Enabling African loots:
Tracking the laundering of Nigerian kleptocrats' ill-gotten gains

Authors:

- Dr Tena Prelec (Department of Politics and International Relations, University of Oxford), tena.prelec@politics.ox.ac.uk
- Prof Ricardo Soares de Oliveira (Department of Politics and International Relations University of Oxford), ricardo.soaresdeoliveira@politics.ox.ac.uk

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1. Introduction

There is an increasing understanding, in both academic literature and policy discourse, that the issue of grand corruption affecting developing countries cannot be addressed without considering the 'gatekeepers' or 'enablers' of corruption in international financial centres (Zucman, 2015; Bullough, 2018; Cooley, Heathershaw and Sharman, 2018; United Nations, 2020). This is because the kleptocrats looting their countries need the help of firms and actors residing primarily in the West to both hide and legitimize their money. The laundering of wealth goes hand in hand with a wide set of strategies for the management of kleptocratic reputations that are vital for their status and prosperity in the long run (Cooley, Heathershaw and Sharman, 2018). However, empirical academic work outlining how this occurs, and with which consequences, is still scarce. How is it possible that money from kleptocracies reaches the major centres of international finance in spite of the systems that major corporate actors have evolved to identify and stop illicit financial flows? This paper aims to provide an explanation of the conveyor belt that allows Politically Exposed Persons (PEPs) to rehabilitate their money in the West, while inserting Nigerian material in contemporary debates. It fleshes out the value chain of service provision going from developing, resource-rich countries, to Western boutique firms or 'rogue' service providers, and ultimately reaching out to the large blue-chip firms that are instrumental for the validation of PEP wealth and reputations.

In order to do this, we build on incipient and developing literature on enablers (Heathershaw *et al.*, forthcoming) and flip the angle of analysis from the service providers to the PEPs themselves, in order to appreciate the loopholes that an often-adopted institutionalist perspective, on its own, might not be able to catch. To this end, the paper traces the full trajectory of established money laundering practices by focusing on three in-depth case studies of Nigerian PEPs and their enablers: James Ibori, Dan Etete and Alison Diezani-Madueke. Data collection has been carried out through the close reading of nearly fifty documents from several jurisdictions, including court proceedings, interview transcripts and land registry records, and complemented by semi-structured interviews with investigators and experts. We use an interpretive practice tracing methodology (Pouliot, 2015) to elucidate and test the steps leading to money-laundering.

Our findings show that, first, enablers are a moving target: even when large firms adopt more stringent procedures, there are always 'boutique' or one-man-band operators (indeed usually a man, rather than a woman) happy to assist PEPs. Second, the 'rogue operators' explanation is insufficient: once the groundwork of the 'boutique' actors legitimises the PEP's actions, larger, reputable firms willingly take on board the business. This points to a pattern of systemic implication in enabling practices. Third, we ascertain that enabling is conducted by a wider range of actors than those typically invoked when discussing such practices, e.g., bankers, lawyers or real estate agents. We pinpoint professional figures not usually treated as enablers but who are nevertheless instrumental in the accumulation of illegal gain and money laundering. In the Nigerian case, commodity traders play an especially significant role in this regard.

On the basis of these empirical insights, we argue that there is the need for a conceptual shift in the way enablers are framed and analysed. A frequent problem in the literature and in the policy discourse is the mutually exclusive manner of approaching the topic: either a certain individual/firm is an enabler of corruption, or not. But throwing all professionals into the same basket detracts from conceptual accuracy, with consequences for the policy response. We argue that it is more useful to think of it in terms of *mutually reinforcing layers*. As illustrated in the

case studies and elaborated upon in Conclusion, the basic division we foresee is two-fold: the environment of enabling professionals can be divided into *upstream* and *downstream* roles.

How can one understand the interaction between these different enabling layers? To appreciate the differences within the population of enablers, it is essential to get a nuanced understanding of the practices that characterise their activity. To unravel the steps by which money laundering takes place, we set out to investigate the path Politically Exposed Persons (PEPs) take in their efforts to launder money. For this reason, we propose a small-N investigation of case studies that are high in detail, for which we were able to obtain a large amount of documents, and that are therefore able to shine light on both the *practices* and the *steps* in the process.

The rest of this article is structured as follows. Section 2 contains a contextualisation of the political economy of Nigeria (the country of origin of our PEP case studies) as well as of the international financial architecture that is front and centre in the processes of money and reputation laundering, while also explaining the rationale for our case selection. We then (Section 3) proceed to outline the methodological framework, explaining how we adopt practice tracing, conceptualising our categorisation of enabling practices, and incorporating them into the practice tracing chain that takes a PEP-centred approach. Section 4 applies this framework to the three empirical case studies. Finally, we elaborate on the insights uncovered through the case studies in the Conclusion, formulating three sets of findings and identifying areas for further research.

2. Background and rationale

In contemporary capitalism, money flows are deregulated, informalised and globalised. One of its key features is an "offshore world" of financial structures, institutions and techniques designed to provide secrecy, asset protection and tax exemption. Although often associated with small states, the expansion of offshore has been fostered by the global financial industry and associated service providers and long benefited from the support of major industrial states as well as rising powers. The offshore world is thus not a "peripheral development but is structurally related to, and indeed enables, the globalizing tendencies of the modern economy" (Palan, 2006, p. 12). Its major actors are not so much the proverbial tax havens, but firmly onshore metropolitan financial centres such as London and New York.

In this context of financial globalization and transnational service provision, kleptocrats from resource-rich developing countries find massively expanded opportunities for engaging in money laundering, which means the "processing of […] criminal proceeds to disguise their illegal origin" (FATF, 2021). Money laundering, which was not defined as an illegal activity in most states a generation ago, as well as other enabling activities, have been the subject of worldwide regulation. Many erstwhile practices are now the subject of scrutiny, especially by banks. However, the AML regime remains flawed, and enablers show a great degree of inventiveness in circumventing rules as they emerge. In major financial centres in the West and, more recently, Asia, they are able to establish clientelistic relations with a community of professional agents, intermediaries and service providers (often labelled 'enablers'). *Enabling* "comprises a web of interrelated practices that go beyond the economic realm to encompass various social-networking and political techniques", including "securing the right for the kleptocrat to reside overseas, running an aggressive image-crafting and public relations campaign, and using philanthropic activities to ensconce the kleptocrat in a web of transnational alliances" (Cooley, Heathershaw and Sharman, 2018, pp. 44–45). In other words, this includes not just financial experts such as bankers, accountants and wealth managers but a

wider array of service providers that help PEPs acquire social legitimacy. *Reputation laundering* is the process of "minimizing or obscuring evidence of corruption and authoritarianism in the kleptocrat's home country and rebranding kleptocrats as engaged global citizens" (Cooley, Heathershaw and Sharman, 2018, pp. 44–45).

While illicit financial flows to international financial centres are a worldwide problem, its impact is even greater in particular regions. Although data on this subject needs to be approached cautiously, UNCTAD (2020) estimates that $88.6 billion per year leave Africa in the form of capital flight. By contrast, African countries only received $45 billion in FDI in 2019 and will likely have received half of that in 2020. The significance and consequences of illicit financial flows out of Africa have been further illustrated by investigative efforts such as the Panama Papers and Luanda Leaks, among others, that reveal massive engagement by foreign investors as well as African regimes and High Net Worth Individuals (HNWI) in offshoring strategies that impact negatively on African development. The insights from these investigations confirm the portrait established by myriad policy and advocacy work on Africa. Together they present Africa as a continent affected to an unusual extent by the strategies of tax avoidance/evasion, outward financial flows (both legal and illegal) and corruption enabled by the offshore world.

Nigeria's postcolonial trajectory epitomises many of these dynamics. Africa's largest economy and leading oil producer, Nigeria's vast wealth has failed to benefit the vast majority of Nigerians. Through the vagaries of democratic government and military dictatorship alike, this wealth has instead accrued to the country's elites, which have in turn sought to place it abroad for their own security and benefit. These Nigerian offshore strategies are longstanding and predate the widespread adoption of such behaviours by many other kleptocratic elites across Africa. Evidence from Nigeria's oil booms of the 1970s and early 1980s already points to the use of foreign trade and financial sector linkages to export capital to western financial centres, and especially to London and the British offshore system. However, such practices have arguably expanded with the advent of democracy in 1999 and the further diversification of Nigerian international links. The fragmented character of power in federal Nigeria and the short timespans that result from the significant turnover in political office have further contributed to the dissemination of offshoring strategies to a wide range of Nigerian PEPs.

