activities came to light two years ago when the British Police (Scotland Yard) got wind of his operations and swung into action. Apart from blacklisting his fake company, the British Police were said to have also frozen his bank account, necessitating the relocation of his business.

While in Nigeria, he alleged operated the Bureau de change as a cover for other dastardly acts, and was not suspected by anyone until t**he bubble burst recently.

Police sources disclosed to Saturday Independent that Abubakar's fake oil deal with some undisclosed Americans put him in the latest trouble. He was said to have made a clean sweep of \$1m from the Americans, who sensing that they had been duped promptly petitioned the Inspector-General of Police in Nigeria who in turn ordered his men to swing into action.

But, the suspect was said to have squandered some of the money when the arrest was effected, but police detectives were also said to have traced a part of it to a property worth N36m at Adeniyi Jones Ikeja, including three posh cars and another property in his country home Ghana.

1 JUL 2004

From the Register, a UK newspaper:

Nigeria failing to tackle 419ers

By Jan Libbenga

Roughly 200 Nigerians are currently serving jail terms for advance fee or 419 fraud around the world, Malam Nuhu Ribadu, chairman of the Nigerian Economic and Financial Crimes Commission (EFCC), told a seminar in Abuja this week. But in Nigeria itself not a single person has been sentenced yet.

About 500 suspected fraudsters are currently detained by the commission in various detention centres across Nigeria, but they still await trial, according to afternoon daily P.M. News.

Malam Nuhu Ribadu says Nigeria is the only country in the world that has failed to apply special laws or establish dedicated "front offices" to combat the crimes. "The commission believes that some of the 419 cases are facilitated by highly-placed, corrupt government officials," he added. On the positive side, though, the EFCC managed to recover properties worth over \$500m from the Lads from Lagos.

Sixty per cent of 419 scam letters still originate from Nigeria, Malam Nuhu Ribadu told the seminar. In the near future these letters may end up in a new national data base for 'referral purposes'. Although that probably won't stop our lads from bombarding you with requests to spirit away \$33,000,000 in illicit oil money.

Here is the URL of the article for as long as it is good:

http://www.theregister.co.uk/2004/07/01/nigeria_tackles_419ers_not/

30 JUN 2004

From ThisDay, a Nigerian newspaper:

419/Money Laundering: NSA Heads Harmonisation Panel

The Federal Government has established a committee to harmonise and strengthen government machinery in the control of advance fee fraud, otherwise called 419 as well as money laundering in Nigeria.

The committee headed by the National Security Adviser, Lt Gen. Aliyu Mohammed Gusau (Rtd), would also resolve all areas of conflict in the roles of para-military organisations in the fight against advance fee fraud and money laundering.

Gusau who disclosed this yesterday in Abuja at the Third National Seminar on Economic Crimes expressed the Federal Government's concern over the conflicting roles of the para-military organisations, which threatened to make the war against the twin-headed scourge ineffective.

According to him, "the committee, which is under my chairmanship, is expected to ascertain if the conflicts emanated from the laws establishing the agencies or as a result of personality differences.

"The committee's work is progressing and it is hoped that at the end of the assignment the functions of the government machineries responsible for the control of economic crimes and money laundering, would have been streamlined."

He pointed out that the Money Laundering Amendment Act (2004) has made the fight against the nefarious act a dual responsibility of both the Economic and Financial Crimes Commission (EFCC) and the National Drugs Law Enforcement Agency (NDLEA).

"The argument is that laundered money comes not only from narcotics but also from criminal elements and even from terrorist organisations. This dual responsibility has created its own problems, namely competition, lack of cooperation and unnecessary duplication of energy and resources in pursuit of similar objectives.

"Even our foreign partners and donor agencies sometimes find it difficult to know which agency to deal with in the area of money laundering," he said.

Gusau added that apart from the EFCC and NDLEA, other para-military organisations, by virtue of their enabling laws, were also involved in one way or the other, in the fight against advance fee fraud and money laundering.

"For instance", he said, "the Nigerian Police Force is primarily responsible for the detention and prevention of all forms of crimes in the country. It has a unit called Special Fraud Unit, which formed the nuclear of EFCC. "Similarly, the Nigeria Customs Service is involved in such economic crimes like smuggling, under-declaration of goods, fake importation of documents, among others.

It shares this responsibility with EFCC. "Even in the field of money laundering, the NCS is also indirectly concerned. This is because laundered money is sometimes used to import flashy cars, precious metals and valuable jewellery and antiques,"

While noting that the banking sector was not the only one guilty of complicity in advance fee fraud and money laundering schemes, he, however, assured that the EFCC was ready, equipped and sufficiently empowered to capture advance fee fraudsters and money launderers and bring them to justice.

Also speaking at the ceremony, Director of Banking Supervision of the Central Bank of Nigeria (CBN), Mr. Egnatius Imala, attributed the persistence of money laundering in the financial system to the failure of the Federal Government to criminalise the offence amongst all other serious crimes as well as the rigid nature of bank secrecy.

Imala regretted that the money launderers took advantage of the weaknesses in the financial system. He added that recent development in information technology have further made financial transactions relatively easy and therefore vulnerable to the activities of money launderers.

He listed weaknesses in the financial system enjoyed by money launderers to include: no required disclosure of the beneficial owner of an account or the true beneficiary of a transaction;

no mandatory requirement for reporting suspicious transactions; use of monetary instruments payable to bearers; and patterns of evasion of exchange controls by nominally legitimate businesses.

Others according to him, are : limited or weak bank regulatory controls, extensive foreign banking operations, limited asset seizure or confiscation capability, limited narcotics and money laundering enforcement and investigative capabilities, countries with free trade zone, countries where dollar is readily acceptable, and official corruption or laissez-faire attitude toward the business and banking communities, among others.

Imala harped on the need to combat laundering of money from the proceeds of illicit drug business, which enables transnational criminal organisations to penetrate, contaminate and corrupt structures of government, legitimate commercial and financial system, and the society at all levels.

He warned that "unchecked money laundering activities might erode the integrity of the nation's financial system and adversely affect currency and interest rates."

Also, he said, "the money laundering activities are becoming increasingly more elusive, well financed and technologically empowered and have developed strong determination to subvert financial system, which are basically the pivot of legitimate international transactions."

He therefore advocated that efforts should be made to enhance inter-agency co-operation in the fight against advance fee fraud and money laundering.

Similar articles appeared in the Daily Independent and other Nigerian newspapers.

419 Coalition comment: Over the years there has been committee after committee etc. etc. in Nigeria set up to deal with 419. The best of these so far is the EFCC, which has at least made some 500 arrests though there has yet to be any convictions. What is needed is Convictions and the Repatriation of stolen monies! A good start would be the repatriation of Shahla Ghasemi's stolen money which CBN accounced several years ago that it had recovered and she Still has not gotten it..... How Government of Nigeria expects to have Any credibility whatever in counter-419ing when things like that happen is beyond us, new Committee to oversee the Committees notwithstanding.

29 JUN 2004

From the Daily Independent, a Nigerian newspaper:

US set to freeze assets of corrupt Nigerian officials

By Chukwudi Abiandu, Night Editor (Lagos) and Chinedu Ofor, Correspondent (Washington DC)

America has put in place a facility that Nigerian anti-corruption crusaders may wish to explore in the fight against officials who may have kept their stolen assets in banks in the United States.

The US Government has established the Department of Asset Forfeiture, through its attorney's office, that would ferret out and confiscate ill-gotten wealth stashed away in that country.

A statement by Darren Kew, Assistant Professor (Dispute Resolution Programme) University of Massachusetts, Boston, said using the Patriotic Act and other US criminal forfeiture statutes, the office is designed to seize assets accumulated through criminal acts that either put the safety and lives of a population at risk or act unethically in government or business.

These acts include, but not limited to: terrorism or supporting terrorist acts, narcotics trafficking, corruption (such as theft, extortion, fraud, and money laundering) and violence.

It was learnt that Abuja is already taking advantage of the new agency by compiling a list of suspected officials who may have questionable fat accounts in American banks.

Sources said the list is being put together by the Economic and Fiancial Crimes Commission (EFCC) headed by Nuhu Ribadu.

They confirmed that previous requests by Nigeria to investigate or recover suspected funds lodged in US banks were not successful because there was no enabling agency or law specifically dealing with recovery of funds from foreign nationals or from American citizens who have not been convicted of crime.

The agency will co-operate with countries to recover funds either looted from government treasury or made through suspected activities such as terrorist acts, drugs, theft, embezzlement, inflated contracts or other acts considered capable of putting at risk the lives of people or unethical acts in government or business.

Nigeria may, however, have a difficult time proving its case going by the conditions attached to any petition requesting for recovery of funds.

The petitioner must prove the existence of such funds, the accounts and the suspected source of the money.

Nigerian embassy officials in the US are said to be working on locating some of the banks and property allegedly purchased by several prominent Nigerians through questionable sources of wealth.

Kew explained that while it may be difficult to press direct charges against international criminals, the US Government is capable of seizing any assets used instrumentally in the crime itself.

Besides, American definition of an "asset used instrumentally in a crime" is purposefully left flexible, but some examples might include: businesses through which money is laundered, assets acquired internationally in order to hide stolen funds, property in which narcotics are held or distributed, automobiles or other modes of transportation used directly to traffic narcotics, as well as scales or other items used directly to assist in the crime. They government is also capable of seizing assets that were the result of criminal acts, such as homes, automobiles, or other valuables.

It stresses the individuality of each case and the specificity of any investigation towards these criminal acts. While pointing out that it is difficult to provide a set of guidelines in response to the recognition of these crimes, Kew said, however, that it is possible to alert the attorney's office to any specific acts worthy of investigation, charges, and the search for punitive measures over to them.

He also made the point that since an investigation takes time and resources, it is necessary to convince the attorney of the existence of a crime through evidence.

According to Kew, the department acknowledges that the greatest difficulty lies in the burden of proof provided.

He added: "While it is possible to hand a case over for investigation through the US attorney's office, it is necessary to convince them that a criminal act has taken place and that it is worthy of an investigation. Obviously, the more evidence to be brought to their attention, the more convincing one can be to ask them to begin an investigation.

"The most important point to gather as much pertinent and relevant information and evidence in order to convince the department of asset forfeiture that a crime has been committed and an investigation must take place. Once the office has taken over the investigation, all possible attempts to seize any assets acquired through criminal acts will be taken. They will then make any and all efforts to return moneys or property directly stolen from any individual or groups."

Kew, however, cautioned that the most important evidence to focus on, as well as possibly the most difficult to find, lies in the origin of the funds. "If a group can prove where laundered or stolen money came from, it is that much more possible to begin an investigation, freeze assets, and return money to the victims of the crime. Once all resources for proof and evidence have been exhausted, it is then possible to present said evidence to this office.

"Evidence and a request for further investigation may be presented directly to the Department of Asset Forfeiture in the US attorney's office through Dan Claman at (202) 514-6340 or Daniel.claman@usdoj.gov".

Also, the Department of Asset Forfeiture acknowledged that in certain cases, it might also be possible for a specific injured party to bring a private suit against a particular criminal and can handle the investigation and suit themselves.

419 Coalition note: Perhaps US should not be in such a rush to return stolen monies to Nigeria since Nigeria has refused for years to return recovered monies to 419 victim Shaha Ghasemi for several years now, though Central Bank of Nigeria certainly announced the recovery of her funds with great public fanfare. Reciprocity in repatriating funds would seem to be the proper thing, after all...

29 JUN 2004

From the Daily Indendent, a Nigerian newspaper:

Only thieves have means to seek power, says Ribadu

By Sanya Adejokun

Senior Correspondent, Abuja

The institutionalisation of corruption in the 80s and 90s have led to a situation where only those who have corruptly acquired wealth now have the means to get into government, the Chairman of the Economic and Financial Crimes Commission (EFCC), Mallam Nuhu Ribadu, has said.

He said this on Monday at the 3rd National Conference on Economic Crimes at the Shehu Yar'Adua Centre in Abuja, vowing to do his utmost to stop the trend.

According to him, "The 80s and 90s witnessed the greatest trial times for Nigeria. Within the span of these two decades, corruption, advance fee fraud and other economic and financial crimes were institutionalised and entrenched into the key sectors of the economy.

"This preceded the emergence of a well syndicated cartel of criminals and fraudsters that hijacked the affairs of both the public and private sectors of the nation. The result is that you cannot get into government without being a criminal, a fraudster."

Speaking on the uprightness of his men, the EFCC chief said, "This country is worth dying for. At the EFCC, we have a bunch of policemen who have decided to do something about the situation and you will find people coming to report to me that this is the \$10,000 that I have been given and we will lodge it."

Ribadu quoted a recently published book that detailed the high-level corruption and impoverishment of Nigeria and Nigerians especially since 1979. The book mentioned Alhaji Shehu Shagari, Gen. Ibrahim Badamasi Babangida and Late Gen. Sani Abacha and the atrocities they allegedly perpetrated.

But he told journalists that, "We are fighting 419. We are fighting the private sector. There is ICPC which is to fight public corruption. It is not like putting everything on the EFCC. Today we have over 500 people involved in 419 in prison. How is it possible for one agency to do everything? More so, the law says that public corruption is supposed to be with the ICPC. We are the private sector side. The law does not even allow me to prosecute such things."

29 JUN 2004

From The Guardian, a Nigerian newspaper:

Anti-graft panel tries 72 suspects, EFCC arrests 500 others

From Hendrix Oliomogbe (Benin) and Mathias Okwe (Abuja)

There may be no hiding place any longer for corrupt officials and perpetrators of the Advance Fee Fraud (419) as the Independent Corrupt Practices Commission (ICPC) is presently prosecuting about 72 persons while the Economic and Financial Crimes Commission (EFCC) has arrested about 500 fraudsters.

Disclosing this yesterday, ICPC's Chairman, Justice Mustapha Akanbi who spoke on the British Broadcasting Corporation (BBC), expressed hope that with time, Nigeria shall overcome the hydra-headed problem of corruption, which has eaten deep into the fabric of the society.

In the crusade against corruption, the ICPC, he maintained, is ready to sacrifice all sacred cows, which is why some big fish, such as former ministers, a serving minister who was ignominiously dismissed, a permanent secretary and two Chief Medical Directors of teaching hospitals are currently being arraigned before a court of law.

He said: "All I know is that before this commission came into being, corruption had become endemic. It had eaten deep into the fabric of the country, but with what we are doing, I do not believe that Nigerians are so foolhardy that they will not realise that it is no longer business as usual."

At a recent conference in Vienna, Austria, Akanbi said that he met the Chairman of Transparency International, which has consistently rated Nigeria as the second most corrupt country in the world and demanded to know the parameters for the assessment.

The ICPC chief, who was speaking on the fourth anniversary of the anti-corruption commission, disagreed with Transparency International's perception, as he wondered whether the agency ever takes into account the political bias of the people who feed them with that notion.

However, he conceded that the rate of corruption was still high. "The level is high. It was very, very high before we came in because Nigerians came to accept corruption as a way of life. Now that we have arrested some people, that in itself has instilled fear into the hearts of people."

Speaking in Abuja yesterday at a seminar on "Advance Fee Fraud and Money Laundering in Nigeria: An Overview," the chairman of the EFCC, Malam Nuhu Ribadu, said the fraudsters were being facilitated by highly placed government officials.

Ribadu, who appraised the Nigerian business environment before and after last year's setting up of the EFCC, also stated that the commission was investigating an Abuja-based civil servant who allegedly own more than 200 houses in the Federal Capital Territory (FCT).

He said the commission suspects the civil servant of money laundering activities and vowed to confiscate the property if found liable.

Ribadu also revealed that EFCC's seizure of such illegally and fraudulently acquired properties from 419ners and money launderers has amounted to over \$500 million.

He said: "The first strategy of EFCC leadership was to insulate the EFCC from corruption. Secondly, with the support of Mr. President, we believe that nobody is above the law. Our message has been very clear on this."

Ribadu continued: "We have demonstrated our resolve and commitment by arresting many previously, untouchable 419 kingpins.

"Presently, we have over 500 suspects in custody, seized asset and recovered property worth over \$500 million, with over 100 cases at various stages of prosecution.

"The commission believes that some of the 419 cases are facilitated by highly placed corrupt officials."

He hinted that EFCC was in the process of building a national database on 419 and other related offences for referral purposes as well as identifying and going after designated financial and non-financial institutions such as banks, insurance companies, stock-broking firms, discount houses, finance houses, mortgage institutions telecommunications, postal services, Independent Service Providers (ISPs) cybercafes and bureau de change that facilitate the commission of 419 and other related fraudulent activities.

He added: "Financial and non-financial institutions must tighten their internal control systems to

safeguard their institutions/agencies from being used to cheat the public, otherwise they would be held liable."

The EFCC chief said with the passing into law of the EFCC Act 2004, the commission would now carry out speedy trial of cases before it.

He, however, expressed disappointment that while there were over 200 Nigerians serving jail terms for 419 and other related offences all over the world, not even a single person is serving term on the same offence in Nigeria.

This, Ribadu said, was in spite of the existence of the police, State Security Services (SSS), the National Drug Law Enforcement Agency (NDLEA), the Independent Corrupt Practices and other Related Offences Commission (ICPC) and the EFCC.

He called for more funding of the commission to enable it carry out its statutory functions, adding that a similar body such as the EFCC in Japan gets at least three per cent of the country's yearly budget while in Nigeria, both EFCC and ICPC share only 0.05 per cent of the budget.

Also speaking at the seminar organised by financial institutions regulatory agencies, the Central Bank (CBN) Governor, Prof. Charles Soludo, said the effect of fraud on the financial sector remains very serious and continues to pose a challenge to the stability of the sector.

Soludo, who was represented at the seminar by his deputy in charge of financial surveillance, Mr. Tunde Lemo, said fraud strikes at the very foundation of banking by eroding trust and confidence.

419 Coalition Note: Similar articles appeared in The Punch, ThisDay, and other Nigerian publications.

29 JUN 2004

From The Australian newspaper, Sydney:

Nigeria arrests 500 suspected email scammers

ABUJA: Nigeria's agency against economic and financial crime said Monday that it had detained more than 500 suspects and seized property worth more than \$US500 million from suspected fraudsters.

"Presently we have over 500 suspects in custody, seized assets and recovered properties worth over \$US500 million with over 100 cases at various stages of prosecution," agency chairman Nuhu Ribadu told a seminar.

The Economic and Financial Crime Commission (EFCC) was set up by President Olusegun Obasanjo to fight economic and financial crime, especially fraudsters who operate email and mail scams known as 419 advance fee fraud -- named after the relevant section of the Nigerian criminal code.

The EFCC had demonstrated its resolve and commitment by arresting many previously "untouchable 419 kingpins", said Ribadu, a former senior police intelligence officer.

Although the identities of those in EFCC custody are not formally revealed, observers noted that they included legislators, lawyers, politicians, bankers and public functionaries.

A legislator in the lower house of parliament, Maurice Ibekwe, arrested and charged with alleged financial crime, died recently in prison custody.

Another suspect, lawyer Fred Ajudua, is currently in detention for an alleged financial crime offence.

On June 3 in Maputo, Nigeria said that it planned to launch software that would help catch fraudsters who send scam letters via email.

The new technology, which would identify key words used in such letters, is likely to be made available to Internet service providers and government departments, Mustafa Bello, executive secretary of the Nigerian Investment Promotion Commission, told a meeting on the sidelines of Africa's World Economic Forum.

The email scams, often from "the widow of an African dictator" or a "bank official", promise untold wealth in return for helping to transfer millions of dollars out of Africa. Many originate in Nigeria.

Victims of the scam have lost tens of thousands of dollars, and in some cases been attacked and robbed.

They frequently fail to report their losses to the police out of shame and because they had been planning to act illegally.

South African Interpol spokeswoman Mary Martins-Engelbrecht told AFP last year that in South Africa alone some 60 cases of advance fee fraud (or 419) were reported every day.

The message from the "widow" or the "official" will ask for a name, address, bank details, passport and telephone numbers and a promise that in exchange, a major cut from the deal will be received.

The cash never materialises and the scammer eventually disappears into thin air. In some cases, victims are lured into a trap, kidnapped and held hostage for ransom.

Here is the URL for as long as it is good:
http://www.theaustralian.news.com.au/common/story_page/0,5744,9988337^29677,00.html

22 JUN 2004

From The Guardian, a Nigerian newspaper:

Suspected fraud kingpin, Nnamene, murdered in South Africa

A 49-year-old former local council chairman from Enugu State, Mr. Ifeanyi Nnamene, has been killed in his hotel room in Johannesburg, South Africa.

Nnamene (aka Omokachi), who was the chairman of Nkanu Local Council in the early 1990s, began his sojourn in South Africa four years ago. He is reportedly into advance fee fraud (419) in the country.

The Nigerian was killed at the weekend by an unidentified South African believed to have been a victim of his alleged trade.

Nnamene was found dead with bullet wounds on his head inside his Roadlodge Hotel room on Rivonia road, north of Johannesburg after he was allegedly shot by his suspected South African victim.

Police spokeswoman Amanda Roestoff told the News Agency of Nigeria (NAN) that two persons, including a 29-year-old woman, Maria Mamabolo, had been arrested in connection with the incident.

The two suspects will appear in a Randburg Magistrate Court on Friday.

Nnamene reportedly left his Ghanaian wife and children behind in Nigeria.

The slain Nigerian and another accomplice, John Eze, 37, were lodged at the hotel by the alleged victim to conclude an ongoing deal with the South African.

His killer had allegedly paid large sums to Nnamene's gang before he realised that he had been conned.

He then arranged to pay the balance at the hotel only to return to the hotel room with a pistol with which he shot Nnamene in the head.

A woman who was with Nnamene when the white man arrived at the hotel was asked to excuse the two for a while. She returned later to find Nnamene dead and raised an alarm.

Police investigating officer Captain Malueke, who suspected foul play in the murder, said the deceased was found tied up and had several wounds on the back of his head.

He said a piece of cloth was found tied around his neck and it appeared he was strangled before being shot.

Nnamene's accomplice, who was lodged in the same hotel, returned from a nightout into the waiting hands of the police at the hotel.

The police are investigating the incident with the assistance of the hotel's close circuit television to identify the killer.

Nnamene's body has been deposited at Hillbrow government mortuary in central Johannesburg, pending a post-mortem.

The police have also approached the Nigerian Consulate in Johannesburg to assist in tracing the family of the deceased.

21 JUN 2004

From ThisDay, a Nigerian newspaper:

EFCC Writes AG, Wants Speedy Trial of 419 Cases

By Gboyega Akinsanmi

Economic and Financial Crimes Commission (EFCC) has in a letter to Attorney-General of the Federation and Minister of Justice, Chief Akin Olujimi, demanded for speedy hearing of Advanced Free Fraud (a.k.a 419) cases across the country.

