AFRICA IN FACT

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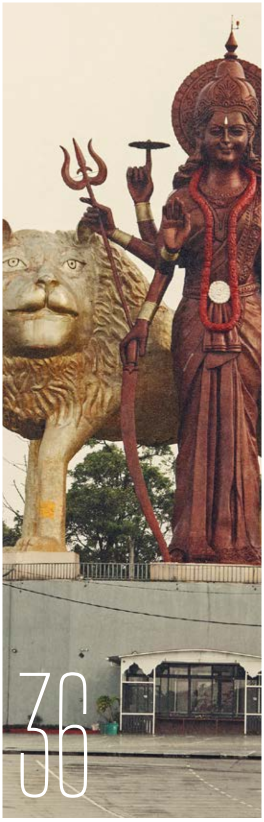

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OUR WORK

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Allow me to bribe you further...

The first issue of *Africa in Fact* published last year, in January, dealt in depth with the scourge of Transnational Organised Crime (TOC) in all its toxic forms in Africa, a global phenomenon that poses a direct threat to good governance in every corner of our continent. In this issue, we turn our attention to TOC's evil twin, corruption, a corrosive force that left unchallenged eats into both heart and soul of the democratic process.

Definitions of corruption vary but broadly speaking it describes the abuse of power – and resources – by public servants and elected officials for private gain. Equally corrupt, though, is the company or CEO complicit in illicit Financial Flows (IFFSs), or for whom paying bribes to the right officials to secure favourable mining concessions or lucrative government contracts is just part of the cost of doing business in Africa.

South African CSO Corruption Watch sums up the status quo well in noting that "Corruption affects us all. It threatens sustainable economic development, ethical values and justice; it destabilises our society and endangers the rule of law. It undermines the institutions and values of our democracy. But because public policies and public resources are largely beneficial to poor people, it is they who suffer the harmful effects of corruption most grievously."

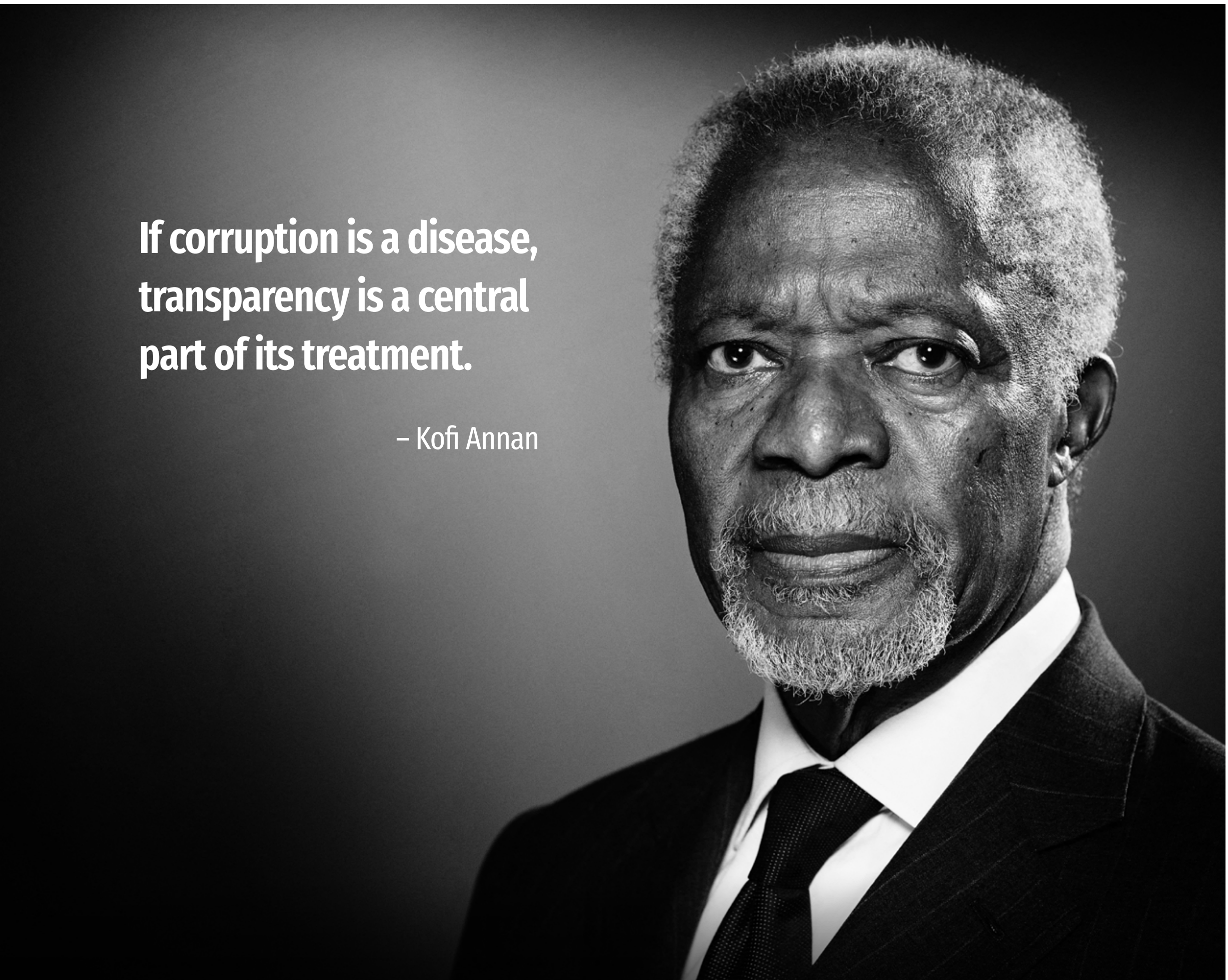
Two recent and important measurements of both corruption and TOC are referred to repeatedly across this issue of *Africa in Fact*. The first is Transparency International's 2023 Corruption Perceptions Index (CPI) released early this year, while the second is the Global Initiative Against Transnational Organised Crime's 2023 Global Crime Index.

The CPI ranks 180 countries and territories around the globe by their perceived levels of public sector corruption, scoring on a scale of 0 (highly corrupt) to 100 (very clean).

Despite improvement in some countries, sub-Saharan Africa maintains the lowest average at 33 with both democracy and the rule of law under pressure across the continent. In fact, 90% of African countries scored an average of below 50.

While these statistics are disappointing they should not come as a surprise when read in conjunction with the Global Crime Index, which found that 48 African countries lacked the political and legal systems to effectively combat organised crime - noting that corrupt public officials - "state-embedded actors" - were a weak link in Africa's fight to combat TOC.

The GCI research found that state-embedded actors "continued to be the most prevalent criminal actors in Africa", with their influence growing steadily since 2021, "reflecting their role in facilitating and/or enabling illicit activities from within the state's apparatus". This statistic illustrates the enabling relationship and co-



If corruption is a disease, transparency is a central part of its treatment.

– Kofi Annan

dependence between corruption and TOC and indicates that African governments are not doing nearly enough to act against the criminals within their own ranks.

“Corrupt political elites collude with criminal groups and use their captured state agencies to enable and fuel criminality across the continent,” the GCI found. “For example, the cocaine markets of East and southern Africa are driven by the collusion of state agencies, corruption and law enforcement incapacity or indifference.”

So what to do? As the articles in this issue make clear, combating the evil twins will require effective collaboration between government leaders and civil society. This must start with a genuine commitment from African leaders to uphold the rule of law, promote transparency, and strengthen democratic institutions. This means enacting and enforcing anti-corruption laws, ensuring judicial independence, and fostering accountability among public officials.

Greater intra-continental collaboration is essential to tackle transnational crime networks exploiting weak governance structures. Regional initiatives for intelligence-sharing, law enforcement cooperation, and capacity-building will greatly enhance anti-corruption efforts.

Finally, fostering a culture of transparency and citizen participation is vital. Civil society organisations, media, and watchdog groups play a crucial role in exposing corruption and holding leaders to account, meaning governments must protect these to bolster democratic values and prevent the stifling of dissent.

Susan Russell – Editor

CORRUPTION HITS HOME

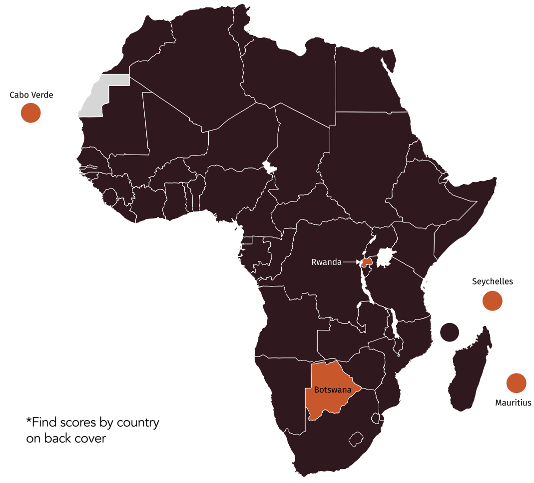
By Mischka Moosa

New data from Transparency International's Corruption Perceptions Index shows that 90%, or 49 out of 54 countries in Africa, scored under 50/100 in 2023 (CPI, 2024). Moreover, the regional average score for sub-Saharan Africa was an underwhelming 32/100, and revealed a worrying trend [Figure 1].

Against this background, what is the impact of high levels of corruption on the continent? How are corruption trends and governments' performance in fighting corruption perceived by experts and investors? And to what extent do ordinary citizens engage with or feel safe to report corruption when they encounter it?

Corruption, whether in the public or private sector, can be understood as activities that involve individuals misusing their positions for personal

Only Botswana, Cabo Verde, Mauritius, Rwanda and Seychelles scored above 50 in the latest CPI



*Find scores by country on back cover

Figure 1: 49 out of 54 countries in Africa are perceived to have inadequate to high levels of corruption.

Source: Source: Corruption Perception Index (CPI), 2023

LEFT: Israeli billionaire Dan Gertler talks on his smartphone during a visit to a copper mine in Katanga province, Democratic Republic of Congo.

Photo: Simon Dawson/Bloomberg via Getty Images

and private gain, at the expense of their duties or public interest. It can manifest as either petty or grand corruption, encompassing bribery, embezzlement, nepotism, and more. These issues are particularly destructive in nations with weak institutions and regulatory mechanisms, diverting crucial resources from essential public services needed for sustainable development.

In Kenya, it is estimated that 8% of government revenue, or around $1 billion, is lost annually to trade mis-invoicing from illicit financial flows (IFF) activity. Elsewhere, in Nigeria, around 4% of total government revenue, equivalent to $2.2 billion, is lost. In Malawi, according to a 2020 paper by Kemp Ronald Hope, an estimated 13-17% of GDP is reportedly lost to corruption and tax fraud.

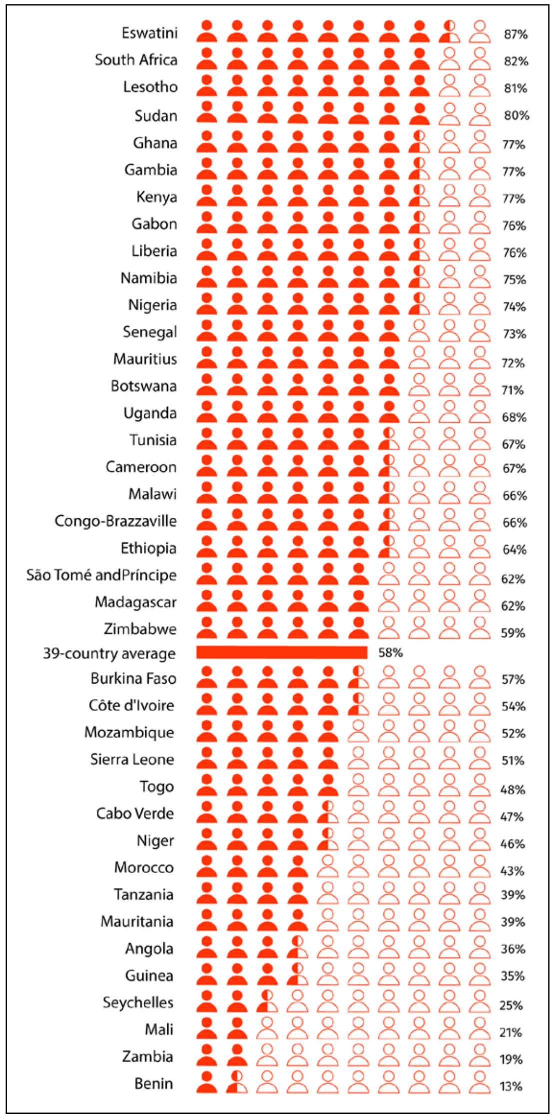
In Tanzania, corruption accounts for 20% annually of national budget leakage and roughly $1.8 billion, when combined with tax revenue losses from IFFs. In Madagascar, meanwhile, it is estimated that as much as 40% of the country's budget is lost to corruption. In South Africa, losses to corruption are estimated at around $7.4 billion from trade mis-invoicing alone as an IFF activity.

For context, the average African would need about 265 years to earn a billion dollars, based on the average income of around $3,772 in 2020 for sub-Saharan Africa, according to World Bank data for that year. These financial leakages indicate the corrosive and detrimental impact of corruption on economic growth and development on the continent and highlight how fraudulent activity perpetuates poverty and inequality.

The latest Afrobarometer survey of more than 39 countries reveals that in the eyes of many ordinary Africans, there's a growing concern that corruption is on the rise. According to the survey, over half (or 58%) of citizens on average feel that corruption levels in their nation either increased or worsened to some extent between 2021 and 2023 with little improvement in governmental efforts to combat it [Figure 2].

Among the various activities that fall under the umbrella term "corruption", some are particularly pervasive across the continent. The first is money laundering and IFFs. These, effectively, are activities that syphon large sums of money intended for public or private use into personal or individual hands by making use of off-shore accounts and bypassing law enforcement and regulatory bodies.

The next is what has become known as "state capture". This involves an unethical entanglement of powerful business people and state officials in which public institutions are subverted for private gain. This form of corruption can be particularly destructive because, according to Hope, it results in an "economy [that] becomes trapped in a vicious state in which the policy and institutional reforms necessary to improve governance are undermined by collusion between powerful firms and state officials who extract substantial private gains from the absence of a clear rule of law". The most notorious and recent incidence of state capture in



Source: Afrobarometer (2023)

Figure 2: Over half of citizens (58%) in 38 out of 54 countries believed that corruption worsened in the past year

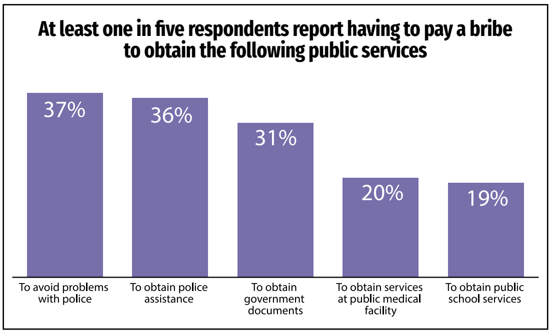
Africa was the activities of South Africa's former president Jacob Zuma and other members of the ruling elite, along with the Gupta family, between 2009 and 2018.

Yet despite the pervasiveness of these "grand" forms of corruption that often involve high-profile figures and public officials, more insidious, everyday, systemic forms of corruption continue to affect ordinary Africans, largely with low accountability.

ABOVE: Since arriving in wartime Congo in 1997 at only 23 years old, Gertler has amassed an empire worth almost $2.5 billion dollars, according to Bloomberg calculations using publicly available documents.

Photos: Simon Dawson/Bloomberg via Getty Images

When ordinary citizens were asked to evaluate the involvement of various public officials, the police consistently ranked highest in perceptions of widespread graft [Figure 3]. Across 39 countries, nearly half (46%) of citizens believed that "most" or "all" police officials were corrupt, ranking them above tax officials, officials in the presidency, civil servants, parliament and business executives – Gabon, South Africa, Nigeria, Liberia, and Uganda stood out with some of the highest perceived levels of official corruption.



Source: Afrobarometer (2023)

Figure 3: The police are frequently identified as the most corrupt institution across several countries

The report further revealed that a significant portion of citizens reported having to pay bribes or kickbacks, predominantly to avoid further issues with, or attain assistance from, the police to obtain government documents, services at medical facilities or generally access basic public services. Within this there was a pervasive fear of reprisal for reporting corruption to the authorities, revealing how individuals may be pressured to engage in corruption enabled by state officials amid a broader culture of normalisation. The other issue with bribes and kickbacks is that though they may "grease the wheels" of bureaucracy they also corrode the integrity of public service.

All this is not to say that African countries are making no effort to regulate corruption. In an attempt to address the prevalence and impact of corruption, many African countries have ratified and agreed to several conventions, frameworks or initiatives, including; the 2003 United Nations Convention Against Corruption (UNCAC) signed by all African states, excluding Eritrea and Libya [Figure 4]. The African Union Convention on Preventing and Combating Corruption was signed by all states except Benin, Central African Republic, Cabo Verde, Malawi, Morocco and Seychelles. Also in place is the Extractive Industries Transparency Initiative (EITI), in which extractive-heavy nations commit to stronger, more transparent and accountable extractive sectors to the EITI Standard of which 28 African countries are currently part.

However, despite these anti-corruption commitments, political buy-in remains low and implementation is often ineffective, yielding inadequate results – ultimately reinforcing the sentiment among citizens that corruption within key institutions is rampant.

Moreover, whistleblowing and flagging anti-corruption for ordinary Africans, as well as key civil society organisations, often comes at a high cost. In South Africa, whistle-blower Babita Deokaran was murdered after flagging corrupt activity in the Gauteng Health Department in August 2021 and represents one of many who lost their lives in fighting corruption.

Elsewhere, in the Democratic Republic of Congo, diamond businessman Dan Gertler has filed a defamation lawsuit against 146 civil society organisations that form the country's leading anti-corruption coalition, Congo is Not for Sale (CNPAV). The lawsuit targets spokespersons Jean-Claude Mputu and Resource Matters and stems from an interview Mputu gave disclosing Gertler's allegedly fraudulent company earnings in the DRC. Despite evidence supporting CNPAV's claims, Gertler seeks one million Euros in damages. The case in DRC reflects a broader, more worrying trend against anti-corruption activists, whistle-blowers, journalists,

Libya and Eritrea are the only countries that have not ratified the convention

Figure 4: 52 countries are signed to the United Nations Convention Against Corruption (UNCAC)

and civil society groups and sheds light on systemic challenges that confront anti-corruption work.

As corruption continues to corrode the governance efficacy and institutional structures of African nations, it ultimately obstructs the provision of essential public services such as water, sanitation, education, and healthcare. It also impedes the development of critical infrastructure such as electricity and roads while driving up investment costs, inevitably diminishing sustainable and ethical investment flows crucial for job creation and trade.

From facilitating business deals to securing favourable regulatory decisions, the pervasive culture of corruption undermines fair competition and stifles economic growth. As African countries grapple with the multifaceted, systematically embedded challenges presented by corruption, addressing these entrenched issues requires a concerted effort and commitment from both domestic stakeholders and the international community. Without more decisive action to tackle it at its roots and promote transparency and accountability, the aspirations of African nations for sustainable development and prosperity will remain elusive.

Photo: Leon Sadiki/Bloomberg via Getty Images

ABOVE: Kgosientsho Ramokgopa, South Africa's electricity minister, speaks with journalists on day two of the BRICS summit at the Sandton Convention Centre in August last year.

Media scrutiny is vital, NOT ALWAYS WELCOME

By Nnaemeka Ohamadike

Most Africans want the news media to investigate and report government mistakes and corruption. However, in African countries with higher corruption levels than lower ones, citizens are more concerned about the harm excessive reporting brings to their country.

Over the past few decades, corruption has been an endemic issue confronting many African countries. The media is instrumental in combating corruption through investigative journalism, informing the public, and promoting accountability, as demonstrated in African countries like South Africa, Ghana, and Nigeria.

For instance, in South Africa, news reports on large-scale corruption and clientelism at the highest levels prompted the Office of the Public Protector (an independent ombudsman) to investigate the allegations. This investigation led to the 2014 Nkandla report and the 2016 State Capture report, which found unethical and illegal activity by the then President, Jacob Zuma, which contributed to his decision to resign in February 2018.

This article is driven by two fundamental questions: What do Africans think about media involvement in investigating and reporting corruption? And how do these perceptions vary across countries with differing levels of corruption control?

To answer these questions, I used the latest World Bank "control of corruption" data for the year 2022 and Afrobarometer Round 9 survey data covering 39 countries and conducted from 2021 to 2023. Afrobarometer is a non-partisan research network that provides reliable, nationally representative survey data on Africans' experiences and evaluations of democracy, governance, and quality of life.

In my analysis, I focused on question 17, which asked a sample of 54,436 Africans to pick which was closest to their view between:

- **Statement 1:** The news media should constantly investigate and report on government mistakes and corruption.
- **Statement 2:** Too much reporting on negative events, like government mistakes and corruption, only harms the country.

The respondents chose from the following options: "Agree very strongly with 1", "Agree with 1", "Agree with 2", "Agree very strongly with 2", "Agree with neither", and "Don't know." For the analysis, I pooled "Agree very strongly" and "Agree" for each statement and excluded the remaining 2% of responses.

To start with, I wanted to understand how much Africans support news media involvement

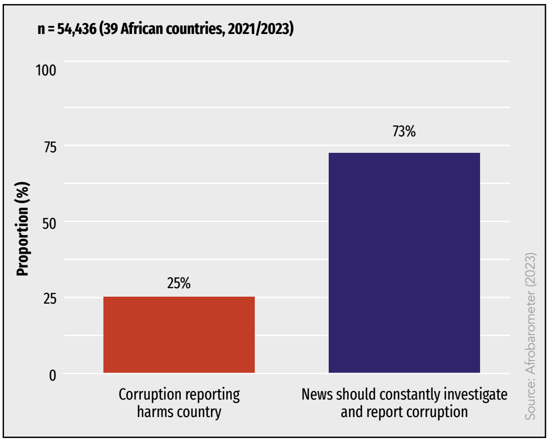


Figure 1: Perceptions of the news media in corruption investigation and reporting .

in corruption investigation and reporting. Figure 1 shows that 73% of respondents want the media to constantly investigate and report government mistakes and corruption, while 25% think too much of such reporting only harms their countries.

This divergence stems from various factors. Some Africans may view news media scrutiny as essential for transparency and accountability in government; thus, they support it as a key aspect of a thriving democracy. Conversely, others might perceive excessive media focus on government mistakes and corruption as detrimental, potentially undermining national stability and progress. In Figure 2, I wanted to understand how these responses varied based on the latest World Bank's ranking of the countries on corruption control.

By grouping 54,436 respondents into four quartiles according to their country's latest control of corruption scores and averaging responses in each quartile, we can see how moving from the lowest-performing to top-performing groups corresponds with increased support for media interference. This distinction is more pronounced when comparing the top-performing control of corruption group with the lower half of countries. Specifically, the average support for media-led corruption investigation and reporting among the top 25% of countries in corruption control is 14% higher than that observed in the bottom 50%.

In essence, on average, in African countries with lower corruption control than higher ones, citizens are more worried about the harm too much media scrutiny may cause their country. This finding remained consistent after controlling for two potentially confounding factors using regression analysis – GDP per capita (which measures economic size) and the population size of those countries in 2022.

This finding is likely because, in African countries with stronger corruption control, people trust that the media operates independently and can play a vital role in holding corrupt public officials accountable, as seen in the South African case. Conversely, in countries with lower corruption control, such as Zimbabwe, people worry that such scrutiny could worsen instability, deter investment, and be used for political agendas rather than genuine reform. In Figure 3, I unpacked the variations in responses across the 39 African countries surveyed by Afrobarometer.

Figure 3 shows that there is wide variation at the country level in how Africans view news media investigation and reporting of corruption and government mistakes. In all the surveyed countries, more than half of the respondents wanted the media

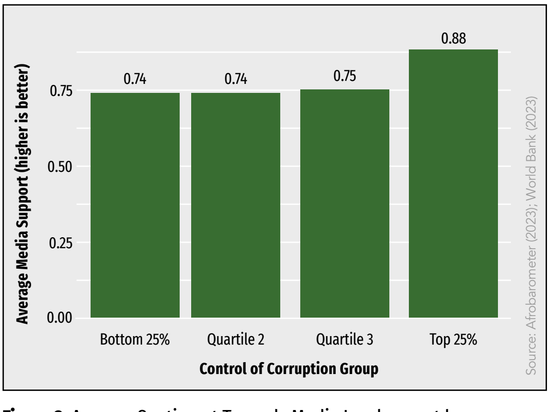


Figure 2: Average Sentiment Towards Media Involvement by Corruption Quartiles.

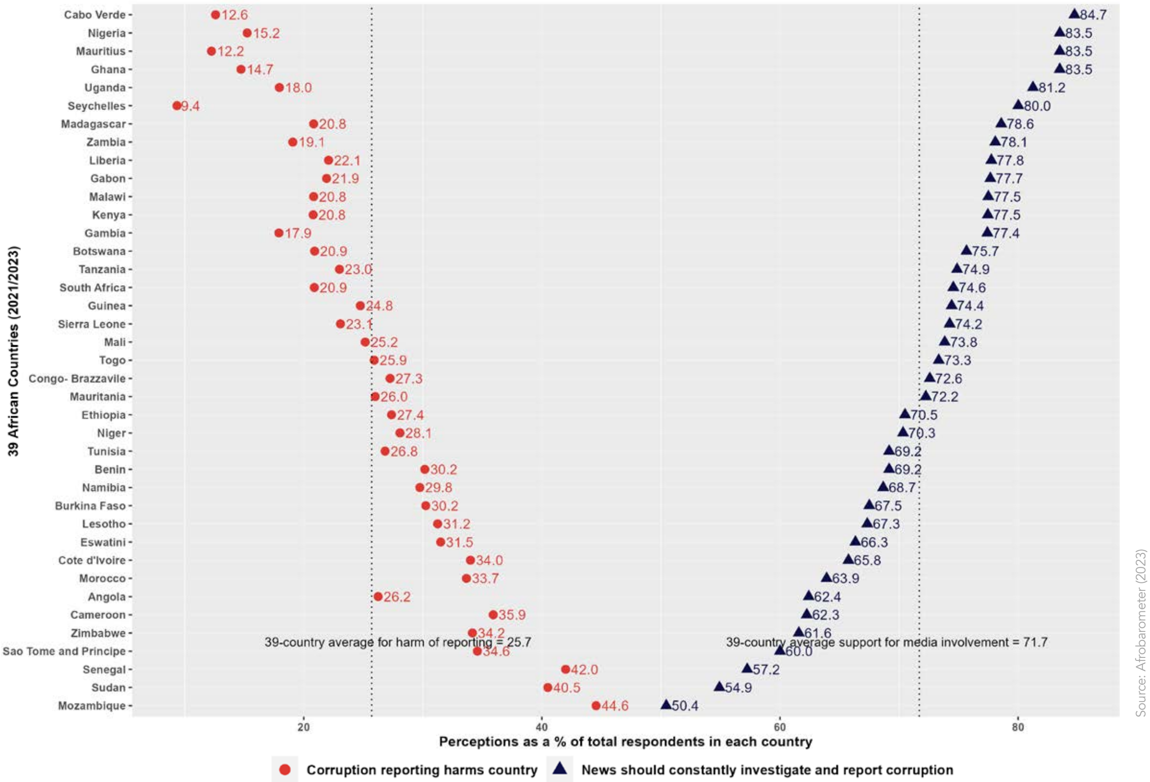


Figure 3: Perceptions of news media involvement in corruption probe by country.

to probe government mistakes and corruption. However, 20 countries surpassed the 39-country average of 25.7% for excessive reporting concerns. This indicates a higher proportion of citizens in these countries who view excessive media scrutiny as detrimental compared to the overall average.

Precisely, in countries with widespread corruption, such as Zimbabwe and Sudan, citizens were more concerned that such an investigation would harm the country than in countries with lower corruption levels. Due to a history of political repression, economic fragility, and fear of politicisation in Zimbabwe, for example, people worry that such scrutiny could worsen instability, discourage investment, and be used for political motives rather than genuine reform.

Similarly, in Sudan, plagued by a long history of conflict, displacement, political and economic instability, vicious power struggles, and repression under the current military government and past ones, citizens may fear the worst if the military government's mistakes and corruption are excessively exposed. With the populace already scarred by harsh political and economic conditions and nearly eight million displaced due to the recent power struggle and violent clashes within the military government, citizens may fear the potential repercussions of media scrutiny and reporting on government misconduct.

Taken together, the data highlights the nuances in how Africans view media involvement in corruption investigation and reporting. While there is widespread support for such scrutiny, variations exist based on corruption control levels. Stronger control correlates with higher support, reflecting trust in media independence and its role in accountability. Conversely, in countries with lower control, concerns about potential economic and political harms from excessive media scrutiny persist.

A product and **cause of** bad governance

By Raphael Obonyo

Corruption is a major problem for many African countries. Its corrosive effects on democracy, development, and security remain a concern for African citizens who in various surveys have made it clear that this scourge is among their top priorities for government intervention. To realise significant progress, African countries must create a new era in which good governance is appreciated and anti-corruption measures are prioritised.

During a recent social media campaign in Uganda, dubbed #ExposeTheCorrupt, #CorruptionIsWinnable, one citizen echoed the concerns of many Africans in this lament: "Corruption poses a serious development challenge ... in the political realm, it undermines democracy and good governance by subverting formal processes ... corruption is the main reason why our country is debt-burdened."

The United Nations Economic Commission for

Africa has characterised corruption as both a product and cause of poor governance and weak institutions, and one of the major costs and impediments to structural transformation in Africa. In the words of Transparency International, corruption not only wastes scarce public resources that could instead be used for public services and meaningful development, but also weakens democracy by eroding public trust in the government's ability to act in the best interest of the citizenry.