Within Nigeria's corruption-prone political economy of the last two decades, this paper provides detailed studies of three PEPs: Dan Etete, James Ibori and Diezani Alison-Madueke. The advantages of the three case studies are first, the extraordinary opportunity afforded by the fact that so much data is now in the public domain. Research into PEP money laundering value chains can be riddled with data gaps that detract from clear process tracing, but in these cases we have meticulous and authoritative information on how the three PEPs acquired, exported and sought to launder their wealth. Second, the individuals we focus on are not outliers: they are leading political appointees in one of world's major oil exporters – two influential former oil ministers and a former state governor from a resource-rich state with national clot – whose close study has obvious heuristic value for understanding the transnational character of money laundering. While there are specificities to all three PEP trajectories that makes comparing worthwhile, they share important traits. Moreover, the way they have acquired their foreign real estate interests is in line with the patterns we have discerned in our larger dataset of African and Eurasian PEPs.

One possible limitation of these case studies is precisely the fact that they emerged into the public domain in the first place. They could, for that reason, be seen as atypical of PEP

trajectories where successful transition to a respectable and legitimate status in metropolitan centres is by far the most common outcome. We would instead argue that this different outcome is linked to their loss of political power rather than to modus operandi that are starkly different from the more frequent PEP strategies. Media investigations of all three started while they were still in office but incumbency long protected them from scrutiny. Formal legal investigations, let alone convictions, only occurred when these individuals no longer held office. While losing power does not necessarily lead to a criminal conviction, as demonstrated by the case of Alison-Madueke, there is no doubt that it increases PEP vulnerability and chances of detection. At this stage, the PEP no longer enjoys the protection of a sovereign state, which will have inhibited national and international enforcement up to that point, and is exposed to retaliation by rivals now holding power and in possession of incriminating evidence. While the exposure of the activities of the three PEPs studied here differs from the impunity still experienced by most other PEPs, the value chain data that we put forward in this paper clearly lays out forms of engagement with enablers that are in every sense typical of broader patterns.

3. Methodology

Given the aim of understanding the *practices* and the *steps* in the process in order to analytically expose the inner workings of enabling practices (Section 2), the natural choice of methodology falls within the realm of *process tracing*. This methodology, originally formulated by Alexander George and Andrew Bennett (George and Bennett, 2005), was born as a strategy to study causal mechanisms in a single case research design. While process tracing is often framed within a neo-positivist perspective, it can also be used within a critical realist or interpretive perspective. A prominent application of process tracing that is interpretative in perspective, and particularly suited to our material insofar as explicitly dealing with practices, is *practice tracing* (Pouliot, 2015). This section addresses the data collection and then passes to explain how practice tracing is applied in our research design, proposing a new categorisation of enabling practices and outlining the steps of the practice tracing chain.

3.1. Data

The case studies selected for this paper (as explained in section 3 above) build on a wider dataset of residential real estate purchases in democracies by politically exposed persons from states widely regarded as kleptocracies. This dataset, composed by piecing together findings from investigative journalists, academics, and civil society in several different languages, has been created in the frame of the research project 'Testing and evidencing compliance with beneficial ownership checks' (2019-2021)[1]. The long list of property purchases was collected by taking into account significant contextual factors for illicit finance, including regionality (Ledeneva, 2013), type of economy (whether it is resource-dependent (Kurronen, 2015)), size of economy (whether it is a major 'emerging market'), and designation of 'high risk third country' (Redhead, 2019). Inclusion on this list does not automatically mean that these transactions were of a criminal nature; nevertheless, all of these transactions would be

[1] Aside from the two authors of this paper, the project's team members are: John Heathershaw, Alexander Cooley, David Lewis, Tom Mayne, Casey Michel and Jason Sharman. The project is funded by the Foreign and Commonwealth Development Office (FCDO) through the Anti-Corruption Evidence programme, run by Global Integrity.

designated as 'high risk' according to the current version of the UK's Money Laundering and Terrorist Financing Regulations (UK, 2019), adopted in 2019.

Our long list has 56 cases taking place between 1995 and 2020. We adopt a cross-regional focus, featuring both postcolonial Africa (23 cases) and post-Soviet Eurasia (33 cases), which reflects the expertise we possess as a group of authors. From this dataset, we have singled out a sub-set of seven Nigerian PEPs (as shown in Table 1 below). Finally, we have identified the three case studies that i) allow us to cover a significant time span of 25 years with regard to the coming to power of the PEPs analysed (starting 1995), and of over a decade of law enforcement efforts in democracies (2007-2020), ii) have all been either investigated or investigated and prosecuted by authorities in the UK, US and/or France, and iii) represent a variation of successful enforcement (James Ibori), partially successful enforcement (Dan Etete) and unsuccessful enforcement in terms of aborted investigation (Diezani Alison-Madueke). The three cases we picked were, furthermore, are those best evidenced by documentation from law courts (including asset freezing orders, land registry records, transcripts of interviews and court statements), high-quality investigative journalism reports, and other material that is highly reliable insofar as being as close as possible to the source of the events, and therefore particularly apt for use in process and practice tracing (Collier, 2011; Bennett and Checkel, 2014; Pouliot, 2015; Gonzalez-Ocantos and LaPorte, 2019).

Table 1: Seven cases of suspicious real estate transactions by Nigerian PEPs in the UK, in the US and France (with chosen case studies in blue highlighting)

No.	PEP	Held political office?	Period in power	Enforcement Action?	Period of investigation/ prosecution	Action successful?
1	Abubakar Audu	Yes	1992-3 & 1999-2003	No		N/A
2	Paul Ogwuma	Yes	1993-1999	No		N/A
3	Dan Etete	Yes	1995-1998	No	2007-2021	Partially
4	Diepreye Alamieyeseigha	Yes	1999-2005	Yes	2005-2007	Partially
5	James Ibori	Yes	1999-2007	Yes	2007-2012	Yes
6	Chukwuma Soludo	Yes	2004-2009	No		No
7	Diezani Alison-Madueke	Yes	2007-2015	Yes	2015-2020	No

3.2. Method: Practice tracing

Practice tracing was developed in the social sciences by IR scholar Vincent Pouliot (2015). The decision to focus on practices and not on mechanisms (as done in classical process tracing) stems from the way these are defined. Practices are "socially meaningful and organised patterns of activities; in lay parlance, they are ways of doing things" (Pouliot, 2015, p. 240). They are relevant to process tracing because they, too, have causal power like mechanisms, but, unlike mechanisms, they do not merely provide a bridge between two steps: they characterise the modus operandi of a class of individuals ('practitioners'). In that sense, they are „the generative force thanks to which society and politics take shape, they produce very concrete effects in and on the world" (Pouliot, 2015, p. 241).

According to Pouliot, a successful application of practice-tracing should accomplish two basic aims: 1) demonstrate local causality, and 2) produce analytically general insights. Adopting a broad understanding of causality, Pouliot argues that meaningful causality can only be found in fine-grained, heavily context-bound social inquiries, which need to draw as much as possible from the source. That is why the preferred data collection methodology is participant observation; however, this often not being possible, interviews and other material coming as close as possible to 'the source' (to the actors and their practices) are to be preferred. Once the local causality is established, however, good practice tracing should not limit its findings to the specific case that was studied. A careful application to a local context is capable to offer more widely applicable insights, as "induction, interpretation, and abstraction are not competing objectives, but mutually reinforcing operations in practice tracing" (Pouliot, 2015).

In applying practice tracing to our material, we take stock of the existing literature and start with categorising the practices we expect to find, later moving on to sketch out the main steps of the practice tracing chain that we anticipate to observe in the empirical case studies.