The commission's decision was prompted by the complaint of trial judges in 419 matters that the heavy burden of litigation has been a major impediment to quick and speedy hearing which had caused unnecessary delay in the dispensation and administration of justice.

EFCC said there was immediate need to reduce and downsize the number of civil and criminal matters before each trial judge in matters relating to Advanced Free Fraud so as to bring justice to those defrauded by perpetrators of such terrible crimes.

According to the commission, unnecessary delay, long adjournment and frivolous applications of counsel to accused persons have frustrated the effort the commission has been making at prosecuting alleged fraudsters in the country.

"The concerted effort of the Office of the Attorney-General of the Federation, the crimes

commission and all stakeholders is required to ensure successful fight against those who have been giving bad image to this country through their fraudulent and criminal acts.

"The commission has made it a duty to deal with fraudsters whose dirty intention has indeed soiled the image of Nigeria in the international community without favour or fear so as to give the country a new perspective to the foreign investors", EFCC wrote in the letter.

The commission therefore urged Olujimi to quickly take decision that would give primacy to immediate and speedy hearing of Advanced Free Fraud matters in order to assure international community of Nigeria's commitment to fighting financial crimes.

419 Coalition Comment: Indeed, EFCC has convicted no-one of 419 to date despite its best efforts. As far as we know, the total number of convictions for 419 in the whole 20 years or so of the scams remain at 22, the most recent number given by the Nigerian Government. In terms of repatriations of stolen funds, this remains virtually nil; for example, victim Shahla Ghasemi still cannot get Central Bank of Nigeria to return her money that CBB publicly announced several years ago that it had recovered.

18 JUN 2004

From the DAILY POST (ROTORUA) in New Zealand:

Scam victims ordered to repay bank \$800,000

Two Rotorua residents have been ordered to pay the ASB Bank more than \$800,000 after falling victim to Nigerian scams.

Landlord Lambertus Petrus Maria Geurts and naturopath Aidan Pargeter of Rotorua, along with Sandra Catherine Foley of Hamilton, have been ordered to pay back the money after cashing a counterfeit cheque with the sharebroking arm of the bank. The decision was released late last month.

Documents from the Auckland High Court reveal that both Geurts and Foley fell for separate but similar scams around the same time.

Foley was originally approached in June 1999 by a person calling himself Choice Voteman and offered a quarter share of US\$15.5 million (NZ\$24.8 million) worth of managed funds.

According to the documents, both she and Pargeter spent a "considerable sum of money" pursuing the deal.

Geurts was drawn into a similar scam, which required him to pay for a specialist "cleaning machine" and chemicals needed to wipe "security film" from money that was being held in a secured bank deposit.

As part of the deal, he received what he believed was a US Treasury cheque for US\$455,600.

Geurts initially tried to bank the cheque through a Vanuatu account, but was unsuccessful.

A financial adviser put him in touch with Foley and Pargeter and together the trio approached ASB Securities in May 2002.

The bank paid out on the cheque, which later turned out to be counterfeit.

In the Auckland High Court, Justice Geoffrey Venning has ruled the trio are obliged to repay the money, partly because they lied about the nature of their business relationship.

The judge criticised Geurts for not realising the cheque was suspicious, especially as the instructions accompanying it encouraged him to tell ASB an "outright lie".

He also criticised Foley and Pargeter for not telling ASB Geurts had already had problems banking the cheque.

Foley admitted in court that when she saw the cheque she was "very dubious" and said: "There's a little saying: if it's too good to be true it usually is".

Pargeter told the court he was aware of Nigerian bank scams, but "didn't give it any thought" after travelling to the Netherlands to pursue the deal.

The judge has ordered the trio to pay nearly \$100,000 interest on the original sum, as well as court costs to ASB.

Contacted yesterday, Pargeter said he did not want to comment for fear of prejudicing a planned appeal. However, he said the judge's ruling "blew the socks off me."

Geurts could not be reached for comment and ASB Securities managing director Tim Preston declined to comment.

According to court documents, ASB has since changed its procedures. It now insists on holding such cheques for 21 working days, instead of 15 -- even though it took 26 working days for the counterfeit cheque to be dishonoured.

Consumers' Institute chief executive David Russell said the Rotorua case was the third Nigerian scam he had heard of in the past two weeks. He said his advice was simple.

"Never ever, ever, ever, ever take any notice of something that promises you world wealth for nothing. It is simple common sense. It just does not happen."

11 JUN 2004

From the Nigeriaworld website:

Nigerian, D Nnamdi Ikoro, arrested in money transfer racket in Bangalore, India

By Lorna Thackeray

The city police have arrested a Nigerian in connection with a money transfer racket yesterday.

According to the police the accused, identified as D Nnamdi Ikoro, and several others had cheated one Abdul Rehan, owner of an internet parlour in Viveknagar.

According to the police the victim received a mail wherein he was offered a 30 percent cut in a 20 million dollars deal. Unaware of what he was getting into the victim fell prey to the game and paid Rs 2.5 lakh to the accused in this regard.

However when things started to fall in place, Rehman realised that the addresses given to him were fake and he lodged a complaint with the police against the Nigerian national.

Here is the URL of the article for as long as it is good:

<http://naijanet.com/news/source/2004/jun/11/1008.html>

10 JUN 2004

From ThisDay, a Nigerian newspaper:

\$242m Scam: Court Summons EFCC Boss

From Lillian Okenwa in Abuja

Chairman, Economic and Financial Crimes Commission (EFCC), Mallam Nuhu Ribadu was on Tuesday summoned to appear before a High Court of the Federal Capital Territory (FCT), Abuja over a court order barring publications in the \$242 million Scam suit.

The order made by the Chief Judge of the FCT, Justice Lawal Gumi is coming after an earlier order barring all parties in the suit from publishing commercial articles on the suit.

Some of the suspects, Chief Emmanuel Nwude, Mrs. Martina Anajemba and others were alleged to be involved in the scam.

Counsel to Anajemba, Chief Chris Uche, SAN, had asked the Court to summon Ribadu in view of what he tagged "an alleged contempt of a pending Court order."

He had asked Justice Gumi to make an order inviting the EFCC boss to appear before him and give reasons why his commission continued to make publications on the subject matter which is yet to be determined in the Court in the newspapers.

Granting the request, Gumi said: "That the Chairman of the EFCC or any member of the said Commission who has knowledge about such publications should appear before this Court on the 22nd of June 2004 to explain the meaning and intent of such publication and order."

"That the earlier order made by this Court during proceedings between the parties in this suit prohibiting such continual publications is hereby strengthened."

8 JUN 2004

From ThisDay, a Nigerian newspaper:

Falana Withdraws from 419 Suspects' Trial

By Abimbola Akosile

Following a move by three accused persons in an advance fee fraud (a.k.a 419) case before a Lagos High Court, Ikeja Judicial Division, to effect a change of counsel in their ongoing trial, Mr. Femi Falana, whose chambers previously handled them, has withdrawn from further appearance in the matter.

However, the case has been adjourned till June 16 for further hearing. The trio, Edwin Obi, Kenneth Metu, and Kingsley Dike were earlier arraigned by the Economic and Financial Crimes Commission (EFCC) before Justice Olubunmi Oyewole, for conspiracy and fraud related offences, and allegedly obtaining money by false pretences, contrary to Section 8 (a) and 13 of the Advance Fee Fraud Act No. 13 of 1995 as amended by Act No. 62 of 1999.

They were alleged to have conspired sometime in July, 2003, in Lagos, conspired to obtain from one Joseph Ani (complainant) the sum of seventeen million naira by false pretences, by representing to him that they were capable of producing United States dollars from a piece of paper by washing it with a chemical substance.

However, the suspects had urged the court to strike out the EFCC charge, which they described as incompetent and constituting abuse of judicial process.

4 JUN 2004

From Nigeriaworld, a Nigeria oriented website, which attributed it to "AFP":

Nigeria to launch software to nab 419 scammers

Nigeria plans to launch software that would help catch people who send scam letters via e-mail, known as the 419 advance fee fraud, a meeting on the sidelines of Africa's World Economic Forum has heard.

The software is expected to identify keywords used in e-mails and is likely to be made available to internet service providers and government departments, said Mustafa Bello, executive secretary of the Nigerian investment promotion commission.

"The introduction of new software, currently under discussion within the Nigerian parliament, will scan e-mails originating in Nigeria to look for keywords commonly found, especially relating to banking. This will then be removed from the system and even traced back to where it originated, [to] allow police to arrest the culprit," he said.

The e-mail scams, often from "the widow of an African dictator" or a "bank official", promise untold wealth in return for helping to transfer millions of dollars out of Africa. Many originate in Nigeria.

Victims of the scam have lost tens of thousands of dollars, and in some cases been attacked and robbed. They frequently fail to report their losses to the police out of shame and because they have been planning to act illegally.

South African Interpol spokesperson Mary Martins-Engelbrecht said last year that in South Africa about 60 cases of advance fee fraud were reported every day.

The message from the "widow" or the "official" will ask for a name, address, bank details, passport and telephone numbers and usually promise a major cut from the deal.

The 419 scam -- named after the section in Nigeria's criminal code on fraud -- works on a simple principle: the victim is kept on the hook for as long as possible, paying money, with the carrot of a huge return at the end.

The cash never materialises and the scammer eventually disappears into thin air. In some cases, victims are lured into a trap, kidnapped and held hostage for ransom.

Bello said however that Nigeria was also trying to address the underlying cause of the advance fee fraud which was "not greed but poverty," Bello said.

419 Coalition Comment: Well, who knows, perhaps Nigerian authorities will be better at tracking down the owners of email addresses than they are at tracking down the owners of the must be over 100,000 by now Nigerian phone numbers that have been used for 419 over the years. We here at 419 Coalition have sent in several thousand Nigerian 419 phone numbers ourselves over the years and nothing much happened. Ah well, we shall hope for the best...

3 JUN 2004

From the Daily Independent Online, a Nigerian publication:

One year after: Is Ribadu winning the war against 419?

Victor Efeizomor, Law Reporter, writes that one year after the inauguration of Economic and Financial Crimes Commission (EFCC), the commission has not been able to successfully prosecute any of the suspects over alleged involvement in financial crimes.

He sat in his large office contemplating the next line of action to adopt. Like an army general caught in a battle, he has deployed all the weapons in the armory. He cannot afford to lose the war.

Ordinarily, were the battle a physical combat, his opponents would easily crush him because of his small size. Nuhu Ribadu, a lawyer by training and a police officer by profession was abroad when he was summoned back to the country, to take over the headship of the Economic and Financial Crimes Commission (EFCC). He wasted no time in delving into his assignment as he vowed to make life unbearable for fraudsters who perpetrate financial scams. His words:

"Suffice it to state that these crimes have done tremendous damage to our national integrity and national image abroad. Advance fee fraud that we sometimes refer to as 419, has caused our dear country and innocent citizens a lot of embarrassment abroad. Just because of the unpatriotic acts and greed of a few misguided citizens, the country suffers while undertaking legitimate business."

Having read the riot act as it were, Ribadu must have impressed it on 419 fraudsters in the country that the battle line had been drawn. As a result, some of them scampered for cover while others who could not simply bear to hear the name EFCC or Ribadu bolted away from the country. Then came the mass arrests, detention and subsequent charge to court of some big names in the society for their alleged involvement in advance fee fraud.

But more than one year after the fight started, EFCC has not been able to secure conviction for any of the alleged 419 kingpins. The commission is charged with the enforcement and administration of the provisions of the Economic and Financial Crimes Commission (Establishment Act 2002), investigation of all financial crimes, including advance fee fraud, money laundering, counterfeiting, illegal cash transfers, futures market fraud, fraudulent

encasement, credit card fraud, and contract scam, among other such crimes.

The commission is also charged with the responsibility to ensure the co-ordination and enforcement of all economic and financial crimes laws, and enforcement of sanctions conferred on any other person or authority; enforcement of the provisions of the Money Laundering Act 1995; the Advance Fee Fraud and Other Fraud Related Offences Act 1996; the Failed Bank (Recovery of Debts) and Financial Malpractices in Banks Act 1994 (as amended); the Miscellaneous Offences Act and any other law or regulation relating to economic and financial crimes.

Indeed interested members of the public are becoming impatient with Ribadu, that apart from hauling more than 300 suspects behind bars, and confiscating their properties worth more than \$200 million, the commission appears to have lost steam. Rather than get conviction for any of the detainees, EFCC has only succeeded in having one of them die in custody. Maurice Ibekwe, re-elected member of the House of Representatives died in detention, March 20, 2004 owing to a protracted illness, after EFCC's consistent opposition of his bail application on health grounds.

Significantly, defence teams in the cases being prosecuted by EFCC accuse the commission of conspiring with the government and the judiciary to secure only conviction for the suspects, rather than prosecute the cases. However, EFCC counter by accusing defence lawyers of exploiting loopholes in the laws to stall proceedings in the matters. As a result, Ribadu has gone to the National Assembly with a bill that will ensure speedy trial in court. The bill when passed into law, according to Ribadu, will allow the courts to go on with trials uninterrupted, even when the rulings of a trial court are being challenged at the appellate level. He said the country's justice administration system, which enables suspects to stall trials thereby preventing cases from progressing at a desired speed has been the major setback for EFCC in prosecuting its cases.

Really, when some of the prominent suspects, like Mrs. Amaka Anajemba, Chief Emmanuel Nwude, Chief Fred Ajudua, the late Maurice Ibekwe, and Ade-Bendel, were arraigned in court for allegedly defrauding their victims of over \$5 million US dollars between 1999 and 2001, they pleaded not guilty. Subsequently, they challenged the different rulings against them at the appellate court, seeking stay of proceedings at the lower courts pending the decisions of the appellate courts.

Ajudua for instance had even gone further to accuse the presiding judge in his own case, Justice Joseph Oyewale of likelihood of bias in an application brought by his (Ajudua's) counsel, Olalekan Ojo. Ibekwe on the other hand, before his death, had told the court through his lawyer, Professor Taiwo Osipitan, SAN, that he was too ill to stand trial, while Chief Alumile Adedeji (aka Ade-Bendel) through Olalekan Ojo also, went to the Court of Appeal to challenge the decision of the trial court. Ibekwe's co-accused, a Lagos hotelier, Mr. Augumous Okoro's has had his counsel withdrawn from his trial in Justice Kudirat Kekere-Ekun's court at Ikeja when the court ruled against them that the trial should progress, to enable the prosecution witness to complete his examination-in-chief.

The accused persons, with others still at large, were alleged to have committed the crime of advance fee fraud punishable under the Fraud Related Offences Decree 13, 1999. EFCC specified that the accused persons conspired with others, who are still being sought, to obtain by false pretence over 5 million US dollars.

At the hearing of the case against the late Ibekwe and Ade-Bendel, before Justice Kekere-Ekun, the star witness, a retired Egyptian Army General, Abdel-Azim told the court how he lodged US \$4,000 in First Bank and another US \$5,000 directly to the company allegedly owned by Ade-Bendel and his alleged co-fraudsters. The matter has since been stalled at the court.

Another victim of 419, 47-year-old German woman, Frieda Springer Beck who is a witness in Ajudua's case alleged that she was duped of US \$360,000 in 1993. Ajudua is also standing another trial before an Ikeja High Court, alongside Charles Orie for allegedly obtaining the sum of US \$1,698,338 from Remmy Hendrick Luigi Lima of Germany, under false pretence in breach of the provision of the Advance Fee Fraud Decree. Ajudua who had succeeded in stalling the trial since the matter started surprised everyone when a fortnight ago, he told the court that he was ready to face trial.

Nwude and Ikechukwu Christian Anajemba (Amaka's spouse) are alleged to be the mastermind behind \$420 million 419 scam that brought down a Brazilian bank. Mr. Anajemba is now dead and Amaka, his widow also accused of involvement in the scam is in detention as she stands trial.

The worry among judiciary analysts really is EFCC's inability to pursue any of its cases to a logical conclusion one year after, with the calibre of lawyers like Oluwemimo Ogunde, a product of Chief Gani Fawehinmi's chambers, and a radical lawyer, Rotimi Jacobs, it parades.

Already, Ribadu has had to contend with bad publicity on the method he employed to apprehend Mrs. Anajemba. His critics said it is "crude," and reminiscent of the dark days of despotic military rulers. He has also been accused of indulging in human rights breaches in discharging his assignment.

Notwithstanding, his resolve is still very significant: "Any body that transgresses the laws will be punished according to the laws. These criminals, as we all know, are not spirits. They live among us and many people are aware of their nefarious activities. We promise to handle all information given to us in strict confidence, as we will religiously protect our sources of information."

Beside the allegations of alleged human rights breaches in the way it goes about its assignment, observers of the activities of the commission believe that the change in its leadership, which saw Ribadu's emergence may not help the commission in the long run.

Security experts query why a Commissioner of Police should be removed as chairman of the commission and replaced with an Assistant Commissioner of Police. "The replacement of Mr. Akaya, a CP, with Ribadu, an ACP, would not work out well for the commission," one security expert noted. He clarified: "By the Act establishing the commission, all the services are supposed to be represented, no higher officer of any of the services would want to come on board. We must realise that in Nigeria, status matters."

2 JUN 2004

From ThisDay, a Nigerian newspaper:

\$242m Scam: Suspect Denies Bribery Allegation

From Lillian Okenwa in Abuja

One of the suspects alleged to have duped a Brazilian businessman of about \$242 million yesterday told a High Court of the Federal Capital Territory, Abuja, that she did not bribe the Chairman of the Economic and Financial Crimes Commission (EFCC), Mr. Nuhu Ribadu, or any official of the Commission as alleged.

The suspect, Mrs. Amaka Anajemba, who spoke through her counsel, Chief Chris Uche (SAN) told the Court that on the contrary what she did was meet the provisions of the EFCC Act, which states that restitution, must be made on every financial crime committed.

The suspect again re-iterated that it was her late husband and not her that was involved in the scam.

She said when she was apprehended by the Commission, she was told that if she made some refunds in accordance to the provisions of the Act setting up EFCC, she would be released, but she was shocked that after paying the money she was accused of bribing Ribadu.

Anajemba also said if indeed the said money was termed bribe, there must have been a receiver, in which case Ribadu should be in the docks for collecting bribe.

Last week, the suspect filed an application at a Federal High Court, Abuja, asking it to set aside an order it made on May 26, granting the forfeiture of her assets.

In a motion on notice, the suspect asked for an order setting aside or discharging the interim order of forfeiture of assets it made and obtained ex-parte by the chairman of EFCC in spite of the substantive trial between the parties pending before the High Court of the Federal Capital Territory.

1 JUN 2004

From WINS News Radio, NY:

Authorities Investigating Alleged Email Scam

(1010 WINS) (HARTFORD) A scam targeting people who sell items on the Internet has been reported in Connecticut, authorities said.

Federal and state officials say phony buyers tell sellers they are willing to pay generous prices for items. They send a fraudulent cashier's check, and ask that the excess money be wired back to them.

The phony buyers contact sellers by e-mail, and sometimes by phone, said Joe Dooley, a supervisory special agent in the FBI's New Haven office who heads the office's cybercrimes squad.

"They say they have a cashier's check from a prior transaction that's \$2,000 to \$3,000 more than the goods being sold by the seller," he said.

About two cases per month have been reported in Connecticut, Dooley said. In Farmington, two cases were reported in a week, but both sellers contacted police when they suspected it was a scam, authorities said.

The scams have involved sellers offering anything from cars to wedding dresses to horses on online auction sites and classified advertising sites. The phony buyers typically ask for money to be wired to a Western Union office outside the country, and it is later transferred to Lagos, Nigeria.

If sellers fall for the scam, it is tough to help them, Dooley said. Information about the scam is sent to the legal attache in the U.S. Embassy in Nigeria.

"It's a case of seller beware," he said.

Attorney General Richard Blumenthal said his office has been getting two to three complaints a week, but there isn't much the office can do.

"By and large money lost to this scheme is almost impossible to recover because it's sent overseas," he said. "Anyone who sends money by Western Union to this kind of scam buyer is kissing it goodbye."

Blumenthal said consumers should be wary of buyers who send e-mails from overseas, who pay more than the agreed price and ask for a refund. He said when depositing cashier's checks, be certain they have cleared.

Here is the URL of the piece for as long as it is good:
http://1010wins.com/topstories/winstopstories_story_153113713.html

27 MAY 2004

From The Punch, a Nigerian newspaper, sent
in by a Concerned Nigerian:

\$242m scam: EFCC to freeze 419 suspects' assets

Tobi Soniyi, Abuja

The Economic and Financial Crimes Commission on Wednesday obtained an order from the Federal High Court, Abuja freezing the banks' accounts of Chief Emmanuel Nwude, Amaka Anajemba and Nzeribe Edeh Okoli, three suspects charged with defrauding a Brazilian bank to the tune of \$242 million.

Chief Chris Uche (SAN), counsel to Anajemba, told the Chief Judge of the Abuja High Court, Justice Lawal Gumi, that his client informed him that the commission has obtained an ex-parte order freezing their accounts.

Uche also told the court that his client's property had also been confiscated.

He told the judge that the action of the EFCC amounted to overreaching the court.

Justice Gumi asked EFCC's counsel, Mr. Rotimi Jacobs, to confirm whether it was true that the suspects' accounts had been frozen.

Jacobs, however, claimed ignorance of the order.

Justice Gumi was upset and threatened to take the matter up if it turned out to be true.

Investigations showed that some of the suspects were making clandestine moves to dispose of their property because they knew they might forfeit the property to the state if they were found guilty.

This was said to have informed the action by the EFCC.

An EFCC's source told our correspondent that Nwude's alleged property at 60 Marina had been sold.

Meanwhile, EFCC yesterday filed a fresh affidavit listing all the property allegedly acquired by the suspects with the proceeds of the fraud. The investigating police officer, Sanda Umar, swore to the affidavit.

That between the period of 1995-2000, Chief Emmanuel Nwude acquired a lot of properties with the proceeds of the fraud and these include Russel Centre, Wuse FCT.

That Amaka Anajemba between the period of 1995-2000 acquired a lot of properties with the proceeds of the fraud in Abuja and these include: Plot 1475, Asokoro, Abuja FCT, Plot 1555, Asokoro, Abuja, FCT and Plot 1470, Asokoro, Abuja FCT.

The commission also attached a schedule of assets sought to be forfeited.

For Emmanuel Nwude the commission listed the following properties for forfeiture;

36 Ikoyi Crescent Ikoyi Lagos; 60 Marina, Lagos; 34 Bourdilion Road, Ikoyi, Lagos; 43 Afribank Road, Victoria, Lagos; 80 Allen Avenue, Ikeja, Lagos; and 3/5 Abagana Close, Agidingbi, Ikeja, Lagos,

Others are 37/39 Awka Road, Onitsha, Anambra State; Russel Centre, Wuse, Abuja FCT.; 60 Chime Avenue, Enugu, Enugu State; 2 Trans-Ekulu Avenue, Enugu, Enugu State; Petrol Station at Oye Agu, Abagana, Anambra State; and F22 Sani Abacha Road, GRA Phase 111 Port Harcourt, Rivers State.

