

Committee: African Union

Issue: Combating governmental corruption in Africa

Student Officer: George Sakas-Daikos

Position: Co- Chair

INTRODUCTION

Dear delegates my name is George Sakas-Daikos and I am a High School graduate. I will have the pleasure to serve as the Co-Chair of the African Union Committee. If there are any questions concerning the topic or even the procedure in general you can find me in giorgossakas@gmail.com.

Corruption invariably endangers the morals of an entire country and in this case of an entire continent. Corruption is presently one of the major challenges facing the human race. Some have said that it is a threat to humanity and have called for it to be recognized as a “crime against humanity”. Indeed corruption has been identified as the main obstacle to the realization of good governance, sustainable development and Millennium Development Goals. It heavily affects the political, economic, social and cultural well-being of societies. In Africa due to the corruption the economic development is considerably slow and the poverty level extremely high. Nearly half of the population lives with under a dollar per day and the per capita income has rested the same as in the 60s in the same time that it has been multiplied in other continents. The political corruption has many forms: bribery, extortion, nepotism, patronage.

DEFINITION OF KEY TERMS

Corruption

Is the dishonest or illegal behavior especially by powerful people (such as government officials or police officers) and it often includes improper or unlawful means (such as bribery).

Bribery

Is the act or practice of giving or taking money or favor given or promised in order to influence the judgment or conduct of a person in a position of trust (such as politicians)



Extortion

Extortion means obtaining something (most of the times money) without the permission of the owner with the use of force or threats.

Nepotism

Is the unfair use of power and influence in favor of relatives and close friends. This favoritism often includes providing the relatives and friends with jobs and other benefits.

Patronage

It is a kind of political relationship based on the provision of political or other type of protection in return of money from the side of the protected one to the side of the protector (patron)

BACKGROUND INFORMATION

Systemic corruption

As opposed to exploiting occasional opportunities, endemic or systemic corruption is when corruption is an integrated and essential aspect of the economic, social and political system, when it is embedded in a wider situation that helps sustain it. Systemic corruption is not a special category of corrupt practice, but rather a situation in which the major institutions and processes of the state are routinely dominated and used by corrupt individuals and groups, and in which most people have no alternatives to dealing with corrupt officials. Examples might include contemporary Bangladesh, Nigeria, Kenya, Cameroon and many other African Countries. As a result African people suffer because they are often ruled by corrupted politicians.

Political corruption

Political corruption is any transaction between private and public sector actors through which collective goods are illegitimately converted into private-regarding payoffs. Political corruption is often used synonymously with “grand” or high level corruption,

distinguished from bureaucratic or petty corruption because it involves political decision-makers. Political or grand corruption takes place at the high levels of the political system, when politicians and state agents entitled to make and enforce the laws in the name of the people, are using this authority to sustain their power, status and wealth. Political corruption not only leads to the misallocation of resources, but it also perverts the manner in which decisions are made. Political corruption is when the laws and regulations are abused by the rulers, side-stepped, ignored, or even tailored to fit their interests. It is when the legal bases, against which corrupt practices are usually evaluated and judged, are weak and furthermore subject to downright encroachment by the rulers. Many incidents of Political Corruption take place in Africa and as a result African people suffer because they are often ruled by corrupted politicians.

Grand corruption

High level or “grand” corruption takes place at the policy formulation end of politics. It refers not so much to the amount of money involved as to the level in which it takes place: grand corruption is at the top levels of the public sphere, where policies and rules are formulated in the first place. Sometimes grand corruption is synonym with the Political Corruption.

Most Corrupted African Countries

Corruption is prevalent in almost every country in the world—but some are more corrupt than others. Between the most corrupted countries worldwide are:

- Somalia: Somalia ranks among the world’s most corrupt countries. Insecurity is also a major issue; the ongoing instability is another big issue. Corrupt government officials tolerate illegal activities in return for bribes. Dysfunctional institutions facilitate an environment of lawlessness, and the absence of any form of regulatory framework hinders prospects of economic competitiveness. Business is based on patronage networks, and tight monopolies dominate the market.
- South Sudan: Corruption is widespread in South Sudan. Bribery is widespread in all sectors of the economy and close relations between the government and businesses are mentioned as a crucial factor in succeeding in business. The country’s judicial system is inefficient and is plagued by corruption and a culture of impunity.

- Sudan: Corruption is a very high risk in Sudan, which is considered to be one of the most corrupt countries in the world. Public servants are known to demand extra facilitation payments for services that individuals or companies are legally entitled to. Governmental officials hold direct and indirect stakes in many enterprises, which creates a system of patronage and cronyism and distorts market competition to the disadvantage of foreign firm without political connections. Government officials are frequently involved in corrupt practices with impunity. The lack of transparency in Sudan retains the status quo both due to a weak administrative setup, which allows for poor record-keeping and lax budget handling, and due to the absence of legislation providing public access to government information. Active and passive bribery, gifts and facilitation payments are prohibited in the public sector, but enforcement is weak.