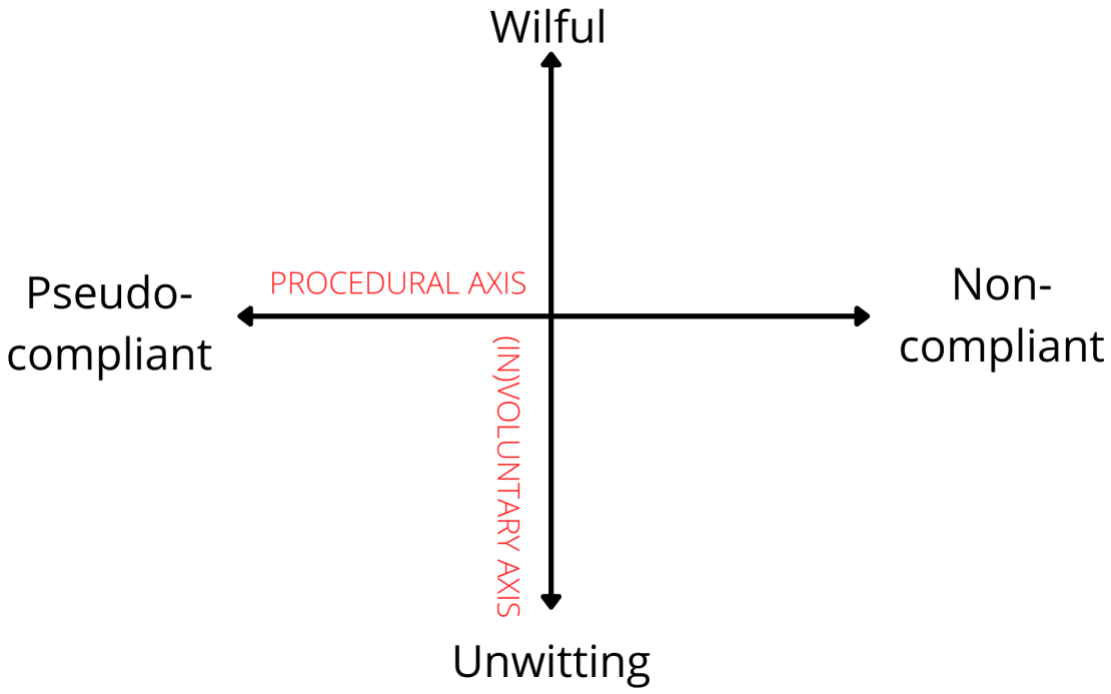
3.3. Practices: The enabling activities that make money laundering possible

Although the academic literature on the offshore world and on the international financial architecture behind grand corruption (as outlined in Section 3) has built an increasing understanding of the complexity of the global enabling environment, relatively little effort has been dedicated to categorise the practices that underpin the enablers' activity. One of the most valiant attempts in this regard is contained in a specialist report by Transparency International UK (Cowdock, Simeone and Goodrich, 2019, p. 14). By ordering enabling practices from most compliant to most complicit, the authors identify five categories: *active compliance* (procedures are followed, red flags are identified and acted on), *unwitting involvement* (checks fail to identify clear red flags, for example, due to deception by the client), *wilfully blind* (of an enabler that avoids and/or does not carry out checks), corrupted (high-risk clients targeted as part of the business model) and *complicit* (knowingly involved in facilitating corruption and/or money laundering offence).

This categorisation assumes that the level of involvement is linear. And yet, behaviour that is compliant is not always carried out in good faith that it will satisfy the spirit of the laws and/or regulations; whereas non-compliant behaviour might, depending on the situation, be carried our more or less wittingly. That is why we argue that TI's analytical framework can be given more explanatory power by structuring it alongside two axes: the *procedural* and the *(in)voluntary*. The procedural axis ranges from behaviour that is *pseudocompliant*, i.e. attempts to be, or at least presents itself as being, compliant with the law, and *non-compliant*, i.e. contradicts the laws or regulations outright. The (in)voluntary axis addresses the level of involvement, which can be *unwitting* or *willful*. This produces four sets of practices, which are here listed in order of severity, and represented visually in Graph 1:

1. **Pseudo-compliant/Unwitting** (e.g. Oxford university giving Alison-Madueke a platform to speak about how her government was cracking down on corruption; Private schools receiving tuition fees for Ibori's children from an offshore account controlled by Gohil)
2. **Pseudo-compliant/Wilful** (e.g. JP Morgan's transfer of highly suspicious OPL245 funds after having filed SARs; Real estate agents proceeding with transactions)
3. **Non-compliant/Unwitting** (e.g. bank managers creating bank accounts without conducting proper background checks)
4. **Non-compliant/Wilful** (Gohil or Granier-Deferre actively scheming to create financial and real estate structures for Ibori and Etete, respectively)

Graph 1. Categorisation of enabling practices



3.4. Steps: What the kleptocrat needs to do to launder their wealth

Like process tracing, practice tracing foresees a causal chain that is composed of a series of steps, which are characterised and linked by the practices (in process tracing: mechanisms). The connection of all the steps of the chain must be validated for the causal link to be established. In designing our steps, we decide to take an angle of analysis that focuses on the PEPs themselves, rather than on the service providers. Many studies concentrate on the issues that occur with the enablers' complying/not complying with a specific set of regulations, analysing their performance on a wider (e.g. yearly) basis, and therefore abstracting their activity away from a thin-grained, contextual focus. By starting from the PEP's own trajectory, we are able to highlight opportunities of abuse that would be lost if focusing only on distinct categories of potentially problematic service providers. In our research design, we must therefore consider all the hurdles jumped by the PEP / money launderer to succeed in laundering ill-acquired wealth. The TI report cited above gives a useful outline of such steps (Cowdock, Simeone and Goodrich, 2019, p. 15):

> "Corrupt individuals face three key hurdles to enjoying the benefits of their activity:
> 1. First they must **obtain corrupt wealth** – for example, through soliciting bribes, rigging procurement, embezzling funds or unlawfully acquiring state assets – without being caught.
> 2. Then they **need to distance themselves from the proceeds of these crimes by moving these funds**, either to alternative bank accounts and companies or by investing them in assets such as property.
> 3. Finally, **they must defend their corrupt wealth**, via either the UK legal system or cleaning their reputations and integrating themselves into the UK's elite."

Furthermore, it is important to consider the international dimension, as highlighted by Global Witness (2018):

> "We know […] that the lifecycle of a corrupt official almost always has three distinct parts. First, they steal the money, usually using an anonymous company to cover their tracks. Second, they move the money into the international financial system using a bank or a money manager of some sort to help them along. The smartest of the criminals have learned to hedge their bets and choose a couple of different locations into which to move their dirty money. That means that if one doesn't work out, they always have a backup plan. Third, they move themselves and their family offshore to a luxurious and exotic bolt-hole to enjoy the spoils of their stolen funds whilst also protecting themselves and their assets from reprisals. This is a pattern we have seen time and time again – a tried and tested way for the criminal and corrupt to get the most out of their stolen loot. It means that the money flows and corporate networks that arise from these dirty deals end up all around the world" (Pace and Dunn, 2018).

The four steps we have identified as key elements of the process tracing chain are, therefore:

1. Obtaining corrupt wealth: ascent to power and accumulation of capital

2. Distancing from the proceeds of crime 1: Moving funds
3. Distancing from the proceeds of crime 2: Reinvesting the money
4. Defending the corrupt wealth

4. Empirical

How do the practices outlined above work in practice, and what are the variations that can be observed? The three exemplary case studies that follow, analysed through the framework presented above, will provide insights into these dynamics.

4.1. JAMES IBORI

James Ibori (born 1959) was governor of Delta State in Nigeria from 1999 to 2007, under the presidency of Olusegun Obasanjo. The accumulation of his wealth was shown to have occurred largely from the sale of state assets, whose beneficiaries were often companies owned by Ibori and his family members. Ibori laundered vast amounts of criminal proceeds in the UK, by tapping into its property market and acquiring other precious assets through offshore structures. After an investigation that was considered as 'truly a great success of international law enforcement' (interview with Reuters journalist), Ibori admitted his guilt, and so did some of his key London-based enablers. After five years of investigations in the UK and in Nigeria, Ibori capitulated on 27 February 2012, pleading guilty in a London court to 10 counts of money laundering and conspiracy to defraud, while also admitting to stealing $250m from Nigeria. After serving 4 of the 13 years he was sentenced to in 2012, Ibori was released in December 2016 upon a court order. He has since experienced rehabilitation in Nigeria and it is suspected that his money laundering practices may continue to the time of writing (2021), as four of his close associates have been exposed as owning considerable luxury real estate in Dubai.