Vehicles sought to be forfeited allegedly owned by Nwude are, BMW, registration number GA823 AAA; Honda Acura registration number DE712KJA; Mercedes Benz, registration number DJI 70AAA; Porsche, registration number CP524AAA; Jaguar, registration number CA340KJA; BMW, registration number CH238 SMK; and Mercedes Benz registration number, CE511LND.

He is said to have 65,119 ordinary shares in Union Bank of Nigeria Plc.

The shares were registered in different names.

AMAKA ANAJEMBA's real properties sought to be forfeited are

1. 9A & B Akutu Crescent, Independence Layout, Enugu, Enugu State.

2. 23 Osumeyi Street, Awkuanaw, Enugu, Enugu State.
3. 9 Bassey Duke Street, New Haven, Enugu, Enugu State.
4. Ezinifite Street, New Haven, Enugu, Enugu State.
5. 5 Igbokwe Close, G.R.A Enugu, Enugu State.
6. 15 Nnobi Street, Independence Layout, Enugu, Enugu State.
7. Plot 496 Ezillo Avenue, Independence Layout, Enugu, Enugu State.
8. 9 Okoroji Street, Port Harcourt, Rivers State.
9. Plot 1475, Asokoro, Abuja, FCT.
10. Plot 1555, Asokoro, Abuja, FCT.
11. 4/6 Umuona Street, G.R.A., Enugu, Enugu State.
12. 13/15 Iheaka Street, Ekulu West, G.A.R., Enugu, Enugu State.
13. 157A & B Chime, Enugu, Enugu State.
14. 28 Roda One, Upper North 5th Trans-Ekulu, Enugu, Enugu State.
15. Plot 1470, Asokoro, Abuja FCT.
16. 70 Allen Avenue, Ikeja, Lagos State.
17. 2 Fosberry Road, Ikoyi, Lagos State.
18. 1 Cooper Road, Ikoyi, Lagos State.

Her vehicles include the following:

1. Jaguar, registration no. CE 9021 ND
2. Rolls Royce, registration no. AR 788 LSR
3. Peugeot, registration no. AP 596 BWR
4. Toyota Bus (now at a Police Station in Enugu)

Nzeribe Okoli's properties listed for forfeiture are 25, Amodu Street, Independent Layout, Enugu and Ocean Oil Petroleum station, Oil Avenue, Akunanam, Enugu State. The accused are standing trial before the Chief Judge of the Federal Capital Territory (FCT), Justice Lawal Gummi over 82-count charge of defrauding Nelson Sakaguchin, one of the directors of Banco Norusto Bank based in Sao Paolo, Brazil.

Anajemba's lawyer objected to the new affidavit and asked the court to discountenance it on the ground that it was too late to file a new affidavit.

But Jacobs in his reply said that the court has the discretion to accept the affidavit as the justice of the case demanded.

Justice Gumi would rule on Tuesday June 1 on whether he would admit the new affidavit evidence.

21 MAY 2004

From zdnet.com:

Six arrested over 'Nigerian email' frauds

Graeme Wearden

South African police have made a breakthrough against organised criminals who spam Internet users in an attempt to defraud them of thousands of pounds

Six people were arrested in South Africa last weekend on suspicion of being involved in the infamous Nigerian email and letter fraud.

Four of those detained were Nigerian, one was Cameroonian, and the sixth was South African. South African police believe that the six people are part of an international fraud and drug-dealing cartel, and have been sending out many thousands of email and letters in an attempt to defraud.

Police seized a large amount of drugs, as well as computer equipment and false identification papers. According to a statement from the South Africa police, officers from the UK's Scotland Yard are involved in the operation. A Metropolitan police spokesman was unable to confirm this, however.

The arrests could mark an important breakthrough in the battle against the international scam, which is thought to have defrauded hundreds of millions of pounds from victims. The fraud is also known as the "West African advanced fee fraud" or the "419 fraud" -- 419 being the relevant section of the Nigerian criminal code.

"The success [of the operation] is no doubt a huge blow to the 4-1-9 industry and evidential of the fact that law enforcement agencies around the globe are determined to deal harshly with the operators of this fraud scam," said the South African police in a statement issued on Sunday 19 May.

Potential victims receive a letter -- or more recently an email -- telling them that the sender is trying to move a very large sum of money and offering them a substantial percentage of the cash in return for letting it be deposited into their bank account.

Often the fraudsters claim that the Nigerian government is paying out this money in return for a completed contract, while other versions claim to involve insurance payouts after aeroplane crashes.

Anyone who expresses an interest is then told that they must first hand over some money to cover expenses such as banking fees and administrative costs. These "advanced fees" often run to thousands of pounds, and there are cases where American victims have lost hundreds of thousands of dollars.

The Nigerian government has set up a unit in London to fight the fraud, but many people are still being taken in.

One problem is that many victims don't report that they have been defrauded, either through embarrassment or because they aren't sure who to contact.

Roland Perry, vice chairman of the Internet Crime Forum, said last month that it simply isn't clear which law enforcement body people should contact with cybercrime complaints.

"Where do you go if you get a Nigerian email?" asked Perry. "Do you report it to the National Criminal Intelligence Service, the Metropolitan Police, the Fraud Squad, the National High-Tech Crime Unit or your local police? If you take one of these emails to your local police, what is the chap behind the desk supposed to do with it?"

The Metropolitan Police, in conjunction with the Specialist Crime Operational Command Unit, has set up a Web page containing advice about the West African advanced fee fraud.

Here is the URL of the piece for as long as it is good:

http://zdnet.com.com/2100-1105_2-918960.html

12 MAY 2004

From The Guardian, a Nigerian newspaper:

Accused wants biggest fraud suit dismissed on technical grounds

From Emmanuel Onwubiko, Abuja

THE lawyer defending one of the accused in what has been described as the world's biggest fraud case, yesterday asked the Abuja High Court to dismiss the suit against his client on technical grounds.

One of the grounds was the reference to Nigeria in the charge sheet by the prosecution as the "Federal Government of Nigeria," instead of the "Federal Republic of Nigeria."

Three Nigerians, among whom the second accused, Mrs. Amaka Anajemba, allegedly defrauded a Brazilian bank of N36.3 billion.

At yesterday's hearing, however, counsel to Mrs. Anajemba, Chief Chris Uche (SAN), asked the court to dismiss the suit because the wrong description of Nigeria in the charge sheet as the Federal Government of Nigeria contravened Section 13(1) of the Economic and Financial Crime Commission (EFCC).

He argued: "The charges have not been brought in the proper names of the complainant; Federal Republic of Nigeria was not properly cited by the prosecution but what they used is Federal Government of Nigeria. This is against Section 13 (1) of EFCC Act.

"There is a difference between "Federal Republic" and "Federal Government," because Republic symbolises the entity or polity, whereas "Federal Government" is the administrative arm, including the three arms of government," he added.

Not done yet, he continued: "If the complainant says the Federal Government is the name of the complainant, then it means that the judiciary being part of the Federal Government is also a party in this matter".

Citing Bashir Dalhatu versus Ibrahim Turaki, 2003, 15 N.W.L.R., part 843, page 310 at page 339; the Federal Government versus Oshiomhole, 2004, 3 N.W.L.R., part 816 at page 305; and the Criminal Procedure Act, Cap 80, Laws of the Federation 1990, Chief Uche further submitted that the Abuja High Court lacked the jurisdiction to entertain the suit since all the alleged crimes were committed outside the Federal Capital Territory.

Uche averred that the arraignment of the second accused person was a violation of Section 65 and 66 of the Criminal Procedure Code (CPC) and asked the court to quash the charges also on that ground.

"Our application is asking for the charges to be quashed since the proof of evidence did not establish prima facie case against the second accused person," Uche said.

Citing Nkem Madukolo versus Nkemdilim, 1962, (2) Supreme Court of Nigeria Law Report, at page 341; Governor of Anambra versus Ana, 1995, 8 N.W.L.R., part 412, page 213 at page 220, Uche prayed the court to decline jurisdiction.

Uche further urged the court to dismiss the suit because the exercise was an abuse of the court process, since a similar matter was already pending at a Lagos High Court, and was billed for hearing on June 30.

To buttress his point, he cited Amaefula versus The State 1988, 2 N.W.L.R., part 75 at 56 as his authority.

When he ended his submissions, the trial judge, Justice Lawal Gumi, called Mr. Rotimi Jacob, representing the Federal Government, to reply.

But he rather asked for a short adjournment because he was indisposed and so could not go on with the matter.

"My lord, I will be asking for a date because my voice has virtually gone because I have over-stretched myself while preparing briefs in three pending appeals in this matter coming up tomorrow (today) at the Appeal Court, Abuja Division," he told the court.

The matter was subsequently adjourned to May 19, for further hearing.

Other accused persons in the matter are Chief Emmanuel Nwude, said to be on admission at the National Hospital, Abuja, and was not present in court yesterday; and Chief Nzeribe Okoli.

419 Coalition Comment: What a pile of crapola..... and note the man has three more "appeals" yet to go....

10 MAY 2004

From the Vanguard, a Nigerian newspaper:

419 goes global

Warning signs have been displayed prominently in Bank lobbies in such far away places as Hong Kong, Singapore, United States, Canada, Switzerland, England and South Africa, alerting people to the danger of being duped.

Huge posters have been seen at airports, finance houses and government offices and other public places, warning people not to fall victims to the hoax.

Horror stories have been reported in magazines and newspapers, and carried in broadcast news and on the internet drawing attention to the scam.

The Lord knows that the Nigerian Government, whatever else it has not been able to do, has made quixotic efforts to publicize and fight the crime.

So how, and why do some people continue to fall victims to the advance fee fraud crime, known more widely as 419?

Not only has 419 not waned or abated, it has continued to expand and grow and now it has gone global.

With all the publicity surrounding the hoax in the past decade or so, you would imagine that anyone who lives on this planet and who has an intelligence quotient higher than that of a mosquito would have heard of 419 and would stay away from it, as if it was a plague. But no, people continue to believe that they can get rich quickly by responding to a message from someone they never met, in a place of which they never heard.

There are many, many stories of people who continue to open their bank accounts and send money to complete strangers in the insane hope of reaping millions of dollars in exchange. Several of these gullible and greedy people have lost their entire life savings and in a few tragic cases, even their lives in this foolish gamble.

If people didn't fall for the hoax, and if the perpetrators didn't reap any returns from their activities, 419 would long ago have whittled and died; instead, it has flourished, now becoming an internationalized growth industry. The criminals cast their nets far and wide and people, who are fishy in their own ways, catch the bait.

Only very few people and offices with fax machines or e-mail addresses have not received these 419 messages. It began in Nigeria with a simple scenario: the person has come into a huge amount of money millions of dollars from a government ministry, the presidency or parastatal, such as NNPC; he needs your collaboration in order to transfer the money out of the country. For that, you will be richly rewarded with a fat percentage which obviously will also run into millions. But he will need your bank account number and code, and you might have to put up some money up front for administrative and other expenses.

The Nigerian Government promulgated Decree 419 to fight the crime, which is why 419 has acquired global recognition as the title of this expanding scam.

The criminals are now aware that if their message originates from Nigeria, or they mention that

their fortune is from the Nigerian Government or parastatal, the Nigerian Senate or House of Assembly, or a deceased corrupt dictator (the name of Sani Abacha was used a lot) that would raise warning signals. So now they use the names of deceased or deposed corrupt dictators from other parts of the world.

Moreover, criminals from other parts of the world, perhaps observing how rewarding 419 can be, given its comparatively low investment just fax and e-mail messages and fairly low risk of apprehension, since the victims often are too embarrassed or too dead to complain, have adopted this criminal modus operandi.

For example, shortly after Laurent Kabila died in the Democratic Republic of Congo (ex-Zaire), I received a message from someone claiming to be his former personal assistant. He said Kabila left millions of dollars in a secret account known only to Kabila and himself (my correspondent). Not even Kabila's wife, or his son, Joseph Desire, who succeeded his father as DRC President, was in the know. With my help, he would like to transfer the money to a safe haven where we would share it. I ignored the offer, which may probably explain why I am today neither fabulously wealthy nor in jail or dead.

A newspaper here reports receiving a letter from someone claiming to be Dr. Mrs. Luisa Estrada, the wife of Joseph Estrada, the deposed President of the Philippines. She said that before her husband was impeached, she secretly transferred 18 million US dollars out of the Philippines. She offered them 25 per cent of the money, about 4.5 million dollars if they would help launder the money.

Another one said he was Jan Doo-hwan, brother of the former President of South Korea, who left office in disgrace amid corruption charges in 1988. He said he had 30 million US dollars, and requested collaboration in its transfer.

It will probably not be too long before people start receiving messages from the purported relatives or special assistants of Charles Taylor or Jean Bertrand Aristides deposed Presidents respectively of Liberian and Haiti, making fantastic offers to anyone who would help to lauder their loot.

One can only hope that 419 will not be the only numbers for which Nigeria is most notable in global consciousness.

419 Coalition: It must be added that 419 solicitations ostensibly from Charles Taylor have been around for some time now. Haven't seen any ostensibly from Aristide yet, but agree that it is only a matter of time, the 419ers ar very keen on on current events. It must also be said that despite occasional local copycats etc. 419 remains primarily a Nigerian thing no matter the tale in the soliciation or the ostensible or actual origination of the solicitation ...why that is no-one knows for sure, but it is. Finally, it is important to remember that there are many types of 419, not just the "Classic 419" version to which the above piece refers, and in many of them such as Cashier's Check 419, there are no questions concerning the ethics of the victim.

9 APR 2004

From ThisDay, a Nigerian newspaper:

\$254m Scam: Assassins Go After Crown Witness

By Godwin Ifijeh

Chief prosecution witness in the \$254 million advance fee fraud, involving five Nigerians, namely Chief Emmanuel Nwude, Mrs. Amaka Anajemba, Chief Emmanuel Ofulue, Mr. Obum Osakwe and Chief Nzeribe Edeh Okoli, yesterday raised alarm, alleging that hired killers were after his life.

Dr. Obeu Uke, who said he was the lead prosecution witness, having reported the financial crime against a Brazilian businessman to the police, stated on phone last night that he was in hiding, after he narrowly escaped being killed by gunmen, who stormed his Enugu home last Monday.

"I was not home last Monday morning when six men came in a bus to my house in Enugu. They met my security guard and told him that they were there to repair my vehicle.

"Immediately he opened for them to go in, they pulled out guns and combed the whole house, looking for me.

"As God would have it, I was not around, They came back in the afternoon, searched every corner of the house again for me before they left. I have to run into hiding since then when I learnt of how they desperately wanted to get at me.

"I reported the \$254 million scam to the police. I am the prosecution witness. Anajemba et al want to bump me off before the trial starts.

Asked if he has informed the police of the situation, the prosecution witness said he had only been able to reach his lawyer, Mr. Femi Falana, and the Lagos Director of Operations of the Economic and Financial Crimes Commission (EFCC), Mr. Ibrahim Lamordi, on the development.

He appealed for urgent steps on the situation, saying he was sure that delay would be dangerous, considering the way the hired killers desperately looked for him.

Contacted last night, Femi Falana confirmed the development, saying Uke told him about it from his hide out.

Falana, who said he had just returned from a trip outside Lagos, confirmed that Uke told him that he had alerted the EFCC about it, and that he would be making a formal report to the police.

2 APR 2004

From BBC News, UK:

Nigerian jailed for e-mail scam

A Nigerian has been jailed for his part in a huge international e-mail fraud.

Peter Okoeguale, 33, was jailed for 20 months for his part in the e-mail fraud, also known as the Nigerian 419 scam.

Caernarfon Crown Court heard victims are promised a share of cash if they help with the movement of millions of dollars out of Africa.

But they are then duped into handing over cash themselves to overcome an unforeseen difficulty.

The prosecution said when Okoeguale was arrested he had floppy disks which could scan websites for e-mail addresses and for sending "spam" messages.

He pleaded guilty to going equipped to cheat and is the first person to be prosecuted in north Wales for advance fee fraud.

Okoeguale was arrested as he was about to board a ferry from Holyhead to the Irish Republic, where he has a wife and son.

The prosecution said he had fake documents, one of which was headed 'Nigerian Police Force Contract Investigation Section' and urged the recipient to forward the details of any contact by corrupt government officials.

'Gullible'

Okoeguale claimed he had been delivering the items to someone else.

Judge John Rogers QC recommended his deportation at the end of the sentence.

He told him: "You had in your possession a substantial amount of equipment and carefully drafted fraudulent documents with the intention that they should be used to fool gullible people not only in this country but wherever you chose to communicate with them.

"This is international fraud. Only a period of imprisonment is appropriate.

"In addition I'm quite satisfied that given the gravity of this offence it's detrimental to the welfare of the UK that you should remain here."

'Innocent people'

North Wales Police said that discs found on Okoeguale contained thousands of e-mail addresses and telephone numbers of companies and individuals from Scotland, the USA, the Middle East, and the Far East.

Using the documents officers traced 11 victims, including one in Scotland who lost up to £20,000, and a retired 72-year-old American businessman who lost \$46,500.

Detective Constable Dave Morris, from the North Wales Police fraud squad, said: "The internet has made it much easier for individuals to operate.

"The ease with which e-mail addresses can be obtained and used for illegal purposes has increased the chances of innocent people being subjected to this offence."

He added: "We would urge the public to delete any communications, whether it be e-mail or fax, they may receive purporting to come from Nigerian Government Ministers or other organisations offering large sums of money."

Here is the URO of the story for as long as it is good:

http://news.bbc.co.uk/go/pr/ft/-/1/hi/wales/north_west/3594043.stm

31 MAR 2004

From Reuters, sent in by a concerned Nigerian:

Harvard teacher bilks friends, falls for scam

BOSTON, Massachusetts (Reuters) -- Sometimes the scammer just turns out to become, well, the scammees.

A former Harvard University instructor of medicine who was arrested on Tuesday for conning friends, colleagues and Internet acquaintances out of \$600,000 was himself duped when he trusted other swindlers with the money, police said.

Weidong Xu, 38, quickly lost his ill-gotten loot by investing it in a dubious Nigerian business offer he received by e-mail. The spam message promised gains of \$50 million, police said.

"He's as smart as can be," said Boston police detective Steve Blair. "But greed got the better of him."

Weidong was arraigned on larceny charges at the Roxbury District Court in Boston Wednesday and pleaded not guilty. He is being held on \$600,000 bail.

Weidong started his scam in July when he told his 35 unsuspecting donors he was trying to set up a SARS research center in China at the peak of respiratory disease's epidemic.

One of his friends even went so far as to take out a second mortgage on his house to lend him money.

Police said they arrested Weidong, a citizen of China, after he was spotted quarreling with one annoyed donor who wanted his \$5,000 back.

Neither Harvard University nor the Dana-Farber Cancer Institute, where Weidong worked as a researcher until last week, knew of the scheme, police said. Dana-Farber terminated Weidong last week, prompting his tenure at Harvard to end. His teaching was contingent on his job at Dana-Farber.

A spokesman for the Harvard School of Medicine declined to comment on the case.

31 MAR 2004

Nigeria renews efforts to stop 419 scammers

Graeme Wearden

The Nigerian government has launched a new crackdown on organised criminals who attempt to con email users with get-rich-quick schemes.

According to BBC News Online, President Olusegun Obasanjo, Nigeria's political leader, announced an inquiry into the problem on Wednesday, vowing to "step up measures against these criminal activities."

The notorious email scam is also known as the 419 scam -- 419 being the part of the Nigerian criminal code that relates to fraud. It begins with a message offering the recipient a very large sum of money in return for helping to move an even larger amount of cash out of a foreign bank account.

Anyone who expresses an interest is then told that they must first hand over a substantial amount of money to cover expenses such as banking fees and administrative costs. These "advanced fees" often run to thousands of pounds. Some American victims have lost hundreds of thousands of dollars.

Now prevalent online, the 419 scam was originally conducted by post, and then by letter. It has become an issue of some embarrassment to the Nigerian government, even though many of those responsible are not thought to be based in the country at all. Back in May 2002, six people were arrested in South Africa on suspicion of involvement in the fraud.

President Olusegun Obasanjo's inquiry has two months to come up with ways of combating the problem, which could include new legislation. Many governments and police forces have issued warnings about the letters, but those responsible continue to find victims, and in Nigeria at least, so far appear to have been able to escape justice.

According to the chairman of Nigeria's Economic and Financial Crime Commission (EFCC), Alhaji Nuhu Ribadu, quoted in Lagos' This Day newspaper recently, Nigeria has yet to convict a single person for the 419 scam.

"How can it be that in South Africa, there are 38 Nigerians convicted for 419, but in Nigeria there is no single conviction. How do you think that the international community will take us seriously?" Nuhu was quoted as saying. Nuhu told This Day that the judiciary was being used to frustrate prosecution of crime suspects in Nigeria: "Any time we commence full prosecution, lawyers

to these 419 kingpins will use the courts to stall prosecution. They will file one motion or the other at the Court of Appeal. We need to set example by actual conviction. In this country, there is no single case of conviction, yet there are over 27 Nigerians in detention for crimes of 419," he said.

Here is the URL of the article for as long as it is good:
<http://news.zdnet.co.uk/internet/security/0,39020375,39118141,00.htm>

26 MAR 2004

From WPVI-TV Philadelphia, story from Delaware:

DE Lottery Scam Strikes Again

New Castle County Police are investigating a lottery scam that has duped another senior out of more than \$12,000.

An 83-year-old victim paid money to a Canadian company to cover the "costs" associated with winning an unspecified amount of monies.

On Wednesday (3/24) at 1:30 pm, police responded to the unit block of Capitol Place in Newark for a theft/fraud complaint. The victim's son reported the incident, due to his mother's failing health. It was revealed that the victim was contacted by a Canadian lottery company in July of 2002. An official of the company advised that she won the lottery (no specific dollar amount).

The victim's son states that after checking his mother's finances, he found she had written 17 checks to the bogus company from July 2002 until February of 2004. The combined total was over \$12,000. The son reported his mother was contacted by officials at the company frequently, and sent payments as directed.

This is the third documented case that police have investigated in the past five months involving this type of deception/scam targeting seniors. County Police are asking anyone who has been contacted by a Canadian Lottery or Sweepstakes company to call the police department at 395-8171.

REMEMBER, a legitimate lottery official will never call you by phone and certainly not collect any money for "costs."

24 MAR 2004

Sent in by a Concerned Nigerian from the Australian news site, The Inquirer:

Aussie mastermind behind Nigerian scam

Disabled man faces over 23 charges

By INQUIRER staff

A MAN already in clink may be the mastermind behind the Nigerian spam scam, Australian cops think.

