

LMT/012/0032/5

APPX

4. RECOMMENDATION

In the light of the problems identified and the findings made on the operations of the Luthuli Memorial Trust in Nigeria, the Task Force observed and recommended as follows:-

4.1 STUDENTS UNDER THE LUTHULI MEMORIAL TRUST

- 4.1.1 In view of the fact that the current school year is nearly at a close, efforts should be commenced immediately to ensure that all those listed as not having been placed, be placed against the next academic year. In this regard, the Luthuli Memorial Trust office should work very closely with the Federal Ministry of Education and the Southern Africa Relief Fund (SARF) to ensure such placement.
- 4.1.2 For all those students who have been placed but are presently away from school and in Lagos for reasons of non-payment of stipends and other problems relating to health and immigration, the Luthuli should be directed to pay such outstanding stipends and solve all other students' problems immediately to enable students return to their schools.
- 4.1.3 The situation whereby students are lodged in hotels for long periods is both undesirable and wasteful. The Luthuli Memorial Trust should explore alternative arrangements of accommodating the students especially during long vacations. In this regard philanthropic organisations, churches and foster parents could be contacted for assistance. This would ensure that students are kept fruitfully engaged to keep them away from negative acts.
- 4.1.4 There was urgent need for the Luthuli Memorial Trust to establish harmonious relationship of trust, reliability and accessibility between itself and the students it caters for if the programme is to operate smoothly. Thus the administrators of the Trust, especially the counsellors should be more open to the students; there should be better communication and flow of necessary information at all time.
- 4.1.5 The feeding arrangement for students presently lodged in hotels in Lagos was found unsatisfactory and was found to be contributory to the anger and tension presently created amongst the students. However, the poor feeding situation could be attributed to the huge debt owed the

hoteliers where the students were accommodated. However, to reduce the tension, all the students accommodated in such hotels should till such a time that they return to their various schools be paid their feeding allowance directly in cash to enable them purchase food that would be commensurate with the feeding allowance given them.

4.1.6 In any educational programme for youths, counselling plays a very important role. The Luthuli Memorial Trust should therefore immediately put in place a programme of counselling for its students before the schools reopen, to help the students sort out all the outstanding and varied problems confronting them and to incorporate such regular counselling in their work schedule including regular visits to students at their schools.

4.1.7 A situation where students are sent to schools with only part of their required stipends, without necessary funds for books and study materials, and school fees not being settled is most uncondusive for proper academic life. The Trust should therefore arrange to settle urgently all school fees and pay outstanding stipends and books/materials allowances. In future such fees and allowances should be paid as at when due.

4.1.8 The Trust should after having paid all necessary fees, stipends and allowances and counselled students adequately, be able to determine those students who are resolved on going back home. By the end of July, 1991 the ANC should arrange to send all these category of students back home. This will forestall a situation of keeping disgruntled students who are unwilling to study in Nigeria from causing problems that will be embarrassing to the Federal Government of Nigeria.

4.2 OPERATION OF THE LUTHULI MEMORIAL TRUST

4.2.1 STATUS

Presently the status of the Luthuli Memorial Trust in Nigeria is undefined. For effective operation, its existence should be immediately regularised by being given the necessary approval and registration by the appropriate Government Agency.

4.2.2 STAFF

The staff situation of the Trust office in Lagos as it is presently, is grossly inadequate for the administration of a programme of its magnitude. The emphasis on staff

employment for the Trust should be on effectiveness, efficiency and capability to liaise with the various agencies and the institutions and also being able to absorb the strain and stresses which the programme obviously demand, to ensure its smooth operation. The need for the employment of Nigerian counsellors in the office of the Trust could therefore not be over-emphasised.

4.2.3 SIGNATORY TO ACCOUNT

The arrangement whereby there is only a signatory to the Trust's account was found to be most unsuitable by the Task Force and therefore should be rectified immediately.

4.2.4 PAYMENT OF STIPEND

The practice whereby students are paid stipends and allowances as they come and as deemed adequate by the former Ag. Co-ordinator is very arbitrary. The Trust should work out standard rates of stipends and allowances and put in place proper accounting procedures and documentation arrangement for all payments.

4.2.5 LOCATION OF OFFICE

The present location of the Luthuli Memorial Trust office at 211 Herbert Macaulay Road, Yaba, Lagos is unsuitable for the type of operation of the Trust in view of its exposure, which exposes its activities to public gaze and thus creating security problems. Efforts should be made to relocate the office after proper consultation with relevant Government Agencies.

4.2.6 DIPLOMATIC CAR REGISTRATION

Since neither the Luthuli Memorial Trust nor the African National Congress enjoys diplomatic status, the Trust official car should immediately change its diplomatic number to a private number.

4.2.7 The displeasure of the Federal Government should also be brought to the attention of the Namibian High Commission for collaborating in the unofficial act.

4.2.8 INDEBTEDNESS TO HOTELIERS

The Luthuli Memorial Trust should immediately settle all outstanding debts owing to hoteliers which is up to the tune of 2.9 million naira. The indebtedness has now constituted a great inconvenience to the students and an embarrassment to Government. In view of the fact that the hotel bills continue to mount with the continuous stay of

the students in hotels; the Trust might wish to urgently make an alternative accommodation arrangement for the students.