This case study focuses on the role of Bhadresh Gohil, Ibori's UK lawyer, who has emerged as the key architect behind Ibori's money laundering efforts, but it also highlights how other (more 'standard') professional figures were complicit in enabling Ibori's activities. Gohil helped Ibori conceal and launder the money, as well as facilitating some of the acts of corruption directly. Aside from Gohil, Ibori had at least another lawyer called Ian Timlin, from the respectable larger firm Speechly Bircham (since absorbed into Charles Russell Speechlys), who was engaged to help Ibori with criminal defence once it became clear that the Metropolitan police were investigating him and Gohil. Timlin's role in trying to thwart the police was commented upon with dismay by the UK Court of Appeal. Ibori could also rely on a number of people tasked with setting up bank accounts, of whom Ellias Nimh Preko (formerly a Goldman Sachs banker) was one. Furthermore, he was aided in his efforts by a constellation of accomplices including his lover, his sister, his wife, and his assistant.

Step 1. Obtaining corrupt wealth: ascent to power and accumulation of capital

From 1999 to 2007, Ibori was the Governor of the oil-rich Delta State in Nigeria. While in office, Ibori reported a salary of approximately £12,000 per annum and said that he possessed no cash or bank account outside of Nigeria – claims later revealed to be untrue. Investigations in the UK and Nigeria found him to have been engaged in "financial criminality on an eye-watering scale": he routinely abused the powers of his office to award lucrative and inflated state contracts to businesses owned by his family and associates. Misappropriation included funds from state telecoms & oil companies.

His corruption is well-documented: Ibori's case and extradition was one of the most extensive operations ever carried out by Scotland Yard in this field. On Tuesday, April 17, 2012, Ibori was sentenced to 13 years by Southwark Crown Court for his crimes. With the "active assistance and participation" of his UK lawyer Bhadresh Gohil, Ibori fraudulently diverted and misappropriated millions of dollars in Delta State funds to various businesses he controlled through his relatives and associates.

Step 2. Distancing from the proceeds of crime 1: Moving funds

Bhadresh Gohil has been defined as the "architect at the centre of it all" (interview with former Metropolitan police officer) and "Ibori's professional money launderer". He used a web of shell companies in multiple jurisdictions, opening dozens of bank accounts to launder and conceal the proceeds of corruption. Gohil was a solicitor and partner at the boutique law firm Arlingtons Sharma, London. In 2007, the Metropolitan Police raided Gohil's London offices and found computer hard drives containing details on complex and wide-ranging offshore structures set up on Ibori's behalf.

Beyond doubt, Gohil dived into the business relationship with Ibori with his eyes open.[2] In completing a customer due diligence form for Barclays bank account for an engineering company that was later used to launder money, the Arlingtons Sharma lawyer did not bat an eyelid in describing Ibori as a "significant tribal leader with family connections in the oil industry going back to the 1950s, of substantial wealth, who is occasionally called upon to participate in political events". In another note, Gohil stated "I travelled to Nigeria and visited him in his substantial home. He is an independently wealthy man". At the time, James Ibori was, in fact, a convicted shoplifter in the UK, using a false identity, who had been elected state governor (with a salary of less than £20,000 a year) and was found to have been laundering money for dictator Sani Abacha through a Credit Suisse account.

A first significant case, illustrating the way Gohil and Ibori operated, is that of African Development Finance Ltd (ADF). Set up in 2005, this company was used to provide fraudulent

[2] Gohil's position was further tarnished by a lawsuit brought against him by his ex-wife, who argued that, in the light of his role in Ibori's money laundering affairs, he was hiding his real assets in the divorce proceedings and sought (unsuccessfully) to obtain part of the proceeds for herself. Gohil now presents himself as a "whistleblower who exposed massive Met Police/CPS disclosure failures, Police Corruption and cover up by CPS" (from his twitter profile). While curating his image of an anti-corruption fighter, he does not seem to be publicly contesting the charges of money laundering for which he has been convicted.

consultancy services to Delta and Akwa Ibom states for services related to these states' efforts in selling their shares in the mobile phone company V Mobile. The amount of fees collected neared $38m ($37.82). The services provided by ADF did not add any real value, because both Delta and Akwa Ibom had already lined up investors. And yet, ADF was entitled to receive a flat fee of 5% of the stock sale value, on top of several other benefits. These funds were initially deposited onto an account at Access Bank Nigeria. Gohil was instrumental in directing this money to offshore accounts, some controlled by associates of Ibori, some controlled by Gohil (in Singapore and Hong Kong), and one account opened in the name of Gohil's law firm.

A company that ended up playing a big role in several schemes is Teleton Quays Ltd, set up in April 2015 in the British Virgin Islands (BVI). Teleton Quays was used to purchase a cca-£300,000 property in Dorset, England. The UK prosecutors have shown that this property was purchased so that Ibori could have a residence near the school where his children were students, i.e. the Port Regis private school. The purchase was also facilitated by Ibori's mistress Okoronkwo, who drew a large check from her personal HSBC account to pay for the property. Parabola International Corp., a Mauritius firm, is another company set up by Gohil to launder Ibori's criminal proceeds. Ibori abused his office to set up a 'racket' with the transport company MER at its centre, which used to rent barges for the transport of oil and thus received substantial revenue from oil companies operating in Nigeria. Gohil funnelled money from MER into various accounts in Switzerland held in the name of Parabola.

Another service provided by Gohil to Ibori was access to British banks, by allowing his client to use his law firm's accounts to receive, deposit and send money. One instance concerned the payment of the private school tuition for Ibori's children in 2005. To pay for this, as well as other personal bills, Gohil funnelled $850,000 through the Nigerian firm Ken Oil & Gas into a client bank account controlled by Gohil's firm. In March 2007, Gohil opened an account in the name of Theresa Ibori, James' wife, at American International Depository and Trust Private Bank. Bills for approximately $500,000 were paid through this account, for which, once again, Gohil kept power of attorney.

Other enablers include the above-mentioned banker Ellias Nimh Preko, fiduciary agent Daniel Benedict McCann and corporate financier Lambertus de Boer. All were jailed. In particular, Preko (a Ghanaian national and former Goldman Sachs employee) received a four-and-a-half year sentence in 2013 for his part in laundering $4m of Ibori's dirty money. He had left Goldman when he committed the offences and the bank was not accused of wrongdoing. In 2019, Preko has been ordered to pay £7.3m by a British court, or face one more decade in prison.

Step 3. Distancing from the proceeds of crime 2: Reinvesting the money

In the UK, Gohil helped funnel Ibori's ill-gained proceeds into luxury goods, including property. Among the possessions confiscated by Scotland Yard in 2012 there were a house in Hampstead, north London, for £2.2m; a property in Shaftesbury, Dorset, for £311,000; a £3.2m mansion in Sandton, South Africa, a fleet of armoured Range Rovers valued at £600,000; a

£120,000 Bentley Continental GT; and a Mercedes-Benz Maybach 62 bought for €407,000 cash. While the mansion in Dorset was acquired through Teleton Quays, the houses in the well-off neighbourhoods of Hampstead, Regent's Park and St John's Wood were purchased through the company Haleway Properties Ltd, which Gohil set up for Ibori in Gibraltar. Furthermore, it is worth noting that Gohil opened two US accounts at Merrill Lynch in 2000, in the name of the above-mentioned company Parabola. In the USA, Ibori acquired a $1.8m house at 931 Enclave Lake Drive, Houston, Texas 77077, for $1.8m, in 2007, titled in MER's name.

A particularly complex deal that Gohil arranged was that for the purchase of the Canadian Bombardier Challenger Jet, worth about £20m. The contract was signed in 2006 between Bombardier, the above-mentioned Teleton Quays, and a third company called Erin Aviation Ltd (this one, too, controlled by Gohil). Part of the money ($4.7m) came from Parabola Int. Corp, through Arlington Shares. A second part of it was sourced through a Swiss bank account of the company Stanhope Investments (Seychelles), which was exposed in the Panama Papers as being linked to Ibori, and whose agents were the infamous Mossack Fonseca. This payment, too, was rooted through Gohil's law firm Arlingtons Sharma. A third part of the payment came from the company Wings Aviation Ltd, which was found by the UK's Proceeds of Crime Unit (POCU) to be owned by Parabola and Stanhope. The jet, however, was never delivered because POCU managed to freeze the funds destined for the purchase.