The Transparency International 2023 Corruption Perceptions Index (CPI) revealed that most African countries have continued to perform poorly in the fight against corruption, with a regional average score of 33 out of 100. According to Transparency International, the top six least corrupt countries in Africa include Seychelles, Cape Verde, Botswana, Rwanda, Mauritius and Namibia. The top six most corrupt countries, on the other hand, include Somalia, South Sudan, Equatorial

Photo: Getty Images

Guinea, Libya, Sudan and the Democratic Republic of Congo (DRC).

But while there's no doubt that the figures reveal that some African governments are crippled by corruption, there are encouraging reports of initiatives across the continent to tackle the vice.

Botswana, for example, is perceived to be one of the least corrupt countries in the region, and has continuously maintained comparatively low levels of perceived corruption. Compared to other African countries, Botswana reports fewer crimes and bribery cases. It has a public whistleblower hotline, for example, which citizens can call and report corruption.

Compared to other African countries, Botswana reports fewer crimes and bribery cases.

Somalia, ranked among the world's most corrupt countries, has acknowledged that weak justice systems undermine accountability for public officials and that the judiciary has an important role to play in the fight against corruption. Speakers at the sixth Somalia Judicial Conference on corruption and its eradication, held in the capital Mogadishu in January this year, including top officials from three branches of the government, pledged to support judicial institutions in the fight against corruption. As Transparency International has pointed out, for countries to make progress, African governments must give the justice system the independence, resources and transparency required to effectively punish corruption offences.

In Nigeria, corruption has paralysed government, with several stakeholders calling for anti-graft efforts to be prioritised. Speaking at a strategic meeting with delegates from the African Union Development Agency-New Partnership for Africa's Development (AUDA-NEPAD) in Nigeria, in January this year, the chairman of Nigeria's Independent Corrupt Practices and Other Related Offences Commission (ICPC), Dr Musa Adamu Aliyu, reiterated that the impact of corruption manifested in underdevelopment and poverty, making the prospect of investment in the country unappealing.

"The ICPC is willing to go all out in its bid to stamp out corruption as one of the keys to actualising good governance, growth, and development in the country," Aliyu said. "However, the responsibility of projecting the country in a positive light must be a collective effort."

Maria Sarungi Tsehai, a Tanzanian activist known for her online campaign "Change Tanzania" shares the idea of active citizenship. Speaking at the Mo Ibrahim Governance Weekend in 2018, Tsehai reiterated the need for citizen engagement in the fight against corruption. "We need citizens who are active," she said. "We must hold leaders accountable and make them listen to us."

It is worth noting that the African Union Advisory Board Against Corruption (AUABC) has praised Tanzania for making significant efforts – and demonstrating its intent – to stamp out corruption, including through school clubs, an initiative launched in 2015 to encourage learners to campaign against corruption. Tanzania is the 84th least corrupt nation out of 180, according to Transparency International's 2023 Corruption Perception Index, a performance that could partly be attributed to citizen engagement.

Noteworthy is that the United Nations Convention against Corruption (UNCAC) provides the foundation for citizen participation in anti-corruption efforts and obligates states to take appropriate measures to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental and community-based organisations, in the fight against corruption.

Charles Kulo, an anti-corruption campaigner in Uganda, believes that youth participation is essential. "The youth must be a pillar in the fight against corruption, since it affects them the most," he says. "Support a corruption free Uganda ... together, we shall stop corruption."

Victor Bruno Paledi, the director general of the Directorate on Corruption and Elections crime in Botswana agrees. "We need deeper conversations amongst young people on ways to tackle corruption in Africa," he says.

However, for real progress, citizens must stand together to fight corruption, thinking beyond regional, tribal, and religious loyalties, some of the tools used to conceal wrongdoing and hinder accountability.

In Kenya, which scored 31 points on the 2023 Corruption Perceptions Index, there have been calls for the government to establish a State Capture Commission to demonstrate commitment to the fight against graft and to promote good governance. Kenya's score fell below the sub-Saharan Africa average score of 33 and the global average of 43; a score below 50 indicates serious levels of public sector corruption. The Corruption Perceptions Index scores on a scale from 0 (highly corrupt) to 100 (very clean).

'Nothing will minimise or stop corruption in Ghana until constitutional law empowers all incoming governments to probe and hold accountable all outgoing governments'.

Similarly, South Africa, which achieved its lowest score ever on the CPI Index, at 41 points out of 100, is grappling with how to deal with corruption in the face of growing public anger at the hollowing out of state-owned companies, the breakdown of service delivery, and with, to date, none of the government ministers and functionaries implicated in graft yet prosecuted.

In referring to his own country, Rockson-Nelson Dafeamekpor, a legislator in Ghana, also summed up what other African countries must do to counter corruption, telling *Africa in Fact*, "Nothing will minimise or stop corruption in Ghana until constitutional law empowers all incoming governments to probe and hold accountable all outgoing governments."

Truth be told, nothing less than robust and decisive action is required to fight the pervasive corruption that continues to undermine good governance in Africa. It has become fashionable for leaders in Africa to say "we are going to fight corruption" but we need decisive action, leaders who are fully committed to securing brighter futures for their countries, instead of mouthing platitudes for the cameras or as a sop to a public outcry. GG

Self-deceit and its cousin corruption

By Adio-Adet Dinika

ABOVE: A processed gold bar in August 2023, at a gold exchange house in Pocone, Mato Grosso state, Brazil, where there are plans to aggregate 100% traceable gold with the Minespider traceability platform based on blockchain technology.

On 23 March last year, an air of tense anticipation enveloped Zimbabwe as citizens gathered around screens, their breaths held, awaiting the premiere of Al Jazeera's highly anticipated documentary, *The Gold Mafia: The Laundry Service*. The buzz was palpable, and the documentary delivered. Unfolding over almost an hour, the film peeled back layers to reveal the festering underbelly of corruption that had taken root in the southern African nation. This revelation was not an isolated incident. The Willowgate, Draxgate, Nkandla, and Phala Phala farmgate scandals are etched in the collective memory of Zimbabweans and South Africans alike, serving as stark reminders of the pervasive corruption that plagues our societies.

In the weeks that followed, Al Jazeera rolled out episode after episode, each instalment laying bare more damning evidence of corruption reaching from people on the street to the highest echelons of power, implicating figures as prominent as the flamboyant prophet and government ambassador Eubert Angel, and even the Zimbabwean first family.

The narrative crossed borders, revealing the complicity of South African businessmen and officials. The documentary was a *tour de force*, featuring confessions captured on camera and audio that left viewers reeling. However, a friend's triumphant proclamation that "This is an open and shut case, this time they are going down" was met with scepticism from me. "If you think anything is going to happen to any of those people, I suggest you don't hold your breath, my friend, for you will suffocate," I countered. The history of scandals like Willowgate and Nkandla, where accountability was elusive, informed my cynicism. While the *Gold Mafia* documentary stirred a maelstrom of emotions – sadness, fear, anger, and despair – I was painfully aware of the pattern: significant repercussions for those involved remained a rarity.

This sobering reality prompts a deeper inquiry, not merely into the acts of corruption themselves but into the psychological underpinnings that perpetuate this cycle. Delving into the minds and motives behind such actions, we must confront the uncomfortable truth: the battle against corruption is not solely in the hands of lawmakers and enforcers but rests on the shoulders of every individual.

Corruption casts a pervasive shadow, weaving through the fabric of daily life from the smallest of bribes to large-scale fraud. It transcends the clandestine exchanges of cash in dimly lit backrooms, infiltrating our everyday interactions: an unrecorded payment to a traffic officer, a secretive fee for a child's school admission, the silent bypassing of customs. These seemingly innocuous acts, trivial and victimless on the surface, gradually erode our moral compass. The normalisation of such "petty" corruption wears away at the very foundations of society, transforming public services from societal pillars into hurdles to be circumvented. This insidious shift lays the groundwork for a systemic collapse, turning even the most routine of interactions into potential threats.

The roots of corruption delve deep into the human psyche, challenging our perceptions of right and wrong. Philip Zimbardo's observation that "good people can be induced into behaving in evil ways" highlights the blurred lines created by situational pressures and incentives. These forces exploit our cognitive biases, leading us down paths of rationalisation and moral ambiguity. In countries like Zimbabwe, Nigeria, Kenya, and Democratic Republic of Congo (DRC), where bureaucratic systems tacitly endorse corruption for the sake of expediency, unethical practices become seen as necessary evils. This rationalisation process dulls our moral sensitivities, obscuring the collective harm our actions perpetuate and allowing corruption to seep into the very core of societal life.

Carl Jung's concept of the "shadow self" posits that each of us harbours the capacity for both good and evil. This darker aspect, when unchecked by the counterbalances of compassion, ethics, and conscience, can drive us towards behaviours that prioritise personal gain over the common good. In the realm of corruption, traits such as narcissism, power-lust, status-seeking, and selfishness become not just personal failings but societal poisons.

The phenomenon of "positive illusions" compounds this issue, with many holding an inflated sense of their moral standing. This self-deception enables corrupt actions, as immediate rewards trump ethical considerations. In countries like Nigeria and Kenya, where corruption has become normalised, public outrage has plateaued,

Photo: Arthur Menescal/Bloomberg via Getty Images

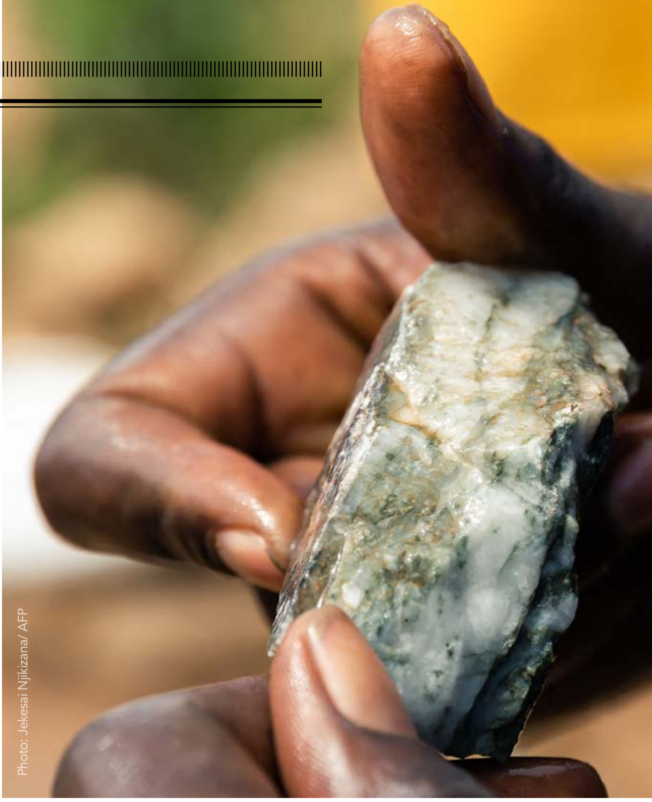


Photo: Jekesai Njikizana/ AFP

signalling a worrying desensitisation to ethical decay. A 2017 Chatham House study found that despite high levels of corruption in Nigeria, public outrage and demand for accountability remained low, indicating a normalisation of corrupt practices. Similarly, a 2019 Transparency International Kenya report revealed that while 71% of Kenyans believed corruption had increased, only 9% reported incidents of bribery, suggesting a resigned acceptance of the status quo.

Botswana, once hailed as a beacon of good governance, has seen a regression in its anti-corruption efforts since 2017. The 2021 Corruption Perceptions Index by Transparency International showed Botswana's score rising from 61 in 2017 to 55 in 2021, indicating a decline in public perceptions of government integrity. This regression exemplifies how positive illusions can blind societies to their own backsliding, diminishing the impetus for reform.

The echo chamber of social proof and conformity amplifies corruption's reach. The mantra "everyone is doing it" becomes a dangerous justification, seducing individuals into complicity with the corrupt status quo. Breaking this cycle demands a resurgence of moral courage, a willingness to challenge the norms and champion a new standard of integrity. As academic Dr Nkosana Moyo observed in 2018, "Zimbabweans are not fighting to change the system, they are fighting to be included in the system". This poignant statement underscores the pervasive nature of corruption, where individuals often seek to benefit from the corrupt system rather than actively working to dismantle it.

Fear of loss – of status, power, or resources – can drive individuals towards corruption as a misguided means of self-preservation. As the DRC shows, outward "success" for the corrupt few hides inward devastation for the many. This mineral-rich country stands exploited, its potential and people sacrificed to satiate elite cartels and foreign enablers. As journalist Tim Burgis reveals in *The Looting Machine*, the fat bank accounts of Congolese politicians and their business cronies have come about through blood, fear, and the deprivation of fellow citizens.

The discourse around whistleblowing, establishing anti-corruption frameworks, and prosecuting the corrupt has been extensively covered and passionately argued by many before me. My aim is not to echo these points but to explore the small yet significant ways we can contribute to eradicating this pervasive scourge. Understanding the psychology of corruption highlights the vital role of personal agency in this battle. Although corruption may be deeply ingrained within structures, the decision to engage or resist begins with the individual. Systemic change requires recognising our power of choice: to either accept the status quo or courageously forge a path grounded in integrity. As the Ethiopian proverb goes, "When spiders unite, they can tie up a lion."

This journey starts with self-awareness, urging us to examine our motives, incentives, and ethical blind spots that might unconsciously bias our decisions. A 2015 study by Sezer, Gino, and Bazerman, found that individuals who were prompted to think about their ethical blind spots

ABOVE: A young miner looks at an ore sample while searching for gold during a mine search and rescue operation in Kadoma, Mashonaland West Province, Zimbabwe, where more than 23 artisinal miners were trapped underground and feared dead in February 2019.

were less likely to engage in unethical behaviour compared to those who weren't given such prompts. The authors suggest that "by acknowledging our susceptibility to ethical blind spots, we can better avoid unethical decisions".

True transformation goes beyond legal measures, aiming to reshape mindsets and cultural norms. Cultivating self-knowledge protects against the sense of entitlement and "positive illusions" that undermine our moral integrity. Education, both formal and informal, is crucial in instilling ethical decision-making skills and civic values from an early age. As Barbara Ritter pointed out in her research paper 'Can Business Ethics Be Trained? A Study of the Ethical Decision-Making Process in Business Students', "Students who have had ethics training are more likely to recognise and less likely to engage in unethical practices."

However, maintaining integrity amid moral decay requires more than introspection; it demands moral courage. This involves challenging normalised corrupt practices, upholding values despite social pressures, and risking backlash to expose wrongdoing. While the path of least resistance might lead to complicity and silence, individual bravery can initiate a cultural shift towards prioritising ethics over corruption. An Igbo proverb highlights this: "When the mother cow chews the cud, the baby cow watches intently." Our actions serve as a model for the next generation, who will either emulate our ethical behaviour or tread the path of corruption.

Open discussion about corruption and its psychological justifications clarifies how individuals rationalise unethical actions. Moral courage and ethics training, delivered through various platforms, are key to empowering officials and citizens to combat corruption. Government agencies like Nigeria's Independent Corrupt Practices and Other Related Offences Commission (ICPC) and Kenya's Ethics and Anti-Corruption Commission (EACC), along with professional associations such as the Association of Certified Fraud Examiners (ACFE), can provide workshops, seminars, and resources. Private sector companies can incorporate ethics training into employee development programmes. Grassroots activism and civic engagement, exemplified by Nigeria's Integrity Crusaders and the Accountability Lab's innovative "Integrity Idol" and "Citizen Helpdesks", provide platforms for monitoring governance, reporting corruption, and advocating for transparency. By supporting these initiatives, we foster a culture of integrity and empower individuals to take a stand against corruption in their communities.

By intertwining daily ethical decisions with collective action, we have the power to dismantle the complex web of corruption that has entangled our societies. Through consistent efforts, we can erode entrenched networks of corruption, paving the way for a future where integrity and justice are foundational. This journey is long and challenging, but with each step towards righteousness and every act of defiance against corruption, we move closer to a world where ethical governance and societal trust prevail.

Corruption continues to plague African nations, impeding socio-economic development and eroding trust in governance. Currently, Africa is estimated to be losing more than $50 billion annually in Illicit financial flows (IFFs), facilitated by corruption.

The billions lost annually to IFFs continue to exacerbate poverty, hindering the continent's progress. Corruption remains a significant challenge across many African states, undermining efforts towards sustainable development, economic growth, and social progress. In the fight against corruption, Supreme Audit Institutions (SAIs) and National Prosecution Authorities (NPAs) play pivotal roles in upholding accountability, promoting transparency, and fostering good governance. This article explores the critical functions of SAIs and NPAs in countering corruption in Africa, examining their efforts, challenges, and impact through illustrative cases.

SAIs are the guardians of public funds and the watchdogs of government accountability. They are tasked with auditing government expenditure, evaluating the efficiency and effectiveness of public programmes, and uncovering instances of financial mismanagement and corruption. Through their audits, SAIs identify systemic weaknesses, highlight areas of concern, and recommend corrective actions to improve governance.

Similarly, NPAs are responsible for investigating and prosecuting cases of corruption and financial crimes. They work closely with law enforcement

A BEACON OF HOPE

By Christine Dube

LEFT: South Africa's former National Prosecuting Authority head, Shaun Abrahams, during his appearance before The Portfolio Committee on Justice and Correctional Services in Parliament in November 2016.

Photo: Jaco Marais/Foto24/Gallo Images/Getty Images

agencies, anti-corruption bodies, and judicial authorities to hold perpetrators accountable for their actions and ensure justice is served. NPAs play a crucial role in deterring corruption by prosecuting offenders and recovering stolen assets.

Collaboration between SAIs and NPAs is essential for effectively combating corruption in Africa. This collaborative relationship involves close coordination, information-sharing, and joint efforts to investigate and prosecute cases of corruption and financial crimes. The collaboration can be characterised by:

- Information Sharing: SAIs possess valuable insights from their audits, including findings of financial irregularities, instances of mismanagement, and potential cases of corruption. By sharing this information with NPAs, SAIs contribute to the identification and prioritisation of cases for investigation and prosecution. Likewise, NPAs provide SAIs with feedback on the outcomes of investigations and prosecutions, enabling SAIs to assess the impact of their audit findings and recommendations.
- Joint Investigations: Cooperative investigations between SAIs and NPAs leverage the respective expertise and mandates of both institutions. SAIs can conduct preliminary investigations to gather evidence and identify irregularities, while NPAs lead the legal proceedings and prosecutions based on the findings. Joint investigation teams of auditors and prosecutors can streamline the investigative process,

enhance the quality of evidence, and expedite legal proceedings.

- Coordinating Prosecutions: In addition to conducting joint investigations, SAIs and NPAs collaborate on coordinating prosecutions to ensure the effective pursuit of legal action against corrupt individuals and entities. This coordination involves aligning strategies, sharing legal expertise, and prioritising cases based on their severity and impact. By coordinating prosecutions, SAIs and NPAs avoid duplication of efforts, streamline legal proceedings, and maximise the use of limited resources. Moreover, coordinated prosecutions send a strong message of deterrence to would-be offenders, demonstrating the commitment of both institutions to holding perpetrators of corruption to account. Through regular communication and cooperation, SAIs and NPAs foster a seamless process from investigation to prosecution, ultimately leading to successful convictions and the recovery of stolen assets for the benefit of society.
- Capacity Building: Collaboration between SAIs and NPAs extends to capacity-building initiatives aimed at enhancing the skills and capabilities of staff members. Training workshops, seminars, and knowledge-sharing sessions facilitate the exchange of best practices, methodologies, and lessons learned in auditing, investigation, and prosecution. By investing in the professional development of their personnel, SAIs and NPAs strengthen their collective capacity to effectively combat corruption.
- Policy Advocacy: SAIs and NPAs can collaborate on policy advocacy efforts to promote legislative and institutional reforms, and anti-corruption initiatives. Together, they advocate for legal frameworks that empower both institutions to fulfil their mandates independently and without interference. By advocating for greater transparency, accountability, and integrity in governance, SAIs and NPAs contribute to creating an enabling environment for anti-corruption efforts.
- Public Awareness: Collaborative campaigns and joint outreach programmes raise public awareness about the detrimental effects of corruption and the importance of accountability and transparency. Through public engagements, media campaigns, and educational initiatives, SAIs and NPAs inform citizens about their rights, encourage whistleblowing, and foster a culture of integrity and ethics in society. By engaging with stakeholders, including civil society organisations, academia, and the media, SAIs and NPAs amplify their anti-corruption message and mobilise support for their efforts.

In Kenya, the Office of the Auditor General (OAG) and the Office of the Director of Public Prosecutions (ODPP) have established a robust collaborative relationship to combat corruption and enhance accountability. The OAG conducts thorough audits to identify instances of financial mismanagement, fraud, and corruption within government institutions. Upon uncovering irregularities, the OAG shares its findings with the ODPP, providing comprehensive evidence to support potential prosecutions. For example, in a recent audit of a government procurement process, the OAG discovered evidence of bid rigging and embezzlement. This information was promptly relayed to the ODPP, facilitating the initiation of criminal proceedings against the implicated individuals.

The ODPP works closely with the OAG to prioritise cases with significant implications for public trust and financial integrity. By aligning their prosecutorial strategies, the ODPP ensures that cases referred by the OAG receive prompt attention and are prosecuted effectively. In the aforementioned procurement fraud case, the ODPP assigned a dedicated team of

prosecutors to handle the matter, expediting the legal process and sending a strong message of deterrence against corrupt practices. The OAG and the ODPP also jointly spearhead public awareness campaigns to educate citizens about the detrimental effects of corruption and the importance of holding those who abuse public trust to account.

In Ghana, the Auditor General's department collaborates closely with the Directorate of Public Prosecutions (DPP) to investigate and prosecute cases of corruption and financial mismanagement. Joint investigations conducted by auditors and prosecutors have resulted in successful prosecutions and convictions of corrupt officials, leading to significant recoveries of misappropriated funds and assets. This partnership exemplifies the power of synergy between SAIs and NPAs in combating corruption. However, challenges arise when cases the DPP has investigated are handed to the Supreme Court, which disempowers the DPP from prosecuting the case.

Despite their critical roles, SAIs and NPAs face numerous challenges in combating corruption, including limited resources, institutional capacity constraints, political interference, and legal obstacles. Addressing these challenges requires

ABOVE: Shamila Batohi was appointed as South Africa's new National Director of Public Prosecutions, (NDPP) in February 2019.

sustained commitment from governments, support from international partners, and the strengthening of legal frameworks and institutional capacities.

In conclusion, the collaborative relationship between Africa's SAIs and NPAs represents a powerful alliance in the fight against corruption and the promotion of accountability, transparency, and good governance. Through their concerted efforts, SAIs and NPAs play pivotal roles in identifying, investigating, and prosecuting corruption cases, ensuring that perpetrators are held accountable for their actions. As Africa continues to confront the challenges posed by corruption, the partnership between SAIs and NPAs serves as a beacon of hope, demonstrating the tangible impact that can be achieved through collective action and cooperation. By nurturing this collaborative relationship and building on past successes, SAIs and NPAs can drive meaningful change, promote sustainable development, and pave the way for a future where corruption holds no place in the governance landscape of African nations.

PARTNER CONTENT

Into the GREY

By Rose Mumanya

Kenya and Namibia were added to the Financial Action Task Force (FATF) grey list on 28 February, joining 10 other African countries considered by the world's Anti Money Laundering (AML) and Combating the Financing of Terrorism (CFT) watchdog to have strategic deficiencies in the fight against money laundering. Kenya's listing is hardly surprising: the country's booming real estate and financial services sectors have attracted criminal networks from across the region, while its proximity to conflict zones in Somalia, the Democratic Republic of Congo (DRC) and South Sudan leaves its economy vulnerable to the proceeds of terrorism and conflict.

Despite this, the decision to greylist Kenya has been controversial locally, particularly because the country has one of the most robust AML legal frameworks in East Africa. This has been achieved through an intense four-year reform process following its previous listing in 2011. By contrast, Uganda, which was delisted on the same day, has only recently made concerted efforts to align its AML regulations with international standards. This has left Kenyan authorities frustrated, particularly because the FAFTF's delisting requirements, which centre on strengthening AML/CFT institutions and prosecutions, will be difficult to achieve due to political considerations.

Namibia was also listed for similar reasons, with the FATF citing a persistent lack of institutional capacity and investment in sanctioning money laundering, especially as it relates to corruption. In similar fashion, although South Africa has instituted major reforms since it was greylisted in February 2023, the FATF has retained the country on the list, mostly due to persistent deficiencies in its AML/CFT enforcement mechanisms. Like Kenya, South Africa's financial services sector continues to be used by transitional criminal groups – and increasingly terrorist/rebel groups from the region – meaning that the country will need to demonstrate a real track record of sanctioning cases of terrorism financing.

These dynamics suggest that legal reforms are not enough to demonstrate a commitment to AML/CFT action, and countries that do institute these reforms risk attracting further scrutiny into the institutional mechanisms in place to implement the current regulations. Indeed, there is a greater expectation on countries such as

PARTNER CONTENT

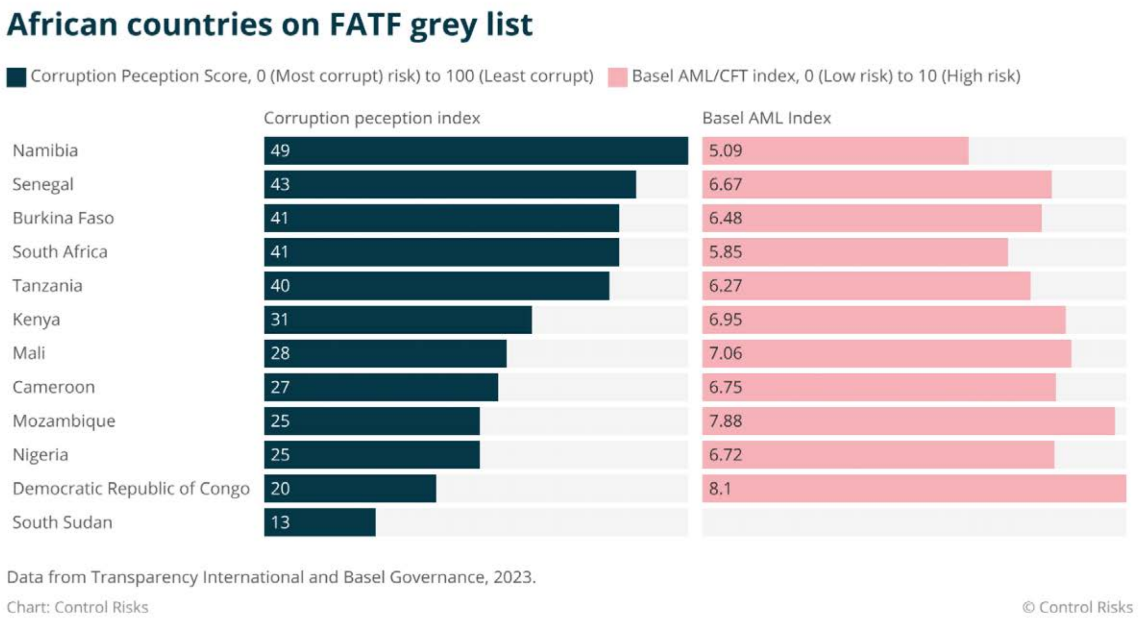
Kenya and Namibia, which already have relatively comprehensive legal frameworks, to also address institutional weaknesses that hamper the implementation of AML/CFT mechanisms.

In most cases, the poor implementation of AML/CFT regulations in these countries results from poor coordination between different institutions, capacity constraints, and a lack of political will to prosecute. This is especially challenging when it comes to tackling terrorism financing, which requires major technical interventions on the part of AML/CFT institutions.

For example, Kenya's Financial Reporting Centre (FRC), which is mandated to monitor AML/CFT compliance, is severely underfunded, while the Directorate of Criminal Investigations (DCI), which plays a central role in investigating and prosecuting reports of terrorism financing, faces an acute shortage of technical experts. Likewise, resource and capacity gaps within the South African Police Services (SAPS) and National Prosecuting Authority (NPA) hamper AML/CFT enforcement. The same is true for Namibia's Anti-Corruption Commission (ACC).

These deficiencies can be attributed to the

Photo: Getty Images



genuine financial challenges facing the three countries, which are all grappling with elevated debt levels. This means that while prioritising capacity building in AML/CFT institutions will be difficult, it is certainly achievable for the three countries over the next two years, especially given that multilateral financial institutions are likely to support the reform process.

However, de-linking AML/CFT enforcement from politics will be much harder to achieve in these countries, where, despite having more robust institutions than their neighbours, the implementation of AML/CFT provisions is occasionally subject to political interference. This makes it difficult for AML/CFT bodies, which are often subordinate to the executive, to pursue their mandate with vigour.

Outright political interference in AML/CFT investigations and prosecutions is also not uncommon in these countries and is likely a growing concern for the FATF in Kenya, where the executive has increasingly bypassed judicial authority in recent years. In Namibia, the lack of political will to prosecute is also evidenced by the protracted nature of proceedings relating to corruption, such as the country's 2019 Fish Rot scandal, which implicated senior government officials in an allegedly irregular issuance of fishing contracts worth NAD 300 million ($7.9 million). In South Africa, sustained political interference in the security and prosecuting services facilitated large-scale corruption under former President Jacob Zuma (2009-2018), leading to "state capture".

Addressing political interference in AML/CFT enforcement mechanisms will be a key hurdle for these countries as they endeavour to be removed from the grey list. This is likely to be especially contentious in Kenya and South Africa, where financial services regulators are also vulnerable to political interference, which, when combined with poor collaboration with law enforcement agencies, also slows CFT efforts. These issues will test the commitment of these countries to AML/CFT mechanisms, especially because they will face heavy pressure to comply with the de-listing requirements. First, the listing is likely to hamper investor confidence, especially given that it will require enhanced due diligence for any engagements with Western companies. Kenya, Namibia, and South Africa are all in a crunch to boost economic growth, meaning that there will be some genuine will on their part to address these issues.