Despite being behind bars since October, the police think Nick Marinellis has managed to keep running his network and committed seven other offences while on remand.

Marinellis had already been charged with 17 offences including obtaining money by deception and conspiracy to cheat and defraud over the so-called Nigerian or West African scam which fleeced victims of \$5 million.

The 39-year-old disability pensioner, from Sydney, faces seven new charges including using false tax returns to obtain a \$720,000 loan and writing letters to his wife and girlfriend - separate individuals - to allegedly pervert the course of justice.

He is accused of working with "unknown African males" to target victims in Australia and overseas, including a Saudi sheik who was defrauded of \$571,302.

He was first fingered for the alleged crimes by television hacks who filmed him apparently boasting about his scamming prowess. He probably wasn't expecting that.

Here is the URL of the article for as long as it is good:
<http://www.theinquirer.net/?article=14888>

21 MAR 2004

From the Nigerian newspaper The Guardian:

Remanded Rep, Ibekwe, Dies

MEMBER of the House of Representatives, Maurice Ibekwe, who since last year, had been standing trial over '419' related offences, is dead.

According to a release by the Economic and Financial Crimes Commission late last night, Ibekwe died at the Lagos University Teaching Hospital, LUTH. The Lagos High Court had last week ordered that he be taken to the hospital following his failing health.

Ibekwe, and others still remanded, was alleged to have defrauded a foreigner through the infamous '419' means.

The EFCC head of media and publicity,

Osita Nwajah, told The Guardian, that the commission was informed of Ibekwe's passage yesterday and that a condolence message had already been sent to the family and the National Assembly.

The statement signed by Nwajah read: "The Chairman, Malam Nuhu Ribadu wishes to convey the heartfelt condolence of the Commission to the family of the deceased and his colleagues in the National Assembly.

"We grieve the loss the lawmaker whose path crossed with that of the EFCC when the Commission had to investigate and prosecute him over charges of Advance Fee Fraud".

The statement alleged that the deceased had "frustrated every move to commence trial and speedily dispose of the case", even though he "maintained his innocence".

Added the statement, "the defence team managed to exploit all manners of legal loopholes to stay proceedings, stall hearing of the substantive matter and by so doing, effectively prevented the EFCC from proving its case or the accused, his innocence".

Nwajah also added that Ibekwe "was remanded on the orders of the courts in prison custody while the legal footdragging went on..."

The late Ibekwe had recently claimed that his health was deteriorating, urging the public to intervene in his case so that the federal government would influence his release from custody.

[This matter was also covered in ThisDay and other Nigerian newspapers]

419 Coalition Comment: We'd rather have had him convicted than dead.

11 MAR 2004

From the Nigerian newspaper, The Guardian:

Obasanjo raises group to tackle cyber crimes

by Madu Onuorah, Abuja

PRESIDENT Olusegun Obasanjo yesterday inaugurated the Nigerian Cyber-crime Working Group to immediately begin tackling the malaise of Internet and other electronic crimes that have become a source of great embarrassment to the country.

The President said while accepting the report of the Presidential Committee on Cyber-crime at the Council Chambers of the Villa in Abuja, that the working group must protect information communication technology (ICT) infrastructure that are critical to the nation's economic security and social interests.

Under a new act being forwarded to the National Assembly for enactment, all crimes carried out with the use of computers, electronic and/or ancillary devices will be punished accordingly.

The crimes are categorised into three. The first group includes unauthorised access to computer systems, access exceeding authorisation, computer and system interference, data interception, denial of service, computer trespass and "e-mail bombing."

The second category of crimes include computer contamination, illegal communications, computer vandalism, cyber squatting, cyber terrorism, cyber pornography and intellectual theft.

Also included in this category are the use of computers to corrupt a minor, soliciting to compel prostitution, sending obscene materials to minors over the Internet, indecent exposure and tampering with computer evidence.

The third category includes crimes targeted against critical infrastructure in Nigeria. This aspect protects infrastructure that are critical to the nation's security, economic and social interests.

The group has the following terms of reference:

initiating public enlightenment, educating Nigerians on cyber-crime and why the government is seeking to control it;

undertaking international awareness programmes for the purpose of informing the international community of the government's actions;

providing technical and legal assistance to the National Assembly on cyber-crime issues in order to promote general understanding and guarantee speedy enactment of the law;

formulating technical and legal guidelines necessary for the immediate

take-off of the National Cyber-crime Agency upon enactment into law;

carrying out institutional consensus building amongst law enforcement, intelligence and security agencies for the purpose of easing any jurisdictional or territorial conflicts or concerns of duties overlap for the soon-to-be established agency; and

reviewing, in conjunction with the office of the Attorney-General of the Federation, all multilateral and bilateral treaties between Nigeria and the rest of the world in respect of cyber-crime.

According to President Obasanjo, "apart from dealing frontally with the few fraudsters amongst us who utilise ICT systems and infrastructure to commit crimes in cyber-space, it is imperative that we begin now to take steps to protect the huge investments that this government and the private sector have committed into developing ICT in Nigeria.

"This is the only way we can restore commercial trust in our system, with the consequences of sustaining private sector interest in Nigeria and attracting the much-needed foreign direct investment."

National Security Adviser, Lt. Gen. Aliyu Mohammed-Gusau, headed the committee inaugurated by President Obasanjo on November 26, 2003 to recommend a solution to the problem of cyber-crime or 419".

The committee, following the inauguration, was transformed into the working group.'

419 Coalition Comment: Committees, commissions, indeed even laws are useless if they are Not Enforced, and this is what has historically been the problem with Nigerian counter-419 "efforts" - lack of Enforcement, not lack of laws. But hey, if these new laws etc. will actually result in a tangible, quantifiable, and sustained effort to arrest 419ers, seize their assets at home and abroad, convict the 419ers, and repatriate the funds they stole in anything like the numbers warranted by the massive size of Nigerian 419 operations, then we are all for them. If these new laws proposed don't do that, then they will be largely superfluous as all of the currently existing Nigerian counter-419 statutes have been to date, despite the efforts of the EFCC and others.

8 MAR 2004

From The Guardian, a Nigerian newspaper:

Financial crimes panel urges change in criminal law

FOR the war against economic and financial crimes to be successful, major changes must be made in the existing criminal procedures and Law of Evidence, the nation's top blue-collar crimes investigator has warned.

Chairman of the Economic and Financial Crimes Commission (EFCC), Mr. Nuhu Ribadu also assured at the weekend that given the right support, he could stamp out Advanced Fee Fraud (or 419) within two years.

Ribadu, who featured in a News Agency of Nigeria (NAN) forum in Abuja, said that some obsolete laws were responsible for the slow dispensation of justice in the country.

"We inherited some of them from the British, and even the UK has abandoned them for long," he said.

"We want the laws to be amended and I have sent the proposed amendments to the President and it is still following bureaucratic channels," he added.

The EFCC executive chairman lamented the absence of a good record of enforcement, as corruption has always stifled the development of a successful enforcement culture in the country.

While dismissing suggestions for a special court to try financial crimes, Ribadu was of the view that "if we improve the laws we have and apply them properly, it would assist the system."

Citing the case of the Internet and the use of e-mails, which are not in the laws, Ribadu said that with the amendment, the use of e-mails to dupe or cheat people will be punishable.

He said that the commission was also asking for improvements in the area of monitoring banking, bureau de change operations and cybercafes in order to prevent their facilities from being used in duping people, since "it is their responsibility to know their customers very well."

"If they turn their places into havens of 419ers and fraudsters, then such banks and others must be asked to pay and be accountable for the offences committed," he stressed.

Ribadu also said that the commission had since June last year proposed a law to regulate the operations of cybercafes in the country, noting that they are widely used as centres for sending scam letters.

The EFCC, he added, was determined to take on these challenges as the menace of scam letters had destroyed Nigeria's image and that of its citizens, who are largely seen as fraudsters.

Ribadu added that the proliferation advance fee fraud appeared to have gone out of control because the nation did not address the problem for many years.

"419 started as far back as 1988. None of those who started it were punished and they became very powerful and as a result, others started to copy them," he said.

Going by the number of arrests and other achievements by the EFCC in the eight months of its existence, Ribadu expressed optimism that cases of 419 would be eliminated in two years time.

Said he: "The way we want to address this 419 issue is to arrest those that make profit out of it; we want to show them that even if you succeed, you will never get a place to sit and enjoy it.

"We will take the money away from you, we will send you to jail. With this, we will send a strong signal to serve as deterrent to others."

While soliciting the support and co-operation of all Nigerians to enable EFCC succeed, he said that with a boost in its finance and right working environment, the feat would be achieved.

He disclosed that "things are very tight" for the commission, as only N300 million was allocated to it for its capital budget, while the rent on its present offices would expire in July.

Calling for the co-operation and support of the media, he appealed to journalists to shun overtures by some people, "who would want to use them" against the EFCC.

419 Coalition comment: We think that Chairman Ribadu's dismissal of suggestions of separate court to try 419 crimes was a bit hasty, given that in a recent article he stated that there are 50,000 to 100,000 419ers in Nigeria, by his estimate (we think that is quite conservative). If EFCC starts arresting them in the numbers warranted by his own numbers, the quantity would be sufficient to clog the Nigerian court system into immobility for many years. Therefore, it is our view that the concept of separate courts or tribunals for 419 offences as a method of more rapidly processing these yet to be made mass arrests is not something which should be dismissed out of hand. Who knows, perhaps EFCC itself could operate in a quasi-judicial capacity like the Internal Revenue Service in the US does and like the Departments of Motor Vehicles in the 50 States do and the existing Court system or a set of new 419 Courts could only hear appeals they agree to hear? Anyway, food for thought.

4 MAR 2004

From Metro, a French newspaper, in French:

Nigerian Connection

by Christophe D'Antonio

Tout commence par un e-mail venu d'Afrique. Quelqu'un a besoin de votre aide. Il y a des millions à se partager... est une arnaque. Et, depuis vingt ans, elle fait chaque jour de nouvelles victimes.

"Je me nomme James Sankoh et je suis le fils de feu le Dr Divine Sankoh, directeur des mines de Sierra Leone assassiné par des rebelles de Sam Bockary. Après le décès de notre père, nous nous sommes installés en Côte d'Ivoire avec 19 millions de dollars (...) Compte tenu du climat politique instable (...) ma mère cherche un partenaire pour investir cette somme hors du continent, en échange de 15% du total de nos biens".

La plupart d'entre nous, lorsque nous recevons ce genre d'e-mail, nous l'expédions dans la poubelle de notre ordinateur en flairant une entourloupe, comme ces spams qui nous promettent de doubler la taille de notre verge. Malheureusement pour eux, certains y répondent, poussés par l'espoir que c'est peut-être la chance qui frappe à leur porte. Les plus vulnérables s'embarquent alors dans une aventure où la chance n'a aucune part.

Contrairement à une idée reçue, le but des escrocs nigériens qui se cachent derrière ces messages n'est pas d'obtenir vos coordonnées bancaires. Il n'y a pas beaucoup à voler sur un compte chèque : personne ne laisse dormir ses économies sur un compte qui rapporte 0% d'intérêt. L'art de l'escroquerie consiste à installer un climat de confiance et de confidentialité pour isoler la victime de son entourage, puis à lui faire payer, progressivement et sous des prétextes variés, des sommes d'argent de plus en plus importantes.

"L'art de l'escroquerie consiste à installer un climat de confiance et de confidentialité, pour isoler la victime de son entourage, puis à lui faire payer, progressivement et sous des prétextes variés, des sommes d'argent de plus en plus importantes."

Dans un premier temps, on lui demande de prendre contact avec un avocat auquel il faudra verser une provision. C'est lui qui effectuera les démarches administratives, dûment sanctionnées par des documents d'apparence officielles, pour que son "client" devienne le nouveau propriétaire en titre d'une fortune de vingt ou trente millions de dollars. Lui encore qui obtiendra, contre quelques frais supplémentaires, un certificat prouvant que l'argent ne provient pas du trafic de drogue. Encore un faux : ce genre de certificat n'existe pas. Plus tard, il y aura encore des frais de banque et des frais de gardiennage pour la malle contenant les billets. Fin du premier acte.

Vient l'heure du rendez-vous dans une ville étrangère pour collecter l'argent. Une règle intangible pour les arnaqueurs : attirer le "mugu" (pigeon, dans l'argot des Nigériens) sur un

territoire étranger où il sera plus vulnérable. Le conditionnement commence : le rendez-vous est sans cesse reporté et, avec l'attente, monte un sentiment d'urgence. Enfin, lorsque la victime, dépitée, s'apprête à repartir, on l'informe qu'elle a rendez-vous dans une heure...

Deux Africains courtois et bien habillés l'attendent dans une chambre d'hôtel avec une malle renfermant des liasses de papier noir. L'argent a été "sali" pour décourager les voleurs (il existe une variante plus sophistiquée avec des billets tamponnés à l'encre). Mais il suffit d'appliquer un produit chimique et le bout de papier noirci retrouve l'aspect d'un billet de cent dollars. Problème : il n'y a plus de produit chimique ! Il faut en acheter et c'est une denrée rare et chère : entre 100 000 et 250 000 dollars.

François D., un pilote de ligne pourtant familier de l'Afrique, a vécu cette scène, il y a six ans, dans un hôtel de Cotonou, au Bénin. "Je regardais le type, les mains plongées dans une bassine, en train de laver les billets. J'étais trop fatigué pour réaliser car ils m'avaient tiré de mon sommeil un quart d'heure plus tôt. Instinctivement, je m'accrochais à la mallette qui contenait mes 100 000 dollars. Puis, dans un moment de faiblesse, je l'ai lâchée. Le temps que je réagisse, les deux types avaient sauté dans un taxi." De retour en France, il fera analyser ce qui reste au fond du flacon : du savon liquide.

Les "mugus" qui n'ont pas les moyens de payer rentrent chez eux mais leurs correspondants nigériens maintiennent la pression. Après quelques jours, ils les informent qu'ils ont trouvé un investisseur prêt à partager les frais. La victime reçoit alors un chèque dudit investisseur qu'elle dépose à sa banque. Rassurée de voir son compte créditeur de 100 000 dollars, elle vire la même somme aux escrocs. Une très mauvaise surprise l'attend, quelques jours plus tard, lorsque sa banque l'informe que le chèque était contrefait et qu'elle est désormais débitrice de 100 000 dollars... Il n'est pas rare, en effet, que deux semaines s'écoulent avant que la banque émettrice ne repère le faux chèque. Fin du deuxième acte.

Il existe un dernier raffinement pour ratisser ceux qui ne sont pas déjà ruinés, un troisième acte : le "reload".

Quelques mois passent et la victime reçoit un appel d'un enquêteur du gouvernement nigérian qui se propose de l'aider à récupérer son argent. Bien entendu, il faudra engager des frais... Au début, les victimes étaient ciblées en fonction de leur surface financière présumée et sélectionnées à partir des registres des tribunaux de commerce : gérants de société, directeurs financiers, etc. Les cibles, en nombre limité, étaient approchées par lettre ou par fax. Avec l'avènement d'Internet et de la messagerie électronique, l'entreprise a pris une autre dimension. Désormais, chaque abonné internet devient une cible potentielle. Cette escroquerie, connue sous le terme de "advance fee fraud" (AFF) ou fraude 419, en référence à un article du code pénal nigérian, a déjà fait, depuis vingt ans, plusieurs dizaines de milliers de victimes dans le monde et rapporté à ses auteurs plus de 5 milliards de dollars, selon les estimations des services secrets américains. Pour la France, on ne dispose d'aucune statistique car les plaintes sont "noyées" dans la catégorie escroquerie. Mais il ne s'agit là que d'évaluations car, selon une autre estimation admise par toutes les polices du monde, une victime sur dix seulement porte plainte. Les neuf autres, accablées par la honte ou la culpabilité, préfèrent se taire.

Selon certains policiers, l'envoi massif d'e-mails commencerait cependant à avoir un effet contre-productif. Ainsi, il existe aujourd'hui de nombreux sites d'information bien documentés qui jouent un rôle de prévention. Par ailleurs, des centaines d'internautes ont comme hobby de "pourrir la vie" des escrocs en les entraînant dans des correspondances interminables avant d'en publier l'intégralité sur des sites spécialisés. Enfin, de façon plus discrète mais plus efficace, s'est constitué un groupe d'activistes qui perturbent les opérations des réseaux nigériens en piratant leurs boîtes e-mail. L'action de ce Confusion Group, ainsi qu'il se nomme, vise à alerter les victimes potentielles. Selon l'un de ses animateurs, il en prévient en moyenne 80 par jour.

La tentation existe donc, en misant sur la diffusion de l'information, de laisser cette escroquerie s'éteindre d'elle-même, faute de victimes. "On a atteint un plafond au-delà duquel l'effet confidentiel sur lequel repose l'escroquerie est désamorcé", estime le commissaire Didier Duval, le patron de l'Office central de répression de la grande délinquance financière (OCRGDF). "En réalité, la plupart des services de police n'ont pas de budget pour enquêter sur ces affaires : il y a d'autres priorités, juge Frank Engelsman, un enquêteur privé néerlandais qui assiste des victimes depuis dix ans. Et sans budget, ça devient un bâton merdeux : le premier réflexe du policier est de glisser la plainte sous la pile".

L'optimisme du commissaire Duval n'est pas partagé, non plus, par son collègue néerlandais, l'inspecteur Cees Schep. Depuis deux ans, Amsterdam est devenue, avec Londres et Madrid, l'un des trois centres européens de l'AFF. Ainsi, en 2003, la police néerlandaise a enregistré 300 plaintes de victimes étrangères, dont cinq Français, attirées à Amsterdam par des escrocs. Préjudice total :

20 millions de dollars. "Pour avoir une idée de l'ampleur réelle du problème, il faut multiplier ce chiffre par dix", rappelle Cees Schep. Après plusieurs mois d'enquête, la police néerlandaise a effectué un coup de filet à Amsterdam, le 28 janvier, qui s'est soldé par l'interpellation de 52 ressortissants nigériens.

Selon Interpol, il y aurait entre 10 000 et 15 000 Nigériens expatriés, liés à ces réseaux criminels, installés sur tous les continents. "C'est devenu un problème global", estime Pascal Tagni, un officier d'Interpol, qui souligne que ces réseaux sont impliqués dans d'autres activités criminelles comme le trafic de stupéfiants, de faux papiers d'identité et de fausses cartes bancaires.

La France semble avoir été encore relativement épargnée. Une explication possible serait la barrière de la langue. Les Nigériens étant anglophones, ils ont d'abord ciblé les Etats-Unis et la Grande-Bretagne. Ainsi, les premiers e-mails en français ne sont apparus que depuis quelques mois et, encore, sont-ils rédigés dans une langue approximative. Cependant, cette barrière de la langue n'est pas une garantie à toute épreuve. Déjà, plusieurs réseaux sont à

l'oeuvre à Paris, dont l'un dirigé par un certain Dave Williams (un pseudonyme), qui se fait passer pour diplomate et auquel ont eu affaire plusieurs victimes étrangères venues chercher fortune à Paris. "Ne vous faites pas d'illusions, votre tour viendra", assure Cees Schep, le policier néerlandais.

"Si j'ai appris quelque chose au cours de ces dix ans, renchérit Frank Engelsman, c'est que ces escrocs se perfectionnent tous les jours et qu'ils ne renoncent jamais".

Here is the URL of the piece for as long as it is good:

<http://www.metrofrance.com/site/home.php?sec=contenu&Idarbo=21&Idarbo1=14&content=1&id=27471&resec=rechart&vi=&com=0&mots=nigerian%20connectio>

3 MAR 2004

From the BBC World Service program "Go Digital", third in a three part series, the first and second parts are up in 1 and 3 MAR 2004
News:

Nigerian scammers in line of fire

In the third of three reports on e-mail fraud, Go Digital's Tracey Logan meets Nuhu Ribadu, head of Nigeria's Economic and Financial Crimes Commission, who is trying to end so-called 419 e-mail scams.

Tracey Logan : What has been the impact of the internet on the 419-type of fraud?

Nuhu Ribadu : Massive because fraudsters can send you something, get you to believe what they are sending and get you to send your money. They used to do it by telephone or fax, or sending a bogus letter. The development of the internet makes it a lot easier for them.

They can send thousands and thousands of messages all over the world and get someone hooked. It has simplified the whole process for them. The internet is now 80 to 90% of the way they use to transmit those scam letters.

TL : These scams are widely referred to as the Nigerian 419 fraud. Do you accept that it is largely Nigerian criminals that are doing this sort of thing?

NR : It is going on all over the world. But this particular one has become very popular in Nigeria, probably we had this difficulty in bringing people to justice. It became a successful thing in Nigeria and people were making money out of it. Somehow we failed to address the problem. We failed to stop it.

Handful of scammers

TL : Are the scams run by organised crime?

NR : It is wrong to say it is organised. It is a thing that is being done by individuals. It is an individual thing to do that is easy to do and find very gullible victims, and probably greedy people, who believe they are going to make money out of the thing and in the process lost their money.

We are fighting to ensure their is rule of law in the country. We don't want the place to be a haven for criminals

TL : How big a force is the Economic and Financial Crimes Commission?

NR : When we started, the law gave us leverage to bring in people from sister agencies, so we got people seconded to the commission. Right now we are about 200 to 250 people.

When we started the work, we realised there was so much to it, it was unbelievable. We realised we would have to prioritise. And we found first that what we ought to concern ourselves with was this 419 thing.

TL : How much has it damaged Nigeria's reputation?

NR : It has done so much damage to our credibility, our image, our honour. And there are just a few individuals doing this. We have some 130 million people in Nigeria and I can assure that there are only between 50,000 and 100,000 people involved in this thing.

Fraud frontline

TL : Now a lot of people in Nigeria don't have their own computer and use internet cafes. Do you have enough collaboration from internet cafes themselves?

NR : We are proposing an amendment to the fraud law. At the time the law was passed in 1995, the internet was not too popular and not very widely used as it is today. So the law did not address the use of the internet. We are proposing an amendment that will give us adequate authority and power to oversee the internet cafes, banking sector and telecoms companies.

What we intend to do is to tell them that they must police their facilities and not allow them to be used by criminals to defraud and cheat people. If you allow it, you will be personally liable. It is the same with the banking sector. If you allow your bank to dupe someone, you will be personally liable, you will be asked to pay back this money.

TL : You are quite a small force. How will you face up to the fraudsters?

NR : No doubt we will have a fight in front of us. The good thing is we are ready. We are not

going to run away from that. We are ready to fight. We look at the work as national service. We are out there and there is a war going on. There is no alternative.

We want to show to the whole world that most of us are really concerned about this problem. We are good people in Nigeria. We are fighting to ensure there is rule of law in the country. We don't want the place to be a haven for criminals. Nigeria is changing. There is a quiet revolution going on.

You can hear more about e-mail fraud, the story of the victims and about the forces trying to catch the scammers on this week's Go Digital on the BBC World Service.