Step 4. Defending the corrupt wealth

James Ibori did not go down easily. The arsenal of methods employed since UK authorities started investigating him (and then, in 2012, finally summoned enough evidence to arrest him), include attempts to frame the Scotland Yard agents as corrupt[3]; his escape to the Emirates, from where he pushed back against extradition; the partial rehabilitation of his image in Nigeria and the possibility of continued money laundering through Dubai.

It is at this point that the role of Ian Timlin, of London law firm Speechly Bircham (SB), came in the story. At the time, Timlin was a partner at SB, which were considered a relatively large (at the time of writing, after a merger, they became even larger) and well-respected law firm. Hired by Ibori to help with potential criminal defence matters once it became clear that he was under investigation by the police, Timlin resorted to less than orthodox methods. As heard in the evidence presented at the Court of Appeal, Timlin actively assisted Ibori in trying to thwart the police, especially by persuading the Nigerian authorities to withdraw their cooperation and to prevent material collected by the EFCC in Nigeria from being used in UK courts. His role could have gone even further, as explained by an investigative journalist (interview with Reuters journalist, 2021):

> "My understanding is that Gohil was Ibori's lawyer for things like conveyancing on his properties (ostensibly), while Timlin was engaged to help Ibori with potential criminal defence matters once Gohil and Ibori found out that the Metropolitan Police were onto him. Speechly Bircham, through Timlin, were involved in paying invoices sent in by Cliff Knuckey, the

[3] https://spyscape.com/podcast/bring-down-the-big-man

> private detective acting for Ibori who was later accused of having paid bribes to DC McDonald in return for inside information. (That has never been proven, and as the Court of Appeal said, if Knuckey DID pay bribes to McDonald, he did so at Ibori's instigation, in Ibori's interest and with Ibori's money, so that hardly diminishes Ibori's guilt!)"

Timlin left London for a few years after the Ibori conviction, working in Guernsey. However, after this hiatus, Timlin returned to London, where he kept working for another respectable law firm[4] – avoiding any legal consequences for his involvement in the Ibori ordeal.

In 2017, after serving four years in prison, Ibori returned to his home state in Nigeria, where he remains a major political figure. His rehabilitation (at least by parts of the Nigerian elite) is suggested, among else, by the positive tone the local press gives to his love life.[5] Ibori's conviction and the end of his prison sentence do not mean that his old practices have disappeared. Using Sandcastle data, Matthew Page identified four Ibori associates owning sprawling, multi-million-dollar residencies in Dubai in 2020, noting: "Although his associates may have used their own funds to purchase their properties, it is possible that they hold, or previously held, them on behalf of Ibori or purchased them with funds they received from the man who ran one of Nigeria's most oil-rich states from 1999 to 2007".

4.2. DAN ETETE

Chief Dauzia Loya Etete (born 26 January 1945), colloquially known as Dan, was the Petroleum Minister under the dictatorial and extremely corrupt regime of military general Sani Abacha. Originally from the state of Bayelsa, located in the oil-rich, southern area of the Niger Delta, Dan Etete presented himself as a 'peacemaker' figure with the powers of the North. The Petroleum Minister is a very influential figure in Nigeria, as his competencies make him an enormously powerful gatekeeper. Etete assumed the position of Petroleum Minister in 1995, two years into the start of Abacha's rule, and kept it until the end of the regime in 1998 (Abacha's death).

The successors to Abacha – Abdulsalami Abubakar in 1998, and Olusegun Obasanjo in 1999 – initiated proceedings to investigate the acts of grand corruption committed under his regime. With an estimated $3-5bn looted over the course of his rule, corruption under Abacha is said to have reached "a level until then never seen in the history of Nigeria and rarely seen in modern history"[6]. It surfaced, for instance, that $400m were looted through the Nigerian Central Bank over the course of four years (1994-1998). Switzerland was able to identify as much as $290m in their country stolen during the Abacha regime and ordered restitution of it to the Nigerian authorities.[7]

[4] https://mccarthydenning.com/team/ian-timlin/

[5] In 2017, when he married Sename Sosu, The Nigerian Voice titled: "How [Sosu] Stayed Loyal To Ex-Delta Governor While He Served Prison Term", writing that "Ibori is in love with Sename Sosu-Ibori. We don't begrudge her. She has weathered the storm with James, why should she not enjoy herself? You hardly come by such a woman" . (Sosu was, however, refused entry into the US in 2019).

[6] Paris Court of First Instance, *Public Prosecutor's Office v. Etete and Granier-Deferre*, 7 November 2007, p. 10.

[7] John Campbell and Matthew Page, *Nigeria: What Everyone Needs to Know* (Oxford University Press, 2018).

While there is usually a certain 'pact of non-aggression' among presidents once a successor takes over, Obasanjo was keen to expose the brutality and corruption that occurred under Abacha, by whom he had been jailed and tortured. For obvious reasons, Etete was thus no longer a welcome figure in those years and ended up spending the best part of Obasanjo's presidency (1999-2007) in France – where he laundered part of the proceeds of corruption obtained during his time in power. The analysis in this section focuses on these acts of money laundering, as uncovered, mainly, by the French prosecution services.

Step 1: Getting to power and accumulation of capital

Much of the international coverage of Dan Etete's corruption focused on the 'OPL 245' scandal: a contract for exploration of a large oil block that Etete – in his capacity as Petroleum Minister – awarded to a BVI company he beneficially owned ('Malabu') just a few months before the end of the Abacha regime. While the involvement of international companies (Shell and Eni) in paying bribes, and banks (JP Morgan) in wiring the proceeds of corruption is well established,[8] judicial proceedings to determine the guilt of these companies are still undergoing in Italy, in Nigeria and in the UK. What is wholly uncontroversial, however, are the dynamics surrounding the multi-million-dollar bribes paid to Etete by oil trading companies, and the way he laundered this money in France and Switzerland with the help of several enablers, with Richard Granier-Deferre at their centre.

BVI-registered company Addax Petroleum – of which Granier-Deferre was a senior executive – was a company active in the oil industry, with headquarters in the Netherlands and a strong presence in West Africa in the mid-late 1990s. The Nigerian Special Committee found that, between October 1996 and December 1997, Addax carried out various payments benefiting the accounts of Sani Abacha and members of his family, identifying two payments for £1.9m and $385,000. But the total amount of these bribes is sure to have been were much larger: Richard Granier-Deferre himself quantified at about $10m the amount of hidden commissions paid to Dan Etete by Addax to obtain petroleum contracts.

As put by Jean-Pierre Decker, who was Addax's representative in Nigeria at the time: "When Mr. Etete assumed his duties, in order for business to endure, it was necessary to give money to Mr. Etete. […] If [one] did not pay this type of amount, it was better to pack one's bags and leave the country because there was no longer the possibility of entering into a single deal." Aside from Addax, another company that was found guilty of paying commissions for oil contracts to Dan Etete was ELF. The company's executives in Africa (Jean-Luc Vermeulen, Jean-Francois Gavalda and Francois Viaud) confirmed that they have been coerced to pay 20 million dollars in favour of a Swiss account (the 'Moncaster' account), to which Dan Etete was the economic beneficiary, to ensure the conclusion or the extension of the petroleum contracts.[9]

[8] https://www.globalwitness.org/en/campaigns/oil-gas-and-mining/opl-245-shell-and-enis-nigeria-deal/

[9] Viaud even stated that it was Dan Etete himself who provided the details of the bank account: "This file was handled by the Petroleum Minister personally… he notified me that a bonus of 5 million dollars per permit needed to be paid for the renewal of these permits".

The witnesses interviewed for the French money laundering case highlighted that this was standard practice, to which no company – however large and renowned – was immune. In the words of one of them: "All of these petroleum companies (Glencore, Vitol, Trafigura and Arcadia) had to pay to have access to these contracts". Addax and Richard Granier-Deferre himself were tried and convicted for these acts of corruption in separate proceedings in Switzerland, before the money laundering trial in France.