More importantly, the IMF and the World Bank, which work closely with the FATF, will increasingly leverage access to much-needed multilateral funding to push for the reforms. The IMF has already been instrumental in pushing for recent AML reforms in Kenya, including amendments to the AML Act in September 2023 that will compel practicing lawyers to report suspicious financial transactions to the FRC. Moreover, the IMF has engaged with South Africa regarding the implementation of FATF recommendations since the country was listed in 2023. South Africa, which is less reliant on multilateral funding, is likely to require more support from the IMF to help ease the strain on public finances, leaving room for further engagement on the matter. Likewise, the IMF warned in late 2023 that poor implementation of AML regulations had put Namibia at risk of being graylisted and would closely follow institutional reforms.

COMPLICATED REFORM PROCESSES

Despite these added incentives, the reform process is unlikely to be straightforward and will be complicated by political considerations. To counter the criticism resulting from this, they will rely on symbolic prosecutions of politicians and government officials for money laundering and terrorism financing – but even these will be politically motivated, especially in the case of Kenya. There is also likely to be some genuine support for prosecutions targeting "smurfs" and money mules, but asset tracing and recovery efforts will continue to be muddled by political interference. In addition, these countries will focus on strengthening AML/CFT institutions through additional regulatory amendments that may not be fully implemented. Nonetheless, they are likely to cede to pressure to increase funding for these bodies, to showcase their commitment to the reforms. Together, these concessions will enable the three countries to be removed from the FATF grey list in the next few years. The journey to delisting is likely to be longer for Kenya, where AML/CFT reforms risk facing major resistance from sections of the population, civil society, and private sector actors. However, the authorities will endeavour to be delisted within the next two years. Meanwhile, South Africa is likely to remain on the list until at least 2025, amid budgetary constraints, and as the May general elections disrupt reforms. Namibia, which has more stable institutions, might be able to obtain a de-listing by the next review, in a year or so.

PROGRESS?

Even when these countries are eventually delisted, it is not guaranteed that the reforms will drive notable improvements in governance, at least in the short term. Institutional weaknesses will persist, slowing AML/CFT efforts. This also means that these countries will remain vulnerable to FATF sanctions in the coming years and might be listed once again, particularly if reports of terrorism financing, corruption, and money laundering intensify. The recent oil boom in Namibia has exposed the country's vulnerability to corruption, and the country will be subject to mounting scrutiny from the FATF in the coming years and may be listed once again. The National Petroleum Corporation of Namibia (NAMCOR) will face particular scrutiny, amid growing reports of power wrangling and corruption. In the same vein, Uganda, which is hoping to begin oil production by 2025, will need to prove a commitment to enforcing recent reforms or risk another listing.

In any case, businesses that transact with these countries will still have to contend with elevated due diligence and compliance costs, which will continue to spike in response to FATF sanctions. While this may in some instances complicate the efforts to mobilise external funding for projects in these countries, this effect is likely to be temporary, at least for Kenya, Namibia, and South Africa. Investors have typically not shied away from lucrative opportunities due to FATF grey-listing, especially in countries where the authorities can show some genuine attempts to address AML/CFT shortcomings. ■

Control Risks

MAURITIUS CLEANS ITS HOUSE

By Ronak Gopaldas

Mauritius was placed on the Financial Action Task Force (FATF) grey list in February 2020 and blacklisted by the European Union later that year for strategic deficiencies in their anti-money laundering and counter-terrorist financing frameworks.

Long considered an oasis of good governance and prudent financial management on the African continent, the decisions inflicted significant reputational and economic damage on the country at a time when it was already reeling from the consequences of the COVID-19 pandemic. However, with swift and pragmatic decision-making, authorities were able to mitigate its most damaging consequences and quickly reverse the decision.

Considering the recent greylistings of Kenya and Namibia this year, and South Africa in 2023, Mauritius's success offers an important example for the rest of the continent.

In February 2024, Kenya and Namibia were added to the FATF grey list. The two African states are now under increased monitoring by the organisation for their inadequate measures against money laundering and terrorism financing. The FATF announced their addition to the list on 23 February this year at its Paris plenary meeting.

Photo: Getty Images

Kenya was given eight targets as part of its greylisting removal criteria, including regular updates of its risk assessments to the authorities and private sector, along with updates of its anti-money laundering and counter-terrorism financing strategies, enhancing the comprehension of preventative measures for financial institutions and designated non-financial businesses and professions, and improving the use and quality of its financial intelligence capabilities. The risks identified in a FATF report in 2022 included its use as a transit route for drugs and illegal wildlife trafficking, as well as the risk of terrorism financing via its proximity to active terrorist groups in neighbouring countries.

Namibia has also been issued with eight goals, including measures to enhance its anti-money laundering and counter-terrorism financing risk-based supervision, providing its Financial Intelligence Centre with adequate human and financial resources and training to strengthen analysis and proving the law enforcement authorities' competencies in investigating and prosecuting money laundering (ML) and terrorism financing (TF) cases.

The FATF assessment for Kenya and Namibia was predicated on a mutual evaluation report (MER) completed in September 2022 by the East and Southern Africa Anti-Money Laundering Group (ESAAMLG). Headquartered in Dar es Salaam, Tanzania, the ESAAMLG is the anti-money laundering authority for the east, central, and southern Africa region. It uses the FATF's methodologies and benchmarks, including the FATF's 40 recommendations, to determine the capacity of a particular jurisdiction to combat ML, TF, and Proliferation Financing (PF). The FATF then consults the ESAAMLG's findings in deciding whether or not to list or de-list a country under the regional body's jurisdiction.

In general, greylisting can have multiple negative effects, according to research by African risk consultancy Signal Risk.

First, it can suppress direct and portfolio inflows due to reputational risk and administrative burdens. Doing business in a greylisted jurisdiction increases the risk that commercial actors could be exposed to, possibly handling money and assets that are the proceeds of illicit activity. As such, various funds and companies warn against, and often sanction, such engagements. Data by the International Monetary Fund (IMF) has found that greylisting results in an average decline in capital inflows equivalent to 7.6% of GDP. Data by KPMG also suggests that correspondent banking between greylisted and non-greylisted jurisdictions may decline by as much as 20% following inclusion on the FATF's grey list. Meanwhile, data from SWIFT (the international payment platform) found that external receipts among affected countries declined by as much as 10% after greylisting.

Second, greater scrutiny of trade finance and cross-border transactions tends to hamper both imports and exports. Meanwhile, increased oversight by banks and tighter regulations on transactions generally slow their volume and impede the performance of the domestic banking sector. Meanwhile, the cost of foreign and locally


Photo: Ali Sooby / AFP


Photo: AFP

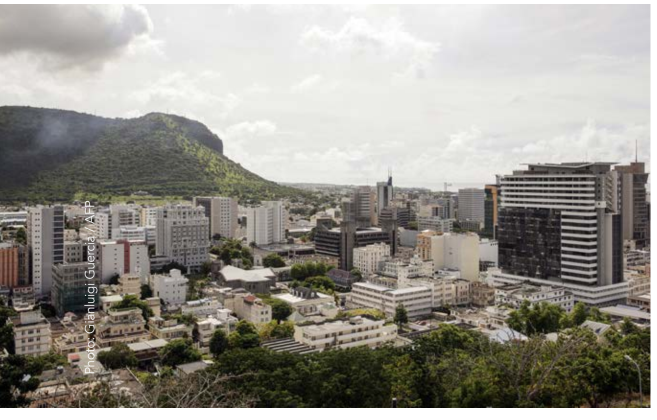


Photo: Gianluigi Guercia / AFP

denominated debt typically rises, as creditors factor in a premium for dealing with actors in a risky jurisdiction.

James George, compliance manager at Compli-Serve SA, notes that Mauritius was initially greylisted for several reasons, including a lack of effective risk-based supervision, limited access to beneficial ownership information, and insufficient oversight on non-profit organisations that may be subject to terrorist financing. There was also a general ineffectiveness in conducting money-laundering investigations.

In her analysis in *The Africa Report,* Shianee Calcutteea of the law firm Bowmans noted that the repercussions of being perceived as a country with a high money laundering and terrorism risk profile were serious. Business activity, especially with EU members, became increasingly difficult, which adversely affected the economy. The impact was particularly severe in the global business and banking sectors, which are a mainstay of the island's economy. Moreover, Mauritius was subject to enhanced monitoring and reporting, financial institutions operating within the country faced stricter regulations and scrutiny, and investors perceived the country as having higher risks associated with money laundering and terrorist financing.

Despite significant challenges, Port Louis managed to reverse the greylisting in record time. Impressively, whereas it can take a country up to five years to move off the list, Mauritius did it in only two – a testament to its nimble and effective turnaround strategy.

Three key elements underpin the country's turnaround strategy.

First is coordination. The private sector and government, realising the gravity of the situation, knew that a holistic approach was needed. This "all hands on deck" approach meant that remedial efforts were accelerated with resource mobilisation and efficient execution prioritised.

Practically, the private sector set up various

Photo: Laura Morosoli / AFP

Photo: Laura Morosoli / AFP

capacity-building initiatives to improve the skills and expertise of professionals working in the Anti-Money Laundering/Countering the Financing of Terrorism (AML/CFT) sector. Training programmes for law enforcement officials, financial regulators, and other relevant stakeholders to enhance their understanding of AML/CFT issues and improve their ability to combat financial crimes effectively were key elements in this strategy.

A regularity body, the Mauritius Institute of Professional Accountants (MIPA), developed an action plan. MIPA published 'Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT)' guidelines in early 2021 to help licensees better understand their obligations and guide them in implementing an AML/CFT framework. MIPA also developed an awareness strategy and conducted outreach to the licensees as a key remedial action.

Second is collaboration. Domestically, appropriate AML/CFT supervisory agencies convened and cooperated with one another, resulting in the establishment of an AML/CFT supervisory forum. This enabled supervisors to share best practices and lessons learned to ensure compliance with AML/CFT obligations. To that end, a memorandum of cooperation was signed by supervisory authorities to formalise

Photo: Gianluigi Guercia / AFP

their coordination regarding policy formulation, exchanging information, joint outreach, staff training, and operational coordination to combat money laundering, terrorist financing, and proliferation in Mauritius.

The parties to the memorandum included the Bank of Mauritius, Financial Services Commission, Financial Intelligence Unit, Attorney General Office, Registrar of Companies, Gambling Regulatory Authority, and MIPA. Externally, Mauritius enhanced its collaboration with international counterparts, including other countries and international organisations such as the FATF, to address cross-border financial crimes effectively. This cooperation involved sharing information,

Photo: Gianluigi Guercia / AFP

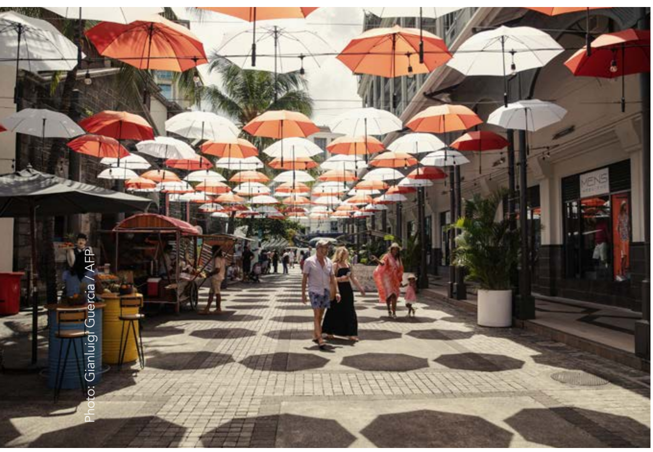


Photo: Gianluigi Guercia / AFP

intelligence, and best practices. Mauritius also received technical assistance from the EU's Global Facility on AML/CFT and the German government to assist with implementation.

Third, a high level of commitment. There was steadfast political will from the government to remedy the situation. A high-powered committee headed by the Prime Minister was assembled early on to accelerate Mauritius' implementation of its FATF Action Plan. Importantly, there was a level of urgency led by the presidency to restore the integrity of Mauritius as an international financial centre. By implementing these measures, Mauritius demonstrated its commitment to addressing the deficiencies identified by the FATF and aligning its AML/CFT framework with international standards. Consequently, Mauritius successfully exited the FATF grey list in 2022.

For many analysts, the greylisting was a blessing in disguise and provided impetus for Mauritius to clean its house and restore the integrity of its financial services industry. Although damaging, the recent greylistings of Namibia and Kenya should be seen in a similar light. They present an opportunity to repair and rebuild trust in financial systems and tackle the serious issues of financial crimes and corruption.

There are multiple benefits to doing so. Aside from the obvious reputational rewards, exiting the grey list would facilitate easier access to international financial markets, reduce compliance and administrative burdens, enhance overall security, and boost a country's standing within the global business community.

Such efforts are important against a volatile global backdrop where capital is increasingly discretionary. In this context, countries that offer stability and consistency in their financial and regulatory environments will emerge as clear winners in the investment arena.

For African nations that have suffered a similar fate, the Mauritian template offers a clear example of what can be done with cohesive and clear communication, credible policymaking, and multi-stakeholder collaboration. The likes of South Africa, Namibia, and Kenya would do well to draw inspiration from the small island nation and learn these lessons on the road to redemption.

Photo: KC Nwakalor/Bloomberg via Getty Images

THE TIES THAT BIND

By Malcolm Ray

The International Monetary Fund (IMF) 'debt-equity' swap scheme, muscled into Nigeria in 1988, spawned a deadly seed that is today testimony to the ties that bind private sector wealth and state power in Africa.

On 15 April 1988, *The New York Times* carried a photograph of a Nigerian street vendor gazing blankly through the wooden crate of a makeshift stand in the capital, Lagos, that sat incongruously alongside the banner headline, 'Nigeria Opens its Economy'.

The New York Times, through the late 1980s, was on an irrepressible crusade against economic nationalism and its Keynesian underpinnings, drawn from the post-Depression statist policies of the British economist John Maynard Keynes. It was especially aimed at swashbuckling American businessmen eyeing developing countries in Africa, where the transition to the market economy had just begun. Every businessman who had known Nigeria's populous economy instantly recognised the scene of a vast informal economy that pulsed alongside the atrophying formal one.

ABOVE: A young woman wearing a hijab carries goods on her head as she walks through Orange Market in Mararaba, Nigeria, in September 2020.

"For those who know Nigeria, the climate is so improved that it's the difference between night and day," one American, who had a decade of business experience in Nigeria, was quoted as saying in *The New York Times* piece. The difference between day and night, of course, depended on which side of the Atlantic you were.

Despite its abundant oil endowments, Nigeria was a creaking deficit-ridden economy whose only redeeming feature was to allow people the indignity of "self-employment" as survivalist street traders. In the early years of the World Trade Organisation (WTO), little attention was paid to developing countries, least of all those in Africa. One of the mainstays of African economies, through the 1970s and early eighties, had been the nationalisation of assets; the very words "private property" came to the fore only in the structural adjustment phase of the IMF during the mid- to late-1980s, and few governments really understood its implications.

Without adequate revenue inflows from domestic economic activity, Nigeria's foreign debt obligations had breached $27 billion by 1983, sending its federal state officials scrambling to the IMF to reschedule the debt. Now the debt was an opportunity to get in on the action, and it was American and European multinational corporations, not banks, as had been the case during the 1970s, that were angling for new bargains.

After General Muhammadu Buhari's coup in 1983, Nigeria's military government used the cover of "war on poverty" to decree a sweeping privatisation plan involving 67 state companies, including the national airline, and the partial privatisation of the major banks, whose shares would be mortgaged to US foreign investors.

One can only imagine the exhilaration that must have sprung from the oxygen of free trade and investment, yet many took it as an invitation for brazen abuse. As the British journalist John Pilger observed in his brilliant account of the era, "deals between the Nigerian political elite and US corporations were, in fact, hardly investments at all". "Central to Nigeria's privatisation decree," wrote Pilger, "was a new 'loan-back' scam with the IMF and US creditor banks that entailed swapping debt for equity stakes in state enterprises, the reconversion of US dollars to the local currency, and the repatriation of those dollars to the United States Federal Reserve Bank."

At almost exactly the same time as Nigeria's loan-back deal, Zaire, under the dictatorship of Mobuto Sese Seko, introduced similar measures. Some 47 state companies were scheduled for liquidation, or "reorganisation" in official parlance, on commercial lines, including Air Zaire, the Compagnie Maritime Zairos, and Petrozaire. And the red carpet was rolled out for foreign companies, with the free repatriation of profits permitted for the first time in a decade. Uganda soon followed suit, then Rwanda, Togo and Ghana –in that order.

Having begun in Latin America during the late 1970s, with Chile as the lab rat, the 'debt-equity swap scheme', a pejorative moniker by which it came to be known among its critics, eventually had the effect of building altered practices and leaps of legal interpretation that legitimised state-private sector corruption in all but name, and it was normalised through references to the malleability of IMF lending policies and the urgency of responding to the debt crisis.

"We'll cut you in for a price – just tell us what you want."

However, generating political enthusiasm among African governing elites for the foreign acquisition of state companies was still something of a problem. As roughly 80% of foreign "investment" was not really investment at all but the stripping of state corporations, local infant companies' only chance for inclusion into the elite masonry was through a process of co-option by foreign multinationals as junior partners.

In its barest form, the scheme suited two elite blocs – mainly US multinational corporations in cosy deals with Nigerian black-empowerment enterprises – in cahoots with the state that effectively proclaimed the start of the zeitgeist of neoliberal economics in African countries. It was an "extraordinary gift", ironised RT Naylor in his encyclopaedic book, *Hot Money and the Politics of Debt*. It was reassuring, perhaps, to aspirant middle-class Africans wary of the folly and blatant

ABOVE: Outgoing Nigerian President Muhammadu Buhari inspects the Guard of Honor at the Presidential fleet review held at the Naval Dockyard in Lagos on May 22, 2023. Nigeria's President Muhammadu Buhari on Monday commissioned an oil plant billed as Africa's largest oil refinery, after years of delays and a week before stepping down from office.

corruption of the old dictatorships. It sounded exciting to young entrepreneurs eager to get onto the fast track of a privatised, export-oriented industry. And it was a siren song to IMF officials and US corporations who appreciated open economies.

As the 1990s dawned, a US State Department official commented that American corporations were "very bullish" on investment opportunities in Africa. So, too, were African governments. If markets were to be opened to foreign investors, new "localisation" (read: empowerment) rules would be imposed. Henceforth, foreign citizens and corporations could no longer purchase or own private enterprises without local partners. In many countries, foreign holdings would be sold off or reduced to debt-equity partnerships.

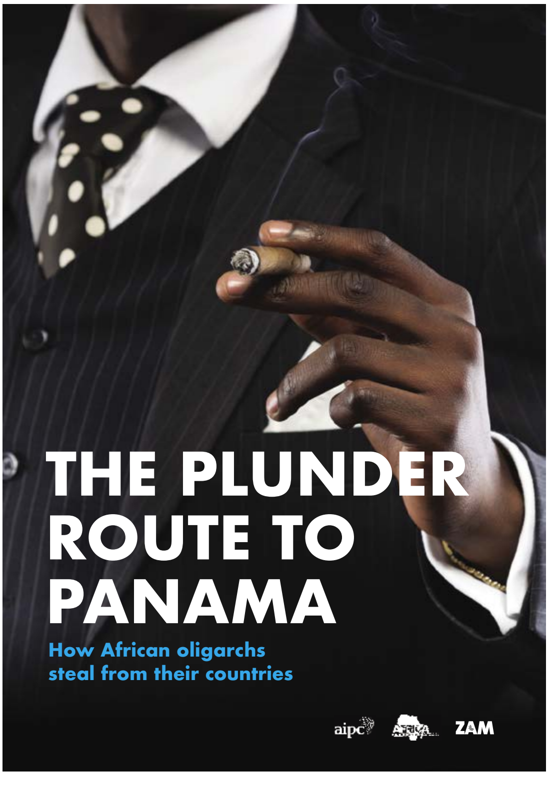
A deadly seed had sprouted. Throughout the 1990s, when many erstwhile military regimes declared themselves civilian democracies and market economies, the traditions of an earlier period, when African countries were ruled by arbitrary party diktats, lingered. In this twilight zone between dictatorships and the new "free market", one of the most difficult and combustible questions was the relationship between public and private interests. In the passage to neoliberalism, the lines between the public interest and private gain were blurred. Having obeyed their western creditors and "restructured" their economies to accommodate foreign players, wrote Naylor. Most African countries would, thence, facilitate the debt-equity repatriation deals between western companies and African elites as "an unending party of grand theft".

Thus, talk of progress in Africa since the 1990s – stability, democracy, prosperity – has paradoxically highlighted its failing. It was the old carrot-and-stick chestnut. The assurances that various African dictators quietly gave foreign investors were a marvellous palliative. Inside what was formally known as "development projects" in African countries, a whole panoply of privatised assets was being grabbed by party elites and foreign multinationals. As sociologist Roger Southall tells it, "elite interests helped themselves to the public purse and the 'New Africa' leaders let them have it."

A glimpse of how the system really functioned was provided by a loose collective of investigative journalists in a 2015 report published by the Africa Investigative Publishing Collective (AIPC): "Governments would say, 'We'll cut you in for a price – just tell us what you want'. Having manipulated these schemes through black empowerment policies, various governments were now in a position to guarantee, by presidential dispensation, that foreign businesses would enjoy preferential benefits as long as they showed enthusiasm for their regimes and investment." The empowerment policies were to be used as leverage and applied selectively – to any foreign businessmen who refused to offer a piece of the action.

Kickbacks, bribe inducements, and other forms of extortion were similar to armed robbery, but they were not carried out in such a blatant fashion. And the foreign companies involved thought they were worth it. As the AIPC put it, "Empowerment, if it is to be called that, was only a pretext; the deals were cooked by elites."

Throughout the first decade of the millennium, a new capitalist leviathan was legible in fundamentally changed rules of the game, but the full scale of its impact wasn't as visible



because African governments threw up a nearly impenetrable wall of secrecy. Then, in 2016, an explosive cache of documents chipped away at the wall, exposing a vast network of high-level political leaders implicated in the abuse of state resources. The most prescient of those who discovered the rising oligarchical structure of African capitalism in the second decade of the millennium was the AIPC. The group had made a specialty out of studying African elites and was perfectly primed to see the leviathan emerging out of the fog.

In 2017, AIPC carried out research on the Panama leaks, painstakingly compiling lists of the government officials named in the Panama Papers and their links with wealthy foreign businessmen, and then made crosschecks and diagrams, trying to piece together companies and empires. Then they conducted interviews to find out how it worked. The result was a 37-page report in 2017 bearing the thudding title, 'The Plunder Route to Panama: How African Oligarchs Steal from Their Countries'. What they saw did not fit neatly into the Washington idea of brave African reformers led, first, by the Organisation of African Unity (OAU) and then by its successor, the African Union (AU). The age of liberal reforms masked a dark side of the new Africa that bore all the hallmarks of the debt-equity swap scheme.

The authors of 'The Plunder Route to Panama' pioneered the idea that African political elites were using their clout to amass wealth in shady deals with multinational corporations. More than just a story about wealth or the blatant mixture of power and money, the economies they looked at were becoming a clannish system of private tyrannies – a group of African dictators who possessed both wealth and power. This perspective most conspicuously came into plain view in the Democratic Republic of the Congo (DRC) with the rise to power of the Kabila clan during the mid-2000s, headed by President Joseph Kabila.

Using records in the Panama files, AIPC

ABOVE: Former President of the Democratic Republic of the Congo, Joseph Kabila sits in a garden at his personal ranch on December 10, 2018 in Kinshasa.

Photo: John Wessels / AFP

RIGHT: Jill Biden (R), wife of the US President Biden, and Jaynet Kabila, twin sister of the former Democratic Republic of Congo President and head of the Laurent-Desire Kabila foundation, pose for a picture, in Kinshasa, on July 4, 2014. **BELOW:** Rwanda President Paul Kagame attends a press conference on the sidelines of the World Economic Forum in Davos in May 2022.

journalist Francis Mbala found evidence confirming claims by the Canadian multinational First Quantum that the Kabila government had a direct hand in something larger than petty corruption. Two places of circumstantial evidence in the Panama Papers were First Quantum and Kabila's twin sister Jaynet's hand, as an empowerment beneficiary, in kickbacks and mining licences from the state. When it came to money, Jaynet Kabila delighted in using privilege.

When Mbala asked Saint Augustin Mwenda Mbali, the Director-General of the anti-corruption agency OSCEP (Observatoire de Surveillance de la Corruption et de l'Ethique Professionnelle), why Jaynet Kabila's appearance in the Panama Papers had not been investigated, he shrugged off the insinuation of corruption. The OSCEP had been set up by none other than Joseph Kabila himself, amid much public fanfare, on the promise of "zero tolerance" for corruption and "filling the jails with economic criminals". Overnight, it was part of the new order, the visible superstructure of Kabila's regime, with not a single economic criminal in jail.

Since his election into office in 2006, Kabila had built up a hierarchy of power in the DRC that harked back to the Mobutu era. He won the presidency again in 2011 with such embarrassing ease that authors of a 2011 Amnesty International report titled, 'Making a Killing: The Diamond Trade in Government-controlled DRC', mused, "And who invented this system?" The way the authors answered the question, and not without equivocation, was that "it used to take a different form, but it was invented by the West". Slowly, power was drained from the executive, from parliament, from the regions, the judiciary, business, and the media. It all found its way into the hands of the Kabila clan.

Rather than indulging a flair for the public spotlight, like some of his peers in the AU, Kabila's power was a kind of social contract struck between his government, local empowerment companies, and foreign capital. The terms were unwritten but well understood. It was a sensational scenario, revealing the dark underbelly of the DRC's covert

ABOVE: Togolese President Faure Gnassingbe of the ruling Union for the Republic party has faced widespread protests by the opposition calling for the end of his family's decades-long grip on power.

network centred around the merger between the state and private enterprise.

Nowhere was this more apparent than in neighbouring Rwanda, where the invention of the "party-statal" term – an oblique reference to the open merger of the ruling party and state enterprises – produced Crystal Ventures, the Rwandan ruling party's business empire. In their report, the AIPC team revealed an inexhaustible flow of state money, "ostensibly to propel development and grow the economy", to Crystal Ventures, with President Paul Kagame at its helm. In his financial audits over 2015 and 2016, Rwanda's own Auditor-General highlighted mismanaged and wasted state money. More than $100 million poured into empty office buildings and other abandoned or badly executed construction projects.

In Togo, similarly, the country's president sold phosphate resources under the market price to shady shippers. In Mozambique, villagers were violently removed from large rugby fields licenced to generals and ministers. Foreign currency controlled by the Burundi presidency was earmarked for certain companies, creating shortages and damaging the economy. Recent investigative projects by the *Premium Times* in Nigeria, Maka Angola in Angola, and Global Witness in Zimbabwe unearthed similar looting by ruling elites. And South Africa's former president, Jacob Zuma, mortgaged in a little over a decade the entire state to an Indian family, the Gupta's, through a spider's web of front companies under a Zuma-Gupta oligarchy colloquially known as the Zuptas.

These were only some of the performances of oligarchic capitalism that became the trademark of African governments since the debt-equity swap scheme was first muscled into Nigeria in 1988. It was a backdoor giveaway to foreign and local elites so blatant that, across Africa, millions of people who would have felt the impact of the "free" market were not free to act, while an emerging elite were invited to witness the final act, and even shape it, to suit their interests. The very presence of such a delicate moment – the marriage between foreign players and local elites – is today testimony to the binds between state power and private wealth.

Photo: Waldo Swiegers/Bloomberg via Getty Images

WHEN CORRUPTION IS A FEATURE, NOT A BUG

By Terence Corrigan

ABOVE: The dry dock area at the Port of Durban, operated by Transnet SOC Holdings Ltd.'s Ports Authority, in Durban, South Africa, in May 2018.

The ANC took power with the conviction that state power would resolve the country's socio-economic deficits. Partly, this reflected the statist ideological convictions of a party schooled in the Soviet bloc. It also denoted an attraction to the idea of a "developmental state", the latter position being a liveable compromise after the failure of the Eastern European socialism it had admired. A strong, interventionist state would make a purposeful developmental contribution to the country's new political freedom.

South Africa was endowed with a portfolio of bodies that had played this role in the past and could be adapted to do so in the new era. These were its State Owned Enterprises (SOEs). For years touted as the champions of economic growth and transformation (not only for South Africa but across the continent), they have become synonymous with South Africa's national malaise: wasteful, corrupt, and incompetently managed.

Their failures are hitting South Africa's economic prospects hard. Chris Hattingh, a logistics expert and director of the Centre for Risk Analysis, a Johannesburg-based research body, told *Africa in Fact*: "The ongoing issues across the country's ports and rail networks inhibit


Photo: Dean Hutton/Bloomberg via Getty Images


Photo: Dean Hutton/Bloomberg via Getty Images

these sectors, the economy, and the country's future prospects. As the country's commodity exports continue to decline, South Africa's reputation as a trade hub on the African continent is damaged, and tax revenues are lost."

Donald MacKay, director of XA Global Trade Advisors, concurs. "All of this," he says, "is slowing down the economy. It's putting a lock on the economy like a traffic jam."

A 2012 review found that "at least" 715 SOEs existed. Most of these were modest in size, but a handful were true colossi of South Africa's economy.