Here is the URL of the piece for as long as it is good:

<http://news.bbc.co.uk/go/pr/fr/-/1/hi/technology/3526209.stm>

2 MAR 2004

From the BBC World Service program "Go Digital", second in a three part series, the first part is up in 1 MAR 2004 News:

E-mail scam victim counts his losses

In the second of three reports on the murky world of e-mail fraud, Go Digital's Tracey Logan tells the story of a man conned out of thousands of dollars.

The victim was exactly the kind of person they prey upon - an experienced, small businessman, highly educated, 40-ish, with plenty of disposable income.

He never did accumulate a workforce of 10-15 people, that other typical characteristic of 419 fraud victims. Now, perhaps, he never will.

Millions of us receive enticing e-mails from online fraudsters every day, but very few of us hit the reply button.

This businessman, who asked to remain anonymous, did because this was a particularly sophisticated, highly organised version of a scam born in West Africa and named after the Nigerian legal code, number 419, it violates.

Was it greed, opportunism or just an entrepreneurial spirit that led our victim, who asked to remain anonymous, into a two-year nightmare that led not to a windfall of \$2m, but instead to the loss of his business and \$200,000 dollars in cash?

Even now, as he strives to rebuild his life and smooth the stresses to his marriage, he continues to be pestered by digital commen.

This offer, from a Yahoo e-mail account that cannot be traced, came last week:

"Compliments of the season. My name is Ronald Bassey i (sic) am the director of the legal department of Global Apex Bank. I have decided to assist you to get your payment before the end of next week.

"But first you must agree to give me USD8,000 when you receive your funds. You must show proof that you have this amount by paying it to Western Union, in my favour."

This time he did not reply.

Money calls

Two years ago, after a successful business career spanning 16 years, our man decided to go it alone with his own business.

He posted information on the internet about his plans, including a business e-mail address, and was very quickly contacted by a professional-sounding African businessman called Vincent.

Vincent said he had \$12m cash burning a hole in his pocket that he wanted to move out of Africa and into a US bank account.

Once convinced that he was not being asked to do anything illegal under US law, our man went ahead with their proposition.

"They told me the funds would be transferred into a special business account I had set up for the purpose, and that they would give me 20% commission if I would manage these funds over the next two years," the victim told Go Digital.

But the millions never arrived.

Problem after problem

"It was communicated back to me that there was a problem, it couldn't be done directly.

"And so I was asked to make an initial investment of \$7,000 into an offshore account which, once established, could be used to deposit their millions and so I would get my cash back."

Victim of e-mail scam

Yet still he failed to smell a rat, perhaps because of the slickness of the conmen's operation.

By now the original contact, Vincent, had gained a partner, supposedly a banking official, who set up the supposed offshore account.

"They gave me an account number, a PIN number, a number to dial in," said the businessman.

"I could go in there and I could push a button and it asked for my account number, and I would put that in.

"And then it would ask for my PIN number and then I would get information on my account, just like I would get here via phone from my personal bank here in the States."

Not only that, but official-looking banking documents were sent to our victim for his completion.

Yet still the promised money failed to materialise.

"When I started to get worried was downstream, when I had several thousand dollars invested, and all of a sudden there seemed to be just problem after problem.

"And I'm thinking, boy, I've got all this money involved, and I told them there's no way I'm going to put any more money in and yet the contacts continued," said the victim.

Shattered hopes

Our man started getting really worried after about four months when they started avoiding his calls, and all sorts of different contacts entered the scene, based in different countries.

Some, like the man calling himself Ronald Bassey who got in touch last week, offering help in tracking down the scammers.

Others, with hope that the bank transfer was finally to go take place within a day or two. But then, he would be frustrated to find a deposit in the hundreds, not millions of dollars.

It has been almost two years since the nightmare began that brought a successful businessman to the point of despair.

He still has his home and has started to rebuild his shattered business hopes, though the prospect of self-employment is now a long way off.

Yet strangely, he has mixed feelings about those who conned him out of his dream of financial security.

"I am extremely angry about the fact that all of this happened. At the same time the individual that spearheaded this thing was always polite and considerate.

"In one way I'd like to get my hands around his throat and wring his neck and yet, in another, I wouldn't because I'm not that type of person," said the victim.

Here is the link to this piece for as long as it is good:

<http://news.bbc.co.uk/go/pr/ft/-/1/hi/technology/3522605.stm>

1 MAR 2004

From the BBC World Service "Go Digital" program:

Lure of black money scam

In the first of three reports on the murky world of electronic fraud, Go Digital's Tracey Logan investigates the "black money" scam.

It was 2 November 1999 when an American executive wired the sum of \$742,000 dollars into a business account in the name of H Nsakala. This should have been the last he saw of his money.

Nobody knows how many experienced businessmen fall for the offer of a cool million or two, by e-mailers announcing themselves as corrupt Nigerian businessmen.

But by the time police get involved, victims have usually lost, not gained, more than £250,000, much borrowed from friends, families and even employees.

In the past 12 months, 15 cases have come to light in the City of London, a financial district measuring just one square mile.

These advance-fee frauds are also known as "419 scams", named after the section of the West African country's criminal code that prohibits fraud.

Long sentence

Across the capital, police have investigated over 100 similar crimes. But, because of their complex, international web of deceit, the criminals are hard to track down and, in most cases, victims will never see their money again.

So Detective Inspector Barry Bryan of the City of London Police Fraud Squad, could not believe his eyes last year when he spotted a Gold Visa card, bearing a photo of its owner, in the name of H Nsakala.

He told the BBC's Go Digital that proved to be a vital, evidential link, to an account in the same name used to defraud three businessmen in America, Hong Kong and Holland, out of a total \$4.3 million dollars.

The bearer's real name is Monsuro Adeko, and police found him in possession of 162 credit and debit cards, 15 birth certificates, 38 driving licences and 22 British and Dutch passports.

Now serving nine years, the longest sentence ever obtained by the Fraud Squad, Adeko was convicted of multiple counts of conspiracy to defraud, forgery and counterfeiting.

Best of all for the victims, the judge ordered Adeko and his wife, also in prison for money laundering, to pay £948,582 in compensation to his victims.

Police seized their family home in Essex and a bond valued at £500,000 so victims will see most of their money again.

In a bizarre twist, one of the three businessmen had begun to think the fraudsters would finally deliver the promised millions.

But this was just another con, well known to police around the world as the black money scam.

Money for nothing

It is con that affects Norwegians in particular and, at a police convention last year, they demonstrated how it works.

The victim is told their money is waiting for them in a foreign country, such as Germany. On arrival, they meet their contact who opens a briefcase filled with black wads of paper.

These are \$100 bills, according to the fraudster, dyed black to evade customs in their country of origin, usually somewhere in West Africa.

The victim watches as a black note from the case is sprayed with special chemical and, by sleight of hand, a \$100 bill is produced.

A payment of just \$50,000 will secure enough of the chemical to clean up the cash in the case.

"Of course, it's just water" said Detective Chief Inspector Kevin Moore of the City of London police, "and the black notes just worthless pieces of paper".

The best thing, say the police, is not to reply to any e-mails offering money for virtually nothing.

This could lead not only to a loss of funds, but a criminal prosecution for money laundering if you suspect the money might be the result of criminal activities.

"If an offer looks too good to be true then it generally is," said DCI Moore.

"If you can't afford to lose the money then don't get involved."

Here is the URL of the piece for as long as it is good:
<http://news.bbc.co.uk/1/hi/technology/3494072.stm>

24 FEB 2004

From the UK Financial Times:

Crime Commission: The police of the private sector

By Michael Peel

Nigeria's new Economic and Financial Crimes Commission has made an optimistic but unavailing request for N4.8bn of government funding for 2004, according to a draft budget seen by the Financial Times.

The finance ministry recommended giving only N300m and rejected demands for N1.4bn to establish a financial intelligence unit, N500m for a training academy and N130m to buy vehicles.

The demand and the response to it highlight both the fledgling commission's ambition and the constraints faced by Nuhu Ribadu, executive chairman, as he tries to counter scepticism about the government's anti-corruption efforts.

"The work is huge, it's too big," Mr Ribadu says. "What we want to do is not to bite off more than we can chew."

The commission began work last year after widespread domestic and international criticism of Nigeria's performance on corruption and money laundering issues since the government first came to power in 1999. Nigeria has come under heavy pressure from the Financial Action Task Force, an inter-governmental anti-money laundering body that blacklisted the country in 2001. In June 2002, the task force recommended Nigeria face financial sanctions unless it improved its controls in a number of areas such as criminalising money laundering, reporting suspicious transactions and creating better customer identification requirements.

In a follow-up report last year, the task force welcomed anti-money laundering laws enacted by Nigeria in December 2002, including the creation of the commission. Mr Ribadu, a senior police officer, says the commission's wide-ranging ambit includes money laundering and other fraud, banking, economic sabotage, tax evasion and terrorist financing. Asked to differentiate the commission's role from those of the myriad existing law enforcement authorities already

working on corruption issues, Mr Ribadu describes his organisation as "the police of the private sector".

In its early days, the commission seized upon the notorious issues of advance fee frauds, in which Nigerian criminal gangs extract money from greedy and gullible westerners by using promises of much larger returns later on. Mr Ribadu says the commission has made more than 250 arrests, taken about 50 cases to court and seized property worth more than \$300m.

It has brought to trial five people on charges relating to the alleged theft of \$190m from Brazil's Banco Noroeste, which would constitute the world's largest advance fee fraud.

Mr Ribadu says the prosecution is an early sign of the commission's commitment to combating a fraud problem that has undermined Nigeria's "credibility, image and honour" and has discouraged investment in the country. Issues to be examined include import duty scams, tax evasion and the large-scale theft of crude oil in the Niger Delta. The commission is particularly keen to examine the oil industry's finances after a case last year in which Halliburton of the US admitted a subsidiary paid \$2.4m in bribes to evade millions of dollars of tax.

The commission has interpreted its mandate broadly and some of its early successes have raised concerns over whether it is trying to do too much too soon.

The commission's task is made more difficult given Nigeria's history of public sector corruption, political interference in the legal process and financial transactions that lack documentation. One western law enforcement officer says he is encouraged by the spirit of co-operation at the commission but thinks it could find itself overstretched, adding that even well-resourced anti-money laundering bodies in western countries can a year or more to start operating at full capacity.

Mr Ribadu admits clashes with the responsibilities of other government institutions are possible, given that such roles are often not well-defined.

In a country where the police force is widely considered to be one of the most corrupt public institutions, Mr Ribadu knows it is essential the commission is not seen as an organisation riddled with the kind of fraud it is supposed to prevent.

The commission may see itself as underfunded and overworked but it has at least managed to secure N300m for office restructuring and equipment such as stun guns and bugging devices, if not the N1bn it wanted for a new headquarters building.

"There's no money," Mr Ribadu says. "But we work hard towards getting it. It's so important to sanitise the country, apply the rule of law, to do things correctly."

Here is the URL of the article from the TI website for as long as it is good:

<http://search.ft.com/search/article.html?id=040223006248>

419 Coalition Note: We've long suggested that Nigeria fund counter-419 operations by earmarking a "fee" of say 10% of recovered and repatriated funds for same, FYI.

24 FEB 2004

From the Nigerian newspaper, the Guardian:

Court rejects bail bid by suspected fraud kingpins

From Emmanuel Onwubiko, Abuja

JUSTICE Lawal Gummi of an Abuja High Court yesterday rejected bail applications by three Nigerians accused of defrauding a Brazilian bank of N36.3 billion.

The alleged scam has been described as the single biggest case of advance fee fraud in the world.

Gummi, who is also the Chief Judge of Abuja, held that the suspects could jump bail. He will tomorrow rule on a similar application by two lawyers arraigned for allegedly attempting to bribe the chairman of the Economic and Financial Crimes Commission (EFCC), Mr. Nuhu Ribadu, in a bid to secure freedom for the fraud suspects.

The suspects are Chief Emmanuel Nwude (a.k.a. Tossman, Paul Ogwuma Odinigwe), Mrs. Amaka Martina Anajemba (a.k.a. Mrs. Rasheed Gonwalk, Rossy Ford, Olisa Agbakoba) and Mr. Nzeribe Okoli.

Two legal practitioners, Emmanuel Ofule and Obum Osakwe, are facing a seven-count charge of trying to bribe Ribadu. Ofule is a former chairman of the Nigerian Bar Association, Lagos State branch.

Anajemba's legal team, led by Chief Chris Uche (SAN), immediately proceeded to the Court of Appeal, Abuja Division, to challenge Justice Gummi's ruling.

Nwude's legal team is headed by Chief Adegboyega Awomolo (SAN) and Ricky Tarfa (SAN), while Okoli is being represented by Chief Clement Akpangbo (SAN).

While Nwude and Okoli had anchored their prayers for bail on the constitutional provisions as enshrined in Section 35 (4) of the 1999 Constitution, Anajemba cited both the constitution and compassionate ground of being a widow and mother of four little children.

But Justice Gummi held that they might jump bail, adding that there is prima facie case of fraud as alleged in the 86-count charges preferred against them by the Federal Government.

The judge, who sat at exactly 9.00 a.m. and ended the session before adjourning to March 22 at 9.45 a.m., however made an order for speedy trial, noting that the suspects had spent over eight months in the custody of the Economic and Financial Crimes Commission.

Section 35(4) of the constitution states: "Any person who is arrested or detained in accordance with sub-section (1)(c) of this section shall be brought before a court of law within a reasonable time, and if he is not tried within a period of (a) two months from the date of his arrest or detention in the case of a person who is in custody or is not entitled to bail or (b) three months from the date of his arrest or detention in the case of a person who has been released on bail, he shall without prejudice focus further proceedings that may be brought against him be released either unconditionally or upon such conditions as are reasonably necessary to ensure that he appears for trial at a later date."

The judge agreed with the accused persons' lawyers that the constitution makes bail a constitutional right for his clients who are facing bailable charges. He added, however, that he had not been shown sufficient reason to exercise his jurisdiction by granting the applicants bail.

Justice Gummi held: "The accused have not shown why the court should exercise discretion in granting them bail. Though the first accused has faced similar charges in the past and he was granted bail and he turned up, this factor would have been enough to grant him bail, but for the strong counter-affidavits and proof of evidence from which I am convinced that there exists prima facie case of alleged fraud and money-laundering which upon conviction carries sentence of up to 10 years."

The judge added: "Regarding the statement made to the investigators by the first accused, there is significant material that a prima facie case of money-laundering has been clearly shown. Considering the factors of the nature of the charges, the severity of the punishment and the probability that he may not show up for trial, I refuse the bail application."

The counsel to the second accused had told the court that she was only dragged into the matter because her late husband's name was mentioned in the business transaction.

But Justice Gummi held that her name was cited as the proof of evidence, adding that she might jump bail since the defence had not shown evidence that she could keep to bail conditions.

The judge promised to make the records of proceedings available to the applicants, to facilitate their appeal against the ruling and thereafter fixed March 22, 2004 as the return date for hearing of the substantive matter.

In the substantive matter, the accused persons will face an 86-count charge of defrauding a Brazilian bank of N36.3 billion.

Mr. Rotimi Jacob is the lawyer for the prosecution team from the Economic and Financial Crimes Commission (EFCC).

419 Coalition Note: Vanguard and others also covered this story.

18 FEB 2004

From the Nigerian newspaper, ThisDay:

419: EFCC Drags 2 to Court over \$48,000 Fraud
By Oghenekevwe Laba

Economic and Financial Crime Commission (EFCC) yesterday dragged Mustapha Olowe and Aluko Abiodun to the Criminal Division of the Lagos High Court holding at Ikeja for allegedly defrauding Maureen Nwangwu and Harvard Resources and Investment California USA, the sum of \$48,000 approximately N6,480,000.

During the hearing, Counsel to EFCC, M. S. Hassan told the court that Olowe and Mustapha conspired with intent to defraud Nwangwu and Harvard Resources of \$48,000 between March 2003 and May 2003 by falsely pretending that they could deliver 1.750 million barrels of crude oil.

Consequently, Hassan stated that by obtaining the aforementioned sum of money by false pretence, they have committed an offence contrary to section 1 (1)(a) and 1(3) of the Advance Fee Fraud and other Fraud Related Offences Act No 13 of 1995 as amended by Act No 62 of 1999.

The defence counsel to both Olowe and Mustapha, Barrister Jolaosho and Barrister Bode Olaosebikan respectively appealed that the court should grant them time so as settle the dispute between their client and the plaintiff amicably out of court as they are already making preparation for settlement. They added that what happened was not fraudulent rather it was a business deal that went sour.

Beside, they also enjoined the court to grant them time so as to file an application for the bail of the two accuse hence it is a bailable offence.

Delivering judgment, Justice Obadina disagreed with the defence counsels claim of settling the issue out of court stressing that once an offence has been committed against the laws of the nation, it is the court that has the sole authority to deliver judgment.

13 FEB 2004

Sent in by a Concerned Nigerian - From the Canadian TV website page on the W-five program (CTV.ca):

Nigerian scams are among the oldest in the book. Also called 419s after a section in the Nigerian Criminal code, these schemes often target their victims through an unsolicited fax, email or letter.

Most go something like this: the sender identifies him or herself as a member of a wealthy African family who is unable to get their fortune out of the country or they are in possession of a government contract that can be paid out to anyone listed on the document. Usually, the perpetrator claims to be a doctor, a lawyer, a top official with the Nigerian National Petroleum Corporation or the child of an ex-general or other important person, who is seeking a partner who can assist them. These schemes always promise huge rewards from the opportunity to double or triple your investment to a cut of millions of dollars worth of loot in exchange for cash up front.

While these schemes have been around for years, they've recently taken on a Canadian face. And this new twist on an old trick has got the criminals' profits soaring.

In Moose Jaw, Saskatchewan, Dan McLaren lost more than \$200,000 through a Nigerian 419 scam. The grain farmer seems an unlikely victim not someone you'd expect to be tied in with a young African and his alleged \$500 million fortune but McLaren invested his money believing it could end his struggle to make ends meet.

McLaren was promised a 500 per cent return on his money if he helped bring a man named Charles Kofi to Canada where he could claim his fortune. When he was hit up for extra cash to cover immigration and flight problems, he continued to shell out in hopes of seeing the promised returns. But that was several years ago, and McLaren has yet to see a cent in return.

Skeptics may wonder how McLaren was convinced to buy into such an old scam. But he trusted that he wasn't getting conned because unlike most Nigerian schemes which reach their victims through a faceless email or letter McLaren was approached by someone he knew.

Henry J. Statz, who often goes by the name Jerry, was a trusted and familiar face around Moose Jaw. He approached his victims with a dramatic story about Charles Kofi one about a shootout between the young man's father and uncle over the family fortune; of Charles finding his dying father and being told it was up to him to get his family's estate out of the country.

Statz told his victims Charles' fortune was in a Barclay's bank vault in Toronto, in the form of gold and gold dust, diamonds and cash. And he claimed a special card called a golden tally that's now in the possession of the police would unlock the fortune.

In all, Statz used that story to draw more than \$10-million from dozens of Canadians.

But after being arrested and charged with conspiracy to commit fraud in August 2002, Statz admitted his story was a complete and utter fiction, and served 10 months in jail. Now, however, he's out and insisting his story was real all along.

Det. Sgt. Mark Simchison, the officer who investigated Statz, says there's no way. In my view, he was a very typical con man, Simchison says. He looked it he had the gold jewelry, he had the black shirt, he had the shaded sunglasses, and he talked a mile a minute. As soon as we questioned him to pinpoint him to an answer, he would change the subject.

Simchison isn't basing his belief that Statz is a fraud on appearance alone. He says most of what he told his victims was out-and-out lies.

Barclay's bank does not even exist in Canada anymore, let alone a Barclay's bank vault. You know, it didn't take a brain surgeon to figure that much out it was one call to the Canadian Bankers Association.

Simchison also says that other than his passport, not one of Statz's documents was legitimate. Any document pertaining to the Kofi estate they were all fake. They were all bogus and proven that by the authorities here and overseas.

As for the golden tally, it's probably worth about a dollar. And I

do give the Nigerians credit for making that card, but again, Adobe PhotoShop can work wonders.

But although Simchison classifies Statz as a typical con man, his scheme wasn't the typical con. Most of our victims traditionally are out of country. That's just the way Nigerian criminals operate. This one, the victims were Canadian, and it appeared somebody orchestrating this was Canadian Jerry Statz.

Simchison was intrigued, and his investigation led him to the heartland of Nigerian crime. Surprisingly, the epicentre isn't deep within Africa it's actually in Amsterdam, in a neighbourhood where hundreds of 419 operations keep shop.

Bal Ma Meer is an eight kilometre squared area of high-rises, underground garages and parks, where thousands of men and women are recruited to work in these boiler room operations. There, they spend long hours on computers and cell phones trying to cheat victims around the world.

Compared to other countries, Dutch law is very easy on them, explains Inspector Rene Van der Wouw, the head of Amsterdam's fraud squad. Unlike countries where con artists can face harsher penalties, in the Netherlands, perpetrators are arrested, serve a short jail sentence and then are sent out of the country, he says.

But although they are deported, Van der Wouw says the scams continue because when you arrest one of the West Africans, he's easy to replace. It's hard crime to fight.

Back in Canada, Jerry Statz insists his story isn't one of those scams. I'll swear on my grandfather and my father and my mother, on their graves, that no, Charles Kofi has never been a scam and never will be and nobody can make me think that.

Statz maintains that he admitted to making up Charles Kofi back in 2002 to that charges would be dropped against his girlfriend.

But Simchison says Kofi does exist in a way. For lack of a better name, I'm going to call him Charles Kofi, but that's not who he is. He's an expatriate Nigerian, operating very well with a lot of criminal cell support throughout the world. And he's made a hell of a lot of money.

He's a person -- we have his picture. We don't know where he is right now, but I'd like to get my hands on him or I'd like for the Dutch National Police to get their hands on him or the Scotland Yard, or anybody else in the world.

But with thousands of Charles Kofis out there, Simchison admits it's going to take a lot more than he has to put an end to Nigerian scams.

It's a factory, he says. A 419 factory. I'm not going to stop it.

Here is the URL of the piece for as long as it is good:
http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/1076607329509_72016529///?hub=WFive

You can also View the TV news piece on which this article is based on your computer at the following URL for as long as it is good and has the piece up:

<http://www.ctv.ca/generic/generated/news/WFive.html>

There is a place on the page you can click that will allow you to view the piece on most modern PC equipment.

12 FEB 2004
From the Daily Independent, a Nigerian newspaper:

\$242m scam trial: Judge warns defence, prosecution

By Charles Okeke,

Justice Lawal Gumi currently handling the trial of Messrs Emma Nwude, Nzeribe Edeh Okoh and Mrs. Amaka Martina Anajemba, and four companies on 86 count charge of conspiracy, obtaining by pretence and offering of bribe to officials of Economic and Financial Crime Commission on Wednesday, gave stern warning to both the prosecuting and defence counsel in the matter that the court shall seriously any attempt being made to influence the proceedings and pervert the course of justice.