Step 2: Enablers getting the money out: moving the proceeds of bribery into Swiss accounts

From a business associate in the oil industry, Richard Granier-Deferre became Etete's personal 'fixer' in Europe. His ability to use personal connections with bank managers allowed him to set up the bank accounts and the offshore structures needed to launder the money. The French judgments give detailed information illustrating how he provided an all-encompassing service to Etete, stressing that such actions were conducted "in a habitual manner… resulting from the number of acts… taking place over several years". Etete and Granier-Deferre were sentenced for "utilising, pursuant to a financial engineering proceeding… the proceeds of bribery" in 2007 and again in 2009. The French prosecutors were able to prove the laundering of over 10 million euros and estimated that the total amount laundered in the late 1990s-early 2000s hovered at about €16 million.[10]

The court documents provide extensive evidence of how Granier-Deferre helped Dan Etete open accounts in Switzerland. A first account was opened on 30 October 1995 at Banque Constant under the name of Bukazi Etete (Dan's brother). The choice of opening an account at Banque Constant was because Granier-Deferre knew Charles Nehme, who worked in that bank. On 22 August 1997, a second account was opened at Bank Hoffman in Zurich. This time, the beneficiary was Dan Etete himself, but under a false identity (Omoni Amafega). The assets of the first account were subsequently transferred to the second, indicating that the real beneficiary had been Dan Etete all along, and not his brother. Granier-Deferre persevered in his efforts to open accounts for Etete in spite of some banks refusing to proceed – and eventually succeeded in his intent. Banque Constant no longer wanted to receive funds for Nigerian beneficiaries due to the international proceedings they were subject to, at which point "Granier-Deferre specified that he had offered Dan Etete an account at Bank Hoffman because he knew the manager of the bank". However, Banque Hoffman, too, eventually decided to terminate the Etete account. A further bank account was therefore set up at Credit Agricole Suez Geneva (CAI Geneva), where Granier-Deferre knew another manager personally, J.J. Bovay. The CAI Geneva account was opened on the name of the firm Moncaster Associated (BVI) and the beneficiary was Omoni Amafegha, alias for Dan Etete. On 15 September 1999, the CAI Geneva account was closed and assets were transferred to Gibraltar.Other accounts were thus opened at CAI Gibraltar (for Pentrade, a Bahamas company), as well as at Bank Claridien (for Volnay, a BVI company).

[10] The 2007 guilty ruling was appealed, but the conviction for money laundering was confirmed in March 2009. The Court of Appeal ruling lifted the prison charges, but increased the financial penalties for both Dan Etete and Richard Granier-Deferre to €8 million and €3 million respectively.

The 2007 judgment states that "the Constant and Hofmann bank accounts, the Moncaster and Pentrade accounts at the CAI have been open and were able to operate in an atypical way thanks to the special relations Granier-Deferre had with [bank managers] Charles Nehme and J.J. Bovay". It furthermore highlights that, by using his relationship with JJ Bovay, Granier-Deferre was able to facilitate the formation of Pentrade (Bahamas) and the opening of its bank account at CAI Gibraltar "for purposes of hiding the funds from criminal investigations being led in Switzerland in response to the Nigeria complaint against those close to General Abacha". He was also able to obtain reference letters signed by J.J. Bovay to be introduced to other banks, and in particular to CAI Paris, avenue George V.

The availability of money for Etete was ensured by circulating the proceeds of bribery through compensation, a system implemented by Addax and Notore Chemical Industries Plc. For instance, prosecutors were able to prove that in 1999, $633k were transferred through the Hofmann account, and $5m through the Moncaster account, benefiting Dan Etete. Another method were SWIFT transfers, "the majority of which ensured anonymity" – as stated in the judgment.Furthermore, cash was made available for Etete's benefit, either directly or indirectly, at CAI Paris and at BGPI Paris, through checks issued by these banks.

Step 3: Acquiring property abroad

Granier-Deferre helped convert the funds deriving from bribery through several methods. These include some of the above-mentioned strategies: by changing the units of account or payment instruments; through SWIFT transfers to pay personal bills, cash remitted to Paris, checks issued by the Parisian banks (CAI and BGPI). Cash was also remitted to Nigeria by the officers of Addax. Furthermore, funds were also laundered through bank investment (funds held in trust) and financial transactions (acquisitions of securities). The French prosecution was able to trace a series of fund transfers, ordered by Dan Etete, in favour of Addax and of Engee Holdings; as well as transfers to banks in Lichtenstein and Dubai; the provision of cash, and "the investment of funds going into trust".

Much of the cash was used for the purchase of real estate. With the help of a real estate company, Etete bought a building at 32 bis Boulevard d'Argenton, Neuilly sur Seine, for the sum of 28 million francs (about 4.2 million euro). These were paid by a check coming from CAI Geneva, drawn on the Moncaster account. On 15 March 2000, he furthermore acquired a property in Boulay Morin, Eure, for the sum of 7.5 million francs (over 1.15 million euro). This latter purchase was made through a check issued by Pentrade's CAI Gibraltar account; it was later resold, on 6 December 2002, for 657,000 euro. Etete furthermore acquired a property at 11 boulevard de la Tour Maubourg, 75007 Paris, on 28 August 1999. This costed 12 million francs and was paid through two bank checks; the investigation in Switzerland established that these funds came from Moncaster Associated. Etete also spent 6.3 million worth in art deco furniture for this apartment, paid again through Moncaster. Finally, he signed an undertaking to purchase property located in Nice worth 25 million francs, and put down a deposit of 2.5 million francs (taken from the Moncaster account), but this purchase was cancelled. The list of

further items Etete spent money on is long and ranges from cars to paintings, hotel bills, rifles, and two luxury boats.

Step 4. Pushing back against law enforcement, attempts to burnish reputation and continuation of practices

Etete tried – unsuccessfully – to frame the legal proceedings against him in France solely as a personal vendetta engineered by President Obasanjo, Sani Abacha's successor. Etete stated that Obasanjo wanted to get hold of the OPL 245 oil parcel which had been 'awarded to him' (or rather, that he awarded to himself) during Abacha's rule. Furthermore, it is useful to keep in mind that Etete did not cover important official political positions in Nigeria ever since the end of the Abacha regime. All along, he therefore needed to nurture his connections with the high echelons of Nigerian politics. It is illustrative, for instance, that president Goodluck Jonathan is suspected to have benefited from as much as $200m out of the OPL 245 proceeds (as testified by Ednan Agaev during the OPL245 trial in Milan).

The high likelihood of Etete's continued money laundering practices has been exposed by the material collected by Sandcastle (based on 2016 data)[11], which indicates that Etete transferred over $30m to individuals and companies in Dubai and bought at least two properties there, which are likely to be only the tip of the iceberg. Aside from property purchases and extravagant expenses, large-scale informal currency exchange was a way used to launder part of the proceeds. It is very likely that Etete made and is still making use of Dubai-based middlemen for his UAE dealings.[12] It is known that a former business associate called P. Ghaderi had assisted with administering at least one piece of property owned by Dan Etete in Dubai. In a phone interview with Finance Uncovered, Ghaderi stated that Etete's purchase of the Marina Residences property were just "the ear of the camel" (i.e., the tip of the iceberg) – but would not elaborate further, saying he fell out with Etete several years ago. Furthermore, he confirmed that Etete's property in Dubai was bought after the OPL 245 deal. Another potential facilitator, to be investigated further, is Peter Bosworth of Arcadia Petroleum.[13]

4.3. Diezani Alison-Madueke

President Goodluck Jonathan's Minister of Petroleum Resources during his period of almost six years as president of Nigeria (2010-2015), Diezani Alison-Madueke infamously neglected day to day management duties in favour of extracting resources in a manner that is unprecedented in contemporary Nigeria. She did so by pursuing "deals that served the political needs of her administration and enriched her and a small group of her cronies" (Gillies, 2020, p. 69). After her tenure was over, Alison-Madueke incurred a series of legal troubles in Nigeria,

[11] Matthew Page, "Dubai Property: An Oasis for Nigeria's Corrupt Political Elites", Carnegie Endowment, 19 March 2020 https://carnegieendowment.org/2020/03/19/dubai-property-oasis-for-nigeria-s-corrupt-political-elites-pub-81306
[12] The Carnegie report (Ibid.) notes that "Nigerian PEP's appetite for Dubai property is so voracious that a burgeoning group of middlemen now specialize in selling Dubai property to recently elected politicians and newly appointed officials".
[13] Margot Gibbs, "The Swiss chateau, the British oil trader and Nigeria's OPL245 'corruption' scandal", Finance Uncovered, 2 May 2019 https://www.financeuncovered.org/investigations/opl245-nigeria-dan-etete-shell-malabu-arcadia-petroleum-peter-bosworth-swiss-chateau-hotel-le-bristol-paris/

in the US and in the UK. In Nigeria, she has been accused of bearing ultimate responsibility for about $20 billion found missing during her tenure. Unlike the other cases examined in this paper, she has not been rehabilitated in Nigeria. This is linked, at least in part, to the fact that she had not been a state governor, and had never created a strong constituency, and a solid patronage network, for herself. At present, she remains in the UK, although British authorities have as yet not formally charged her of any crimes.