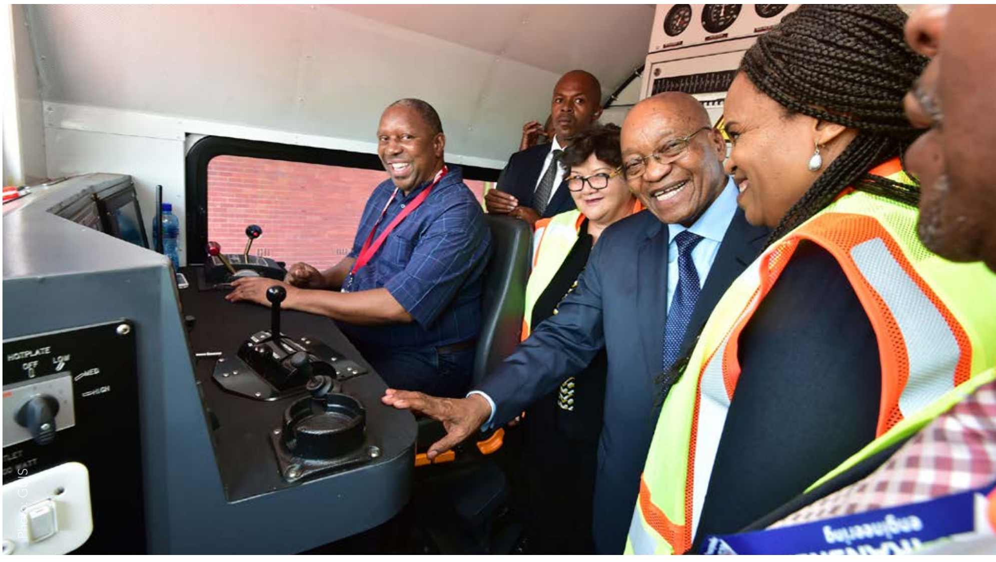
The standout examples are Eskom and Transnet. Eskom dated from 1923, and had provided South Africa's suburbs and industry with a reliable and relatively cheap supply of electricity. Transnet was the heir to the various bodies that had managed South Africa's transport infrastructure, such as the South African Railways and Harbours administration. Each had provided some of the hard foundations that made a sophisticated industrial economy possible.

At the time of the transition, the ANC acknowledged the value of these bodies, and the potential to drive a developmental agenda. Eskom, in particular, was instructed to embark of an accelerated programme of electrification, a quality-of-life quick-win that the new government could deliver to its constituents.

Yet the two entities also had what would turn out to be a common vulnerability: ultimately, their lines of accountability made politically-determined demands all but inevitable. This would be their undoing.

The ANC had little trust in the officials it inherited from the previous dispensation. It viewed its mandate as an all-encompassing programme of national "transformation". The state and its companies were obvious targets. Less publicly acknowledged but equally important at this time was that they provided a ready source of high-status and well-remunerated positions for those in the party's orbit. As impolitic as it was at the time to recognise, many former activists now found

LEFT: South Africa's former president Jacob Zuma unveiling the Trans Africa Locomotive at Koedoesoort, Pretoria, on April 4, 2017.



themselves in positions for which they lacked expertise and experience.

Out of public view, a crisis was developing. In the early years, a concerted push was made to expand infrastructure for the previously underserved black (and especially rural) population. Electrification, for example, took off rapidly; World Bank data indicates that some 58% of the population had access to electricity in 1996; this had grown to a little over 72% in 2000.

This raised the question of the adequacy of that infrastructure. The Department of Minerals and Energy warned in its 1998 White Paper that energy consumption was rapidly rising and that by 2007, the then-existing surplus would be exhausted; new investments in generation would need to be undertaken by 1999 to head this off. Transport faced similar challenges, with harbour congestion and railway accidents indicating that not all was well.

But this was matched by an ever more confident government and ruling party with a growing inventory of racially transformative legislation and political demands. The most obvious tool here was the use of substantial procurement budgets to drive the growth of black businesses – so-called Black Economic Empowerment. In Eskom, this centred around the purchase of coal. Hitherto, long-term contracts had ensured supplies of suitable quality,

Photo: Getty Images

Photo: flickr.com/photos/governmentza

ABOVE: Indian businessmen Ajay and Atul Gupta, and Sahara director, Duduzane Zuma at the New Age Newspaper's offices in Midrand, Johannesburg, South Africa on March 4, 2011.
BELOW: Former president Jacob Zuma, Atul Gupta and Eastern Cape Premier Noxolo Kieviet at the Breakfast with the President in Port Elizabeth.

sometimes from collieries located adjacent to power stations. In the early 2000s, these arrangements were modified. A new regime introduced a "hierarchy of procurement". Preferences would be given to designated vendors, Long-term contracts were to be retired.

Simultaneously, demands for "representivity" implemented programmes to appoint and promote staff based on demographics. Particularly at the senior level, this was linked with favouritism for those with party ties, both as a means of patronage and as a guarantee of party control. All of this was a particularly severe handicap where complex technical matters were at stake.

As the 2000s wore on, these factors brought South Africa's SOEs to the brink. Denuded of skills, critical maintenance was ignored. Race-based preferences and political preferments were inflating prices and delivering inferior quality goods. The latter was especially notable in respect of coal, which was sometimes trucked in from distant parts of the country and was not of the quality required.

It's worth noting that what had happened to this point followed a deliberate set of policy choices. This was corruption in a literal, structural sense, in that it weakened the integrity of the institutions. It had undermined the quality of the systems and compromised the services they provided. All of this had happened as tough choices loomed, and solid management and operational capacity were critical.

As the power crisis bit and the necessity of creating new generation capacity was recognised, the cumulative effect of these pathologies was exposed. The ANC, it turned out, had established a fundraising outfit, Chancellor House. Its involvement in government contracts, with the obvious conflicts of interest, was of particular concern. Among these was the construction of power stations at Medupi and Kusile. Chancellor

Photo: Rodger Bosch / AFP

ABOVE: People carry a placard with a parody of one of the Gupta brothers during a demonstration march organised by a broad-based coalition called #UniteBehind, to place pressure on MPs to vote for the removal of South African President Jacob Zuma (not visible) before a no-confidence vote by parliament, on August 7, 2017 in Cape Town.

House partnered with Hitachi in a successful bid for construction contracts; and received a further payment from Hitachi with the reference "Tender Support Fee – Bravo".

If, by this point, the challenges before Eskom and Transnet could be explained as institutional corruption, the ascendency of Jacob Zuma unleashed (or coincided with) something more sinister.

South Africa's transitional society offered bountiful opportunities for illicit enrichment. Zuma himself had been fingered in corruption allegations, and it was widely believed that his presidential bid was partially a gambit to avoid prosecution; certainly, a heavily compromised incumbent in the presidential office signalled a *laissez-faire* approach to public resources.

Zuma's presidency has come to be associated with "state capture". This is a uniquely South African concept denoting the wholesale suborning of the state to corrupt interests. In public discourse, State Capture revolved around the Gupta brothers from India, who had worked their way through modest business ventures in post-apartheid South Africa to become the key players in a web of corrupt extraction that included Zuma and other prominent South Africans. While this is true, it cannot be gainsaid that this was a development of the ANC's own hegemonic pretensions. Having commandeered the state for the party, and having weakened its institutions, they were vulnerable to the predations that followed.

The basic pattern was that political influence was invoked in making executive appointments. Once in place, these people could swing contracts to patrons, generating lucrative kickbacks in the process.

As Chris Hattingh remarks: "Through cadre deployment and preferential procurement, state owned companies such as Transnet find it all the more difficult to do their work. Contracts, materials, and work generally cannot be completed, or even undertaken without some element of 'beneficial' or political relationship established first. Materials and components sourced from 'chosen' sources always tend to cost more than they would in a competitive market, meaning Transnet's already dwindling resources become further constrained."

ABOVE: Former Eskom CEO Andre De Ruyter says he's leaving South Africa due to safety concerns in wake of his damning claims.

Photo: Waldo Swiegers/Bloomberg via Getty Images

Testimony before the Zondo Commission into State Capture heard that executives at Transnet – apparently close to the Guptas – were appointed by the government, ensuring that "a small group of senior executives and directors were positioned to collude in the award of contracts". One of these involved the 2012 purchase of a fleet of locomotives from Chinese companies. Funds were diverted into Gupta-linked operations (and kickbacks) that added little value, and the projected costs escalated from an initial R39 billion to around R55 billion. The Chinese suppliers, meanwhile, were found delinquent in their tax obligations – and then refused to supply spare parts. Despite being no more than a decade old, many of the locomotives have been unusable for years.

At Eskom, Zondo found that the Guptas had engineered the installation of new leadership in 2015. The Guptas then moved to acquire a coal mine, an endeavour in which it received the personal support of the then minister of Mineral Resources, Mozebenzi Zwane. The mine would supply coal to Eskom, through the Gupta's Tegeta company, at a cost exceeding what had previously been paid. As Donald MacKay comments: "When you deploy incompetent people, corrupt people, or both, things break."

President Ramaphosa and his supporters branded their accession to office as a repudiation of corruption. New leadership was brought into both Transnet and Eskom – but the depth of decay was formidable.

In late 2019, Andre de Ruyter took over as Eskom's CEO. His time in office was not a happy one. Loadshedding intensified, and he was regularly attacked in racial terms, effectively undermining "transformation".

De Ruyter drew attention to the penetration of Eskom by criminal syndicates, some linked to politicians and law enforcement. Sabotage of equipment was widespread, as were scams involving coal deliveries. Shortly before his resignation, in February last year, he told a television journalist that an attempt had been made on his life, that a senior manager had routinely worn a bulletproof vest, and that he had reported a corrupt politician to a cabinet minister (both unnamed) to be met with resigned indifference. Perhaps most damningly, he described Eskom as the ANC's "feeding trough". "I think it is entrenched," he said in the interview.

Meanwhile, the impact on the country has been. Busi Mavuso, the outspoken CEO of Business Leadership South Africa, says the failure of the country's network industries is probably the single biggest problem facing the country's economy. "We all knew this was coming," she says. "The government knew, but they never did anything to prevent it. Now we're are sitting with these multiple crises."

What can be done to turn this around? The answer depends on the frame of reference. For Donald MacKay, addressing the logistics crisis will take significant investment to properly use the infrastructure that exists, and in expanding it to meet the needs of South Africa's economy. This will also require a fundamental change in thinking, since "money without competence is just money poorly spent".

"The government knew, but they never did anything to prevent it. Now we're are sitting with these multiple crises."

Ultimately, the government and the ANC have chosen a course that has introduced purposeful, structural corruption in South Africa's SOEs, which has fed seamlessly into decentralised, venal, pathological corruption. And as long as they pursue the current course, the dysfunction will continue.

Rehabilitating South Africa's SOEs demands, fundamentally, a two-step process: one is to deal firmly with criminality and incompetence. As in any functional organisation, this is a task for properly capacitated management, robust corporate governance and the support of honest law enforcement agencies. But none of this is possible unless South Africa's authorities embrace rather than reject meritocracy – something the country's own National Planning Commission has noted; meritorious outcomes will not flow until meritocracy, not political or racial preferment, is embraced.

Referring to Transnet, Chris Hattingh comments: "There is ample scope for pressure on Transnet (and government more widely) to be removed. This can be done by bringing in private sector investment; not where companies can only invest, but Transnet retains ownership (and ultimately decision-making powers), but where said companies have proper, transparent ownership agreements and rules. In terms of macro policy, various government departments need to step back and allow the Transnet board to run the entity like a business, free from political interference. In the same vein, preferential procurement legislation and requirements must be paused or scrapped. These open avenues for corruption, increase costs, and render Transnet's work all the more difficult."

Doing so would be the task of a generation, and a distinction must be made between dealing with the state of South Africa's SOEs and the services they provide to the economy.

South Africa must move towards more extensive private sector involvement in the provision of services. This has been resisted on ideological grounds, but the situation is beyond the point where ideology is a reasonable concern. State bodies in South Africa lack the ability to perform these functions.

Private sector appetite for this exists, though, as MacKay points out, this will only make sense if it can meaningfully intervene. Suggestions for short-term railway concessions, for example, are unattractive, and indicate a mindset that recognises a need for help, but believes it can effectively carry on as before, in the manner that caused the crisis in the first place.

But if it continues to do so, corruption will remain entrenched.

PETROCRIME PERMEATES THE DELTA

By Neil Ford

Nigeria's obsession with oil and the history of its leaders syphoning off oil revenues have had a huge impact on the country as a whole and the Niger Delta in particular. It has created a perception that the best way to make money is by tapping into oil money by whatever means possible, whether through oil theft, fuel subsidy scams, or illegal refining. Petrocrime has permeated the Delta in much the same way that oil spills have soaked into the region's soils.

When Nigeria became independent in 1960, hopes were high that the new nation could use its natural resources to build a strong economy, but this potential has not been realised. Its first decades as an independent state were punctuated by long periods of military rule, until the return to civilian government in 1999. Yet all its governments have had one thing in common – an all-pervasive obsession with oil. Some of Nigeria's "big men" became very wealthy indeed by syphoning off oil revenues, with Transparency International estimating that military ruler Sani Abacha took up to $5 billion in public money between 1993 and 1998.

Other sectors of the economy were neglected, with agriculture ignored and limited investment in new infrastructure. While Nigeria had similar wealth per head at independence as Malaysia, for example, its per capita annual GDP now stands at $1,730, compared to $13,900 in Malaysia, according to the IMF's 2023 World Economic Outlook.

It is welcome that Nigeria will celebrate 25 years of civilian rule in May this year, but corruption remains a huge problem despite the anti-corruption promises of all the main presidential campaigners. The Central Bank of Nigeria has made progress in tackling banking sector irregularities but progress has been limited elsewhere, and Transparency International ranked Nigeria 145th out of 180 countries in its 2023 Corruption Perceptions Index.

If some of those at the top have adopted such

Photos: Stefan Heunis / AFP

an approach, it is no surprise that this attitude has filtered down through society, particularly given the limited alternative economic opportunities. Some in the Niger Delta, which is the heart of the Nigerian oil industry, have taken a direct route, by stealing oil in a practice known locally as bunkering. One of the main methods is called "hot tapping", which involves connecting a spur pipeline to an existing oil industry pipeline, to divert oil through multiple swamps and creeks to be offloaded onto barges or wooden boats for transport to waiting tankers.

In "cold tapping", oil gangs blow up a pipeline, putting it out of use long enough for them to attach their spur pipeline. Security is difficult because of the complex nature of the terrain and the fact that there are over 600 oil fields in the Delta, with more than 5,000 wells and 7,000km of pipeline. However, it is also difficult because of the scale of bribes paid to ensure that criminal activities are ignored. In 2003, when Brigadier-General Elias Zamani, then commanding a Niger Delta peacekeeping force, was asked whether oil was being stolen by local people, the security forces, government officials, or an international element, his reply was a simple "All".

It is impossible to secure accurate statistics on just how much oil is stolen, partly because the level fluctuates, but most estimates are around 200,000 barrerls per day (b/d), with the state oil company, the Nigerian National Petroleum Company (NNPC),

ABOVE: Empty oil drums at the site of a recently destroyed illegal oil refinery in the Niger Delta.

Photos: Pius Utomi Ekpei / AFP

ABOVE: An illegal oil refinery destroyed by Joint Task Force at Nembe Creek in Niger Delta on March 22, 2013.

putting the figure as high as 437,000 b/d in 2022. The Nigeria Extractive Industries Initiative estimates that the country lost $46.16 billion to oil theft between 2007 and 2020.

In one case in October 2022, a security contractor announced that it had found a 4km pipeline that a bunkering gang had built to divert oil production. The case is complicated by the fact that the security team was employed by a man called Government Ekpemupolo, widely known as Tompolo, who was awarded a N48 billion ($29.8 billion) security contract by the government just before the discovery. Yet Tompolo himself was previously responsible for blowing up oil pipelines. This could make him ill-suited for maintaining security or the ideal man for the job, depending on your point of view.

Tompolo told journalists: "Many of the security people are involved because there is no way you can load a vessel without settling [bribing] the security people" and suggested that the navy and army were also involved in bunkering. This seems almost certain, given that aerial surveillance is relatively

straightforward and barges and tankers loading up with oil at unofficial points move very slowly.

The impact on the Niger Delta has been enormous. Pipeline explosions and oil industry practices that were not as careful as those in more industrialised parts of the world have resulted in many spills and widespread soil, water, and air pollution. This has generated a great deal of resentment among local people, who

Photos: Stefan Heunis / AFP

ABOVE: Members of the NNS Pathfinder of the Nigerian Navy crack down on illegal oil refineries in the Niger Delta. The illicit refineries are just one component of oil theft in Nigeria.

understandably contrast the wealth generated by the oil companies and those in power with the Delta's deep-seated poverty. The oil-producing states are supposed to receive 13% of oil revenues, but there is little sign of this money on the ground, helping many to justify oil theft and other oil-industry crimes.

The feeling that everyone should benefit from oil led to the provision of government fuel subsidies until new Nigerian President Bola Tinubu surprisingly ended them on his first day in office in May last year. The subsidies gave rise to another form of petrocrime – fuel subsidy scams. As they made fuel cheaper in Nigeria than in neighbouring states, subsidies were claimed on large volumes of petrol and diesel that were actually smuggled out of the country.

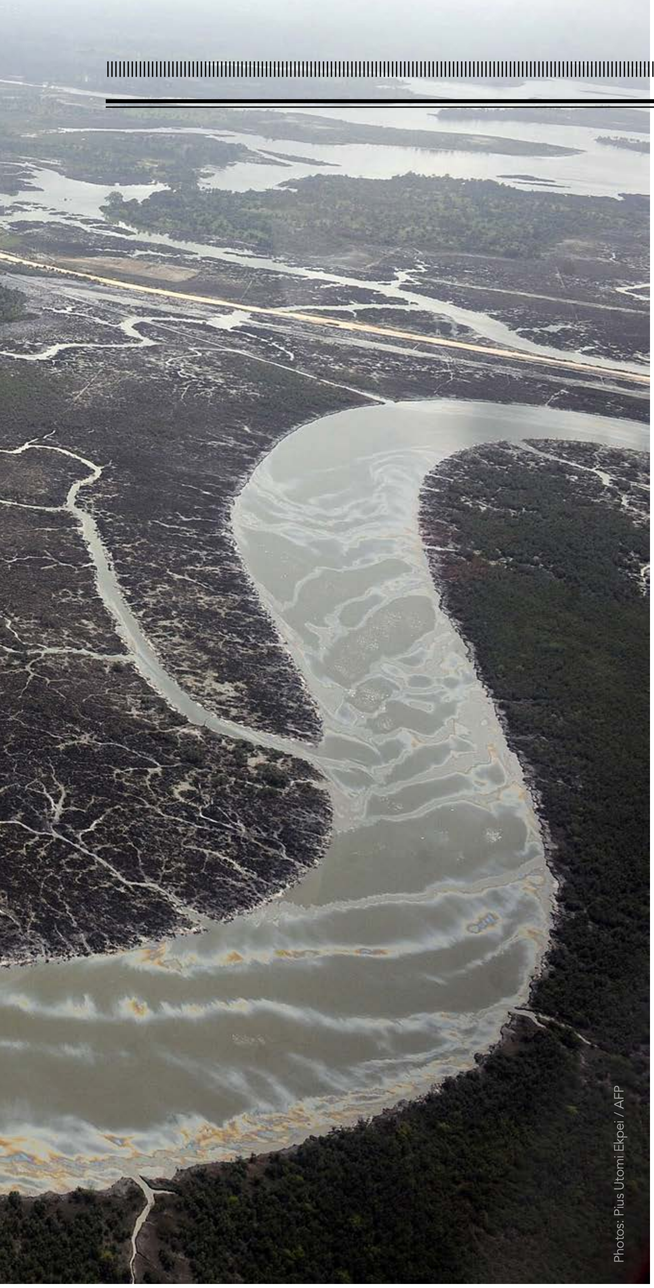
At the other end of the scale, some of the stolen oil is not shipped out of Nigeria but illegally refined within the delta. These facilities should not be regarded as industrial-scale refineries but rather as very small-scale operations, often with a handful of metal drums heated by wooden fires in forest clearings. This is a dangerous process and there are frequent accidents. In April 2022, an explosion at an illegal refinery in Ohaji-Egbema on the border of Rivers and Imo states led to more than 100 deaths. Those undertaking the actual work are paid very little, although those trading in illicit fuel can become extremely wealthy.

The state of Nigeria's big industrial refineries adds another element to the mix. The Dangote

refinery with 650,000 b/d capacity was completed in Lekki with much fanfare in May last year. However, the country already had four refineries with a combined production capacity of 450,000 b/d, similar to national fuel consumption, but they have operated at below-nameplate capacity or been entirely out of action for many years, forcing Nigeria to import much of its fuel requirements. Sabotage is regularly claimed in Nigeria but is difficult to prove.

Some oil gangs also appear to be behind pirate attacks in the Gulf of Guinea, either directly or by providing information on tanker movements to pirate gangs further west in Nigeria or on the border with Benin. However, the deployment of international naval patrols has eased this problem, with the International Maritime Bureau reporting just three pirate attacks in Nigerian waters in 2023, down from 48 in 2018.

Aside from the direct effects on the people of the Niger Delta, petrocrime and corruption also impact the oil industry. Due to two decades of attacks on oil industry infrastructure, the international oil companies that dominated the sector have opted not to invest in new onshore and shallow-water oil



LEFT: Creeks and vegetations devastated as a result of spills from oil thieves in the Niger Delta. Since 2009, the Shell Petroleum Development Company of Nigeria has exprienced an upsurge in vandalisation of its pipeline network by criminals causing severe environmental devastation to the region.
BELOW: Products from illegal oil refineries stuck in jerry cans are ferried to the market in Bayelsa State of Niger Delta.

production in the Niger Delta. ExxonMobil, Equinor, and Eni have all sold assets in the region in recent years, and on 16 January this year, Shell announced that it had agreed to sell its Nigerian onshore subsidiary to a consortium of smaller Nigerian companies for $1.3 billion, much less than the assets would have originally been worth.

Low investment meant that Nigerian crude oil production fell close to one million b/d at times in 2022 – 23, down from a peak of 2.5 million b/d, according to the US Energy Information Administration. The foreign firms have retained their deepwater oil fields, which are located up to 200 nautical miles offshore and are much easier to protect from attack. The IMF calculates that oil accounts for about 90% of total Nigerian export revenues, but the country has the potential to produce 4 million b/d, so it could earn much more from the industry.

The relationship between corruption and underdevelopment in the Niger Delta is a circular one. Corruption and pollution created an environment that gave rise to oil bunkering gangs, militant groups, and piracy. These in turn make it challenging to earn a good living through legitimate means, further encouraging crime and corruption. Nigerian leaders have thus far lacked the political will to tackle the problem, but it will be interesting to see if Tinubu's hard line on subsidies is matched by a new focus on the Delta's problems.

RIGHT: South African government minister Nkosazana Dlamini-Zuma gestures as she addresses the audience during her final campaign at a African National Congress Kwazulu-Natal rally in December 2017.

BLURRED

The line between the ruling party and the state is constantly debated in South Africa, and a clear distinction cannot always be drawn. Political parties have the existential objective of governing. In democracies, it is achieved through electoral contestation and victory. Key to the debate about the relationship between the party and state is how single-party dominance often leads to a lack of accountability, abuse of power, and, inevitably, corruption.

Corruption, i.e., dishonest or fraudulent conduct by those in political power and through forms and acts of rent-seeking and patronage, has had its roots firmly embedded in the social fabric as a feature of South Africa for more than 372 years. Since the advent of democracy in 1994, the African National Congress (ANC) has enjoyed the majority's will throughout six national elections. Thirty years of democracy is a timely opportunity to assess the governing party's attitude towards corruption.

South Africa is contending with alarmingly high levels of corruption. Daily, the news media is replete with detailed stories of leaders' corruption at all levels of society, reaching the highest levels of politics and government. In the public sector, it is commonly manifested through maladministration, manipulation of procurement processes, rent-seeking, and abuse of public authority. Worryingly, there is a perception that corruption is increasing; according to the 2023 Afrobarometer survey, 82% of surveyed South Africans said corruption in the country increased "somewhat" or "a lot" during the year preceding the survey, up 10% percentage points from the previous study in 2021. This perception was confirmed in January this year when South Africa received its lowest-ever score on Transparency International's Corruption Perceptions Index (CPI) report, the world's leading indicator of public sector

By Stuart Mbanyele

Photos: Rajesh Jantilal / AFP

corruption. With a 41 out of 100 score, South Africa ranked 72 out of 180 countries.

Public sector corruption occurs when public resources are used to advance personal and political interests. Not only does it have a severe impact on the economy by increasing the cost of doing business, but it also discourages potential investment and job creation, leading to a decline. Corruption also severely impacts governance in general and the delivery of quality public goods and services. For the electorate, it is the antithesis of democracy and the fundamental values that underlie the South African Constitution. Yet, it is a crime for which only very few people have been held accountable.

Fresh from its historic 1994 electoral victory, the young ANC government enjoyed global stature and held moral authority for its commitment to the reconciliation project and embrace of democracy and universal human rights. Yet the first set of corruption scandals to test the parties happened shortly after 1995, with the *Sarafina* musical. Dr Nkosazana Dlamini-Zuma, then serving as health minister, awarded a R14.27 million (almost R60 million today) contract to a personal friend for the production of a musical on HIV/AIDS without following the required tender procedures, which also never materialised. In response, the party closed ranks in defence of their comrades. President Nelson Mandela lashed out at the media for “creating such an uproar” and said Zuma should be left alone to do her job. It was the first check of the party’s record of handling corruption and misconduct.

That period also included the dismissal of senior party leader General Bantu Holomisa for blowing the lid off a scandal involving another minister, Stella Sigcau, for accepting bribes.

During the Thabo Mbeki era, the so-called Arms

Photo: Rodger Bosch / AFP

ABOVE: Tony Yengeni, in dark jacket, and sunglasses, the former African National Congress Chief Whip, and member of Parliament, who was convicted of fraud, in conjunction with the country's controversial arms deal, joins singing ANC colleagues and supporters outside Polsmoor Prison before entering the prison to for an effective 8 month jail term on 24 August 2006.

Deal was the first high-level corruption case. The South African government signed contracts with several European arms manufacturing companies to procure corvettes, submarines, and helicopters for the Navy and fighter planes, fighter trainers, and helicopters for the Air Force. Instead, the arms manufacturers, in concert with high-ranking politicians, manipulated the procurement process through pricing, decision-making, and selection. R30 billion worth of defence equipment was purchased in return for bribes for themselves and the governing party.

How the ANC handled the arms deal, perhaps a litmus test for democratic accountability, had a deleterious effect on South Africa's political life. Yet, the only prosecution was of Tony Yengeni, the former ANC national executive committee member who chaired the country's parliamentary defence committee at the time and only served four months of a four-year jail sentence after being found to have defrauded parliament over a discount he received on a Mercedes Benz through the deal.

The following years under Jacob Zuma are broadly defined by the notion of "State capture", the period that saw the hollowing out and abuse of the state and the repurposing of state organs, parastatals, and their resources redirected for the personal and factional benefits of a network of individuals. The process was laid bare in a judicial commission of inquiry, where testimony and the consequent reports documented how the party was instrumental in the widespread corruption that had eaten into the state.

For one, an estimated R500 billion of public funds was looted through the process, and more than 90 senior members of the party occupying various positions of authority within government, state-owned enterprises, and private businesses were implicated. Yet, to date, only a few people have been successfully prosecuted, and the ANC is "prevaricating" on disciplining its functionaries who were complicit in state capture.

Following state capture, Cyril Ramaphosa was appointed on a renewal ticket and promised to arrest the rot. Yet, the COVID-19 pandemic, a crisis not of his own making, was telling, with devastating economic and social implications. On 21 April 2020, President Ramaphosa announced a R500 billion

Photo: AFP

LEFT: Businessman Shabir Shaik is swamped by media as he leaves Durban High Court on the first day of his trial in October 2004 on alleged fraud and corruption charges relating to an arms deal and his relationship as a financial advisor to South African Deputy President Jacob Zuma.
BELOW: Former South African president Jacob Zuma (L) and accused number two the company Thales represented by Christine Guerrier (R) appear at the KwaZulu-Natal High Court in Durban on April 6, 2018, for a brief preliminary hearing on corruption charges linked to the multi-billion dollar 1990s arms deal.

Photo: Phill Magakoe / POOL / AFP

ABOVE: State lead prosecutor Billy Downer (L) speaks with French Defense firm Thales legal representative Barry Roux (R) during the arms deal corruption trial of Former South African President Jacob Zuma on April 11, 2022.

Photo: Nic Bothma / POOL / AFP

COVID-19 rescue package to protect jobs and wages, support businesses, and provide more significant social assistance.

However, disbursement was marred by widespread corruption, with allegations and instances of fraudulent UIF claims, overpricing of goods and services, violations of emergency procurement regulations and collusion between officials and service providers, and the creation of fake non-profit organisations to access relief funding. There was even an abuse of food parcel distribution, including within ANC ranks. The seriousness of all these allegations prompted Ramaphosa to issue a proclamation that empowers the country's Special Investigative Unit (SIU) to probe claims relating to the misuse of COVID-19 funds across all spheres of the state.

The prognosis? To some extent, the party and its maintenance have been placed at the apex for survival at all costs, resulting in limited accountability and, instead, institutionalising pervasive corruption. At different points at the helm, ANC leaders have placed the party before the Constitution and the country; Thabo Mbeki, Jacob Zuma, and Cyril Ramaphosa have all made statements that the ANC and its continuity are paramount. Similarly, this notion means that wrongdoing and corruption have not been called out at times.