At the resumed hearing of the application for bail filed by Adegboyega Awoniolowo (SAN), Chief Chris Uche (SAN), on behalf of the accused persons, Justice Gumi presiding told the audience that reports available to him show that some influence peddlers have finalised arrangements to bribe officials of the court in order to tilt the case in their favour.

He implored the defence counsel and the prosecution led by Rotimi Jacob to caution their

clients that the court is a court of justice and therefore will not succumb to any inducement or intimidation.

Reacting to the warning, Chief Chris Uche and Barrister Awoniolowo, both defence counsel told the court that they will not be a party to any scandal that will bring down the integrity of the courts in Nigeria, and added that they (the defence) are committed to justice and will not allow anybody to interfere with the course of justice.

The prosecution also made a similar pledge earlier, before the warning by Justice Gumi who had told the counsel to address him on the scheduled bail applications. First to speak was counsel to the first accused person and applicant, Chief Awoniolowo, who told the judge that a bail application has been duly filed on 6th February, while the prosecution filed a counter affidavit of 20 paragraphs. The learned Senior Advocate of Nigeria urged the court to grant him a short adjournment to enable him submit a reply to the counter affidavit.

Chief Uche, counsel for Mrs. Anajemba also adopted the same prayer. He told the court that bail application has been served on the prosecution and that he requires a short adjournment to give a reply to the counter-affidavit filed by the prosecution opposing the bail request. Responding, the prosecution led by Jacob stated that he is not opposing the application for another day so that the motion for bail can be argued.

By the time he (Jacob) was through with his submission, Justice Gumi announced the adjournment of the case to Wednesday, February 18 to enable the parties prepare and file their replies and counter affidavits. The bail application proper will be determined at the next hearing date

419 Coalition Note: Other Nigerian newspapers, notably Vanguard and The Guardian, also ran pieces covering the above material. Here are URL's at which the pieces can be found for as long as they are posted:

Guardian:
<http://odili.net/news/source/2004/feb/12/10.html>

Vanguard:
<http://www.vanguardngr.com/articles/2002/cover/f212022004.html>
or <http://odili.net/news/source/2004/feb/12/40.html>

The BBC also covered it:
<http://news.bbc.co.uk/1/hi/world/africa/3479957.stm>

7 FEB 2004
From the Nigerian newspaper ThisDay and The News magazine:

The \$242m Scam

It could have been an epic bestseller script written by the 'Masters'. Combining Robert Ludlum's prodigious imagination with Irving Wallace uncommon ability to spin a complex web of intrigues and conspiracies that leaves readers shocked in suspense and fascination. Or better still, a James Hardley Chase most daring fiction script of adventure in crime. But it is neither. Even though it combines elements of fiction, facts and the bizarre, it holds everyone dumb-founded and perplexed by its sheer scale in real life. It is a staggering story of a daring conspiracy set against a background of criminal greed, violence and a life of stupendous affluence and prodigious greed. As investigators tried to untie this maze of greed and avarice, a sinister and far reaching plot to subvert the cause of justice also unfolded gripping them with its compelling and astonishing details. A most heinous and daring crime with a trail linking the major financial capitals of the world. To understand the crime and unmask the perpetrators, investigators tramped the bustling streets of Brazil, pored over files in the stilted bank offices of Switzerland, burrowed into documents in the highest financial establishments of avarice driven corporate America, dined with the best of British buccaneering bankers and perused financial documents in the bubbling city of Hong Kong. And of course where else would the trail lead to but Nigeria, the world's second most corrupt country and the "419" capital of the world. They discovered that a group of Nigerians and their Indian accomplices had pulled the world's biggest heist without firing a single shot. Even late Pablo Escobar, the Columbian cocaine czar didn't have it so easy.

By Shaka Momodu

Nigerians were shocked to their bones last Wednesday when news broke that a group of suspected Nigerian fraudsters would be charged to court over the what was termed the "single biggest advanced fee fraud case in the whole world" by the chairman of the Economic and Financial Crimes Commission (EFCC), Alhaji Nuhu Ribadu. Indeed, between May 1995 and February 1998, a total of US\$242 million was reportedly stolen from the Cayman Islands branch of Brazilian Bank, Banco Noroeste S. A. This money was remitted by swift transfers through various banks to accounts controlled by two suspected Nigerian kingpins, Ikechukwu Christian Anajemba and Emmanuel Odinigwe Nwude. The authorisations for all the transfers came from a senior official of the bank named Nelson Tetsuo Sakaguchi.

The alleged fraud went undetected until January 1998 when, while Sakaguchi

was on vacation, as part of the intended sale of the Bank to Spanish banking group Banco Santander, a due diligence inquiry revealed discrepancies in the bank's books. In late November 1997, the majority shareholders of the bank had decided to sell their controlling interest in the bank. Investigations that followed the discovery of the discrepancies revealed that at least US\$242 million was missing from the bank. Of this sum, US\$190 million had been transferred to Nigerians. These transfers were effected directly to accounts controlled by the Nigerians or through unlawful money changing operations conducted by Naresh Asnani (a British subject of Indian descent resident in Nigeria) and Ezugo Dan Nwandu (a Nigerian businessman resident in Enugu). As a consequence of the discoveries, civil actions aiming to recover the money were commenced in Brazil, Switzerland, Hong Kong, New York, California, Kentucky and Florida in the United States of America and, eventually, Nigeria. In addition to the civil actions, criminal complaints were laid in Brazil, Switzerland, New York, Hong Kong and Nigeria.

In July 2002, investigators acting for the bank's shareholders (with the assistance of one Dr. Hakim Ukeh - also suspected of participating in the fraud) persuaded Sakaguchi to visit New York, ostensibly for a meeting with the shareholders. He was immediately arrested at JFK airport on an international warrant issued by the Swiss government and extradited to Switzerland to face money laundering charges. After more than one year in detention in Switzerland, he admitted involvement in the fraud on October 31 2003 before the investigating magistrate, Mr. Jean-Bernard Schmid. He is now expected to be sent for trial early this year and most likely found guilty and convicted.

In December 2002, Naresh Asnani was arrested in Miami, while he was en route to a meeting with lawyers acting for the shareholders, on an international warrant issued by the Swiss Government. He too was extradited to Switzerland to face money-laundering charges. On October 31 2003, he admitted involvement in the fraud, and he will stand trial on December 19 2003, when he is expected to plead guilty and to be convicted.

The Ribadu Commission Intervention

The EFCC was created by legislation in December 2002, following upon threats by the Financial Action Task Force of the OECD to blacklist Nigeria for not having put in place adequate laws against money laundering. In May 2003, the Commission attempted to arrest Emmanuel Odinigwe Nwude and Amaka Anajemba (the widow of Ikechukwu Christian Anajemba, who was killed in mysterious circumstances in October 1998). Both of them evaded initial arrest, and instructed Chief F. R. A. Williams (SAN) and Prof. A. B. Kasumu (SAN) to institute proceedings on their behalf seeking to prevent their arrest and investigation by the Commission. In November 2003, their action was dismissed by Justice Pedro of the Lagos High Court.

Sakaguchi had come on a business trip to Nigeria, and was allegedly introduced to the Nigerian suspects by his friend, Dr. Hakim Ukeh, an Enugu-based businessman in 1994. Two of the suspects claimed they controlled the Central Bank of Nigeria (CBN).

One of the accused persons, Nwude, a major shareholder in Union Bank of Nigeria Plc, reportedly posed as Mr. Paul Ogwuma, the then Governor of the CBN, while Amaka's husband, Ikechukwu Anajemba, allegedly posed as Alhaji Mahey Rasheed, who was the CBN Deputy Governor in charge of foreign operations in 1995.

The unsuspecting Brazilian was deceived into believing that the suspects won a contract in Nigeria and was asked to send money to facilitate the supposed contract. Sakaguchi began to send money to designated accounts controlled by Nwude and others. When the phantom contract was said to have been completed and payment was not forthcoming, the suspects devised another method to further milk Sakaguchi. They swindled the Brazilian businessman in eight installments.

In the first installment, \$1.2 million was paid into an account in Crystal Bank of Africa on August 9, 1995 with O.E. Nwude, who represented Stanton, as beneficiary while \$1.5 million was paid to the Commercial Trust Bank with FynBaz Nigeria Ltd as beneficiary on August 25, 1995, in the second payment.

On August 31, 1995, \$500,000 was paid with Nwude Christian Kachi as beneficiary, and again on September 27, 1995 the sum of \$2.55 million was paid to UWS Landmark as beneficiary.

Other payments made included the sum of \$2 million into an account with Gulf Bank of Nigeria which had Fynbaz as beneficiary on December 8, 1995. Also, Intercontinental Merchant Bank received a payment of \$2 million on February 12, 1996 and \$1.3 million was paid into the account of Stanton Development Corporation on January 1, 1996 and October 28, 1997.

The last payment of \$4.75 million was made to Pentagon Co. Ltd. and another \$1.35 million was paid into an account in Nigeria Intercontinental Merchant Bank Ltd., to Emrus Nigeria Limited

The Discovery

It was discovered in January 1998 that 242 million dollars was missing from the bank. The bank on investigation, according to sources close to the investigators, discovered that the money had been misappropriated by Sakaguchi who was a senior manager in charge of the International Department "It was discovered that he was authorising swift transfers to various people who had no business receiving money. These people in the main, turned out to be Nigerian 419ers. They received a total of 190 million dollars. The money was partly transferred to them through an Indian resident in Nigeria called Naresh Asnani. he received 120 million dollars and laundered the money by paying Naira to Chief Emmanuel Nwude and to Chief Anajemba, but sometimes he paid Nwude in dollars. After laundering the money in naira, Asnani then sold the dollars to his Indian friends. Two other chaps called Naresh Mahbhubani and Pruwani also received money. Core group of Indians received dollars and paid naira from the stolen money," an investigator told THISDAY.

Some of the stolen money was changed into naira by Ezugo Dan Nwandu who is a business man, resident in Enugu. He had a Bureau de Change which he was using to change the dollars. But the transactions were unlawful because amounts of such magnitude were not supposed to be changed at a Bureau de change. He changed a total of about 8million dollars for them.

It was when the fraud was detected as a result of civil and criminal investigations that Sakaguchi was arrested between June and July 2002, in New York and extradited to Switzerland on six charges of money laundering. It was also discovered that Naresh Asnani had six bank accounts where large sums of money passed through in Switzerland. The Swiss have very stringent money laundry laws. So they issued a warrant for his arrest.

On the October 31, he admitted involvement in the fraud. He is expected to stand trial any moment from now. Naresh Annani was arrested in Miami in December 2002. He was on his way to meet with the lawyers for the owners of the Bank, when he was picked up on the strength of a Swiss warrant and extradited to Switzerland where he was detained. And on October 10, he reportedly confessed his involvement. He actually made a substantive confession detailing how the fraud was perpetrated.

THISDAY checks revealed that some of the people Naresh Asnani sold the money to are Indian businessmen resident in Nigeria who needed dollars to do business. Investigations further revealed, he was selling to them at a better rate, and giving naira to Nwude.

A very popular Indian business family was also indicted. The brothers reportedly purchased a total of between four and five million dollars from Naresh Asnani. They have been sued in England for the recovery of this money and their asserts in the United Kingdom have been charged - there is an injunction restraining him from parting with the possession of those asserts Their accounts have been blocked up to a value of over four million dollars Their defence is that it is not illegal to buy currency from the black market in Nigeria, since everybody does it and every businessman who imports has to resort to the black market. It was then pointed out to him that Asnanis don't have that kind of money and that he should have known that the money was stolen. But one of the Indian brothers insisted that he didn't know that the money was the money was stolen and had "no reason" to suspect that the money was stolen.

THISDAY checks revealed that payments were made to Asnani, between June 1995 and January 1998. And that within that period is when the famous Indian brothers received the money.

Further checks indicated that the case is being pursued by the original Shareholders who entered an agreement with the new owners of the bank to recover the money. A competent source close to the bankers explains that they were going to sell the bank to Banco Stanander of Spain for over 500 million dollars. But when the fraud was discovered, they agreed to sell the bank for the same amount they will pay back to Banco Santader which will then transfer all their claims to that money to the original Shareholders thus giving them power to try and recover the money."

As at today, all Amaka Anajamba's money, all her assets in the United Kingdom that have been traced have been seized and her real estate sold. This is expected to yield about nine million dollars. She also has assets in Switzerland which have been seized and sold and are expected to yield about 12 million dollars. The proceeds are being transferred to the Shareholders. In addition, she had a house in California which has also been seized. She had about one and a half million dollars in an account in Kentucky, that's been seized.

Nwude is said to have two houses in California, in the Los Angeles area. And each of the houses is said to worth about a million dollars each. He also surrendered about five million dollars to Swiss authorities immediately the investigations commenced. Nwude also bought shares in Union Bank worth about 10 million dollars. His large holdings automatically made him a director.

What now happened to Nwude's Shares?

THISDAY checks revealed Central Bank placed an embargo on trading in the

shares. The Federal Government also ordered the shares to be blocked. Tragically, while these suspected fraudsters had their assets seized abroad, not much was been done in Nigeria until the EFCC under Alhaji Nuhu Ribadu swung into action, displaying a rare determination to bring the perpetrator of the massive scam to justice even as they continued to throw legal impediments on his part.

"We have identified Nwude's assets worth about 30 million dollars. He owns Russel Suites and Russel Mall in Abuja. It's a big complex. And a very conservative estimate of the place puts it at about N1.2 billion. He also has a block of 20 flats on Bourdillion Road, and one of his tenants is the wife of a South-South governor. Rent paid on each of these flats is put at \$50,000. per annum," a source close to the Brazilians told THISDAY.

Out of the \$190 million transferred to beneficiaries, Nwude is believed to have received \$90 million which makes him the biggest beneficiary of the scam.

How The Fraud Was Carried Out

The suspects were said to have sent a fax about a phantom contract won by Sakaguchi in Nigeria in 1995. Of course, to facilitate the contract, they requested for funding. Sakaguchi began to send money to designated accounts controlled by the Anajemba and Odinigwe gang. When he phantom job was said to have been completed and payment was not forthcoming, the fraudsters devised another method to milk Sakaguchi further.

They brought up the issue of a phantom contract review panel. On the Central Bank of Nigeria's letter head, the fake panel wrote to Sakaguchi, informing him of its decision to pay all foreign contractors, including himself, all outstanding debts. According to the letter, Sakaguchi was said to have had a contract worth \$187 million with the Ministry of Aviation. The job having been done and money not paid on time, the phantom review panel recommended that Sakaguchi be paid his money, with interest. The amount to be paid now stood at \$200.8 million!

But to facilitate this, Sakaguchi, recommended the contract panel must forward "fluctuational charges" of \$6.7 million. That money was deposited in the foreign banks recommended by the gang. Then all other demands followed: money to bribe "His Excellency"; money to bribe the "minister" and other persons as concocted by the gang in Nigeria. Sakaguchi kept sending millions after millions of dollars, hoping that his pay day would come soonest. There was no pay day for Sakaguchi, only sorrow-day.

The systematic looting of Sakaguchi reached a climax with the said letter by the so-called review panel. The unsigned letter that was written on a forged CBN letterhead and that sounded so illiterate read: "It has been brought to our notice that a contract sum of \$187,381,000 excluding and overriding interest accrued which is \$13,470,070 which sums it up to \$200,851.07, this includes the first, second and final phase respectively for contract number (FMA/132/019/82) by Federal Ministry of Aviation, which was duly completed has not been paid for. We confirm that we irrevocably hold on to your \$200 851,000 until we receive the fluctuational charges of \$6,730,000, this payment schedule is to be made on or before 18 October 1996. As soon as we receive the above sum, we shall forward your fund simultaneously to the Chemica Bank of New York."

On October 16 same year, another letter was written to the Brazilian informing him that all necessary documentations have been duly perfected for the immediate release and transfer of his fund by telegraphic transfer to the designated accounts.

Additional reports by Kunle Aderinokun and Samuel Ajayi

Emmanuel Nwude's Acquisitions From 1995-2001

HOUSES

36 Ikoyi Crescent, Ikoyi (Residence)
60 Marina (Marine View Plaza) Lagos
34 Bourdillon Road, Ikoyi, Lagos (Euro Court Building)
43 Afribank Road, Victoria Island,
80 Allen Avenue, Ikeja
37/39 Awka road, Onitsha
Multi million estate at Wuse zone 2 (Plot 2097) (1) Cadastral zone, A2
Herbert Macaulay Way/Monsterrado Street)
60 chime Avenue, Enugu
2 Trans Ekulu Avenue, GRA Enugu
3-5 Abagana Close, Off Agidingbi Road, Ikeja
Petrol Station at Oye Agu, Abagana
Multi million Country Homes, Abagana
2 Grey High Risers on Abacha Road, Port Harcourt - (6 floors)
Multi million complex, opposite Bonny camp, Lagos

SHAREHOLDINGS

Director in Union Bank as Emmanuel Nwude Odinigwe
Director in G. Cappa
Bankers

Union Suisse-Switzerland
Diamond Bank of Nigeria
Union Bank of Nigeria
Gulf Bank of Nigeria

COMPANIES

Emrus Ltd
Emmans Interbiz
IMHS Ltd
African Shelters
Rodieem Investment & Properties Co. Ltd (Located on 3rd Floor) 43 Afribank
Road, Victorial Island, Lagos.

Courtesy The News magazine

Late Anajemba's Acquisitions From 1995-2000

HOUSES

No. 9 A&B Akutu Crescent Independence Layout, Enugu
No. 23 Osumenyi Street, Awkunanaw, Enugu
No 9 Bassey Duke Street, New Haven, Enugu
No 9 Ezinifite Street, New Haven, Enugu
No 5 Igbokwe Close G.R.A Enugu
Plot 541 Nnobi Street, (No 15 Nnobi Str Independence layout).
Plot 496 Ezillo Avenue, Independence Layout, Enugu
No. 9 Okoroji Street, Port Harcourt
Plot 1475 & 1555 Asokoro, Abuja
No. 4 Ogui Road Enugu (Godex Headquarters)
New Market Road, estate (Formerly of Ibetu) (N65 million worth)
Guest House at Ekulu Avenue, Enugu
4/6 Umuona St. GRA Enugu
Port Harcourt luxury flats at Abacha Avenue GRA (New) Port Harcourt (Brown 6
floors)
13 & 15 Iheaka St. Ekulu West GRA, Enugu
157A & B Chime Avenue, Upper Chime, Enugu
28 Road One, Upper North 5th Trans-Ekulu, Enugu
1470 Hon. Justice Mamman Nasir Asokoro, Abuja
Duplex in a close opposite Odogwu's Shopping Complex in Asokoro, Abuja
behind (18) above
70 Allen Avenue, Ikeja (Gulf Bank)
32 Boudillon Road, Ikoyi (10 floors)
2 Fosbery Road, Ikoyi - Lagos
I Cooper Road, Ikoyi - Lagos
6 Floor House in Park View Estate, Ikoyi Lagos
3 Floor House on Awolowo Road, Ikoyi Lagos
No. 6 Anam Street, Upper chime Enugu
5 Buildings of 3 floor each at Ikenga, Ogidi - Anambra State
Uncompleted complex at Aguiyi Ironsi by G. Cappa in Abuja

BANKERS

Citibank, London
First Bank, Enugu
Diamond Bank Enugu
Zenith Bank, Matori, Lagos
Standard Trust Bank, Enugu
Savannah Bank, Enugu
Citibank Lagos
Safe Trust (Savings & Loans), Keffi Road, Ikoyi
AIB, Enugu
IBWA (Afribank) Enugu
Gulf Bank, Allen Avenue, Ikeja

COMPANIES

Fynbaz Nig. Ltd
Godax Ventures Ltd 3. Ikenga Farms
Godax Holdings
Dax Properties Ltd
Godax Group of Companies Ltd

SHAREHOLDING

First Homes, Lagos (Subsidiary of First Bank of Nig. Plc)
Campbell Tobacco Inc. (Kentucky, USA)
Maxwell Tobacco Inc. (Kentucky, USA)
Irukwu's Insurance Co. Ltd Lagos

Courtesy The News magazine

6 FEB 2004

From the Nigerian newspaper, Daily Times:

N36bn Brazilian bank scam: Court orders five persons remanded
JOSEPH NWANKWO, Abuja

FIVE persons, at the centre of the world's largest advance face fraud (a.k
a. 419) of \$242 million (N36.3 billion), yesterday appeared before an Abuja
High Court and were ordered remanded in the custody of the Economic and

Financial Crimes Commission (EFCC).

Chief Judge of the Federal High court, Justice Lawal Gumi, who ordered them remanded however, said they should be granted access to their lawyers.

Three of them, Emmanuel Nwude, Amaka Anajemba and Nzeribe Okoli, were accused of obtaining \$242 million from one Nelson Sakaguchi and Stanton Development Corporation, under false pretence, while others, Emmanuel Ofolue and Obum Osakwe, were charged with Nwude and Anajemba for offering bribes of \$70,000, \$30,000 and £21,000, respectively, to EFCC chairman, Alhaji Nuhu Ribadu and Chief Operations Officer, Malam Ibrahim Lamorde. The money is said to belong to Banco Noroeste S. A. of Sao Paulo, Brazil.

Also standing trial are Fynbaz Nigeria Ltd, Emrus Nigeria Ltd, Ocean Marketing Company Nigeria Ltd and African Shelter Bureau Nigeria Ltd.

At yesterday's session, the court fixed hearing in their request for bail for February 11 after directing that a formal application be brought to that effect.

Anajemba's counsel, Chief Chris Uche (SAN), had urged the court to accept an oral application for bail bearing in mind that the liberty of the accused persons was involved.

According to him: "because the liberty of citizens are involved, we would be constrained to make an application for bail for the accused persons. I want to submit that subject to the court's directive, that in a matter in which charges have been preferred, this application for bail can be taken orally. I would rely on the case of Abiola versus Federal Republic of Nigeria, 1995, 1 NWLR part 370 page 155 at page 177, paragraph B and C, and Ani versus the state, 2002, INWLR part 747 page 217 and 231 as it is in this matter, I am most humbly urging the court to maintain that position, that applications for bail can be taken orally since the matter will be tried by this court," he stated. Uche maintained that the number of charges preferred against an accused person does not mean that such charges have been proven.

Nwude's counsel, Mr. Ubong Akap, in his submissions adopted the arguments of Uche, adding his client having been in detention since last May 2003, that it is only fair that he be granted bail through an oral application. Said he: "We align ourselves with the arguments of the learned senior advocate, the accused have been in detention since May last year, it is only fair and in the interest of justice that our application be heard orally, and your lordships have always held that personal liberty is paramount." EFCC counsel, Mr. Rotimi Jacobs, in his argument, agreed with the decision in Abiola versus FRN cited by the defence counsel but prayed the court to order counsel to file formal application for bail.