Step 1: Getting to power and accumulation of capital

Diezani Alison-Madueke is a Cambridge-educated executive from Rivers State with a long career at Royal Dutch Shell that culminated with her 2006 appointment as the company's Nigeria executive director. She became Nigeria's minister of transportation in 2007 before moving to the Mines and Steep Development Ministry in 2008. With the death of President Umaru Yar'Adua in 2010, her political patron, vice-president Goodluck Jonathan, ascended to the presidency. At this stage, Alison-Madueke was appointed Minister of Petroleum Resources and remained in this position until Jonathan lost his re-election bid in 2015. This tenure, during part of which she was also the first woman to have been elected as President of OPEC, was unusually long. Appointees to this powerful role have such a degree of discretionary power over oil contracts, revenue flows and the oil bureaucracy that, on occasion, presidents have claimed the role for themselves (Gillies, 2020). Alison-Madueke, however, was entirely trusted by Jonathan, who tasked her with managing the sector in the interests of their political coalition.

The connection with Jonathan is crucial in understanding the scale of the corruption and money-laundering affairs Alison-Madueke is involved in. The theft of oil money, in the middle of the oil price boom years, "escalated to stratospheric levels" under their tenure (Owen and Usman 2015: 460) and accelerated as the 2015 election approached. Some of it was used for personal enrichment, and some of it, there is little doubt, to satisfy patronage networks. It is noteworthy that, similarly to Etete and Ibori, Alison-Madueke is a prominent, prosperous and well-networked member of the Nigerian elite with significant transnational connections prior to her accession to a position of national power. However, her appointment to the Ministry of Petroleum Resources was on a different order of magnitude to her previous roles, and provided her with a unique opportunity for accessing funds.

In particular, Alison-Madueke used her position to award multiple Strategic Alliance Agreements (SAAs) to companies beneficially owned by her associates. This included both the lifting of crude oil and so-called swap arrangements. The companies that received these SAAs were unqualified and either improperly fulfilled their obligations, or entirely failed to perform. Nevertheless, these companies received more than $1.5 billion in revenues through the sale of Nigerian crude oil. Furthermore, under the swap arrangements, Nigeria was exchanging its crude oil for refined petrol in order to meet local demand. Two firms that appear in the later US DoJ's frozen order - Atlantic Energy Drilling Concepts Nigeria Ltd. and Atlantic Energy Brass Development Ltd. - were ultimate beneficiaries of several of these swap deals. These companies belonged to (Kolawole) 'Kola' Aluko and (Olajide Jones) 'Jide' Omokore, two key

enablers discussed below. Aiteo, led by Benedict Peters, was another oil trading firm with close ties to Alison-Madueke.

Step 2: Enablers and getting the money out

The cases of money laundering centre mostly on the proceeds originating from these deals. Alison-Madueke stands accused of using her position to influence the Nigerian National Petroleum Corporation (NNPC) and its subsidiary, the Nigerian Petroleum Development Corporation (NPDC), to direct the award of these opportunities to entities under the control or the beneficial ownership of individuals she favoured.[14] These individuals, as discussed below, proceeded to buy foreign property for Alison-Madueke and bankrolled her lifestyle.

In the first instance, Alison-Madueke resorted to known Nigerian associates, seemingly for reasons of trust. All ran 'boutique' firms - a characteristic shared by most of the enablers examined for Ibori and Etete, including non-Nigerians. They were not experienced international professionals associated with large corporations. Alison-Madueke was their patron. Although they have been described as "ambitious, low-level businessmen", they were effective enough in getting the money out, laundering it through the acquisition of real estate in the West, and establishing bridges to reputable service providers that further contributed to rendering the proceeds legitimate and, to some extent, improving Alison-Diezani's reputation. However, contrary to her own attempts at keeping a relatively low profile, several of these individuals engaged in ostentatious behaviour and were soon listed as dollar billionaires. This drew attention to their relationship with Alison-Diezani.

A part of the enabling story that is overlooked is the role that international oil traders played in this conjuncture. These companies were given crude oil in exchange for services they never performed but they had to sell that oil to the foreign traders that could bring it to the market. At the time these sales were happening, some of these companies already add a poor reputation. An expert commented that "everybody [already] knew these deals were rotten and corrupt". This did not prevent firms such as Glencore and Vitol from buying from them. Without those sales, Alison-Diezani's allies would not have been able to monetise their crude oil. So aside from estate agents, solicitors and disreputable middlemen, or the more prestigious entities that PEPs are mostly able to connect to at a later stage of the laundering process, the enabling role of international oil traders is noteworthy.

Step 3: Acquiring property abroad

According to the allegations found in the US DoJ, Omokore and Aluko: (i) conspired to and purchased millions of dollars in real estate in and around London, for the use and benefit of Diezani Alison-Madueke and her family (mainly, her mother), (ii) provided more than one

[14] Sayne, Aaron, Alexandra Gillies and Christina Katsouris, *Inside NNPC Oil Sales: A Case for Nigerian Reform* (New York: NRGI, 2015).

million dollars in furniture, artwork, and other furnishings purchased within the Southern District of Texas, and shipped some of them to London and Abuja, for the use of Alison-Madueke, and (iii) funded a lavished and privileged lifestyle for Alison-Madueke and her family. They used a series of shell companies based in the Seychelles and the British Virgin Islands and layered financial transactions to conceal the nature and the ownership of the proceeds of the unlawful conduct.

Peters' company Aiteo has been linked to the bribery scheme aimed at influencing the Independent National Electoral Commission (INEC) in 2015, when Ugonna Madueke (Alison-Madueke's son) distributed $115 million to INEC officials via Fidelity Bank. Aiteo did not directly benefit from the SAAs, but it nevertheless flourished under Alison-Madueke's oil ministry. Aiteo benefitted from the oil swaps, from contracts with the NNPC, and bought Shell's prize asset.

Step 4. Pushing back against law enforcement and seeking to burnish reputation

Contrary to the cases of Etete and Ibori, Alison-Madueke's has dragged on for years. In 2020, Nigeria's EFCC asked the UK to extradict Alison-Madueke, but this was widely seen as an attempt to deflect attention from the country's woeful anti-corruption performance.[15]

5. Conclusions

Following our practice tracing methodology, we place the actors on the graph categorising the practices, and offer an explanation of how they interact with each other. We propose that *Upstream enablers* are those whom we are used to think of as 'the' enablers (in the media, in the few legal judgments that concern them, and in policy discourse). They enter into deals with kleptocrats with their eyes wide open, often becoming their 'fixers', and arrange tailor-made solutions for the clients they service. They are in the minority. Much more numerous, subtle and – for this reason – problematic, are what we term *downstream enablers*. By coming later into the value chain of a kleptocrat's money-laundering activities, such professional figures are able to hide beneath the activity of others. Once the difficult leg-work has been carried out, there is plausible deniability to proceed with the part of the process that concerns them and that does not, on the surface, present issues of legality. Indeed, more often than not, such activities fall clearly within the realm of what is legal. These individuals/firms usually see their activities as justified and fully above board (Harrington, 2016); and yet, this makes them no less integral to the process.