This is vivid in parliament and ANC-controlled legislatures, where accountability and oversight are

Photos: Stephane De Sakutin / AFP

far more challenging to achieve. The party has, in instances, used majoritarianism to thwart legislative oversight processes and escape responsibility. Chief amongst examples of complicity are ANC MPs voting to dismantle the Scorpions unit in 2008, which dealt with priority crimes; the inquiry into Nkandla and Zuma's use of state funds to upgrade his home; and recently, the vote to thwart investigations into the Phala Phala matter implicating President Ramaphosa. In all these cases, ANC MPs toed the party line, highlighting a failure to distinguish between the actual will of citizens and the interests of the party, leaving wrongdoing and corruption unabated.

The ANC has asserted that its headquarters, Luthuli House, is the strategic centre of power and has used cadre deployment policy to appoint its functionaries to key government positions in pursuit of its objectives. At the end of apartheid, this strategic deployment of party cadres helped the ANC assume control of the state and transform the public service to become less racialised and representative of the old minority. This practice was then used to consolidate its hold and to advance its policy mandates of transforming society.

The practice of cadre deployment is not exclusive to the ANC; it is practised in many developed and developing democracies globally. However, the modalities of implementation are the challenge; not only has the practice been factionalised, but it has also been characterised by poor implementation and evaluation. The ANC has been found wanting in the implementation of a proper mechanism to enable the supervision of all deployed in the public sector, take stewardship towards corrective action, and entrench ethical conduct in their deployment. The solution, however, is to deploy an ethical professional class whose loyalty is to the national interest and development of the country.

Campaign funding is also arguably the root of evil. Doing politics is a financially costly exercise, often leading to corruption. Public financing of the Independent Electoral Commission and income from membership fees pales compared to the party's financial needs. Chancellor House, the ANC's investment arm and funding vehicle, has often been associated with opaque dealings. South Africa's political cycle has resulted in the ANC being perpetually caught up in an election cycle and campaigning, both internally and externally.

For instance, in just the past five years, the party has had: the National and Provincial Elections in 2019, Local Government Elections in 2021, an internal electoral conference in 2022, and is currently gearing up for National and Provincial Elections in 2024. All of these are costly; for instance, for the 2019 elections, the ANC is believed to have spent about R1 billion on their election campaign; for the very same period, the opposition Democratic Alliance (DA) declared that it spent half that figure, at R500 million.

In response to this issue, the Political Party

LEFT: Military members attend the opening of public hearings in an inquiry adjudicated by Judge William Seriti (R) flanked by Judge Thekiso Musi, to probe long-standing allegations of fraud in South Africa's controversial multi-billion-dollar arms deal in 2013.

Funding Act (the PPFA) was implemented to regulate campaign donations and expenditures to political parties by imposing various limits and transparency requirements. Internal party polls are not a minor contest and are also a costly business. For example, in the ANC's 2017 ANC electoral contest between Ramaphosa and Dlamini-Zuma, Ramaphosa's presidential campaign cost R1 billion. Furthermore, state institutions and resources became weaponised in the same conference as detailed during the proceedings in the Zondo Commission; in that contest, human and monetary resources from the State Security Agency and the South African Police Service were used despite no apparent threats to law and order.

So, what is to be done? As South Africa heads towards all-important national and provincial elections, political parties must demonstrate genuine commitment to institutionalising ethical leadership among all party ranks to tackle corruption. Developing professional deployment systems can start by assessing the functioning and effectiveness of deployment committees and current cadre deployment policies and practices. This can include thorough membership vetting, effective pre-appointment processes, and strengthened integrity committees.

Secondly, they must demonstrate a commitment and implement policies to professionalise the public service with the appointment of competent administrative figureheads. Appointments must be depoliticised and awarded based on competence instead of party loyalty. It is important to implement and maintain a solid politico-administrative dividing wall to remedy the problem of politicisation and unequivocally prevent potential conflicts of interest from arising.

Within the state, it is important to address prolific procurement abuses through rigorous implementation of, and adherence to, supply chain management policies and procedures. This must include establishing a national anti-corruption agency and a statutory body that may guard against malfeasance in the interface between parties, government officials, private individuals, and businesses.

While South Africa has comprehensive anti-corruption laws and agencies, enforcement must be more adequate. The establishment of the long-awaited National Anti-Corruption Advisory Council was a necessary first step. However, supporting measures to strengthen the state's criminal justice system, particularly law enforcement agencies, and the state's detection, investigation, and prosecutorial arms will go a long way towards preventing and prosecuting corruption.

Corrupt corporates ARE ALSO GUILTY

By Joe Walsh

In the West, often when the subject of corruption is brought up, particularly Africa and corruption, it is seen as an African problem, something that happens there due to dodgy businesses and corrupt politicians. The dark continent where grubby money rules is an image that many have when corruption and Africa are mentioned, while the images of the corridors of power in Europe sit in stark contrast.

A passing glance at statistics on the subject would seem to support this idea, with 11 of the 23 most corrupt countries in the world coming from Africa, according to the Corruption Perceptions Index (CPI) 2023 rankings, based on survey scores and expert assessment. At the other end of the table, countries from Europe dominate the rankings of the least corrupt.

Yet this ignores the often crucial role companies with headquarters in London, New York, or Zurich play in immorally extracting wealth from African societies.

“There’s clear evidence now, certainly in the extractive industry, obviously one of the big industries in Africa, that we are seeing elements of corruption that frequently lead to companies based in the United States (US), in the United Kingdom (UK) or elsewhere. So, it’s a problem, and it’s a huge problem,” says Anneke Van Woudenberg, executive director of Rights and Accountability in Development (RAID), a UK-based NGO focused on exposing corporate misconduct, and environmental and human rights abuse.

Often it is not simply an imperfect coming together of two organisations open to corruption but a huge corporation based in the Global North, listed on several stock exchanges in different jurisdictions and with annual revenues larger than the GDPs of the African countries they look to operate in.

“The actual heft of these companies means they power their way through these deals and get their way. I think that this dynamic is an important part of Global North companies operating in Africa. I think that needs to be understood,” says Helen Taylor, senior legal researcher at Spotlight on Corruption, an NGO aiming to shine a light on the UK’s role in corruption domestically and abroad. “It’s about [how these companies] can call the shots and the kind of inequality on that playing field.”

Mineral extraction is certainly a sector that RAID has been monitoring closely, and in November 2022 Swiss giant Glencore was the latest to plead guilty to corruption surrounding its mining activities in Africa, through various subsidiaries.

“West Africa Intermediary Company was a Nigerian company used by Glencore and its subsidiaries to pay bribes to government officials in Nigeria and other countries in West Africa, to obtain oil cargoes and other business advantages for Glencore,” said the US Department of Justice in its statement of fact that Glencore admitted to as part of its plea with authorities there.

Glencore may be the western-based mining

ABOVE: US Attorney General Merrick Garland announces the resolution of a foreign-bribery investigation with Glencore International AG, an Anglo-Swiss commodities company, during a news conference in Washington, in May 2022.

Photo: Chip Somodevilla / Getty Images North America / Getty Images via AFP

Photo: Chip Somodevilla / Getty Images North America / Getty Images via AFP

conglomerate in the headlines for corruption now but it is far from the only one operating like this. "Is what Glencore did something that we're seeing by other entities in Africa? Of course, the answer is yes, I don't think Glencore was unique," says Van Woudenberg.

One reason she's so convinced that Glencore is not unique is the way the culture of doing business in Africa is regarded by many corporations in the West, where corruption can often simply be seen as "the cost of doing business", as Taylor explained. "There is an attitude that you can't operate in certain African countries without paying bribes."

Seeing corruption as simply a business expense can also extend to the fines. After Glencore pleaded guilty in a London court to corruption across five different African countries in November 2022, the UK court fined the company £281 million ($350 million), a record amount for a fine imposed on a company by the UK. Yet that same year the group's annual revenue was also record-breaking and exceeded $250 billion.

This is not to say every western company looks to operate this way in Africa and Mathias Huter, the managing director of the UN Convention against Corruption (UNCAC) coalition warns against generalising. "There are also corporations that wish to do clean business," he said, adding that for many of these, a corrupt business is either too costly or not an activity in which they'll engage." The UNCAC Coalition is a network of more than 350 civil society organisations aiming to promote transparency and accountability among the powerful through the implementation and monitoring of UNCAC and tries to enact change at the UN and government level to combat corruption globally.

For those companies prepared to engage in corrupt practices, the chances of being caught and punished are comparatively low while, as evidenced by Glencore's record fine, the consequences are not that damaging. Taylor describes the rationale as a "risk assessment that companies take thinking they can operate with impunity, because it's tough for law enforcement to get the evidence" to punish those responsible.

Van Woudenberg decries a lack of harsher punishments. "One of the key weaknesses here is that far too often the penalties are financial," she says, adding that a corporation's attitude, and willingness to engage in corruption, might be "different if a director, a CEO or senior manager faced jail time".

There are many reasons why law enforcement is difficult in these cases, but it is not generally a lack of legislation in Global North jurisdictions, which has come a long way in recent years. Huter explained that "it's no longer easy to move stolen money to the West" due primarily to a tightening of legislation and the work of agencies like the UK's Serious Fraud Office (SFO) and National Crime Agency.

Having the size and resources to take on

Photo: Fabrice Coffrini / AFP

corporations like Glencore is a problem for these organisations. “[The SFO] is overstretched, under-resourced and outgunned by a company like Glencore, with its deep pockets. We see time and again law enforcement can be backed into a corner… the costs [of going after a big company for corruption] are huge as a portion of the budget,” Taylor says. The SFO has an annual budget of just under £60 million (about $77 million), and as Taylor emphasises, a company like Glencore has much deeper pockets to fight any case that the SFO may bring against them.

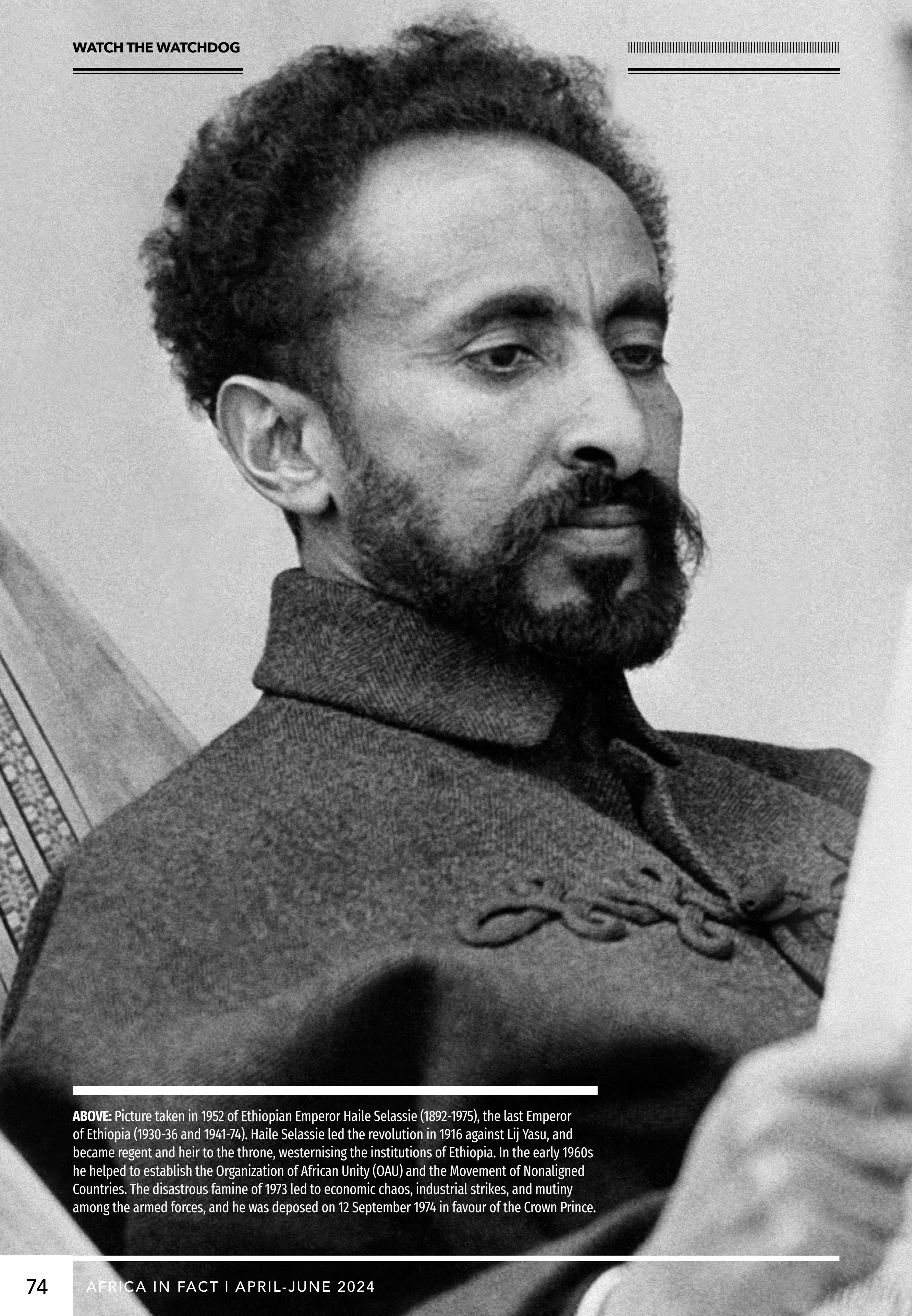
Beyond that, there’s also the issue of victim compensation. “What’s needed is to put the victims at the centre, when companies are prosecuted and fines are given,” says Huter. Steps are being put in place to address this issue and the SFO (which since 2014 has brought in £1.8 billion in fines from investigations into corruption across 15 countries) does now have a compensation programme for corruption fines it receives, but money typically ends up simply bolstering the coffers of the UK treasury as only £16.2 million of that has made its way back to the countries directly damaged by the corruption. This lack of redress and asset recovery has created an unwillingness to cooperate in corruption cases.

“What we’re starting to see is affected countries withhold cooperation on key investigations,” says Taylor. “Why should the anti-corruption bureau in Malawi gather evidence and share that with UK law enforcement when they’re not going to get a share back? They’re not going to see anything.”

This issue is receiving attention, though perhaps slower than desired. In Switzerland, the authorities there signed an accord with Nigeria in 2018 to help speed up the repatriation of funds embezzled from the country and held in Swiss banks. This helped facilitate the repatriation of $321 million to Nigeria that the Swiss authorities had confiscated from its banks, money that had been siphoned from Nigeria by the family of the former dictator Sani Abacha.

Unfortunately, though, as slow progress is made in the West, there are new safe havens that have emerged for corrupt finances, says Huter. Companies operating from countries with anti-corruption legislation where the West was decades ago pose a new problem. Huter’s organisation believes one solution lies in transparency, so everyone can see the true owners of any business and its operations in Africa. “Beneficial ownership transparency, where you don’t have a weakest link jurisdiction where you can have a shell company and hide ownership there,” is how he describes it.

Overall, there remains much to do to finance the fight against corruption coming from the West and enable resources recovered to be returned to those in Africa who have been damaged by corruption. It is equally important to ensure new jurisdictions with lax regulation and enforcement don’t fill any void left by a cleaning up of the West’s house.



ABOVE: Picture taken in 1952 of Ethiopian Emperor Haile Selassie (1892-1975), the last Emperor of Ethiopia (1930-36 and 1941-74). Haile Selassie led the revolution in 1916 against Lij Yasu, and became regent and heir to the throne, westernising the institutions of Ethiopia. In the early 1960s he helped to establish the Organization of African Unity (OAU) and the Movement of Nonaligned Countries. The disastrous famine of 1973 led to economic chaos, industrial strikes, and mutiny among the armed forces, and he was deposed on 12 September 1974 in favour of the Crown Prince.

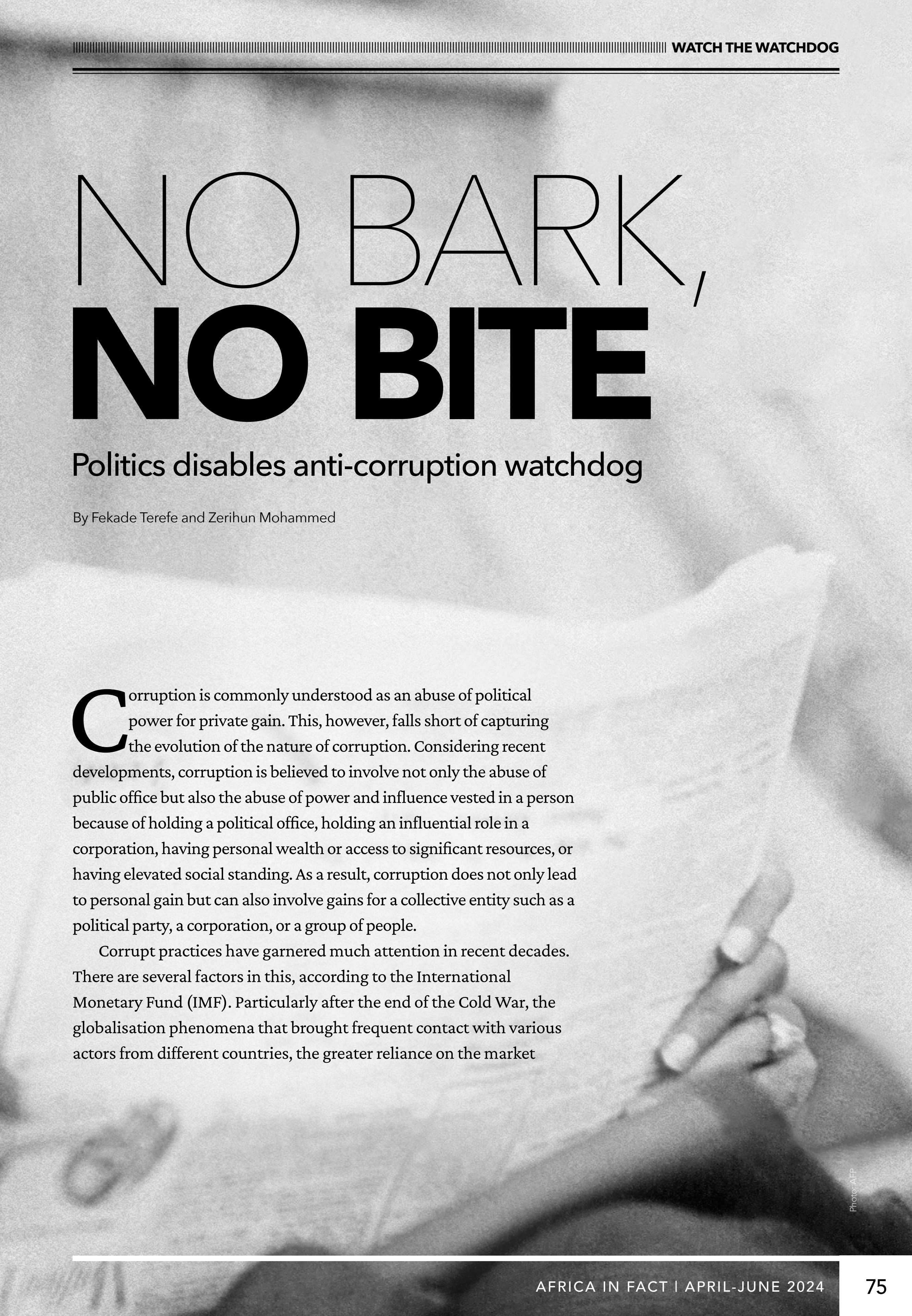


Photo: AFP

NO BARK, NO BITE

Politics disables anti-corruption watchdog

By Fekade Terefe and Zerihun Mohammed

Corruption is commonly understood as an abuse of political power for private gain. This, however, falls short of capturing the evolution of the nature of corruption. Considering recent developments, corruption is believed to involve not only the abuse of public office but also the abuse of power and influence vested in a person because of holding a political office, holding an influential role in a corporation, having personal wealth or access to significant resources, or having elevated social standing. As a result, corruption does not only lead to personal gain but can also involve gains for a collective entity such as a political party, a corporation, or a group of people.

Corrupt practices have garnered much attention in recent decades. There are several factors in this, according to the International Monetary Fund (IMF). Particularly after the end of the Cold War, the globalisation phenomena that brought frequent contact with various actors from different countries, the greater reliance on the market for economic decisions that pursue efficiency, the increase in the number of countries with democratic governments, as well as the increasing role of Civil Society Organisations (CSOs) and the media in publicising the problem, explain the increasing attention the problem is attracting.

Corruption in Ethiopia, mostly in its petty form, is perceived to be rooted in the country's traditions. In particular, giving gifts to public officials to win their favour and influence decisions has been a long-established traditional practice. Grand corruption, in the form of the embezzlement of public funds and the misuse of power for personal gain, began to creep in during the reign of Emperor Haile-Selassie (1930-1974) and worsened during the period of the *Derg* (a *junta* that deposed the emperor and ruled the country until 1991). However, it was not as prevalent as it is now.

A disturbing trend in the pervasiveness of corruption has been seen in the past three decades (Zemelak Ayitenew Ayele (2017), *Corruption in Ethiopia: A Merely Technical Problem or a Major Constitutional Crisis?)*. The rise and expansion of party-owned businesses and their presumed affiliates are believed to have aggravated the situation in recent times. In the past three decades, various governmental and NGO reports have revealed that top officials of the regime were involved in grand corruption schemes that led to multiple instances of political instability and crackdowns.

Some of the factors that explain the prevalence and pervasiveness of corruption in Ethiopia include the absence of transparency and accountability in running public affairs, the inefficiency of the legal system, violations of the rule of law, weak civil society participation in the fight against corruption, and the absence of an effective anti-corruption agency that coordinates anti-corruption activities. As the problem reached an alarming stage, the government was forced to establish an "independent" watchdog to address it.

This article focuses on the ineffectiveness of the country's anti-corruption watchdog. The Federal Ethics and Anti-Corruption Commission (FEACC) was established in 2001. Officially, it was a result of the civil service reform initiative, the findings of which, among other things, recommended the formation of such an institution. However, the context of its establishment was politically charged. It was under the circumstances of the split within the ruling EPRDF that the commission was established. There was, therefore, a widespread belief that the institution was a political tool. This view was reinforced by the immediate arrest of the leader of the dissenters in the ruling party.

Be that as it may, the commission was established with a multi-purpose model of prosecutorial and law enforcement powers. Although it did not have a constitutional basis, the parliamentary act that led to its establishment laid down broader powers and functions for the commission. Besides educating the public about corruption, the act gave the commission the powers of prevention, investigation, prosecution, and asset recovery.

However, it was made to operate at the federal level and in the two federal cities, namely Addis Ababa and Dire Dawa, since regional governments have the power to form similar institutions. The commission was also made accountable to the Prime Minister, and its head was appointed by parliament on nomination by the Prime Minister. The term of appointment of the Commissioner or the Deputy Commissioner was appointed for a term of six years.

In 2005, parliament proclaimed an amendment bill (proclamation No. 433/2005) to provide the commission with more power to combat grand corruption. Accordingly, the investigation and prosecution powers of the police and the public prosecutor specified under the criminal procedure code and other associated laws were transferred to the commission.

Photo: AFP

ABOVE: Ethiopian Emperor Haile Selassie (C) and his granddaughter Princess Ruth Desta are welcomed by US President John F. Kennedy and his wife Jackie (2d L) on October 1, 1963 in Washington.

Nonetheless, a further amendment bill was issued in 2015 that narrowed the mandate of the commission and deprived it of almost all the power given to it in the 2001 law and the 2005 amendment bill. The commission's investigative and prosecutorial mandates have been transferred to the Attorney General, and the commission is, therefore, left only with its corruption prevention mandates, which include preparing and ensuring the enforcement of codes of ethics in public offices and enterprises. It is also authorised to study and identify methods and procedures of decision-making in public offices to assist the latter with introducing corruption-proof working methods.

Moreover, it is responsible for creating awareness about corruption and its adverse consequences for the country's economic development. It also has the authority to register the assets and financial interests of public officials who are legally required to have their assets and interests

ABOVE: Ethiopia's Prime Minster Abiy Ahmed arrives to attend the 36th Ordinary Session of the Assembly of the African Union (AU) at its headquarters in Addis Ababa, Ethiopia, in February 2023.

Photo: Amanuel Sileshi / AFP

registered by the commission. More importantly, the amendment bill made the commission accountable to the prime minister and its budget is determined by the council of ministers.

The most recent amendment in 2021 also brought new changes. Whereas its mandate had been restricted to public sector entities, the commission's jurisdiction was extended to include private companies for the first time. However, political parties and religious organisations still do not fall within the purview of the commission. Furthermore, the commission is still accountable to the prime minister's office.

In just four years, the FEACC has reportedly witnessed three changes in leadership. It appears that the FEACC remains subject to a high degree of political influence. At present, any complaints or tip-offs the commission receives are supposed to be passed to the Attorney General's office for investigation and prosecution. Some reports suggest that the FEACC is petitioning Parliament to have its investigative and prosecutorial mandates returned. However, currently, the commission's remit is limited to leading national preventive measures against corruption.

In what appears to be a new move to deal with the problem, in November 2022, the Ethiopian government declared the establishment of a national committee to coordinate the government's campaigns against corruption. Prime Minister Abiy Ahmed announced that corruption posed a threat to the country's socioeconomic development. The new seven-member committee includes the Ethiopian minister of justice, the director-general of the National Intelligence and Security Service (NISS), and the FEACC commissioner. However, the mandate of this National Anti-Corruption Committee *vis-à-vis* existing anti-corruption institutions remains unclear.

One month into its establishment, the committee was reported to have frozen the assets of suspect bank accounts in addition to freezing the transfer of properties in some regions. The committee reportedly started by focusing on sectors such as land and public housing management, security and the justice sector, financial sector, government revenue and customs system, as well as service delivery, administration, and government procurement sectors.

The committee stated that numerous senior officials, including the director-general of the Financial Security Service Directorate, alongside others from law enforcement agencies, judges and prosecutors, had been arrested. It was also reported that regional governments were expected to establish their own anti-corruption committees to conduct evaluations of regional officials.

It remains to be seen how this latest anti-corruption purge by the federal government plays out against the backdrop of the country's fragile peace and complex political division. It is potentially sensitive given previous administrations' record of using anti-corruption crackdowns as an instrument to curb the influence of political factions and regional authorities perceived to be disloyal to the central government. Since its initial measures, the committee has remained inactive.

In summary, the FEACC, from the outset, was established to quell dissenting voices that emerged within the ruling EPRDF party, and the bill establishing it was first amended under political turmoil in the run-up to the eventful 2005 elections. Subsequently, the bill has been amended twice: first, under the cloud of brewing political opposition and uncertainty after the death of the country's longtime strongman leader, and second, following the 2018 political changes. These cyclical amendments appear to be driven by political motives rather than a genuine drive to fulfil the public interest.

The net effect of all these, despite the amendments, is that the FEACC remains within the firm grip of the executive as it is accountable to the prime minister and its budget is determined by the council of ministers. The Prime Minister appoints the commissioner, of course, subject to approval by the parliament. In an ironic twist of events, the FEACC was only made a member of the National Anti-Corruption Committee within the past year. This is a testimony to the reduction of its function in both law and practice to an anti-corruption educational outfit focusing on educating the public. The result is an institutional watchdog falling asleep and, therefore, being ineffective in guarding resources in public coffers.

The FEACC must, however, claim its rightful place as a watchdog in the real sense. This requires some improvements in both laws and practice. First, the commission must reclaim its investigation, prosecution, and asset recovery functions. Second, it must be guarded from the dictates and control of the executive. Third, its institutional accountability must fall to parliament. Fourth, its budget and other requirements must be approved by parliament. Fifth, it must have well-sanctioned collaborative schemes with CSOs and the media.

Nobel Peace Prize 2019

"...For his efforts to achieve peace and international cooperation, and in particular for his decisive initiative to resolve the border conflict with neighbouring Eritrea"

- Son of poor villagers (Muslim father and Christian mother)
- Joined the military as a radio operator while still a teenager
- Rose to lieutenant-colonel before entering government
- Became minister in Addis Ababa, and party official in home region of Oromia
- MA in Transformational Leadership, MBA and PhD from the Institute for Peace and Security Studies, Addis Ababa University

Born in Beshasha, Ethiopia

aged 48

Ethiopian Prime Minister
Abiy Ahmed

Africa's youngest leader

- Became **Prime Minister** in April 2018

  Within 6 months as PM:
  - Made peace with bitter foe Eritrea
  - Released dissidents from jail
  - Apologised for state brutality
  - Welcomed home exiled armed groups branded *"terrorists"* by his predecessors
- Reached a **peace deal** on July 9, 2018 with Eritrean President Isaias Afwerki, formally ending a 20-year-old stalemate following the two countries' 1998-2000 border conflict
- **Peace deal signed** in Sept 2018
- Played a **leading role** in mediating Sudan's political crisis
- Has also tried to revive South Sudan's uncertain peace deal

Source: AFP bureaus/nobelprize.org

AFP Photo/Emmanuel Dunand

SHOW US THE MONEY

By Helen Grange

Among the highest salaries in the world are those of public servants, many of them in African countries struggling with grinding poverty, underdevelopment and stagnant economies.

At the pinnacle of every public service are elected officials topped by presidents, whose remuneration packages are eye-watering in some cases, and explain the lavish lifestyles for which some, like Equatorial Guinea's Teodoro Obiang Nguema Mbasogo and his son, Vice-President Teodoro Nguema Obiang, have gained notoriety.

According to a May 2022 report by *Business Insider*, which scoured data from country websites and organisations like the International Monetary Fund and CIA World Factbook, Cameroonian president Paul Biya earned an estimated annual salary of $620,000, followed by King Mohammed VI of Morocco ($480,000), and South Africa's Cyril Ramaphosa ($223,000).