According to him: "the only issue raised is whether the court will entertain oral applications, I agree with the decision in Abiola versus FRN cited by the learned Senior Advocate, that your lordship has the discretion to decide whether to entertain oral applications, but it did not mandate your lordship to entertain oral applications, especially as the proof of evidence is 696 pages and the charges are 86."

He blamed the late arraignment of the accused on the case they instituted challenging EFCC, adding, they had to wait for judgment to be given on the matter before arraigning them before the court.

Ruling, Gumi directed counsel to submit a written application for bail, noting that under section 341 of the Criminal Procedure Code, the offences for which the accused persons are standing trial are bailable as it is not punishable by death.

"Since the prosecution brought the accused persons for trial, one is safe to assume that they have completed their investigations and the issue of frustrating investigations does not arise," he added.

The accused persons are alleged to have between 1995 and 1998 obtained over \$242 million through false pretence and with the intent to defraud one Nelson Sakaguchi and Stanton Development corporation, the property of Banco Noroeste S. A. of Sao Paulo, Brazil.

The said amount is alleged to be purported payment due to the Federal Government of Nigeria on the alleged contract for the construction of the Abuja International Airport, contrary to section 1 (1) and punishable under section 1 (3) of the Advanced Fee fraud and other Related offences Decree number 13 of 1995 as amended by Decree 62 of 1999.

6 FEB 2004

From AP:

Five Nigerians charged in \$242 million '419' fraud trial

Nigerian prosecutors leveled 86 counts of fraud and conspiracy against five people Thursday for allegedly swindling a Brazilian

bank of \$242 million, in the biggest crackdown yet on the West African nation's advance-fee fraud or "419" scams.

The five are accused of luring an employee of Sao Paulo's Banco Noroeste into siphoning off the funds from his employer, persuading him he could land a share in a lucrative Nigerian construction contract if he just paid enough handling fees up front.

The five appeared in court in Nigeria's capital, Abuja, in handcuffs to hear the charges Thursday. All the suspects, including housewife Amaka Anajemba, lawyer Obum Osakwe, and businessman Emmanuel Nwude -- described by prosecutors as "a major shareholder" in a leading Nigerian bank -- pleaded innocent.

Penalties for each of the counts range between seven and 10 years.

Four Nigerian companies -- Ocean Marketing, Fynbaz, Emrus, and the African Shelter Bureau -- also accused of involvement in the alleged crime were not represented in court.

Presiding Judge Lawal Gumi entered innocent pleas on behalf of the companies and postponed proceedings until Wednesday, when he will consider requests for bond.

There was mild drama in court when suspect Nzeribe Okoli, while making his plea, declared he would make "shocking revelations" during the trial.

"There are so many hidden things which Nigerians should know," Okoli said before he was interrupted by the judge, who told him to restrict his answers to the questions he was asked.

Nigeria's anti-fraud body, the Economic and Financial Crimes Commission, alleges in court papers the suspects told the Brazilian bank worker he would receive \$13.4 million from an \$187 million Nigerian airport contract -- if he invested money up front.

The bank worker allegedly dug illegally into his bank's funds, transferring the \$242 million -- in segments as high as \$4.75 million at a time -- to accounts around the world designated by the suspects, the papers showed.

Nigeria has gained global notoriety as a base for such advance-fee fraud, known as '419' schemes after the section of the country's criminal code that prohibits fraud.

In most of the cases, scam artists proposition victims with e-mails claiming to have millions of dollars from inflated contracts, the estates of dead dictators, or other illicit proceeds, and seeking help to transfer the money abroad.

The victims are then made to pay never-ending "service fees" and other charges -- the object of the scams.

Nuhu Ribadu, who heads the commission set up by President Olusegun Obasanjo's government in December 2002 to combat sophisticated fraud and money-laundering rings, told a news conference on Wednesday he intended to use this case to prove that "no one is above the law."

The case was also the subject of criminal investigations in Switzerland, Britain, the United States and Brazil, Ribadu said.

5 FEB 2004

From the Guardian, a Nigerian newspaper:

Trial in biggest advance fee fraud case begins today From Levi Anyikwa, Abuja

TODAY marks a milestone in the nation's war against corruption as suspects in the single largest case of Advance Fee Fraud (also known as 419) are to be arraigned in court.

The Economic and Financial Crimes Commission (EFCC), which made the disclosure yesterday, said that the suspects would be brought before the Chief Judge of the Federal Capital Territory (FCT), Justice Lawal Gumi.

Named in the alleged heist put at N36.3 billion (\$242 million) is a director with one of the nation's biggest financial institutions, Union Bank, Chief Emmanuel Nwude.

According to the EFCC chairman, Mr. Nuhu Ribadu, the other suspects are Chief Emmanuel Offule, Mrs. Amaka Anajemba, Mr. Obum Osakwe and Nzeribe Okolie.

They were alleged to have defrauded a bank in Brazil of the sum, claiming to be handling the construction of the Abuja International

Airport. Two of the suspects are lawyers whom Ribadu said were used by the other suspects to bribe investigators.

The alleged fraud has been traced to the United Kingdom, Switzerland, Brazil and the United States.

Ribadu said: "This is the most important cause we intend to signpost the new direction the commission is taking with respect to the prosecution of advance fee fraud and other economic crimes. This case is very important to us because we are convinced that the only way to fight 419 to a standstill is to also deal with those who aid and abet 419ers."

The commission's chairman said that with the trial, the EFCC was "specifically targeting those who in league with 419ers seek to compromise public officers with a view to frustrating the equitable dispensation of justice."

Ribadu, an Assistant Commissioner of Police and a lawyer said: "I want to acknowledge that some of these people are colleagues (lawyers), but they have engaged in acts totally at variance with the oath they swore when they were called to the Bar. Justice must therefore take its course. There is nothing personal."

Until this case, he said, the norm was to prosecute principal suspects in fraud cases and other economic crimes.

Ribadu noted that the EFCC had striven to prosecute those who abet criminal activities, along with the people who actually commit the nefarious acts.

He said that the commitment, "apart from the staggering sum involved and the truly global network of fraudulent individuals who took part in the heist, it is one of the distinguishing features of the Nwude/Anajemba and others' trial."

Sounding a note of warning to others, he said: "Anyone who plays a role in the frustration of the system of justice or benefits from the proceeds of such evidently criminal activity, is as liable as the principal criminal. That is the new position of EFCC. No one is above the law."

He observed that fraudsters were taking notice of the EFCC and were giving up their nefarious activities. "My advice to those still engaged in this dishonest and criminal activity is simple: "Desist from 419. Otherwise, EFCC will get you, anywhere, anytime."

He restated the determination of the government to tackle corruption, adding: "But no matter what little mark we have made or would make, it is important to underscore that we are all responsible for what happens in our society and fighting economic and financial crime is what we must all collectively do, everyone of us, every single day of our lives. This is an urgent call to national service and we cannot fail Nigeria."

The Commission, led by Ribadu, had arrested Nwude and two other suspected 419 kingpins namely: Lagos lawyer and socialite Frederick Ajudua and Ade Elumile, aka Ade Bendel.

When the EFCC team swooped on Nwude, alias Tossman, upon the execution of a Search Warrant at his Osborne Road, Ikoyi premises in Lagos, items reportedly recovered included: three guns, including one double barrel and one Pump Action gun, three packets of cartridges, 17 company seals, various Bank Documents, BMW 5 series, Acura legend, CL 500 Mercedes Benz, Jaguar Vander Plas, BMW 7 series, Mercedes Benz E 230, Porsche Boxster, Toyota Landcruiser V8.

Five suspects were also arrested in connection with the alleged scam. The suspects, who were arrested in Enugu after the execution of Bench Warrant include: Obum Ossake, Ifeoma Josephine, Emeka Eze, O"yeaka Ikeanyiewe and Dr. Obed Ukeg.

Five vehicles were also recovered with registration numbers as follows: Rolls Royce AR 788LSR, Jaguar Car CE 902 LND, Toyota Hiace AP 788 SMAK, Peugeot 406 AP 596 BWR, Bora Volkswagen AU 507 APP.

Ajudua was said to have defrauded Dutch citizens of a sum of \$1.698.338.00 between July 1999 and September 2000 while operating a syndicate of international fraudsters. The victims, according to the investigation, were contacted sometime in May, 1999 by the fraudsters who falsely sought to pay the sum of \$36 million to Mr.Cima, being the proceeds of over-invoiced contracts from the Federal Ministry of Aviation.

Cima fell for this scam and ended up paying \$1.69 million with his partner to Ajudua in various instalments. In the course of the crime, Cima met with Ajudua, who allegedly claimed to be Dr. Isa Audu, the Auditor General of Nigeria, three times in London between June 22, 1999 and February 2000. The various meetings took place at the Tower Bridge

Hotel, Thistle Hotel and Hilton Hotel, all in London

Luckily, the suspect was covertly filmed by a BBC reporter while on another mission during which he called himself Mr. Morgan, at Tower Bridge Hotel, London.

This tape, according reports, was shown all over Europe on a BBC programme "McIntire Under Cover" which was watched by Cima in the Netherlands.

It was then he realised that he was being conned and he reported to the Dutch police. In view of the transactional dimension of the case, the following sister agencies are currently involved in the investigation: National Fraud and Money Laundering Unit of INTERPOL, Netherlands; The Fraud Squad, City of London Police and, the United States Secret Service, New York.

For Ade Bendel, he has been in and out of detention several times. The suspect who has been arrested several times for various 419 scams, has been in jail since last year.

On December 24, 2003, he was re- arrested having allegedly refused to comply with the gentleman agreement he reached with the Anti -Fraud unit, Milverton, where he agreed to refund the money he allegedly duped his victims. He is currently in the EFCC detention camp to answer charges as to how he allegedly defrauded an Egyptian Army Major Gen. Abdel Alli of \$300,000.00.

2 FEB 2004

From the Mirror, an English newspaper:

LET'S BE 'AVIN YOU

Copper falls for a £5,000 scam

By Gary Jones

A SCOTLAND Yard policeman has been fleeced of £5,000 in a scam by fraudsters promising him millions.

The unnamed officer, in his 20s, was only saved from handing over another £25,000 by colleagues investigating the con.

He had been told by a Nigerian fraud gang he would get a share of £7million worth of gold bullion which would be freed by customs once fees had been paid.

But the gold was non-existent. Last night one Yard detective said he was astounded the officer was taken in.

He added: "It beggars belief. On our website there's a warning about this type of crime, which is known as West African or 419 advance fee fraud. This con is just one of dozens.

"You've got to be very naive to fall for something like this. As the website says, 'If it sounds too good to be true, then it is'.

"It comes to something when you've got to stop one of your own from handing over a substantial sum to fraudsters."

Scotland Yard said: "The Met fraud squad is investigating a classic example of West African fraud. An allegation has been made by a police officer. There are no arrests."

Detectives claim Nigerian government officials are involved with the gangs.

1 FEB 2004

From ThisDay, a Nigerian newspaper:

Dutch Police Nab 52 Nigerians

From Iyefu Adoba in Abuja with agency reports

Barely a week after Nigerian Finance Minister, Ngozi Okonjo-Iweala announced in Davos, Switzerland that the Federal Government would clamp down on internet fraudsters, the Dutch police in Amsterdam have arrested 52 people suspected of defrauding people of millions of US dollars through the internet.

According to agency reports, a task force team comprising of 80 officers raided apartments in 23 locations in the Netherlands capital swooping down on men mostly suspected to be Nigerians.

Iweala speaking in Switzerland during the World Economic Forum had said that a global advertising campaign would soon be launched by the Federal Government to warn potential victims of con men who rip people off via e-mails in get-rich -quick scams.

Also known as advance fee fraud or 419, fraudsters usually send e-mails to victims by presenting themselves as well connected men who need to transfer money that cannot be spent in their countries and lure them with promises of huge commissions if they assist them in transferring the money.

419 Coalition Comment: Successive Nigerian Governments must be Deaf, they just Never, Never learn. Here we have this gent Mr. Iweala, saying that Nigeria is planning on running yet Another of the expensive and largely useless advertising campaigns to educate people away from 419 (really, they are more done as a CYA measure for the Nigerian Government to point to when they try to say that they are "doing something" against 419). Of course, other Governments and public service organizations are perfectly capable of taking measures to educate people away from 419 At No Cost to the Nigerian Government. But what they CANNOT do is take substantive, tangible, quantifiable, sustained measures against the 419ers operating with relative impunity from within Nigeria's borders. Only Nigeria can do that. Therefore, THAT is where the Government of Nigeria should put its counter-419 money and effort -- Not in yet another expensive, ephemeral, and largely useless if past campaigns are any measure to judge by -- PR campaign. We, and others like us, have made this clear to successive Nigerian Governments over and over again. But they just keep on "doing" the same pointless things while 419 gets worse and worse.....

28 JAN 2004

52 419 Arrests in Amsterdam

From De Telegraaf, a Dutch newspaper. In Dutch, English translation following:

Ruim 50 arrestaties wegens e-mailfraude

AMSTERDAM - De Amsterdamse politie heeft maandag en dinsdag bij invallen in Amsterdam Zuidoost 52 personen gearresteerd die worden verdacht van betrokkenheid bij wereldwijde fraude. Dat heeft een woordvoerder van de politie van Amsterdam woensdag laten weten.

De verdachten zouden over de hele wereld talloze mensen via e-mail grote sommen geld in het vooruitzicht hebben gesteld. Uiteindelijk worden de deelnemers opgelicht voor grote bedragen die tot in de miljoenen euro's oplopen. Deze vorm van oplichting heet ook wel de Nigeriaanse fraude, vernoemd naar de herkomst van de verdachten.

Bij Nigeriaanse fraude worden slachtoffers met een mooi verhaal benaderd via internet. De afzender van de e-mail doet zich vervolgens voor als een hooggeplaatst persoon of als een familielid van de geadresseerde. In het verhaal krijgt het slachtoffer een percentage in het vooruitzicht gesteld van zeer grote sommen geld, soms wel 20 miljoen dollar. Hiervoor moet het slachtoffer bijvoorbeeld op een specifieke plek geld ophalen en naar de opdrachtgever brengen. Talloze mensen zijn zo overgehaald om geld te investeren.

Volgens de woordvoerder van de politie komen de slachtoffers vooral uit landen als Japan en de Verenigde Staten. "In deze landen hebben wij via televisie-uitzendingen herhaaldelijk gewaarschuwd voor dergelijke praktijken."

Uit het politieonderzoek bleek dat de verdachten via internet vanaf verschillende computers soms meer dan 100.000 e-mails verstuurd. Aan de hand van deze e-mails konden de locaties van de verzenders worden achterhaald.

Bij de inval zijn 23 woningen doorzocht en heeft de politie 50.000 euro in losgeld, computerapparatuur en valse of vervalste reisdocumenten in beslag genomen. De politie sluit meer arrestaties niet uit.

English summary/translation provided by our friends
[Ultrascan Advanced Investigations](#) in Holland:

52 arrests Amsterdam

AMSTERDAM - The police in Amsterdam has monday and tuesday arrested 52 persons who are suspected of being involved with e-mail and worldwide fraud. That is what the press release of the police of Amsterdam says on

wednesday.

The suspects supposed to have promised victims large sums of money via e-mail. In the end victims were defrauded for large sums of money which could end up in to millions of euro's.

This type of fraud is also known as the Nigerian fraud, named after the origin of the suspects.

According the press release of the amsterdam police most victims come from countries like Japan and the United States "in these countries we have warned for these practices more then once via television broadcasts"

The police could find the locations of the suspects through the 100 thousands of e-mails sent, sometimes from one computer.

During raids of 23 houses, 50,000 euros cash, computers, and falsified travel documents were impounded. More arrests could follow.

27 JAN 2004

From the Daily Times, a Nigerian newspaper:

419: Internet, GSM operators now to register with EFCC

By ABIODUN OBIMUYIWA, Abuja

THE Federal Government on Wednesday further moved against advance fee fraudsters (a.k.a. 419) as it approved sterner measures in a new bill seeking to amend the existing act on the offence.

At its weekly meeting in Abuja on Wednesday presided over by Vice-President Atiku Abubakar, the Federal Executive Council (FEC) approved the bill seeking an amendment to the Advance Fee Fraud and Other Fraud Related Offences Act of 1995 to accommodate electronic telecommunications offences.

The bill, which is to be sent to the National Assembly for passage, would compel all Internet service providers (ISPs) and Global System for Mobile Telecommunications (GSM) operators to register with the Economic and Financial Crimes Commission (EFCC) for proper monitoring and supervision.

Minister of Communications, Chief Cornelius Adebayo, accompanied by his Water Resources counterpart, Alhaji Muktar Shagari, told State House Correspondents after the meeting that varying prison terms with options of fine awaited all errant cyber cafe and GSM operators and users in the country.

Apart from registration, Adebayo disclosed that each ISP and GSM operator would maintain a register of all fixed line customers which shall be made available for inspection by any authorised officer of the commission.

Besides service providers and GSM operators, customers and subscribers, who falsified or declined to give full identities, including addresses, to the providers would be liable to, at least, one year imprisonment or a fine of N100,000.

Similarly, service providers and GSM operators, who failed to comply with the provision demanding the particulars of the subscribers would also be liable on conviction to a fine of N100,000 and forfeiture of the equipment or facility used in providing the service.

The bill, the minister said, also stipulates five years imprisonment without an option of fine for any provider of wire or electronic communication service, who failed to register or co-operate with EFCC with returns on the use of his facilities and that in the case of a continuing offence, to a fine of N50,000 for each day the offence persists....[article goes on to cover unrelated subjects]

419 Coalition: What about NITEL, the Government phone parastatal? Have these rules Ever been applied to them? If not, why not? NITEL has NEVER been able to meet the requirements set out above for the provate operators. We think the proposed new rules are Great, but they need to apply to NITEL too. Any company -- like NITEL -- that can't trace its own lines and which doesn't even know who is paying the phone bills due it, certainly needs to be forced to do these things, or else.....

27 JAN 2004

We were asked by a Concerned Nigerian to post this, and since we think that EFCC has - unlike its predecessors - actually made some progress on combating 419 in Nigeria we decided to go ahead and do so:

Petition to Save EFCC (Please Sign and Pass Around the Internet)

Sign online at:

http://www.webpetitions.com/cgi-bin/print_petition.cgi?99498299

Nigerian's Economic and Financial Crimes Commission was formed about a year ago, under the leadership of one Nuhu Ribabu.

Although, the agency is yet to secure any successful legal prosecution, it has made remarkable success in the number of arrests of corrupt Nigerian government officials, and continues its efforts by showing an aggressive willingness to prosecute corrupt persons in court.

A few months ago, the Nigerian government announced a new committee (Cybercrime Committee), to further look into the Cybercrime issue. Our sources tell us, that the new committee, is poised to recommend that EFCC be relieved of all 419 investigative authority, and be replaced with a new Central Authority.

A) Granted, EFCC has not been totally effective against 419, it has been the most effective to date with the number of arrests and cases in court.

B) We hear from our sources, that Nuhu Ribadu, may be touching political nerves by publicly disclosing that some governors have ill gained wealth stashed overseas. There is political pressure underway to render Nuhu Ribadu, and his agency useless.

C) Can Nigeria really afford another white elephant project? The creation of a new agency will cost millions. EFCC is currently undertaking the development of a financial intelligence system; the technical and organizational resources will be similar to those of Cyber crime investigations. There will be resource duplication.

D) Why has the President created EFCC, only now to want to render it useless?

You can forward this petition to Transparency International at:
ti@transparency.org

Please sign this petition online at:

http://www.webpetitions.com/cgi-bin/print_petition.cgi?99498299

or

<http://www.petitiononline.com/saveefcc/petition.html>

27 JAN 2004

From the Guardian, a Nigerian newspaper:

419: How tripartite ring dupes Nigerians through mails

Stories by Sunny Aragba-Akpore

A tripartite ring whose interest includes ripping open international letters to and from Nigeria, faking of cheques with intention to dupe unsuspecting Nigerians is now very active.

The ring involves both local and foreign post men from various postal administrations, foreign bank officials who let out information about accounts owners, and releasing specimen signatures and details of bank transactions to members of the ring and local accomplices who do the "finishing" in what is now commonly known as the Nigerian scam or 419 or advance fee fraud after the relevant portion in the penal code.

Take for instance this encounter: A middle aged woman somewhere around Ejigbo, a Lagos suburb received a letter purportedly written from her relation in London, England through the post office.

The letter was delivered by a postman less than 24 hours after it arrived. She read the letter, smiled at the content. Her relation had sent a very mouth watering sum in hard currency cheque. She is to see a certain Mr. X at a location in Egbeda, another Lagos suburb to collect the cheque after presenting to the cheque bearer an equivalent of £750.

She danced and danced for her life was now going to improve very significantly. She raised the equivalent and dashed to the address in Egbeda. Behold, she found the "cheque bearer," handed over to him the £750 equivalent and collected a cheque for £4,000 to be cashed at a local bank in Lagos with correspondence in London.

The following morning, the lady in emblematic dressing with an escort got to the bank, posted the cheque and after several hours was told by very polite bank officials that the cheque was a fake.

She collapsed in a heap.

When she received, she told herself she knew what to do. She headed for her lawyer's chambers to register her complaints and

asked for redress.

She went to court suing the Nigerian Postal Service (NIPOST) for delivering the letter that caused her misfortune and heartache. She could not locate the man who gave her the fake cheque for he had moved out of that hotel location without a forwarding address.

The case between her and NIPOST lingered. She could not even identify the young man who delivered the contentious letter, despite an identification parade in court.

In frustration, the woman resigned to fate.

But the woman's case was a tip of the iceberg compared to the ordeal of Shamsideen Akanni Arogundade.

Through alleged connivance of postmen in Shomolu Post Office, Arogundade has not been duped of equivalent of £700, but has also lost virtually every dime of his savings at Lloyds Bank, London.

Arogundade had receive a certain letter from his younger brother, A.G. Arogundade saying a certain Dr. Francis Ugheh was returning to Nigeria with a £3,500 cheque for him, the elder Arogundade. He, elder Arogundade should give to Dr. Ugheh, an equivalent of £700 and collect the £3,500 cheque from the man's location somewhere in Egbeda.

Elder Arogundade raised the £700 equivalent, dashed with his frail legs to Egbeda, found Dr. Ugheh, collected the Barclays Bank, Fenchurch Street, London branch for £3,500 dated October 3, 2002. On presentation of the cheque at the local correspondence bank, polite bank officials told Arogundade again that the cheque was a fake.

The scammers were not through with him yet. They forged his signature and withdrew several thousands of pounds he had saved at Lloyds TSB bank in the U.K. while on the staff of British Railways Corporation in England.