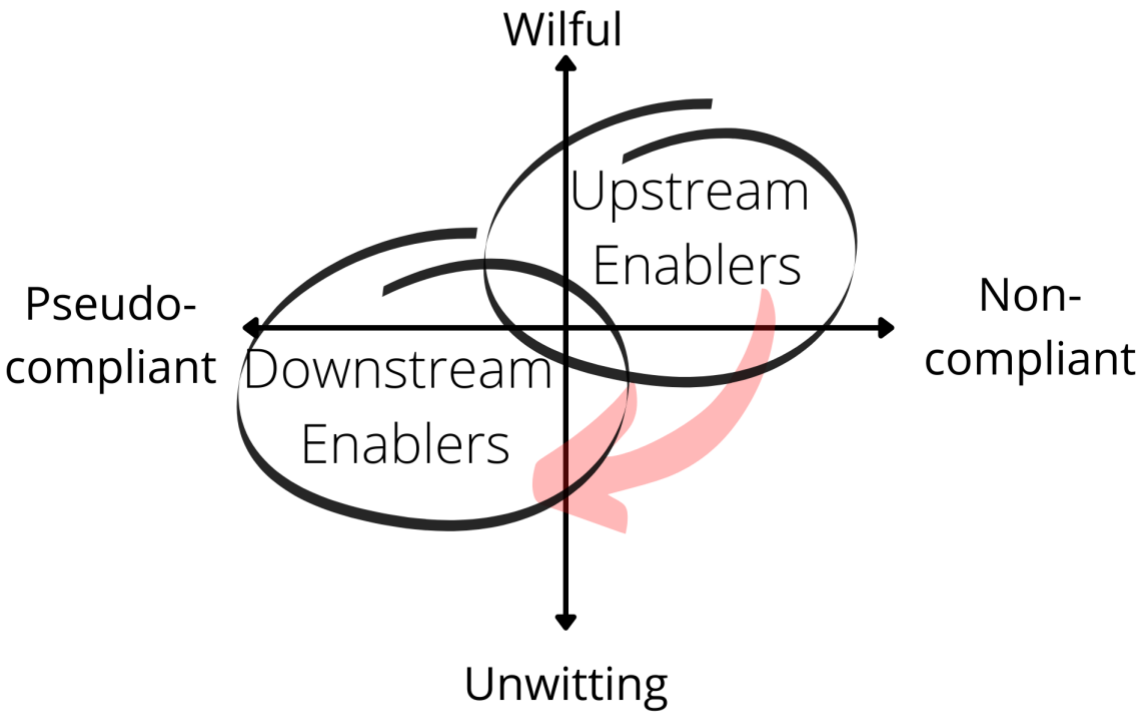
In our case studies, such interaction is clearly illustrated by the more respectable lawyers following in the footsteps of the boutique firms (such as in the Gohil-Timlin advising in aiding James Ibori); in large multinational companies (Shell and Eni) and global banks (JP Morgan) willingly or unwittingly entering a multi-million dollar international corruption scandal in the

[15] https://www.ft.com/content/42ae53b2-411d-11ea-a047-eae9bd51ceba

case of Dan Etete; and in respected banks, estate agents, universities[16] and even superstars[17] complicit in legitimising the money-laundering activities of Diezani Alison-Madueke and her aids.

Therefore, the actions carried out by the **Upstream enablers** are mostly situated in the upper-right part of the quadrant; their actions come first in the PEP's chain of events, and they are followed by the **Downstream Enablers** (mostly in the bottom-left quadrant) such as the big banks and the professionals working for larger and respected firms. We conceptualise these two categories as the 'key enablers', who are often surrounded by a host of corollary enablers on all sides of the spectrum.

Graph 2. Conceptualisation of the two-layered division of Upstream & Downstream Enablers alongside the Procedural (Pseudo-compliant – Non-compliant) and (In)Voluntary (Wilful – Unwitting) axes



This allows us to formulate three main sets of findings:

1) even when large firms adopt more stringent procedures, there are always 'boutique' or one-man-band operators happy to assist kleptocrats in their money-laundering (as well as reputation-laundering) activities.

[16] https://www.enewswire.co.uk/2013/05/16/alison-madueke-to-speak-during-oxford-universitys-future-of-african-oil-and-gas-industry-lecture/
[17] https://www.thedailybeast.com/the-crooked-playboy-who-courted-naomi-campbell-threw-a-birthday-bash-for-dicaprio-and-rented-a-yacht-to-beyonce

2) the 'rogue operators' explanation is insufficient: once the groundwork of the 'boutique' actors legitimises the PEP's actions, larger, reputable firms willingly take on board the business. This points to a pattern of systemic implication in enabling practices.
3) Enabling is conducted by a wider range of actors than those typically invoked when discussing such practices (e.g.: commodity traders; reputation laundering enablers).

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Appendix: Legal and evidentiary documentation consulted for the case studies

1) Case study 1. James Ibori

United Kingdom:

- Onuigbo v. R. [2014] EWCA Crim 65 (31 January 2014)
- Gohil v Gohil [2014] EWCA Civ 274 (13 March 2014)
- R. v Preko [2015] EWCA Crim 42 (3 February 2015)
- Ibori v Home Department [2017] EWHC 1207 (22 May 2017)
- R. v Gohil and R. v Preko [2018] EWCA Crim 140 (15 February 2018)

United States:

- United States District Court for the District of Columbia. In Re enforcement of restraining orders issued by the High Court of England and Wales, Queen's Bench Division, United Kingdom, and the Crown Court of England Wales, United Kingdom. United States' ex parte application to enforce and register foreign restraining orders pursuant to 28 U.S.C. 2467(d)(3) and statement of points and authorities in support thereof. (16 May 2012)

Panama / Seychelles

- Republic of Seychelles President's Office, 'President's Office of Seychelles Writes to Mossack Fonseca about James Ibori Investigation (RE: Investigation into Stanhope Investments Litd and James Ibori)' (Victoria, Mahé, 2008)
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2) Case study 2. Dan Etete

France:

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- Public Prosecutor's Office vs Dan Etete and Richard Granier-Deferre, Judgment, Court of Appeal, March 2009

United Kingdom

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- Malabu Oil and Gas Limited v The Director of Public Prosecutions, Judgment, Southward Crown Court, London, 15 December 2015
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- Federal Republic of Nigeria v Malabu Oil and Gas Ltd, Judgment, High Court, London, 15 December 2017
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United States:

- US v Jeffrey Tesler and Wojciech Chodan, Indictment, US District Court, Southern District of Texas, 17 February 2009
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- Affidavit of Ednan Agaev, International Legal Consulting v Malabu Oil and Gas Limited; and JPMorgan Chase &Co. and all of its subsidiaries and affiliates including but not limited to JPMorgan Chase Bank, N.A., Supreme Court of State of New York, 24 June 2011
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Nigeria:

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- Documents concerning Mohammed Abacha's request for compensation of economic damages (claiming he is part-owner of Malabu), March 2017

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- Judgment on the preliminary investigation of the public prosecutor (confirming that Eni, Shell and the other indicted parties will be processed), 22 December 2017
- Material error correction, 26 January 2018

UAE

- Data from the Sandcastle report on real estate in Dubai published by Carnegie Endowment, 2020.

3) Case Study 3. Diezani Alison-Madueke

United Kingdom:

- Restraint Order Prohibiting Disposal of Assets, against: 1) Diezanni Kogbenni Alison Madueke, 2) Benedict Peters, 3) Christopher Airemikhai Illuobe, 4) Donald Chidi Amamgbo, 5) Kolawole Aluko, 6) Olajide Jones Omokore (defendants) and 7) Colinwood Limited, 8) Rosewood Investments Limited, 9) Miranda International Limited (third parties), issued by Judge Taylor at The Crown Court at Southwark, 13 September 2016.
- The Federal Republic of Nigeria v Royal Dutch Shell Plc & Anor [2020] EWHC 1315 (Comm) (22 May 2020)
- List of UK real estate bought by companies registered overseas (in offshore jurisdictions and Nigeria) through agent 'Daniel Ford Estates & Co', July 2017

United States

- United States of America v. Galactica Star and others, Complaint filed in the US District Court, Southern District of Texas, Houston Division, 14 July 2017

- United States of America v. Galactica Star and others, Verified Claim of Interest in Defendant Property by Farmers and Merchants Bank of Long Beach, 9 August 2017
- Deed of Trust (between Wamdara Inc. and Farmers and Merchants Bank of Long Beach) for 807 and 815 Cima Del Mundo Road, 4 March 2017 (Exhibit A)