President Biya's salary is substantially more than the salary of the US president, set by law at around $400,000, bearing in mind that the US boasts the highest GDP in the world at more than $20 trillion. Other western presidents' salaries range from around $75,000 to $250,000 or more per year; the Norwegian prime minister's salary, for example, is approximately 1,700,000 NOK ($162,000) per year, while in some eastern countries, like India, presidents are not paid a salary but rather receive a stipend, or daily allowance, for expenses. Russia's Vladimir Putin officially claims an annual salary of $140,000 (but he has vast personal wealth, reportedly worth $200 billion).

The public sector wage bill the world over typically makes up a significant portion of government expenditure. In 2022 in the UK, for instance, the public wage bill accounted for around 25%-30% of total government spending.

But questions pop up where wages are remarkably generous in economies where public services are sorely lacking. In South Africa, for example, 55,000 of the approximately 1.2 million public servants earn more than R1 million annually, according to Finance Minister Enoch Godongwana's medium-term budget policy statement last November.

ABOVE: Protestors chant while cover a sculpture of a pig with rotten animal blood during a demonstration outside the parliament after lawmakers voted themselves hefty salary increases in June 2013 in Nairobi, Kenya.

Photo: Tony Karumba / AFP

Photo: Tony Karumba / AFP

Photo: Tony Karumba / AFP

Photo: Tony Karumba / AFP

Still, while the tax-based rewards to a country's publicly elected officebearers and the civil services they oversee might be morally questionable, do these inflated wages amount to corruption?

The answer is complex and multifaceted. Wages for public officials, elected or appointed, are regulated by laws and rules designed to ensure fair remuneration for government employees. That salaries and pay increases are high is not in itself the problem, and indeed, it might lower the risk of corruption according to the "fair wage model" developed by American economist George Akerlof, which holds that officials engage in corruption only when they see themselves as not receiving a "fair" income.

However, in cases where public service salaries verge on the absurd, are disproportionate to packages for commensurate roles in the private sector, or are highly unequal within that public service, corruption can and does raise its opportunistic head.

The World Bank, in a 2021 survey titled 'Effects of public sector wages on corruption' found that while increasing the wages of public officials could help reduce corruption, in countries where public sector wages were highly unequal, the risk of corruption increased.

In other words, poorly paid public officials, especially those managed by officials on bloated salaries, may be more tempted to engage in activities like bribery and procurement fraud.

Evidence from across Africa bears this out. Bribery, nepotism, and favouritism in government appointments and procurement processes are widespread, particularly in poorer countries including South Sudan, Burundi, Niger, Liberia, Democratic Republic of Congo (DRC), Malawi and Mozambique, where job opportunities in the private sector are extremely limited.

As Karam Singh, executive director of Corruption Watch told *Africa in Fact*, "In a stagnant economy, there are different kinds of rent-seeking activities in proximity to the public service, with people grappling for positions because the public sector is the 'only show in town'.

"Where you see that those who fill those positions don't have the requisite skills or capabilities as their counterparts in the private sector, that's a red flag, an indicator that while not in itself corruption, these appointments and related salaries are likely to be unsound, profligate, and unsustainable," says Singh.

In South Africa, public wages are regulated by the Department of Public Service and Administration, and in areas like education and healthcare, they

Photo: Carl De Souza / AFP

Photo: Simon Maina / AFP

are generally lower than commensurate jobs in the private sector. However, at the top layers of government administration – like the job of mayor of a large municipality – the upper salary limits reach more than R3 million per annum. Secretary to Parliament Xolile George earned R3.177 million ($158,230) inclusive of benefits over the 2022/23 financial year, according to the national legislature's annual report released at the end of 2023.

Part of the problem is the structure of the public service, which Professor Jakkie Cilliers from the Institute of Security Studies (ISS) describes as "the Taj Mahal rather than the Eiffel Tower" (i.e., top-heavy), as well as a lack of accountability in job screening, recruitment, and promotion in civil service ranks.

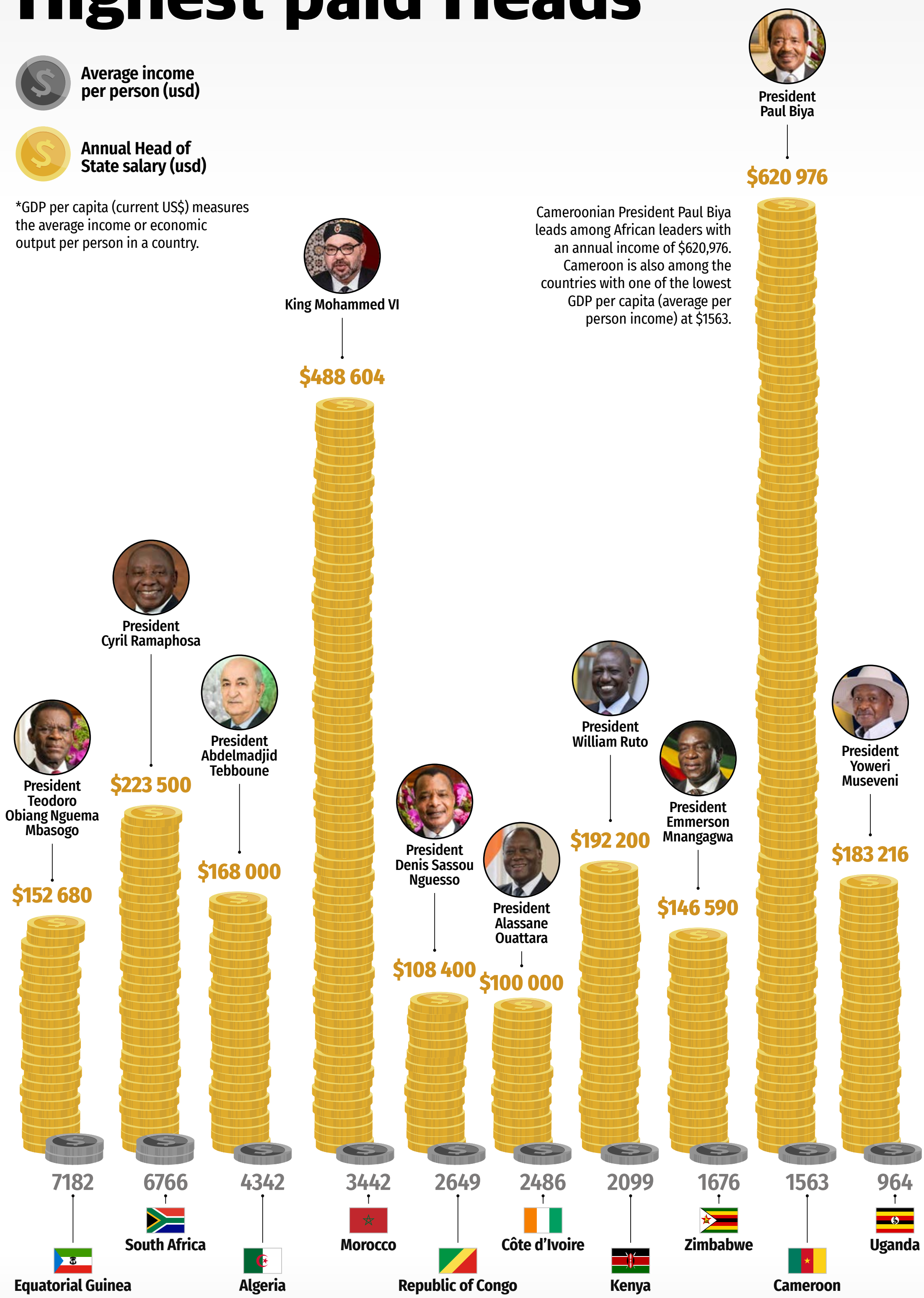
"Remuneration is not the issue. It is more about competence and accountability, both of which have been undermined by how the government manages things, the impact of its labour dispensation (which tilts the balance of power significantly in favour of the employee), lack of consequence management – which starts in Cabinet – and how the country is pursuing black economic empowerment, which is hugely necessary in South Africa, but we do it based on colour alone," he says.

This sentiment is echoed in the observation by Paul Hoffman, advocate, author and director of the NGO Accountability Now, in Terence Corrigan's article in the previous issue of AIF, who points directly to cadre deployment as the root of dysfunction in regional and local government. Cadre deployment, Hoffman adds, is a violation of South Africa's Constitution, which requires that "no employee of the public service may be favoured or prejudiced only because that person supports a particular political party or cause".

The Public Service Commission and some of the bargaining councils receive many complaints along the lines of nepotism and favouritism, confirms Dr Sarah Meny-Gibert, leader of the State Reform Programme at the Public Affairs Research Institute (PARI). "Sometimes inappropriate appointments are isolated cases of nepotism, while in other cases it involves the layering of political factions into the public administration." Illicit or non-compliant procurement tends to follow suit, and this is where the real corruption lies, she says.

Overpayment, nepotism, and procurement fraud afflict public services throughout the continent, to varying degrees. In Kenya, salaries for the country's

Highest paid Heads



At the tail end Uganda has the lowest GDP per capita at $964.

Source: Bussiness Insider Africa (2022)

top public officials have been contentious for years and came to a head last November when the country's national Controller of Budget, Margaret Nyakang'o, called for an audit to look into what she termed "budgeted corruption" after she found that the salaries of senior public servants, including President William Ruto, had been inflated to three times more than they were supposed to receive.

President Ruto's gross monthly salary is reported to be 1,546,875 shillings ($11,000) after he and other state officers received a 14% salary hike, announced by the Salaries and Remuneration Commission (SRC) last June.

Shortly afterwards, Nyakango'o was arrested and charged with fraud herself, but the case was halted and widely slammed as a sinister effort by government forces to shut her down.

The SRC tagged Kenya's public wage bill in Kenya at Sh1 trillion ($6.25 billion) in 2022, a figure inflated, no doubt, by the employment of "ghost" employees (people on the payroll but who no longer work for the public service), an issue highlighted in the Auditor-General's 2021-2022 report as well as by the State Department for Public Works.

Kenyan Auditor-General Edward Ouko, in his 2019 report titled 'State Capture: Inside Kenya's Inability to Fight Corruption', put it succinctly, writing: "Is our budget actually loaded with corruption? It fits the theory of a highway which has many exit lanes, and corrupt individuals know how to manipulate these exit lanes."

Absentee and ghost workers also plague the public payroll in Nigeria, where the federal government's wage bill has continued to increase, totalling N35,609 trillion ($22,2 trillion) from 2016 to 2021, according to the 2023 ActionAid report titled 'Trends in Public Sector Wage Bills', while the share allocation to agriculture, health, and education continues to fall below expected global minimum benchmarks.

"Each time they give me the payroll number, I get so frightened. Where am I going to get the capital to develop the infrastructure we desperately require if the payroll is consuming all the revenue?" asked Nigerian President Bola Ahmed Tinubu at a press conference in Abuja last September.

This speaks to the crux of how an excessive public wage bill erodes good governance; it not only creates a deficit in the funding available for much-needed public services, but also compromises funds for training, capacity building, and improving institutional efficiency. Weakened public institutions with inadequate checks and balances make it easier for corruption to thrive.

In addition, and more insidiously, it corrodes the social norms and values that hold communities together, deepening inequalities and driving conflict.

The solution lies in implementing transparent and fair salary structures that are commensurate with the responsibilities and qualifications of public servants, strengthening anti-corruption laws, and investing in public institutions so they can better ensure accountability.

Cutting the fat from the public payroll is imperative, not only to make more resources available for citizen services but to ensure the public service itself is sustainable, suggests William Gumede, associate professor at the Wits University School of Governance.

Writing in South Africa's *Sunday Times* last December, Gumede said, "[Public servant] jobs, wages and benefits will be the first to be cut in the austerity programmes that will be enforced to combat state failure, fend off economic implosion and deal with public revenue shortages... Public servants must understand their 'iron rice bowl' (guaranteed lifetime employment) will collapse unless the country puts an end to corruption, incompetence and policy populism."

As the proverb goes, "the waste of money cures itself, for soon there is no more waste." – MW Harrison.

THERE'S SOMETHING WRONG WITH THE AID INDUSTRY

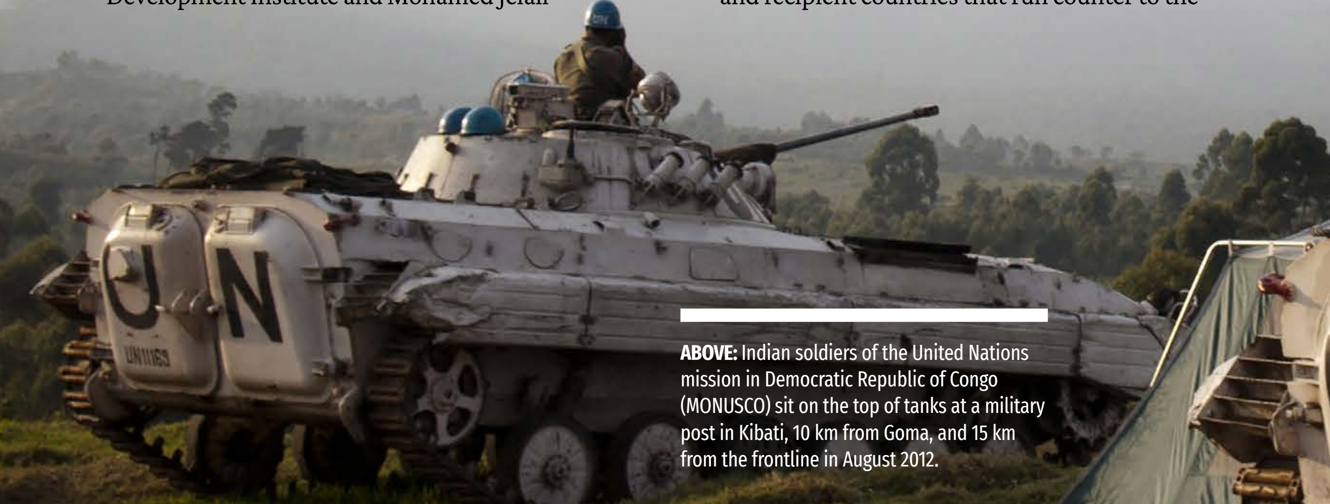
By Michael Schmidt

Those who set their sights on rooting out corruption are usually focused on two fields, of government and the state, and of corporations and financial markets. But in Africa, there is an immense third field where ingrained corrupt practices flourish that is usually overlooked by investigators: the foreign aid industry.

The argument that the disbursing of developmental aid to African governments and civil society organisations constitutes an "industry" in its own right is unusual in the first place, but the massive sums of money and the huge number of employees involved give it a gravity of such pull that it distorts entire national political economies.

Academic studies of aid effectiveness, such as a 2013 study of 53 African countries by Simplice Asongu of the African Governance and Development Institute and Mohamed Jelall of the Al-Makrizi Institute for Economy, which found that foreign "aid channelled through government's consumption expenditure increases corruption" – or a 2021 study published in the Development Studies Research journal, which concluded that "aid increases corruption in African countries", tend to focus on the misuse of aid by recipients and ignore corruption within aid agencies themselves.

In his 2015 book, *The Rift*, which I reviewed for *Africa in Fact*, Alex Perry, former TIME magazine bureau chief for Africa, noted that the international aid industry amounts to a "global trade" then worth $134,8 billion, employing 600,000 people. Importantly, the sector's wealth and power generate currents and whirlpools of self-interest within the United Nations (UN) itself as well as within other multilateral institutions, donor agencies, and recipient countries that run counter to the



ABOVE: Indian soldiers of the United Nations mission in Democratic Republic of Congo (MONUSCO) sit on the top of tanks at a military post in Kibati, 10 km from Goma, and 15 km from the frontline in August 2012.

achievement of the UN's sustainable development goals of an inclusive, sustainable, and prosperous global biosphere, society, and economy by 2030.

The UN system directly employs at least 125,000 staff, a number that grows each year, and has a total revenue of more than $74 billion (almost three-quarters of which is member state funding, with the rest spread between private donors, the European Union, investments, and other sources), of which it spends $56 billion/year, including $41 billion on humanitarian and development assistance, and $9 billion on peacekeeping. Naturally, it is in the multibillion-dollar procurement of goods and services that much corruption occurs.

As veteran journalist Claudia Rosett wrote in *Commentary*, despite attempts at reform, the UN "reports to itself alone… operates with great secrecy and is shielded by diplomatic immunity. One of its prime defences, indeed, is the sheer impenetrability of its operations… it has become a welter of so many overlapping programmes, far-flung projects, quietly vested interests, nepotistic shenanigans, and interlocking directorates as to defy accurate or easy comprehension, let alone responsible supervision."

Perry is immensely scathing about the aid industry in Africa, which was already, at $57,1 billion, "the biggest business on the continent", with the combined output of its 20 poorest countries. In fact, he rates official development assistance (ODA) as among the main threats to Africa posed by "three ruling groups" possessed of "ignorant and hypocritical" ideologies rooted in colonial-era misconceptions of the continent: "aid workers, despots, and jihadis".

He stresses, for example, that a mid-level UN employee in Goma in the eastern Democratic Republic of Congo (DRC) earns, when all their salary and benefits (travel, per diems, children's education, etc) are taken together, more than the president of the United States. And Perry's fieldwork revealed UN employees luxuriating in air-conditioned compounds, barely interacting with the people they were sent there to "save".

Globally, ODA has grown more than fourfold over the past 60 years, from $38 billion in 1960 – a year in which 21 African countries gained independence – to $210.7 billion by 2022. The African component shrank during the pandemic but climbed again to a quarter of all aid at $53.5 billion in 2022.

A few years ago, I was contracted to do an investigation for a major donor outfit into whether there were any problems with how its donations were managed, used, and accounted for by the United Nations

Photo: Michele Sibiloni / AFP

Photo: Fabrice Coffrini / AFP

Development Programme (UNDP). The UNDP has been the hub for all UN agencies since 2005, when UN Secretary-General Koffi Annan, in trying to better articulate the UN's varied developmental efforts, put the UNDP in charge of a new super-network, now called the UN Sustainable Development Group (UNSDG), which co-ordinates all 36 UN funds, programmes, specialised agencies, departments, and offices that play a role in development.

This has made the UNSDG supremely powerful and thus the ideal entity to study for anyone examining corruption in the development aid system. Despite the fact that it is a tiny outfit, the UNSDG occupies the entire 27th floor of the UN building in New York City, and the UN Secretary-General will reportedly often drop by and talk to its handful of staff.

The donor for whom I was working had at that stage a total portfolio of $1.4 billion managed by the UNDP and annual expenditure of $400 million in 19 countries, so they had enough skin in the game to be worried if things went wrong on the 27th floor, or in any of the innumerable in-country field offices that radiate out from it. Because of the sensitivities involved, my interviews with UNDP/UNSDG staff and field officers were conducted on condition of anonymity.

The central problem with the UNDP stems from another UN policy aimed at simplification through centralisation: the "single audit" principle. In the agency's own words, "any review of UNDP activities by an external authority, including any governmental authority, is precluded; instead a) the United Nations Board of Auditors (UN BoA) retains the exclusive right to carry out an external [sic] audit of the accounts, books, and statements of UNDP; and b) the Office of Audit and Investigations (OAI) retains the exclusive right to carry out internal audit of the accounts, books, and statements of UNDP."

Let that sink in: despite the billions of dollars in play, governments, funds, and global donor agencies on whom the UNDP depends for its own livelihood, as well as responsible recipient governments and NGOs, are outright prevented from double-checking the UNDP's figures or even seeing the UN's self-administered audit results.

Although the single audit principle has been eroded in recent years as donors and governments come under pressure to demonstrate transparency and efficacy and so conduct partially audit-like "spot checks" and "verifications" of programmes, such unaccountability naturally allows for profligacy and corruption at the highest levels.

On the 27th floor, one staffer said: "There is gross overspending on flights and per diems; this can get crazy, but is not capricious, it's just policy: if the flight is more than eight or nine hours away, it has to be first class and direct, if possible. You can see line items for flights for millions of dollars. This is uncapped."

UNDP/UNSDG staff, for example, would frequently fly first class to Geneva on Swiss Airlines "just to have lunch and shoot the breeze, covering less work than could be done in a quick Skype or email conversation." Splurging by the top brass on international junkets also extended to large summits all over the world attended by the UNDP which are, according to a staffer, "a garden of corruption and over-expenditure: people show up and sponge money in the name of doing something vague. These summits have been examined with less scrutiny than the Olympics, but the summit attendees perform similarly."

UNDP over-expenditure on summits ranged from unnecessarily large delegate teams with all their attendant top-drawer per diem, hotel, and flight costs, to exorbitant consultancy fees, inflated venue hires and so forth. One staffer reported: "I flew 25 people down for a conference and some flights were $25,000 each – and they would yell at you all day long if it wasn't the flight they wanted."

And just who are these prima donnas with the plum jobs? Weirdly, 27th-floor staff are mid- and low-ranking officials, but their true status is demonstrated by the fact that they have almost unfettered access to top-ranking officials in all UN agencies. With no proper salary-grading system at the UNDP, a staff officer said there was "a lot of play in terms of salaries and funding; this is incredibly political and discretionary. Your… accomplishments and pedigree can mean nothing."

One field officer reported: "The UNDP was growing really fast and so there was not a proper recruitment process. People were not qualified enough to know how to use the money coming in, and there was a lot of money coming in…"

Cases had arisen where rampant nepotism saw money intended for local communities funnelled through fly-by-night NGOs established by friends and family of UNDP staff. One field officer said this had occurred in the Philippines over 2014 – 15, where EU European Commission money was syphoned off. "There was no oversight," the field officer recalled, "and the European Commission tried to do an audit and find out where the money was going, but the UNDP refused to do it; they changed over their staff, but they didn't release any information."

In 2020, the *Financial Times* reported that a leaked internal UNDP audit showed "financial misstatements" worth millions of dollars on projects funded to the tune of $7 billion by the World Bank-originated Global Environment Facility

Photo: Daniel Slim/ AFP

(GEF) around the world. "The report highlighted problems, including signs of 'fraudulent activities' at two country offices and 'suspicions of collusion among the various project managers' at another, without naming the countries."

The newspaper said the audit "comes against a backdrop of rising concern from some donor countries over management and oversight issues at the UNDP." The UNDP responded, saying it "takes all cases of financial mismanagement and other irregularities extremely seriously," claiming the project was "subject to an intricate system of regular reviews, independent assessments, and audits."

By and large, everyone works on contract, and salaried positions are rare, but staff transfer between UN agencies every two to three years; this in turn means that staff circulate in a large pool and can shift into new fields with zero relevant expertise. In some cases, this has led to mission creep into areas in which the UNDP has very little experience, especially disaster relief and peacebuilding in conflict zones, where the physical chaos created more opportunities for fiscal chaos and corruption.

"In… places when it comes to civil war and humanitarian responses, the UNDP has less scrutiny over what they are doing so there is more mismanagement of funds," a field officer said. Mismanagement has included inflating service-provider costs, paying for research that is never used, or claiming that civil society organisations had endorsed reports on which they had not been consulted.

Although with most donor grants, the UNDP is only supposed to be spending 25% on their own staff, it was claimed by one field officer that "In most cases, in most countries, they are exceeding it… the human resources and just plain staff costs are very high for projects. That is a concern for all of us working in the field because there is scrutiny now with development aid coming in that we need to use the money more efficiently." UNDP over-expenditure in its own back-office distorts donor spending and bedevils project sustainability on the ground.

And while *laissez-faire* prevails higher up the food chain, field officers sweat under the microscope and have to account for every cent. A staffer said: "We didn't have to make reports on our progress at the [UNSDG] or the UNDP, but we demanded that from our field officers … What your targets are, including the GINI coefficiency, corruption indicators, access to democratic institutions etc, are very broad at central level and incredibly specific at field levels.

"The field offices are precarious: they are on the end of that … fulcrum and get swayed and messed about all the time. The UNDP can undercut a field office and weaken it in practical and political ways – by, for instance, channelling funds through the government and then saying the field office should get their funds from that government, which will never happen."

Things get really murky when the UNDP/UNSDG meddles

Photo: Yuki Iwamura / AFP

in the internal politics of recipient countries. Disbursements made via the UNDP as foreign direct investment (FDI) can sometimes be characterised as gross over-expenditure, particularly when the state is the recipient, and when its conditions are very broadly framed, thus decreasing accountability.

A UNDP staffer said, "FDI is a big problem because the accounting, monitoring and evaluation within the field offices and agencies can involve fudging the numbers ... spending, overspending, or lack of spending can simply be justified by 'a lack of good governance'."

Most worrying of all, it is claimed that the UNDP at times misuses its funding allocations to either create high-risk areas – thus justifying a lucrative, continued UNDP presence in a country – or to manipulate the political structure of a recipient country if it was deemed undesirable.

A UNDP staffer said that if their country offices received less co-operation from governments and arms of state than what they desired, the UNDP could use its "development leverage" to starve them of funding, refuse to hand projects over to the state as the primary funding recipient when the time was due, or force the replacement of ministers who were not in line with the UNDP's agenda.

And exactly what that agenda is has become increasingly obscure as the UNDP embarks in some instances on trying to become the primary recipient of its own funding.

The UNDP was, a field officer said, "setting up organisations that are registering and applying for the grants and putting UNDP as the principal recipient." These UNDP-started "NGOs", such as the Middle East Network for Legal Aid (MENAL), which it had set up in the Middle East-North Africa region, were then staffed with UNDP people. This loop generates money that circles back to the UNDP – money that should rather have gone to the government or a legitimate civil society.

In effect, the UNDP has evolved into an almost wholly unaccountable multibillion-dollar multinational – though it survives purely on tax-based state, investment, and charitable funding, yet pays no tax – the main objective of which mutated to increase the size of its own well-heeled personnel and budgets at the expense of hard-pressed projects on the ground combating issues such as poverty and inequality in regions like Africa.

It is probably worth saying that my big UNDP donor client ran out of money to fund my investigation, so the report was never published.

Photo: Cristina Aldehuela / AFP

ABOVE: Ghanaian journalist Anas Aremeyaw Anas poses during an interview on June 12, 2018. His investigative documentary called Number 12 lead to the dissolution of the Ghana Football Association (GFA) and the resignation of the GFA president Kwesi Nyantakyi.

WINNING SOME, LOSING MANY

By Edward Teye Sarpong and Mina Birifaa Oduro

Corruption remains a pervasive anti-developmental issue for Ghana, just as it is for many of Africa's 54 member nations. What should have been a great success story to tell today following Ghana's bold steps in the establishment of key anti-graft institutions and regulations, is overshadowed by decades of feet-dragging in prosecutions, overpoliticisation of cases, and the general lack of enforcement of regulations.

This article examines the initiatives taken, difficulties encountered, and advancements made in Ghana's continuous fight against corruption.

Ghana has taken significant steps in addressing corruption through legislative and institutional frameworks, despite the current state of perceived stagnation in the corruption fight (as evidenced by the country's score on Transparency International's Corruption Perceptions Index (CPI)). The establishment of institutions like the Commission on Human Rights and Administrative Justice (CHRAJ), the Economic and Organised Crime Office (EOCO), and the Office of the Special Prosecutor (OSP) demonstrates the commitment to tackle corruption at different levels.

These institutions are supported by existing mainstream state institutions such as the Ghana Police Service (GPS), the Attorney General's Office, the Financial Intelligence Centre, the Auditor General's Office, the Internal Audit Service, the Public Procurement Authority, the Controller and Accountant General's Department, and the Register General's Department.

While the focus has been on the strengthening of transparency and accountability over the years in its governance, Ghana's government (GoG) is implementing a coordinated approach in the fight against corruption through the implementation of the National Anti-Corruption Action Plan (NACAP), a national 10-year strategy that was adopted on 3 July 2014, pursuant to Article 35(8) of the Ghanaian Constitution, to help coordinate the fight against corruption with CHRAJ as the lead institution.

Additionally, digital platforms have been deployed to promote transparency in public services, making information easily accessible to citizens. This has been further enhanced with the passage of the Right to Information Act (Act 989, 2019), which empowers the public to access information from central and local governments as well as from non-governmental organisations that are publicly funded.

There has also been deliberate and active collaboration with international partners such as

Interpol and other investigative bodies in clamping down on cross-border graft crimes, for example. Ghana's commitment to a united front against corruption – in the country and on the continent – is further demonstrated by its cooperation with groups like Transparency International and its participation in regional and international anti-corruption treaties.

It is important to note here that Ghana was one of the first countries to sign on to the African Peer Review Mechanism (APRM), an instrument established by the New Partnership for Africa's Development (NEPAD) for AU member states to voluntarily self-monitor their governance performance. This opens the country up to an independent assessment of the processes in the fight against corruption. To this end, several indices, such as the report by the United Nations Convention against Corruption (UNCAC) and the CPI, are used to track Ghana's progress. The country's position on these indices normally reflects the perception of the efficacy of its anti-corruption initiatives and points out areas that need additional focus.

In recent years, however, fighting corruption in Ghana has been challenging and demoralising for both activists and observers. The efficacy and efficiency of anti-corruption programmes in the country have been questioned. There is the perception that interventions by various governments have been impeded by inadequate enforcement of anti-corruption laws, political interference, and insufficient funding and resource allocation to statutory agencies mandated to fight corruption. This perception has been reinforced by recent failures in the prosecution and trial of high-profile corruption cases. Rather than all sides of the political divide taking a bipartisan approach to the fight against corruption, corruption cases have been tainted by politics.

The prosecution of such cases, therefore, has mostly failed due to a fear of courting public displeasure and the judicial process being branded as a political witch hunt. This situation is quickly dousing the citizenry's confidence in the ability of public anti-graft institutions to fight the growing incidence of corruption. Special Prosecutor Kissi Agyebeng recently criticised the nation's sluggish fight against corruption in a speech titled 'Corruption and Justice: Where does Ghana stand?', lamenting Ghana's continued score of 43 points out of 100 (the same score for the past four years) on the CPI. He questioned the commitment to real change while discussing the failure of anti-corruption campaigns.