Despite his protests to the bank that at no time did he authorise such cheques to be paid, more so since the bank had dishonoured two earlier cheques issued by him, on the ground that his savings account did not allow for cheques to be cashed, he took the case to the Ombudsman in England, besides writing a petition to the NIPOST alleging connivance of its postmen at Shomolu Post Office.

Arogundade also alleged that the bank had also paid out money from his account on the ground that he had authorised such payments via telephone. This, he again, denied saying, he never at any time called the bank.

Arogundade is now crying foul and asking for justice from his bank in England and NIPOST.

The financial Ombudsman service in London, England wrote to Arogundade on December 8, 2003 that it had not allocated his case to one of its adjudicators for further assessment. Angela Warren, team administrator, signed the letter.

NIPOST officials said having looked through the petition written by Mr. Arogundade by its investigation unit, it found that its postmen were not guilty as alleged.

In a four-page investigation report made available to The Guardian, NIPOST not only exonerates its staff with a reprimand, but also denied that the organisation was not to blame for the various fraud allegations levelled against the organisation.

NIPOST's Assistant Chief Investigation Officer, Lagos Mainland District, Mr. V. A. Adekannbi signed the report which he presented to The Guardian at the weekend in the presence of Territorial Public Relations Officer, Isiaka Elayo and a member of the investigation team, Mrs. Ovie.

20 JAN 2004

From gamji.com, a Nigeria-oriented website, comes an excellent short paper on 419 and the Internet:

- [Paper: "Nigerian Internet 419 on the Loose" by Femi Oyesanya \(gamji.com\)](#)

Here is the link for as long as it is good.

18 JAN 2004

From the Pittsburgh Post-Gazette:

Nigerians running lucrative swindles;
Trail leads to man in North Versailles

By Torsten Ove

A small game of deceit played out two weeks ago in North Versailles.

On Jan. 2, a United Parcel Service deliveryman showed up at a Della Drive apartment with a package addressed to Ken Smith.

A man answered the door and signed for the parcel, which contained more than \$200,000 worth of cashier's checks.

But nothing was as it seemed.

The UPS man was really a U.S. postal inspector.

Ken Smith was really a Nigerian named Adebayo B. Adedimila.

And the cashier's checks? Counterfeit.

Adedimila, 28, was taken into custody and faces charges in federal court of trying to defraud 20 people in an Internet auction scheme that is increasingly popular among endlessly resourceful Nigerians.

The con is a version of the old "Nigerian 419" scam, named for Section 419 of the Nigerian penal code.

"That's their latest trick," said Jeff Eisenbeiser, head of the U.S. Secret Service in Pittsburgh.

Adedimila's arrest represents a tiny victory in the battle against Nigerian rip-off artists who have been preying on Americans for 20 years.

The schemes started in the early 1980s with letters and faxes sent to businesses. But the Internet has opened up a world of potential marks, leading to a flood of e-mail solicitations.

Among them are the familiar spam messages from West Africans who have a "VERY URGENT BUSINESS PROPOSAL" and need your help transferring millions of dollars from a secret account in Africa to yours in America.

But it's the auction scheme that is proving more lucrative.

"This is 10 times larger than that," said U.S. Postal Inspector Andrew Richards, head of the Financial Crimes Task Force of Southwestern Pennsylvania. "Instead of going for \$60 million, they're going for \$6,000. They're going for smaller amounts and they are being incredibly successful."

Typically, a Nigerian will contact a person trying to sell something on Internet auction sites such as eBay.

He tells the seller that he has a "friend" in the United States who owes him money. He says the friend will send the seller a cashier's check, but the check will be for a few thousand dollars more than the item costs.

The check is then shipped to the cohort in the United States -- this was Adedimila's role, federal agents say -- who sends it to the unsuspecting seller through the U.S. mail.

Finally, the buyer asks the seller to send back the extra money by Western Union wire. Some do, and never see their money again.

"Often, the sellers act as requested and wire the additional funds prior to the cashier's check being returned as counterfeit to the seller's bank," said Postal Inspector Joseph Bell in a search warrant affidavit for Adedimila's apartment. "This scheme has affected thousands of victims across the United States and resulted in the loss of millions of dollars."

Some potential victims are smart enough not to be taken.

Two men in Michigan and Georgia were potential marks for Adedimila and his partner in Lagos, Nigeria, who sometimes used the name David Nelson online.

Chris Odom, a photographer from Athens, Ga., was contacted by Nelson last month when he was trying to sell a Nikon camera for \$3,750 on a professional sports photography auction site.

Nelson initially bid \$4,000.

But later he sent this note, written in the kind of halting English that agents say scammers use to make themselves seem authentic:

"Hello Chris, I must tell you that payment will be in excess of \$8,000. I have contacted a friend of mine owing me in USA to make the payment on my behalf to you. I have also instructed him to issue out the check for the amount of \$8,000 on your name. After you might have received the check from my client you will need to deduct the cost (of the camera) and have my balance sent to me through Western Union money transfer to London, England, and through my personal assistance name. Reason is because I'm presently out of town for a professional conference in South Africa. David Nelson."

Odom thought the request was bizarre.

"I had a suspicion it was some sort of scam," he said last week.

"If you are serious, you do not need to send a money order to me for \$8,000," he wrote back. "The [camera] is for \$4,000 and that is well enough with shipping and insurance."

William Corne III, 19, of Saginaw, Mich., didn't fall for the scheme, either. He was selling a subwoofer on eBay for \$170, but Nelson wanted to send him \$5,000.

"I thought it was ridiculously strange," he said.

Nelson sent the cashier's checks anyway, and did the same for 20 others he had contacted in the U.S. and Canada.

Agents say that's typical, because while most potential marks won't wire back any money, one or two might.

"It's definitely a volume business," Eisenbeiser said.

It works in part because the cashier's checks look so good.

"I've seen them. I defy you to tell they are not real," said Barbara Petito, spokeswoman for the state attorney general's office.

But Nelson apparently didn't count on "Operation Tidalwave," an international crackdown on Nigerian fraud.

On Dec. 23, British customs agents at London's Heathrow Airport intercepted a package of checks originating from Lagos and bound for Ken Smith in North Versailles.

Inspectors found \$226,000 worth of phony cashier's checks in the names of Odom, Corne and 18 others. Postal inspectors set up a delivery in which one of them would pose as a deliveryman. That's what happened Jan. 2, when Adedimila was arrested.

The U.S. attorney's office asked that he be detained as a flight risk, but a federal magistrate released him to stay with a Nigerian friend in Turtle Creek. No one there could be reached for comment.

U.S. Attorney Mary Beth Buchanan said she couldn't comment on whether investigators had arrested or were seeking Nelson or anyone else working with Adedimila.

But she said the case would be among several local prosecutions highlighted next month when her office and the Financial Crimes Task Force conducts an awareness program on 419 schemes and other cons.

"We plan to educate the public about these," she said. "We are going to focus on international fraud schemes."

Those include more traditional 419s, such as the spam messages flooding in-boxes worldwide.

The sender often claims to be an "official" or perhaps the son of some deposed leader who was murdered, imprisoned or killed in a terrible plane crash. He's the only one who knows millions of dollars were hidden away just before the tragic death. But the funds will remain frozen until they can be secretly transferred to a private account -- yours.

If you help, you're supposed to get a cut of the total. But as you get drawn in, you are eventually asked to help finance the transaction, sometimes to the point of traveling to Nigeria or a neighboring country.

The Pittsburgh Post-Gazette gets pitches like this every day, including this one last week:

"I am contacting you because of my need to deal with persons whom my family and I can lay trust and personal relationships on. Since the murder of my father, I have been subjected to all sorts of harassment and intimidation with lots of negative reports emanating from the Government and the press about my family. The present Government has also ensured that our bank accounts are frozen and all assets seized. It is in view of this that I seek your cooperation and assistance in the transfer of the sum of Thirty Million United States Dollars (US \$30,000,000.00) being the very last hope for my family and I."

Lately these e-mails seem to be coming from other nations besides Nigeria, such as Liberia, Sri Lanka and even China and the United Kingdom.

Some are from copycats, but most are sent by Nigerians, either in those countries or routed through someone there, according to investigators.

"It's all Nigerian," said Charles Pascale of Harrisonburg, Va., head of the 419 Coalition, a citizens group devoted to educating the public about the schemes. "It's really a cottage industry in Nigeria. It might be said that, after football, it's the national sport of Nigeria."

No one can say for sure why.

"The Nigerian government blames the growing problem on mass unemployment, extended family systems, a get-rich-quick syndrome, and, especially, the greed of foreigners," says a Secret Service 419 advisory.

The Secret Service fields 450 complaints a day, but stopping the scammers is difficult. Agents have arrested some 250 people there in recent years, but the 419 Coalition says most of those suspects were never punished because Nigerian authorities are uncooperative.

Federal agencies have long identified specific versions of the 419. There's the bogus real estate deal, the crude oil for below-market-prices deal, even the "bill-washing" scam in which the mark travels to Nigeria, eyeballs a suitcase full of cash and is talked into paying thousands for chemicals to clean black powder off the bills.

The e-mails introducing these deals seem like obvious scams. So why do people fall for them?

"Greed is a major reason," Buchanan said. "Second, people are often more trusting than they should be. Particularly older people."

Many victims are too embarrassed to pursue a prosecution, Buchanan said, but her office has received complaints. Some victims have flown to Nigeria to try to collect, a very bad move. An American was murdered in Lagos in 1995 pursuing a 419 payoff.

"There's a perception that no one is prone to this kind of thing," Eisenbeiser said. "But a large number of individuals are enticed into believing they've been singled out to share in a windfall. The victims run the gamut. The elderly. Businessmen. Doctors. Lawyers. No one would think it could happen to them."

13 JAN 2004

From the Daily Graphic, a Ghanaian newspaper:

\$48.6m FRAUD BUSTED . 2 Nigerians picked up

By Michael Donkor

TWO Nigerians who attempted to dupe the Bank of Ghana (BoG) of \$48.6 million have been arrested by the Commercial Crime Unit of the Ghana Police Service.

They are Frank Eleazer Ahumibe, 41, and Innocent Emeka Okoye, 36. The two were picked up at a restaurant in Accra upon a tip-off.

Other members believed to be connected to the plot are said to be on the run and are being tracked down by the police. The two suspects were alleged to have designed letterheads of the Bank of Ghana, with some bearing

information that "\$45 million and \$3,650,000 had been transferred from two banks abroad into an account at the International Remittance Department of BoG".

Another letter which bore the watermark "original" of the BoG and purported to have been signed by the Deputy Governor confirmed that the bank had successfully taken delivery of the \$45 million and \$3,650,000 from the Bank of Simpanan Nasional, Kuala Lumpur branch, Malaysia and the Central Bank of Cote d' Ivoire and that the amount should be released to the owner.

The Head of the Commercial Crime Unit of the CID, Chief Superintendent Ken Yeboah, said the police had information from the BoG that some people had designed letterheads of the bank and were using them to perpetrate crime and that one of them had been seen at an Internet cafe photocopying such documents.

In one instance, the suspects were alleged to have written to a businessman in Accra, informing him of the successful transfer of his money from Zurich as a result of his oil contract. They requested that the businessman should pay \$7,310 daily for keeping the money at BoG on his behalf.

Following the complaint by the BoG, the police started trailing the suspects and later spotted them at a restaurant and arrested them. They were escorted to their house at Hydrofoam Estate, off the Spintex Road and when Frank's room was searched, some documents including fake letterheads of the BOG with inscriptions and the signature of the Deputy Governor endorsed on them were found.

The two claimed they lived together in the same house but the police found nothing to prove that more than one person lived in the house. Police strongly believed that some of the documents may have been passed on to somebody while they were looking for the suspects. Further investigations are being conducted by the police into the matter.

8 JAN 2004

From the Daily Times, a Nigerian newspaper:

Gloria Abraham, granted bail, rearrested
RANTI THOMAS

A 35-year-old woman who was granted bail in the sum of N1 million after pleading not guilty to a three-count criminal charge of conspiracy, stealing and Advanced Fees Fraud was immediately re-arrested by the police on Wednesday moment after she stepped out of the court premises.

Gloria Abraham who was charged for allegedly collecting the sum of N2.3 million from Mrs. Ngozi Okoronkwo and two others on the pretext that she had 836 bags of rice to supply them, a claim, the police said, she was aware was untrue thus making her to have committed an offence punishable under Section 419 of the Criminal code Cap 32 Vol. 2 laws of Lagos State of Nigeria 1994.

The second charge stated that Gloria Abraham and others now at large did fraudulently convert to their personal use the sum of N2.3 million property of one Mrs. Ngozi Okoronkwo and two others, an offence punishable under section 383 (2) of the criminal code Cap 32 Vol. Laws of Lagos State.

The accused person pleaded not guilty and the presiding Chief Magistrate Mrs. Ayo Odugbesan granted her bail in the sum of N1 million with two sureties in like sum.

However, moments after stepping out of the court premises, police officers who had laid ambush around the court premises re-arrested her despite spirited efforts by her team of lawyers to prevent her from being re-arrested.

One of the police officers who spoke with the DAILY TIMES on the condition of anonymity said the accused person was re-arrested so that she could be tried for other offences.

The police officer said Abraham had over 100 petitions written against her by aggrieved traders who alleged that she had duped them of their money on the pretext that she was going to sell rice to them.

The case was adjourned till February 18.

1 JAN 2004

Here is a reprint of an item posted in our 12 DEC 2000 news. Central Bank of Nigeria, amidst much fanfare, announced going on three years ago that they had recovered the Ghasemi's 419ed monies. However, the Ghasemis have yet to receive their recovered monies from the Central Bank of Nigeria as of this date, though the US State Department has written CBN that the funds can be repatriated by CBN at any time:

Anatomy of a case - this is a mix of Will Scam 419 and Black Currency 419. The victims in this case are seeking contacts with other victims. We received it 28 NOV 2000 and sent it onwards immediately to appropriate government agencies but have been holding it from public release until now to give time for investigators to work. A slightly edited version (for security and investigative purposes) of their case report is below in their own words:

From: Kennedy Walk- In Clinic
3308 West Kennedy Blvd.
Tampa FL, 33609
Phone Number- (813) 874-2400
Rubycafe1@aol.com

To Whom It May Concern:

Hello, my name is Shahla Ghasemi and my husband is Dr. Ali-Reza Ghasemi, we are American citizens who live in Tampa, Florida. Our telephone number for your convenience is (813) 874-2400 and (813) 832-4515, our address is above. This is what had happened to us and how we got involved in the Nigerian Advance Fee Fraud. About 3 months ago, we got a phone call from Nigeria by a man named Dr. Ali Abubakker -I don't believe that is his real name--his phone number is 234-1-774-1703. He introduced himself to us as the director of NNPC. He said that he had a confidential message for my husband, but if we were to expose this message he could lose his job and his life. He told us that he would receive a very big commission from this. The story that he told us was that one foreign contractor from our country who died transferred \$27,400,000.00 to Dr. Ali Reza Ghasemi. We were very shocked. After that, he faxed all the documents and attached all the needed documents. We looked over everything and they all seemed real, all bore the government's official seals and stamps. Then he faxed us a copy of our bank information, which we filled out and faxed back to him. On August 14,2000 we received a letter from the bank which stated that we needed to hire a power of attorney. His name is F.A. Williams and his telephone is 234-1-774-0939. We contacted Mr. Williams and he asked us to send him \$7,250.00 for the court registration fee through Western Union. We sent the money with a fee, which came out to be \$7,565.00. Attached is a copy of the receipt that we sent through Western Union to Mr. Williams. After they had received the payment, Mr. Williams said that everything was ready. Mr. Williams was at the bank and called us and asked us for a copy of SEPA. We had no idea what that was, so we called Dr. Abubaker who said that he didn't have the form and thought that maybe the original contractor hadn't paid for it. They then asked us for \$27,400.00 but with a fee we paid nearly \$30,000.00 through Western Union. After two days, Mr. Williams had called and congratulated us. He said that our money had been transferred and he faxed me a copy of the transaction, which stated that our money had left the bank and was on its way into our account. In that same week, Dr. Abubaker had faxed me his confirmation ticket saying that he was on his way into America, and that we should send him money to buy his ticket. The following day Mr. Williams called and said that our money had been stopped because of a shorting tax that needed to be paid which hadn't been paid. He faxed me an invoice for \$63,250.00 bill for the tax. We transferred this money through our bank to Prism Company at Nigeria. Two days later he called and said that everything was fine. He said that we should be hearing from our bank representative very soon. Two days later we received a call from Carlos White from Atlanta, Georgia in America. He introduced himself as a NCB Bank Representative with the phone number of 404-944-1842. He said that our money was ready and that we needed to fly to Atlanta to transfer the account into our account. We asked why and he said because the money was big

and he needed to transfer the money in front us. He told us to bring a copy of our driver license, a copy of the contract, and \$11,500 in cash. The same evening my husband, daughter, and myself flew to Atlanta. We got a hotel room. Then next day we called Mr. White to make an appointment with him at our bank, First Union. He said that he had to send a bank representative to our hotel room. When we got back, he sent two men by the names of Mustafa Sharief and Agu Jbreh. They received all the documents and \$11,500 in cash and then they told us to wait for two hours at which time our money would be transferred into our account. We waited for a few hours and kept calling them and they had said that no transaction had occurred. So we decided to head back to Tampa, while we were in line checking our bags and reserving our tickets, we were contacted by Mr. White by our cell phone. We told him that we were leaving and ready to go back to Tampa, He got very mad and said that we couldn't go back because the transaction hadn't been closed yet and that he still needed to talk to us. We went back to our hotel and we had to reserve another room. We called Mr. White and he said that he would be sending two people. After two hours, two people arrived by the names of Mustafa Sharife and the other didn't give his name, but I do remember his face. They came and told us that the government of Nigeria had approved our payment to be physical cash. We asked them what that meant and they said that it was real physical cash. Then they asked us to go to their car to see the cash and get the cash or to wait and transfer the money into our bank account. They said that the money couldn't get into our account until it had been cleaned. We asked them what they meant and they went to the car and came back with 5 pieces of black paper. Then they went into the bathroom sink and with some chemicals cleaned the black paper and it turned out to be \$100.00 bills. We told them that it was fine. They could clean the money and deposit it into our account. Then Mr. Sharraf called Carols White and he said that we had to pay for the chemicals, we asked how much they need and he said it was \$185,000. We told him if he could take the 185,000 from the money but he said that he could not touch the original money. Then we decided to go back to Tampa. From that night we decided to contact the Nigerian government and our attorney Mr. Williams. I called Dr. Abubaker and I called Mr. Williams, they acted normal and they didn't know what Mr. White had told me and then Mr. Williams told me that he had to go and speak with the president of Nigeria in Abuja and get his advice. Two days later, he called me and said that we had no choice but to pay the money for the chemicals, but he said that we should send him a copy of the receipt so that after the government received their money from America and Japan in January or February they would reimburse my money that we paid them for the chemicals. Mr. White was calling me and asking me for money for the chemicals. Finally we wired \$150,000 to them. Two days later, Mr. White called me from Atlanta and asked for a Rolex watch for the president of Nigeria so that he could basically smother the president and get a better job in Nigeria in addition he wanted \$350,000. The \$350,000 was for the purpose of opening an account for me for a CBN transit account. I told him that he didn't tell us anything about this before, he told us after he had cleaned the money. That same day I spoke to our consultant and told him what happened to us and he said that we had been involved in a scam. He showed us the many different stories and example on the Internet of this scam and the many different victims that it had happened to. We found many different numbers to call for help including the Nigerian police. Sir/Mam, we really need your help. We lost almost \$400,000 on this matter. We are just a middle class family, my husband is a physician and I am a nurse. We borrowed money from many different places to pay to these people. Now we lost our credit and everything else. We beg for you to help us to arrest these people and get our money back. Please feel free to contact us at our phone number for any further information.

[Paragraph edited out]
[Paragraph edited out]

I called my bank and I asked them for a refund, my bank requested a refund through the Bank of New York. I got the number for the Bank of New York and asked them where did they send my money.

The representative said that they had sent the money to Lagos in Nigeria and Beirut in Lebanon, I asked for the phone number of the banks but they said that they didn't have it. They said that they had a representative at Nigeria who works for the Bank of New York. He is at Lagos and his name is Mr. Shay (phone number 234-1-2693327). The bank said that they sent the money to him and he sent it to the Bank of Omega (phone number is 234-1-2620851). I called to the Omega Bank Director, Mrs. Odunsi. I explained the situation and I faxed a letter of complaint. She said they got the money from the Bank of New York.

She then said the money was sent to the Atlantic Precision LTD (phone number is 234-1-2640120). The manager is Mr. Ikye, Eugwu. I spoke with Mr. Eugwu and I requested for a refund, I am yet waiting for his action towards this manner.

On November 2, 2000, I contacted with Mr. Ikye, Eugwen (director of Atlantic Precision LDT concerning when he was going to refund my money. He said that he couldn't refund the money because he paid the money to Mr. Bashiru, Ibrahim (phone numbers are 234-1-775-3112, 234-1-493-3445, and 234-1-804-3445). I said "Mr. Eugwn I sent my money from America to the Atlantic Precision LTD and it is your responsibility to collect my money from whoever received it." He then said "I am not a

collector and don't call me anymore," after that he hung up. After that incident I called Mr. Bashrim and I explained what Mr. Eugwn had told me from the Atlantic Precision LTD, he said that he had received the money and would not be refunding it. I asked who he is and did you give anything in replace of my money, he said that it is their business; this is the way we live. I told him that I am going to call the police at Nigeria and I am going to send a letter to the Nigerian President. He said that he didn't care and used an excessive amount of profanity towards the President and the police. Then he proceeded on by saying that this is another way of income besides the oil that is coming into the country. He said that the President and the government knows about this. He also proceeded on by using curses and also by threatening. Now I believe that not only are Dr. Ali Abubaker, Mr. F.A. Williams, Mr. Carlos White (real name Ojbe, Onokaite and phone number in America is 404-944-1842) but also Mr. Bashiru and Atlantic Precision LTD are also included in this scam. I have also found the number for the director of CBN from the Internet. His name is Mr. Joseph Sanusi (phone number 234-1-266-0100) to tell him about how the people are using the CBN's name improperly. I decided to call him and one person who answered his phone proceeded on to tell me to call him at his private number (011-234-1-775-4327). I called him and told him my contract number and he said that everything was fine with my contract. He also asked me to fax the document to his attention at 44-870-134-9987. I asked him where this is and he said it is at London. It was then where I found out that this is another scammer. I hope that Mr. Joseph Sanusi can read this and find out who is really working for him and answering his calls. In conclusion, I would just like to point out that these scammers have created a horrible name for Nigeria. The people wont trust anyone from that country and yes there are some wonderful and innocent people out there whom our money should go to, but not to these 419ers [remark edited slightly].

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