4.2 RELATIONSHIP BETWEEN LUTHULI MEMORIAL TRUST AND OTHER ORGANIZATIONS, AGENCIES AND GOVERNMENT

4.3.1 The present situation where no specific agency of Government is designated to play a supervisory role over the operations of the Luthuli Memorial Trust in the country was found unsuitable. A local Advisory Committee to oversee the activities of the Trust in Nigeria is, therefore to be set up. This committee should comprise the Political Affairs Office of the Presidency, the Special Services Office of the Presidency, the Federal Ministry of Education and the Southern Africa Relief Fund.

4.3.2 The Luthuli Memorial Trust as a foreign organization operating a programme in Nigeria at the pleasure of the Federal Government and people of Nigeria cannot possibly operate successfully without cordial relationship with Government and Non-Government agencies in the country. To this effect therefore, the Trust should endeavour at all times to ensure cordial relationship and use proper channel of communications at all times.

4.4 FUNCTIONARIES OF THE ANC/LUTHULI MEMORIAL TRUST

4.4.1 MR. GEORGE NENE (CHIEF REPRESENTATIVE OF THE ANC IN NIGERIA)
Mr. George Nene in the course of his operation of the Trust in Nigeria did several irregular things.

4.4.2 He employed a Mr. R. S'bengile as an education officer of the African National Congress (ANC) and later deployed him as the Ag. Co-ordinator of the Luthuli Memorial Trust. This he did without obtaining the relevant clearance from Government and in spite of the fact that he was aware that Mr. R. S'bengile was still in the country under a student visa status.

4.4.3 He misguided the Ministry of External Affairs by applying for a diplomatic identity card and obtaining a green identity card for the said Mr. R. S'bengile knowing fully well that he was not qualified for such a document.

4.4.4 He failed to set up a proper structure for the administration of Luthuli Memorial Trust in spite of advice to do so thereby creating all the myriad of problems that beset the Luthuli Trust educational programmes that was to cause a serious embarrassment to Government.

1. Firstly he failed to provide the actual date of the arrival of the first batch of students which resulted in serious airport reception, transportation and accommodation problems on their arrival in Nigeria.
2. He knowingly employed Mr. R. S'bengile who only just graduated from the University of Nigeria thus a completely inexperienced person to act as co-ordinator for the programme.
3. He was instrumental to making Mr. R. S'bengile a sole signatory to the account of Luthuli even though the letter he wrote to Government requesting assistance to open an account of the ANC under the name "Luthuli Memorial Trust" contained the names of four signatories including his own.
4. He accented to students being airlifted into the country without relevant travel documents and in spite of repeated request to obtain such documents for the students, have failed to do so. The effect is that the stay of majority of the students in Nigeria cannot be regularized.

4.4.5 He failed to properly introduce Luthuli Trust to the Government of Nigeria before going into operation. Rather he gave Government the impression that the Trust would operate under the African National Congress only to turn around to distant the ANC from Luthuli operations.

4.4.6 He was instrumental to the registration of the Luthuli Trust's official car with a diplomatic number. This was easily deduceable from evidence made available to the Task Force.

4.4.7 The consequence of all these actions of Mr. George Nene amounted to undermining the authority of the Nigerian Government and exhibiting absolute disregard for the country's laid down procedures. It also put a taint of shodiness in his operation of the Luthuli Memorial Trust in Nigeria. These actions should therefore be communicated to the ANC headquarters for appropriate disciplinary measures.

4.5 MR. RICHARD S'BENGILE: FORMER AG. CO-ORDINATOR OF LUTHULI MEMORIAL TRUST

4.5.1 Mr. R. S'bengile is presently an illegal immigrant in Nigeria for the reason that he is staying here on a student visa which had expired in February, 1991.

- 4.5.2 Mr. R. S'bengile has shown gross disrespect for the Nigerian Government by his blatant refusal to appear before the Task Force. This was inspite of three invitations including a letter personally signed by the Chairman, the Director-General, Political Affairs Office, and a personal call made on him by a member of the committee.
- 4.5.3 Evidence abound that Mr. R. S'bengile is grossly incompetent to work in the Luthuli Memorial Trust office. His incompetence coupled with his unbridled arrogance, insensitivity and inaccessibility resulted in the disarray into which the Luthuli Educational programme was thrown.
- 4.5.4 In view of the fact that Mr. S'Bengile has completed his studies for which a student visa was issued to him which expired in February, 1991, he should be repatriated immediately. The immigration should be directed to that effect accordingly.
- 4.5.5 The Ministry of External Affairs is requested to immediately withdraw the green card issued to him.
- 4.5.6 Since Mr. R. S'bengile refused to appear before the Task Force ~~the~~ report on the accounts of the Luthuli Memorial Trust and with the information that he is the sole signatory to the account, the Task Force have cause to believe that there might be some impropriety in the management of the Luthuli Trust account. The Task Force therefore recommends that the ANC probe his activities as former Ag. Coordinator of the Luthuli Memorial Trust.