There has been a growing public perception that Ghana's public finances have been increasingly mismanaged in recent years, particularly in the conduct of senior public officials, including ministers, the CEOs of state institutions, and other government appointees. This has led to public demands to tighten anti-graft provisions in the

Photos: Cristina Aldehuela / AFP

LEFT: Protestors at a demonstration dubbed 'Fabewoso – Bring it on' to raise awareness about the high rate of corruption in Ghana in May 2017. Protesters marched to the Economic and Organised Crimes Office (EOCO) to present a petition to prosecute corruption.

country's 1992 Constitution. However, delays in making key reforms and promulgating legislation such as the Conduct of Public Officers Bill and the Assets Declaration Regime Amendments are but a few examples of the government's lax attitude towards fighting corruption.

Also, Ghana's current asset declaration regime is silent on sanctions, monitoring, publication, and verification of assets, making it a "white elephant" in the country's Constitution.

On the part of the executive, there seems to be a lack of political will to crack the whip when the anti-graft lens lands on the party faithful. The absolute power the Constitution grants the president to pronounce a final verdict on the work of state-constituted investigative committees has sadly been used to clear appointees of any wrongdoing, even in cases where there appears to be overwhelming evidence.

In addition, the courts have also been accused of being overly dismissive of certain high-profile corruption cases, impeding the work of anti-corruption institutions in the process. State prosecutors and investigators have also been inefficient in adducing incontrovertible evidence to successfully prosecute corruption-related cases.

Ghana's civil society organisations (CSOs) and the media have been particularly successful in highlighting anti-corruption-related cases, irrespective of the pedigree of the parties involved. The work of investigative journalists such as the award-winning Anas Aremeyaw Anas of the Tiger Eye PI and Manasseh Azure of the Fourth Estate, among others, are leading the charge in holding public officials to account. CSOs have equally been active in creating platforms where anti-graft cases are publicised and discussed.

However, years of delayed enforcement and incomplete investigations have dealt heavy blows to Ghana's fight against corruption. Instead of curbing the rise in the number of cases of misappropriation of public funds, key investigations by the Auditor General's Office, the EOCO, and Parliament's Public Accounts Committee, seem unable to tackle corruption.

There needs to be a greater level of collaboration among Ghana's anti-graft institutions to successfully prosecute corruption-related cases. CSOs, in turn, must support these statutory institutions by keeping a sustained spotlight on high-profile cases from beginning to end.

In summary, the specific recommendations below, made by Ghana's Special Prosecutor at the launch of Transparency International's CPI 2023 report, could trigger and sustain much-needed change:

- Entrenching anti-corruption institutions in the Constitution and expanding their powers;
- Protecting these institutions from political interference and reprisals;
- Guaranteeing adequate resources and true judicial independence;
- Establishing a specialised anti-corruption Court and providing competitive salaries for legal officers;
- Fostering a culture of truth and integrity within these institutions.

Ghana's position at 70 out of 180 sampled countries and its score of 43 on the Corruption Perceptions Index necessitate deep introspection for change. The government, the judiciary, and the statutory anti-graft investigating and prosecuting bodies must unite behind the numbers to enforce the anti-corruption laws. Failure to act on the findings of the Auditor General's Office annual audit reports, Public Accounts Committee (PAC) investigations, and other statutory investigations in themselves must be punishable by law.

While the Ghanaian government's efforts over the years to establish critical anti-graft institutions with specific mandates and to promulgate anti-graft laws are commendable, much more needs to be done to tame the growing incidence of corruption. It is crucial to continue efforts to fortify institutions, uphold anti-corruption legislation, and encourage an integrity-driven culture. Maintaining consistent progress in Ghana's battle against corruption requires the combined efforts of the people, the government, and its international collaborators. GG

Photos: Cristina Aldehuela / AFP

ABOVE: People look at a poster and watch the anti-corruption documentary called Number 12 by investigative journalist Anas Aremeyaw Anas about former Ghanian Football Association (GFA) president Kwesi Nyantakyi, in June 2018.

CARTOON

by Victor Ndula

CORRUPTION: MANY ACTORS

By Tholang Tsabo

The efforts of liberation movements spearheaded by leaders such as South Africa's Nelson Mandela and Ghana's Kwame Nkrumah inspired hope as African countries gained their independence from colonial rule. However, post-independence, corruption in many forms became a formidable barrier, hindering Africa's journey towards prosperity and stability. This article explores the multifaceted nature of corruption in Africa and offers strategies for addressing it and fostering sustainable development.

While corrupt practices are often misconceived as solely occurring within the public sector, the enabling role of KPMG and other prominent auditing firms in South Africa's state capture

ABOVE: Vines grow over a decapitated colonial era statue of H.M. Queen Victoria as it stands in the care-taker's yard at the Jevanjee gardens in Nairobi, Kenya in June 2020.

scandals underscores the pervasive nature of corruption, revealing that even oversight bodies can succumb to pressure from powerful interests. In South Africa, the global firm was accused of deceit and collusion that cost the country's economy dearly. Various publications have estimated the projected cost of the KPMG-facilitated state capture agenda to be between R500 billion and R1.5 trillion.

Angola's history of a close relationship between government and business elites has led to conflicts of interest and corruption. Despite its rich natural resources, the country still has a high poverty rate of 15.1 million people, with a poverty threshold of $1.90 per day. Particularly concerning were the scandals involving Sonangol, the state oil company, which was granted a monopoly over offshore oil exploration in 1976.

In June 2016, former President José Eduardo dos Santos appointed his daughter, Isabel, as the CEO of Sonangol. This appointment raised serious concerns about conflicts of interest, as she wielded significant political influence and controlled other companies involved in Sonangol's operations. Once dubbed the richest woman in Africa by Forbes, dos Santos's empire crumbled after her father stepped down from power and now faces corruption charges in Angola, with hundreds of millions of dollars now frozen in several jurisdictions.

If anything, this narrative underscores the risks associated with unchecked political power and the lack of accountability in government institutions, leading to economic corruption and the misappropriation of public resources for private enrichment.

In Mozambique, European bankers, Middle Eastern business interests, and members of the country's political elites collaborated in 2013-14 to arrange a $2 billion loan to the country, ostensibly to develop its fishing industry. The so-called "hidden debt" scandal, in one of the world's poorest nations, had disastrous consequences for the country. The loan was secured by undisclosed government guarantees and kept secret from the IMF and donors. The only benefit to the country was in bribes to implicated officials.

A 2021 report by the independent Swedish research institute CMI succinctly summed up the monumental scale of this corrupt project and the real cost to Mozambique and its people: "Donors and lenders had kept the country afloat, and they pulled the plug. The IMF halted its programme, and donors cancelled direct budget support and other aid to the government – a reduction of $831 million in 2016 compared to the year before. The cascade that followed included a fiscal crisis, making the government unable to pay its bills. There was a major currency devaluation, foreign debt became unpayable, the economy slowed down sharply, real GDP per capita fell, unemployment soared, and poverty increased."

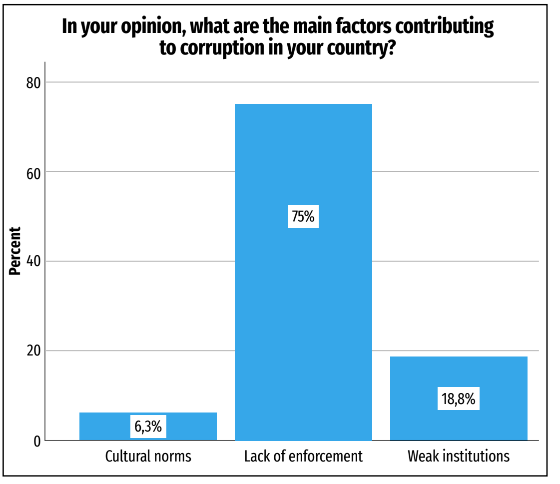
Photo: Tony Karumba / AFP

This case highlights how corruption, a pervasive global problem, often arises from collaborations spanning various sectors such as business, finance, and politics. It flourishes in settings characterised by a lack of transparency and accountability. Mozambique's misappropriation of funds also exposed weaknesses in government oversight and its financial systems.

The widespread impact of corruption on a global scale emphasises the necessity for concerted cross-border initiatives to combat it effectively. Africa's health sector is another area where corruption hurts the poorest. In sub-Saharan Africa, maternal and infant mortality rates remain significant challenges. Projected for 2030, it is estimated that 390 women will die in childbirth for every 100,000 live births, which is more than five times higher than the Sustainable Development Goal (SDG) target for that period. Similarly, the region's infant mortality rate stands at 72 deaths per 1,000 live births, far above the reduction target. These alarming statistics underscore the urgent need for improved healthcare services.

Corruption exacerbates these challenges, particularly in public healthcare sectors. In Malawi's Kamuzu Central Hospital, a study by Annette Mphande-Namangale and Isabel Kazanga-Chiumia in 2021 found that 80% of patients and their guardians were aware of informal payments for health services, with 47% admitting to making such payments. A staggering 87% of these payments were made at the request of health workers themselves. This highlights a widespread issue whereby patients feel compelled to make payments outside official channels.

In 2009, Zambian health ministry officials embezzled SEK7 million in Swedish (about $671,809) in aid, leading a whistleblower to report the theft to Zambia's Anti-Corruption Commission. The scandal disrupted Sweden's health programme in Zambia and highlighted the difficulties donors face in enforcing zero-tolerance anti-corruption policies in the health sector. The result is vulnerable communities suffer, and patient care and access to essential services is compromised.



Graphic: Tholang Tsabo

The enduring impact of colonialism in Africa is also evident in governance systems that prioritised resource extraction and exploitation over sustainable growth and prosperity. This legacy contributed to systemic corruption and mounting debt, which impede some African nations' ability to attract foreign investment. Political instability exacerbates corrupt practices by creating opportunities for exploitation. Weak governance systems and fragile institutions, with frequent leadership transitions, exacerbate the problem.

Zimbabwe exemplifies this scenario, particularly in its economic landscape, where about 40% of its population lives in extreme poverty. The country also grapples with a substantial debt burden, amounting to $17.2 billion, with 74% attributed to external debt. Repayment of these debts is further complicated by accrued arrears and penalties, reaching a staggering $6.6 billion, including $2.01 billion in penalties as of December 2021. Political instability, bureaucratic red tape, and rampant corruption exacerbate these economic woes, with Zimbabwe ranking 149th out of 180 countries in corruption perception.

Addressing these challenges requires

comprehensive reforms to strengthen governance, promote transparency, and foster stability, ensuring a brighter future for Africa's development and prosperity. The author, a researcher currently pursuing a PhD in corporate governance at the University of the Western Cape, conducted a survey of 6,400 participants in two southern African countries in February this year, which yielded significant insights into corruption prevalence and perceptions. Lesotho represented 43.8% of participants, while South Africans constituted 56.3%, offering a diverse national sample. Findings showed widespread awareness of corrupt practices, with 68.8% reporting encounters or knowledge of bribery requests. Key factors contributing to corruption included "lack of enforcement" (75%), "weak institutions" (18.8%), and "cultural norms" (6.3%). These results underscore the need for targeted interventions to combat systemic corruption, enhance transparency, and foster accountability within the surveyed group. (Tsabo, 2023).

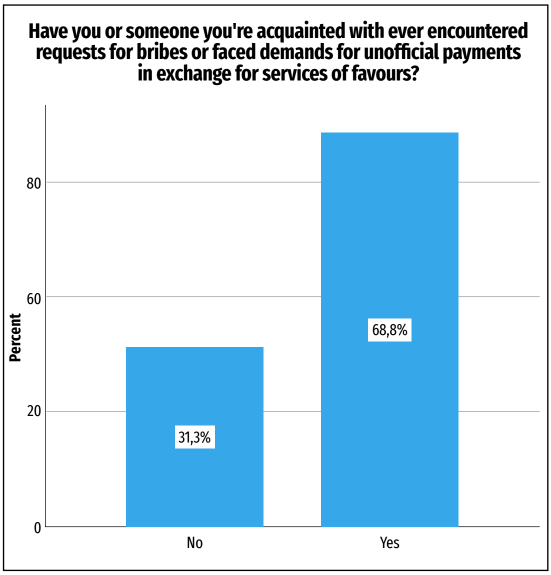
It is imperative to outline comprehensive strategies aimed at combatting corruption, which clearly remains a significant obstacle to progress and development. Firstly, political leaders must exhibit unwavering dedication to fighting corruption, not only through rhetoric but also through concrete actions and policy implementation. This commitment should be transparent and consistent to earn the trust of their citizens.

Secondly, a collaborative approach involving both the government and the private sector is essential. By working together, these entities can pool resources, expertise, and influence to implement effective anti-corruption initiatives. This collaborative effort can enhance transparency, accountability, and oversight across various sectors, thus reducing opportunities for corrupt practices.

Furthermore, it is crucial to empower citizens to uphold integrity and actively participate in anti-corruption efforts. Drawing inspiration from individuals like South Africa's former Deputy Finance Minister Mcebisi Jonas, who bravely exposed corruption, citizens should be encouraged to report corrupt activities and hold their leaders accountable. This citizen engagement can foster a culture of transparency and ethical conduct, further bolstering anti-corruption measures.

Additionally, both local initiatives and global support are vital components in the fight against corruption. To effectively combat corruption, African leaders must prioritise anti-corruption initiatives within their countries with the support of international organisations and allies who offer resources, expertise, and diplomatic pressure.

Finally, establishing accessible whistleblower platforms and conducting widespread awareness campaigns are instrumental in educating citizens about their role in combating corruption. By providing avenues for reporting corruption anonymously and raising awareness about the detrimental impacts of corruption on society, these initiatives empower individuals to take a stand against corrupt practices and contribute to building a more transparent and accountable governance system. GG



Graphic: Tholang Tsabo

Photo: Sia Kambou / AFP

ABOVE: Men unload logs of vene wood (Pterocarpus erinaceus) at a Chinese wood exporter's site in Yopougon, the industrial zone of Abidjan, Côte d'Ivoire, in June 2013.

DEEP ROOTS

West Africa's illegal timber trade

By Blamé Ekoue

Kpeté-Béna is a small town in Togo near the border with Ghana, in the prefecture of Wawa, about 200 km from the capital, Lomé. The town is also a transport hub for smugglers moving illegally cut timber from Ghana into the country for onward delivery to Asian markets, specifically China and India.

Large loads of timber of different species, notably rosewood, are moved across the border at night; illegal logging is carried out in numerous forest communities in Ghana's Oti region. According to the Environmental Investigation Agency, wood from about six million Ghanaian rosewood trees has been imported by China since 2012, despite an export ban.

Alphonse Mensah is a member of a smuggling group of young Togolese who take delivery of consignments of illegally cut timber from Ghana.


Photo: flickr.com/photos/erikkristensen

“I’ve been doing this job for a while now,” he told *Africa in Fact*. “During the night, timber from Ghana arrives, and we hide the stocks in the bush while waiting for the transporters to come and reload them to the final destination.”

Illegal logging took off in earnest in West Africa in the early 2000s with the arrival of Chinese traffickers, fronting as legitimate businessmen, in search of new sources of precious woods in a bid to service strong demand from their local markets. In 2011, the pressure on this natural resource increased after China, the leading importer of rosewood (*Pterocarpus erinaceus*), commonly called “*wood of vene*” in Senegal and “*kosso*” in Nigeria, decided to prospect in West African countries to obtain supplies.

Despite strengthening international regulations in the timber sector, cross-border illegal logging keeps a grip on West African countries. Those most affected are Mali, Senegal, Nigeria, Guinea-Bissau, Ivory Coast, Gambia, and Ghana. In the region, poverty and corruption allow the trade to flourish despite efforts to fight it.

The damage is profound. African countries lose $17 billion each year due to illegal logging, which causes widespread environmental degradation and the loss of livelihoods. According to Séna Alouka, the chairman of the pan-African environmental organisation, Young Volunteers for the Environment (JVE), which works in some 15 countries across the continent, the damage is both environmental and economic.


Photo: Steeve Jordan/AFP

ABOVE: The driver of a trailer carrying logs secures them in March 2022 as he leaves the forest near the village of Bambidi in the Ogoue province. The fight to preserve biodiversity is not always popular in Gabon among the inhabitants of remote areas who live from what they plant and from hunting.

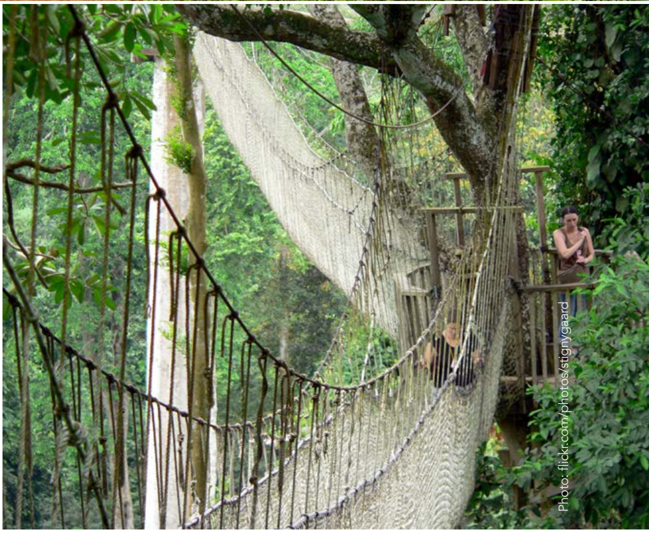
"Illegal logging leads to a reduction in land fertility and soil productivity, leading to desertification, and we know that the populations of these forest areas make a living from agriculture," he told *Africa in Fact*. "This situation also leads to a reduction in grazing areas for livestock, which are forced to feed in the fields, leading to conflicts between herdsmen and farmers." Alouka said the impact of illegal exploitation of forest resources was also leading to the disappearance of certain plant species that were important for maintaining biodiversity. He estimates that Togo, for example, loses between 16,000 and 20,000 hectares of forest each year due to deforestation.

In Touba and Katack, two Senegalese villages located in the Narang, close to the border between the country and Gambia, the local communities bitterly lament the disappearance of hectares of forest. Lamine Gassama, who at one stage was an illegal logger himself, bemoaned the degradation but told *Africa in Fact*: "Poverty was the main cause because I wanted to earn enough money to cultivate my field as soon as possible; the cutting was done at night, and there were transporters who came to collect the stock."

"Rosewood traffickers plundered almost everything in the forests of this area of the country, even cutting other species like *neem* (a member of the mahogany family)," Senegal's former environment minister Haidar el Ali told *Africa in Fact*. "They have now moved to the east around the departments of Kolda and Vélingara; from there, traffickers transport their stocks of wood to Mali via the Senegal River."

Since 2017, countries in the sub-region have been forced by the Convention on the International Endangered Species of Wild Fauna and Flora (CITES) to strengthen their legal frameworks to protect some endangered

Photo: flickr.com/photos/ranopamas



RIGHT: A truck delivers logs in the Campo Ma'an National Park in Cameroon, a vast virgin forest of more than 264,000 hectares and home to over 200 forest elephants and 500 gorillas. **BELOW:** Kakum National Park's canopy walkway in Assin South, Ghana, consists of seven separate bridges.

plant species, including rosewood. To discourage illegal loggers, some countries have also imposed moratoriums on the exploitation of certain forest resources, including timber. Others, including Togo, have banned the export of timber since 2022. Nevertheless, the illegal timber trade continues, with traffickers using new tactics such as turning logs into sawn timber, which is easy to conceal from law enforcement bodies. For the time being, some countries, including Ghana, have developed wood identification systems to help law enforcement identify restricted or banned species that may be concealed in large quantities of logs or saw-timber.

As mentioned earlier, several factors favour the illegal logging industry. These include the lack of governance in the management of forest resources and prevailing corruption and cronyism, as well as coercive force at all levels.

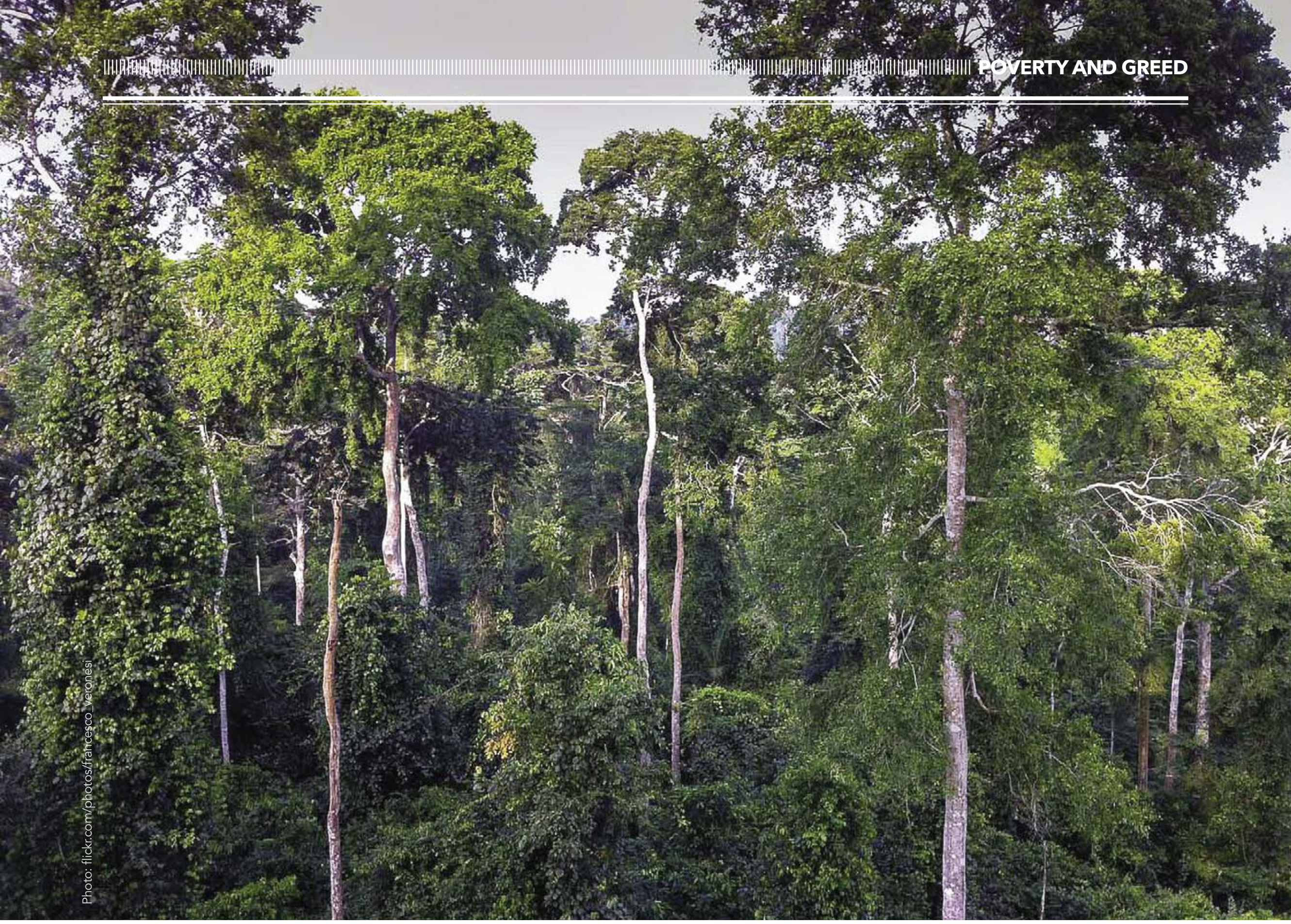
Mary Awelana Addah, Executive Director of the Ghana Integrity Initiative (GII), the local chapter of Transparency International, told *Africa in Fact* that illegal loggers benefit from complicity within the departments responsible for enforcing the laws.

"Politics, unfortunately, gets involved in the fight against illegal loggers in some West African countries to the point that influential figures protect them," she said.

A row erupted in Ghana in 2019, for example, when Helena Huang, also known as Queen Rosewood, was arrested only to be released and finally extradited to China instead of being prosecuted for rosewood trafficking.

"Corruption is the main factor favouring illegal logging in Ghana and other countries across the sub-region," Addah insists. "Some corrupt elements at the departments supposed to be involved in the management of our forest resources are working in connivance with illegal loggers. Sometimes, we have collusion happening; security agents who are supposed to fight against the phenomenon allow people to get away with what they should not."

Environmentalist Alouka believes that binding agreements against the importation of endangered woods also need to be concluded with destination countries: "There is a need to reach an agreement with importing countries on the types of wood they



allow into their territories, like the one with the European Union banning forest products, which cause deforestation in Africa. We all know that our wood goes to China, Turkey, etc. So, we just need to have a win-win discussion with these states."

Today, many actors involved in the fight against illegal logging are also advocating cooperation between the countries of the sub-region through the establishment of an interdependent structure. They believe that the opacity of the current structures in each country is an obstacle to the exchange of necessary information.

According to reliable sources, for example, cooperation between Togolese and Malian forest resource management services led to the seizure of a large cargo estimated at more than 500 containers of timber from Mali and Sierra Leone at the autonomous port of Lomé in 2022.

The Togolese navy also last year refused a request for transhipment from a vessel carrying timber from Guinea-Bissau. These actions illustrate how countries in the region are keen to put an end to illegal logging. However, awareness among the authorities of these countries must also be reflected in severe criminal sanctions to discourage traffickers and their accomplices in public office. The establishment of a harmonised and efficient cargo tracing system to avoid customs fraud is also recommended.

Some experts further recommend the immediate inclusion of effective public transparency mechanisms in the timber sector to ensure accountability, with the participation of civil society organisations in various countries across West Africa, as well as a monitoring body fully independent of departments in charge of forest resource management or forest commissions. For the moment, the other channels available to states to combat illegal logging remain awareness-raising campaigns and the establishment of income-generating but environmentally friendly activities in forest regions across West Africa.

Photo: Ludovic Marin / AFP

ABOVE: Benin's President Patrice Talon waits the arrival of French President Emmannuel Macron at the Marina palace in Cotonou in July 2022.

BENIN'S ANTI-GRAFT FIGHT CREATES WINNERS AND LOSERS

By Issa da Silva Sikiti

A 55-year-old man, identified only as PDG, switches off his laptop in frustration after getting a phone call from one of his government "connections". The bad news made him swear by his Voodoo "ancestors" that Benin's President Patrice Talon must not stay in power even by one second when his rule ends in 2026.

It was unclear why the man was angry, but *Africa in Fact* was reliably informed that PDG – who did not run or own any company – was a middleman in public procurement, one of the most corrupt sectors of Benin, the tiny West African nation, which ranked 70th (43 points over 100) on the Transparency International 2023 Corruption Perceptions Index (CPI).

"Public procurement is a nest of corruption around the world. In Benin, the sector is suffering from political interference," Jean-Baptiste Elias, president of Benin's Front of National Organisations Against Corruption (FONAC), told *Africa in Fact* in the economic capital, Cotonou.

"Politicians give instructions to public procurement agents to award X tender to X because he or she is one of the important elements for us on the political scene, award this contract to this company and do this and do that."

Poorva Karkare, policy officer at the European Centre for Development Policy Management (ECDPM), seemed to echo Elias' sentiments, saying: "Tender processes are riddled with corruption everywhere. In most developing countries, leaders want to win the next elections, and there is very likely pressure to award tenders to those who are allied with, linked to, or close to them in return for their support in elections.

"Even in developed countries like the US, there are more subtle forms of corruption through the 'revolving door' where legislators or regulators change roles to become lobbyists or employees in private firms."

Elias claims that some state officials established companies on behalf of their fathers, brothers and wives or uncles to award themselves public tenders. "Such practice falls within the framework of corruption, and it will not stop until we get to appoint virtuous leaders at all levels of government,

RIGHT: Police and anti-government demonstrators clash on March 9, 2018, in Cotonou, Benin's economic hub as they march against President Patrice Talon's free-market reforms.

Photos: Yanick Folly / AFP

from the top to the bottom, including at ministerial level, municipal and regional level, as well as in state-run institutions."

Talon, who came to power in 2016, has repeatedly said that fighting corruption is one of his main priorities. It is believed that his administration undertook a few reforms in this direction, and these included eradicating contact with cash in favour of digital payments and creating a new anti-corruption organ, the Unit for Analysing and Processing Complaints and Denunciations, which is tasked with receiving complaints against public officials and carries out investigations with a view to prosecution. In 2018, the Talon administration also established the Court for the Repression of Economic Crimes and Terrorism (CRIET), a legal instrument for the fight against corruption.

A recent report released in December 2023 by Afrobarometer, the survey of which was conducted between 2021 and 2023, revealed that Benin recorded a sharp drop (13%) in the perception of worsening corruption in Africa. The report said Benin posted satisfying scores in all sectors, and that many people said they were pleased by the government's efforts to fight corruption.

However, Elias disputes the Afrobarometer report. "In 2014, Benin scored 39 out of 100 in the Transparency International Corruption Perceptions Index, 37 in 2015, 36 in 2016, 39 in 2017, 40 in 2018, 41 in 2019 and 2020, 42 in 2021, and 43 in 2022 and 2023. These are the scores of corruption in the past 10 years.

"The first observation is that Benin did not manage to score an average figure, which is 50," he said, adding that one needed to be cautious because corruption involved many facets that needed to be taken into account.

"Peddling, racketeering, money laundering, embezzlement, prevarication, extortion, bribes, forgery and use of forgery, nepotism and cronyism, cheating, economic mismanagement, illegal practices in public procurement, and conflict of interests, among others, all form part of the corruption ecosystem," he said.

"Do all the people interviewed by Afrobarometer consider all these elements when they say that corruption has significantly decreased in Benin? I cannot safely say that, given several incidents of conflict of interest occurring in the Beninese administration."

Karkare agrees. "This is about perception, not actual statistics – corruption cannot be measured as such. And because it is about perceptions, addressing corruption in consumer-facing services can be very important."

Karkare said the best way to fight corruption was, first, to look at the different kinds of corruption that exist in a country and try to address the practices which are the most egregious. "To effectively fight corruption, the government needs to know 'what' they are fighting. What do we mean by corruption? Which forms do we find the most objectionable? Therefore, it is important to know what the government's own priorities are because not everything can be resolved in one go.

"Once this initial exercise is done, there is the question of 'how'. There is a need to take into account the interests and incentives of actors in the areas where the government wants to address corruption."

But a ruling party member interviewed by *Africa in Fact* brushed aside Karkare and Elias's comments, insisting "Talon's anti-corruption campaign has been a success. He has succeeded where previous leaders failed. Boni Yayi (the former president) let everyone do as they pleased. As a result, many people, especially those allied with or working for government and state-owned institutions, enriched themselves at the expense of the people.

"Now, look where we are as a country, extreme poverty, crumbling infrastructure, massive tax evasion, these are the scourges that Talon has been addressing in the past eight years and it is working. I'm not saying that corruption is dead and buried in Benin but it has been broken at least by half and dealt a serious blow."

Another member of Talon's party, who also preferred not to be named, claimed the millionaire leader had intended to deal with corruption once he became president. "And he has been doing just that by tightening the screws and closing all the taps from which free and illicit money used to flow. Many fled, others are in jail or suspended, and the war on corruption goes on, so everyone is now afraid to steal and be taken to the CRIET."

But Elias is sceptical, pointing to supporting evidence from the justice ministry that showed that only 50 people were convicted for corruption between 2018 – the year CRIET was established – and 2023, compared to 133 for the same offences between 2012 and 2017. "You be the judge," he said.

An opposition supporter told *Africa in Fact* that Talon's anti-corruption campaign was one-sided and politically motivated. "In my view, it is merely a witch-hunt campaign. Talon only targets people who belong to the other camp, meaning the opposition, and leaves those who are close to him and support his regime. CRIET is merely a platform created to hunt down those who oppose his dictatorial policies. He is a millionaire. Tell me where and how he got all that money?"

While some people say they are satisfied with Talon's anti-corruption drive, others are disgruntled, claiming the tap-tightening reforms have brought suffering and pain. One of these is the tender middleman, PDG, mentioned earlier in this article, who yearns for Yayi's return as president. "I wish Papa Bonheur (Dad Happiness) could return to power, such a generous father figure who understood the suffering of his people by giving them a little space to breathe, very different from the likes of Talon, a stingy millionaire who only cares about himself."

As to why corruption in Benin refuses to die despite the government's efforts, ECDPM's Karkare commented that "Policy changes always create winners and losers, and it is important that they are rightly identified, collaborated with, or dealt with to minimise opposition to reforms with a view to succeeding in eradicating corruption."

Asked why people often complain and blame the government when corruption reaches alarming

CITIZENS GET A HOTLINE

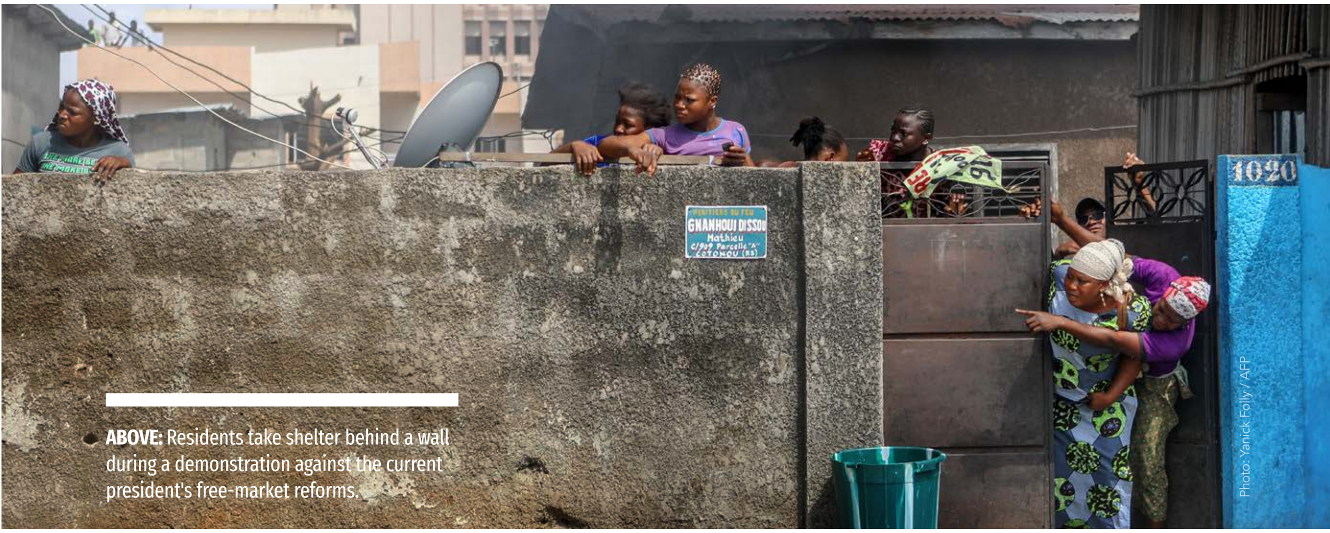
By Hairath Mamah Djiman

The Benin government's efforts to fight corruption were reinforced in January 2022 with the launch of a toll-free hotline service that enables members of the public to report allegations of corruption in all its forms.

Citizens can call the hotline as well as make a complaint online. The website has been designed to not only allow members of the public to lodge an allegation or complaint but also to track uptake and monitor progress on the investigation if the special unit assigned to it finds there are grounds for investigation. The system was established specifically to encourage citizens to play their part in fighting corruption.

Complaints and allegations may be made in French and local dialects via the web platform to do away with any language barriers. "If a case is proven after investigation, the unit must propose the terms of prosecution," a government spokesman explained.

The system has been a success, and the country now has more than 10 toll-free lines to report allegations of public sector corruption and embezzlement. Last year, the digital system played a role in the case of diesel theft at the Adjohoun zone hospital in the Ouémé department in southern Benin. Two suspects, the driver of the hospital's managing



ABOVE: Residents take shelter behind a wall during a demonstration against the current president's free-market reforms.

Photo: Yanick Folly / AFP

proportions but become frustrated when the same government takes bold steps to fight it, Karkare replied: "Citizens often underestimate what the overall effect of any reform is [in this case of anti-corruption]. Secondly, sometimes even desirable reforms can have undesirable (and sometimes unintended) consequences and impose hardships. This is why there [needs to be] a balance between the desirable outcome of a reform and its political feasibility."

But Elias reiterated that corruption was dangerous and had to be eradicated. "It deprives the state of much-needed resources to carry out development programmes," he said. "It distorts normal competition, creates harm to poor and vulnerable populations, and slows down economic development. It exacerbates inequalities and increases costs, and reduces access to basic services and reduces private investment to the detriment of markets." GG

director and a security agent, were arrested in November last year after a member of staff reported the crime to the authorities via the platform.

Government spokesman Wilfried Houngbédji, in an interview with *Africa in Fact*, attributed Benin's improved score on Transparency International's latest Corruption Perceptions Index (Benin was ranked the 70th least corrupt country out of 180, in contrast to 90.75 in 2004, reaching an all-time high of 121 in 2006 and a record low of 70 in 2023.) to the implementation of the public anti-corruption platform.

"The implementation of the digital system has allowed Benin to move up in the ranking for at least three years, he said. "The fight against corruption begins by producing visible results in the country."

Human rights lawyer Magloire Houeto told *Africa in Fact* that the system had created much greater public awareness around corruption, and people were no longer afraid to directly denounce malfeasance because they did not have the risk of being identified to the suspects involved.

But political scientist and consultant Richard Boni Ouorou cautions that there is still much to be done to eradicate corruption once and for all. "Corruption, in both its active and passive forms, must be fought globally and systemically, in ministries as well as in parliamentary chambers, in institutions and offices, at the top of the state as well as in the streets, a culture of truth and transparency must take root," he told *Africa in Fact*.

For now, the authorities, in collaboration with civil society, are working tirelessly to continue awareness-raising campaigns across the country to further encourage citizens to denounce the alleged perpetrators of acts of corruption via the available digital platforms. GG

MALAWI: WHEN CORRUPTION IS A PAIN

By Josephine Chinele

In a crowded hospital ward at Queen Elizabeth Central Hospital (QECH) in Blantyre, Malawi's commercial capital, Rhoda Mumdelanji, a diabetic, lies helplessly on a bed.

She is noticeably uncomfortable interacting with others. Her feet, including her toes, have chronic wounds that smell; the doctors have recommended amputation. Her condition is deteriorating as she waits for her turn in theatre.

"Look …. my bed is infested with maggots from these wounds, yet I'm alive …. The smell is bothering others around me ….", she tells one of the doctors making ward rounds.

Mumdelanji is fed up. This is the third time she has been admitted for her scheduled procedure. Each time she has been admitted, she's been hospitalised for days, and even though she is a diabetic, she has had nothing to eat for hours in preparation for the procedure, which has now been cancelled twice with no tangible reason given.

"People came in with less serious surgical issues, had their procedures done, and left us in the ward," her sister Mwandida tells *Africa in Fact*. "We went days without a health worker attending to her or updating us on procedure dates. We learned that there was a long theatre waiting list, so we needed to pay 'something' to be prioritised.

"Even having my sister's wounds cleaned was a problem," she says. "Everyone said they weren't assigned to do this task, and in the end, no one assisted. This has contributed to her deteriorating state. I didn't realise what this was all about, us paying kickbacks until a fellow guardian told us she paid K10,000 (about $6). This is something we cannot afford. We are poor people from the village."

QECH is one of Malawi's central referral hospitals. All health services at Malawi's public health facilities, including QECH are free, but the high demand for services has seemingly created an opportunity for some healthcare workers and support staff to solicit bribes.

The corruption at QECH and other public health facilities has led to poor people dying of treatable ailments. Their diagnosis results go "missing" at the laboratory, while at other times patients like Mumdelanji miss crucial operations because they have no money to manipulate the system. Non-payment leads to surgery dates changing until they pay or until they die waiting for their turn.

Ironically, Malawi is one of the countries that has adopted the World Health Organization's (WHO) Universal Health Coverage (UHC) as one way of ensuring the delivery of quality health services. WHO states that UHC embodies three related objectives, namely, equity in access to health services - everyone who needs services should get

RIGHT: A Malawian mother in the Nutrition and rehabilitation Unit (NRU) at Mulanje hospital, 83 km south of Blantyre.

them, not only those who can pay for them; the quality of health services should be good enough to improve the health of those receiving services; and people should be protected against financial risk, ensuring that the cost of using services does not put people at risk of financial harm.

A (2021) UHC Coalition report titled ‘Assessment of Availability and Accessibility of Medicines in Malawi’, says the Malawi Ministry of Health (MoH) has domesticated the three objectives in its definition of UHC as a situation where everyone – irrespective of their ability to pay – gets health services in alignment with the Malawi Health Sector Strategic Plan of 2017-22.

Universal access to essential medicines is an integral part of the United Nations Sustainable Development Goal (SDG) for health, which states the need to ensure healthy lives and promote well-being for all. SDG target 3.8 underscores the need to achieve universal health coverage, including financial risk protection, access to quality essential healthcare services, and access to safe, effective, quality, and affordable essential medicines and vaccines for all by 2030.

But as much as Malawi’s government is striving to achieve UHC by providing free health services to citizens at its public health facilities, corruption is disrupting the gains made.

QECH is a target for corrupt public health workers because it sees a high demand for services such as theatres, CT scans, as well as laboratory and X-ray services, among others.

Photo: Gianluigi Guercia / AFP

Photo: Amos Gumulira / AFP

Photo: flickr.com/photos/squeakymarmot

The president of the Physician Associates Union of Malawi, Solomoni Chomba, believes it is the government system itself that is the root cause of corruption in the health sector. Things would be different, he says, if facilities had adequate staff and the resources to meet demands; there would be less incentive for patients and their families to offer bribes to access services, and for health workers to solicit them.

"Currently, the public is desperate," he told *Africa in Fact*. "There is a high demand for health services, against few people to serve them."

Chomba says that in some instances, patients or their relatives even volunteer to pay for doctors' or clinicians' free, off-duty time to get treatment.

"Health workers are paid poorly," he added. "They need good pay and motivation, then the rest will fall into place, but they are neglected. Most Malawian health workers retire poor because their salaries are low and they have no time to earn additional income (outside of their current workloads)."

QECH Hospital Director Dr Kelvin Mponda confirms that the facility does have corrupt health workers on staff, some of whom have faced disciplinary action, "We are currently handling five cases, three of which have been recommended for dismissal," he said.

Mponda added, however, that the challenge in dealing with corruption within QECH was uncooperative patients, who made complaints but would later not pursue matters, fearing that the staff members concerned would be dismissed.

Long waiting lists due to scarce medical services create a situation that encourages queue jumping. "QECH is the only public health facility that offers CT-Scan in the entire southern region," Mponda said, "so it usually has long waiting lists. For our own sanity, we have had to put procedures in place that must be followed."

The hospital director said management was working to try to deal with corruption at the facility, and he also encouraged clients to use the hospital ombudsman services, to report any dissatisfaction with the facility.

QECH has 18 theatres, which Mponda indicated were not enough to meet current demand. The main (general) theatre is the busiest, as several specialists use the facility for emergencies. "Some lists are cancelled to attend to emergencies," he told *Africa in Fact*. "And this happens frequently because this

Photo: Gianluigi Guercia / AFP

is a big hospital. If a list is cancelled for emergencies today, the whole list is disturbed. The diabetic patient (Mumdelanji) you are referring to has likely encountered this scenario. Besides the possibility of corruption, at times these circumstances happen."

The Principal Secretary at the Ministry of Health (MoH), Dr Samson Mndolo, said the ministry does not tolerate any form of corruption in its facilities, adding that the MoH had established a hospital ombudsman in all public health facilities to ensure that patients' grievances were addressed and culprits faced appropriate disciplinary measures.

The office of the Ombudsman and the MoH have collaborated to establish a social accountability forum aimed at ensuring the provision of quality services in all health facilities in line with existing democratic principles. Each hospital ombudsman is employed by the MoH and is empowered to investigate, mediate, and provide remedies to complaints lodged by service users, their representatives, and other stakeholders in relation to a hospital's service.

"The challenge is that people aren't willing to speak out," Mndolo said. "Some prefer to vent on social media platforms, which doesn't change a thing. The public needs to lodge complaints with us because corruption can't be fought by the government alone; we need a joint effort. This is my plea."

Social accountability expert Wales Chigwenembe told *Africa in Fact* that corruption was endemic in Malawi partly because oversight institutions have been crippled and citizens do not appreciate the role they have to play in curbing or preventing corruption.

"Corruption in health and other sectors seems rampant because the public has not played its role of monitoring and holding duty-bearers to account," he said. "If citizens were monitoring the systems, corruption could be prevented because the systems would be kept in check.

"Civil society organisations do support oversight institutions, but it's not enough. The oversight institutions remain weak and underfunded to perform their oversight duties."

Malawi's health sector corruption is just one part of a rotten system whose worst losers are the poor and vulnerable, and with weak oversight institutions, the country will continue to struggle with high levels of corruption. GG

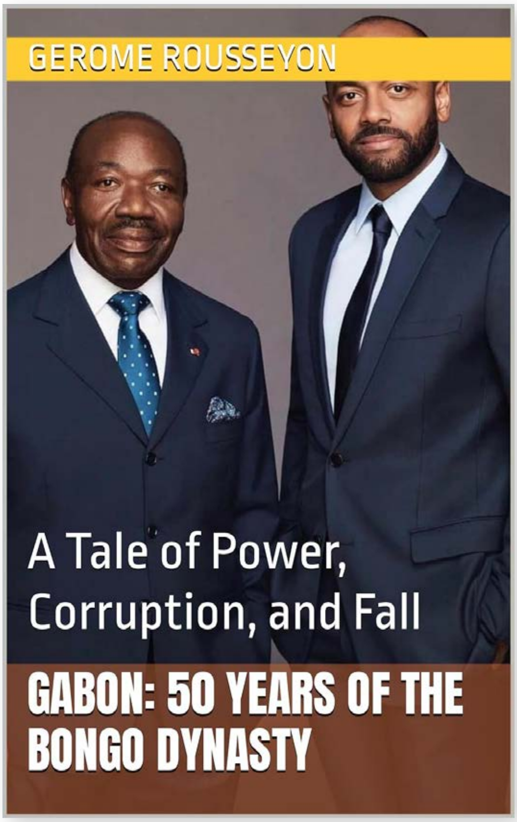
FAR LEFT: A nurse clears medical equipement at a damaged health center in Malawi's most southern district of Nsanje after torrential rains wreaked havoc across half the country in January 2015.
LEFT: A medical employee prepares to consult a patient at a health facility at Kande Beach, Malawi.
ABOVE: Malawian mothers wait with their malnoureshed children to get a ration of food and milk at the Queen Elizabeth Hospital's malnutritional ward in Blantyre in October 2005.

BOOK REVIEW

Reviewed by Sarah Nyengerai

A tale of power, corruption and the fall of the Bongo Dynasty

Gabon: 50 Years of the Bongo Dynasty: A Tale of Power, Corruption, and Fall. By Gerome Rousseyon and Stephanie Blachart



In *Gabon: 50 Years of the Bongo Dynasty: A Tale of Power, Corruption, and Fall,* Gerome Rousseyon takes an in-depth look at the Bongo family and their time in power for over half a century, establishing a political dynasty marred by corruption and human rights abuses.

Although the reign of the Bongo dynasty was characterised by a long period of uninterrupted power, the author also analyses in great detail the tumultuous journeys of key political figures who influenced Gabon's trajectory.

Of particular significance was a prominent politician who rose to power in the wake of Gabon's independence from France, namely Léon M'ba.

Born in 1902 in Libreville, Gabon, Léon M'ba founded the Gabonese Democratic Party, *Parti Démocratique Gabonais* (PDG) in 1957 upon his return from exile. With a key focus on national unity, education, and the promotion of Gabonese traditional values, the PDG quickly gained popularity.

Upon attaining independence on 17 August 1960, M'ba became the first president of the Gabonese republic. Under his rule, Gabon embarked on a path of economic development fuelled by its abundant resources, particularly oil.

Regrettably, Léon M'ba's time in office was tainted by accusations of corruption and nepotism, while others believed his authoritarian style hindered Gabon's nascent democracy. The divergent views regarding his leadership style escalated political tensions and drove Gabon into political turbulence. It was during this period (in 1966), that the Chief of Staff of the armed forces, Albert Bernard Bongo, gained political prominence.

At the height of Bongo's popularity, Léon M'ba succumbed to cancer that claimed his life on 28 November 1967, further raising concerns regarding presidential succession.

Amid uncertainty, and with political clout in his favour, Bongo seized control through a military coup, asserting that it was the wish of the late president.

Bongo, who then renamed himself Omar Bongo Ondimba after converting to Islam, became president in 1968 and ruled the country until he died in 2009. His son, Ali Bongo Ondimba, succeeded him after a contested election, ruled for 14 years, and was ousted from power through a military coup on 30 August 2023.

Though his rise to power remains controversial due to allegations of electoral fraud and contested elections in 2009 and 2016, Rousseyon stresses that Ali Bongo attempted to diversify Gabon's economy and reduce its reliance on oil. He also sought to implement economic and political reforms, including launching the Strategic Plan for an Engineering Gabon (PSGE) to diversify its economy.

Political events featured in the book reveal that the nature of Gabon's political journey – from its independence in 1960 to when civil war erupted in 1967 – set in motion a recurring political cycle that shaped the destiny of Gabon under the Bongo dynasty. Notwithstanding that, the majority of political events that occurred were not without the influence of outside forces, in particular France.

Once in power, Omar Bongo established a single-party regime, which marked the beginning of the PDG's political dominance, where opposition parties were marginalised and their leaders forced into exile.

Suffice it to say, from 1968 to 1990, Gabon thrived economically due to its natural resources, specifically oil, forestry, and mining, albeit with the cooperation of France, which maintained close relations via bilateral agreements that ensured its continued access to Gabon's natural resources.

Regrettably, due to dissension among citizens, from 1990 to 1993, Gabon witnessed social and political unrest, dubbed by the author as the "fiery years".

In a move towards democracy and to pacify citizens, Omar Bongo restored the multi-party system. Opposition members joined the government, and new political parties emerged. Despite the reforms, in December 1993 Omar Bongo got reelected in the first multi-party presidential elections. The opposition contested the electoral process, which led to violence and the subsequent intervention via the Paris Accords to ease tensions.

Nonetheless, nothing changed as Omar Bongo got reelected each election season, and consistently, election results were contested each election year for alleged irregularities – until he died in 2009.

The future of Gabon remained unclear at the time of Omar Bongo's death. Although the Gabonese people anticipated that the fall of the Bongo dictatorship would bring democracy and wealth, there were too many obstacles to overcome. Decades of authoritarianism and corruption left the nation with unresolved issues relating to social justice, income redistribution, and transparent governance.

The Elf Affair (late 1980s and early 1990s, which took eight years to go to trial in France) and the more recent Ill-Gotten Gains (IGG) cases are notable examples covered in the book, that illustrate the corruption that characterised the Bongo regime.

When former executives of a French oil corporation, Elf Aquitaine (now known as Total Energies), and FIBA (a French intercontinental bank), faced accusations of embezzlement and other illegal activities, evidence came to light implicating Omar Bongo.

He was implicated in signing paperwork

facilitating Andre Tarallo, a pivotal figure in the Elf Affair, to embezzle funds. Specifically, and as featured in the book, Tarallo was accused of participating in a vast system of corruption and kickbacks, contributing to the financing of the French political elite, allied African regimes, and personal bank accounts. Tarallo was a key player in what is, to date, one of the largest corruption scandals in French history. Despite the grave charges against Omar Bongo, he repeatedly denied involvement in the Elf Affair.

The payments made to the Francophone regimes were partially aimed at guaranteeing that Elf Aquitaine maintained sole access to oil in Gabon and ensured that the Francophone African leaders kept their allegiance to France.

Comparably, the Ill-Gotten Gains Cases (IGG) are a convoluted affair, still going through the French courts, in which African heads of state and their families were charged with illegally acquiring movable and immovable property, mostly overseas, through misappropriating public funds. Key individuals involved in this case include the following presidents and their families: Omar Bongo Ondimba (Gabon), Denis Sassou Nguesso (Republic of the Congo), Teodoro Obiang, and his son Teodoro Nguema Obiang Mangue (Equatorial Guinea).

Nine of Omar Bongo's children were also implicated and charged with money laundering, improper use of company assets, active and passive corruption, and misappropriation of public funds. Among them was Pascaline Bongo Ondimba, his eldest daughter, who had previously served as her father's Chief of Staff and Minister of Foreign Affairs.

Undoubtedly, the Bongo reign left an indelible mark on Gabon, a country rich in resources but impoverished by decades of misrule. The absorbing, albeit worrisome, saga of money, power, and dictatorship has sparked ongoing debate regarding the complex dynamics between foreign powers and African politicians.

Undoubtedly, the Bongo reign left an indelible mark on Gabon, a country rich in resources but impoverished by decades of misrule.

Rousseyon does an exceptional job of detailing Gabon's history and the impact of the Bongp dynasty on both Gabon and central Africa. His assessment of the military and political figures who influenced Gabon's political and economic landscape allows readers to fully comprehend the far-reaching consequences of corruption and how countries can get stuck in ceaseless cycles of coup d'états.

General Brice Oligui Nguema is currently Gabon's Transitional President, and he has promised to return power to civilians after the transition, although the duration and specifics of execution remain unclear.

Despite key opposition leader Albert Ondo Ossa's initial support for the coup in August last year, he is sceptical about Gabon's political future, fearing that the Bongo clan may still be in control behind the façade of civilian rule; General Brice Oligui Nguema is a cousin to the Bongo family.

Irrefutably, Gabon represents many of the complexities of contemporary Africa. The political history serves as a powerful warning that even the most resilient dynasties are doomed to fall when vested interests and corruption take precedence over the welfare of a country.

This book is suitable for economists, historians, governance specialists, and political analysts who study the impact of neo-colonialism, transitions of power, and the quest for democracy in countries still grappling to allow for fair play in multi-party systems.

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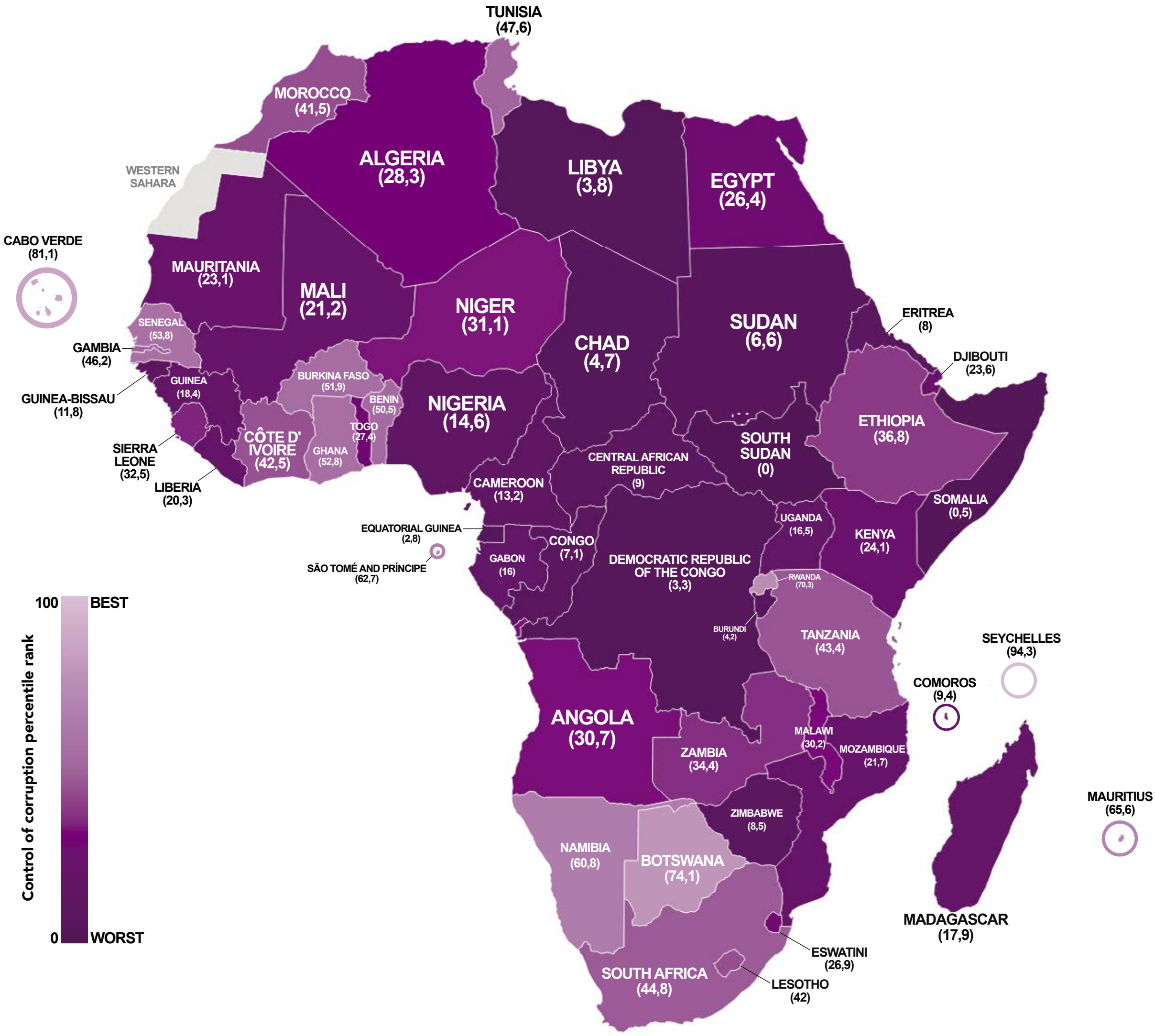
AFRICA BY THE NUMBERS



Control of corruption (2022)

CORRUPTION PERCEPTION INDEX 2023 BY COUNTRY (OUT OF 100)

Algeria	36	Djibouti	30	Libya	18	Seychelles	71
Angola	33	Egypt	35	Madagascar	25	Sierra Leone	35
Benin	43	Equatorial Guinea	17	Malawi	34	Somalia	11
Botswana	59	Eritrea	21	Mali	8	South Africa	41
Burkina Faso	41	Eswatini	30	Mauritania	30	South Sudan	13
Burundi	20	Ethiopia	37	Mauritius	51	Sudan	20
Cabo Verde	64	Gabon	28	Morocco	38	Togo	40
Cameroon	27	Gambia	37	Mozambique	25	Tunisia	31
Central African Republic	24	Ghana	43	Namibia	49	Uganda	40
Chad	20	Guinea	26	Niger	32	Tanzania	26
Comoros	20	Guinea-Bissau	22	Nigeria	25	Zambia	37
Congo Republic	22	Kenya	31	Rwanda	53	Zimbabwe	24
Côte d'Ivoire	40	Lesotho	39	São Tomé and Príncipe	45		
DR Congo	20	Liberia	25	Senegal	43		

** The 2022 Control of Corruption percentile rank measures perceptions of the extent to which public power is exercised for private gain and indicates a country's rank among all countries covered by the aggregate indicator, with 0 being the lowest rank, and 100 to highest rank.*

*** The 2023 Corruption Perceptions Index (CPI) ranks 180 countries and territories around the globe by their perceived levels of public sector corruption, scoring on a scale of 0 (highly corrupt) to 100 (very clean).*

Source: World Bank Governance Indicators (2022); Transparency International Corruption Perceptions Index (2023)