- Libya: Corruption presents a significant threat in Libya. All sectors in the Libyan economy suffer from widespread corruption; however, the public procurement sector and the oil industry are among the most affected. Bribery and favoritism are common practice in all sectors, and companies may struggle with unfair competition from state-owned businesses, which also dominate the local market. Corruption was rampant under Gaddafi's rule, and the situation has only worsened in the post-revolution period. The institutional framework to combat corruption is weak, and the rule of law is undermined by political instability and violence. The Libyan Constitution Drafting Assembly is still in the process of writing the constitution, resulting in all laws being derived from the Constitutional Declaration that came into

force after the ousting of Gaddafi. Nonetheless, the judiciary and the security apparatus are ineffective, rendering the enforcement of the law as very weak.

- Angola: Corruption remains widespread in Angola due to a lack of checks and balances, insufficient institutional capacity and a culture of impunity. Clientelistic networks generally govern the way business is conducted in Angola with many Angolan companies functioning as front organizations for government officials whose integrity and accountability are frequently questioned by observers. Active and passive bribery, illicit enrichment and conflict of interest are criminalized by the Probity Law, but offenses are rarely prosecuted.
- Chad: Corruption is a main issue that toughs the people in Chad. Corruption is systemic and often takes the form of nepotism and cronyism. It pervades all levels of the economy and is perpetuated by a weak rule of law and a lack of security. Chad is one of the world's poorest countries, and the majority of Chadians work outside the formal economy. Key anti-corruption legislation includes the anti-corruption law, which criminalizes active and passive bribery and stipulates harsh penalties. However, enforcement is poor, and prosecutions usually target political opponents of the government something that Chad has not signed the United Nations Convention against Corruption.
- Dr Congo: Corruption in the Democratic Republic of the Congo is an endemic problem. It permeates all levels of government and all sectors of the economy, rendering the country's investment climate as one of the least competitive in the world. Clientelism, rent-seeking, and patronage have decimated fair competition, particularly in the sectors of public procurement and extractive industries. Corruption has also impeded efforts to increase the transparency of government institutions. The ruling elite have a direct stake in the country's economy, and often steer economic activities in accordance with their own personal opportunities. The Penal Code (in French) makes up the country's anti-corruption legislation, yet the relevant laws are very poorly implemented, and government officials engaged in corruption with total impunity. The dysfunctional institutional framework has contributed to the spread of corruption. Bribery is widespread, to the extent that businesses consider it a routine when carrying out operations.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

All the pre-mentioned countries are of course involved. Apart from them:

Congo

Corruption is rife in the Republic of the Congo (also known as Congo-Brazzaville). Almost every sector of the economy suffers from rampant corruption.

Zimbabwe

In Zimbabwe exists both high-level corruption in the form of nepotism, patronage and abuse of power, as well as petty bribery and extortion. The Prevention of Corruption Act prohibits active and passive bribery, gifts and facilitation payments in the public and private sectors, but such practices are common.

Burundi

According to the Transparency International Report on Africa in 2015 the courts and police in Burundi rank high on the corruption scale with 16-30% of respondents admitting to having paid bribes to the police.

Central African Republic

After a government coup in 2013, political instability and widespread violence significantly undermined the rule of law. Pre-coup corruption was already a problem, but the ongoing insecurity has further exacerbated corruption, which in turn perpetuates the fragility of the state.

Cameroon

Corruption is endemic in Cameroon. Bribery, nepotism, and corruption in general are common in all sectors of the Cameroonian government and economy; but is particularly prevalent in the judiciary, public services, and customs. The legal and regulatory systems are non-transparent and difficult for foreign companies to navigate.

Nigeria

Corruption risks are pervasive throughout all institutions but the oil sector is particularly corrupt. Corruption is criminalized primarily by the Criminal Code and the Corrupt Practices and Other Related Offences Act. Accepting or giving gifts as well as facilitation payments are illegal, and individuals can be penalized with up to 7 years' imprisonment. Despite a strong

legal framework, enforcement of anti-corruption legislation in Nigeria remains weak: in practice, gifts, bribery and facilitation payments are the norm.

African Parliamentarians Network Against Terrorism (APNAC)

The aim of APNAC is to develop, maintain and promote a network to build the capacity of Parliaments and Parliamentarians in Africa to fight against, and effectively address, corruption in their respective countries in order to ensure higher standards of integrity.

International Anti-Corruption Academy (IACA)

IACA is an international organization whose goal is to prevent and tackle corruption across the world. From January 2018 it had around 70 parties, including some international organizations.

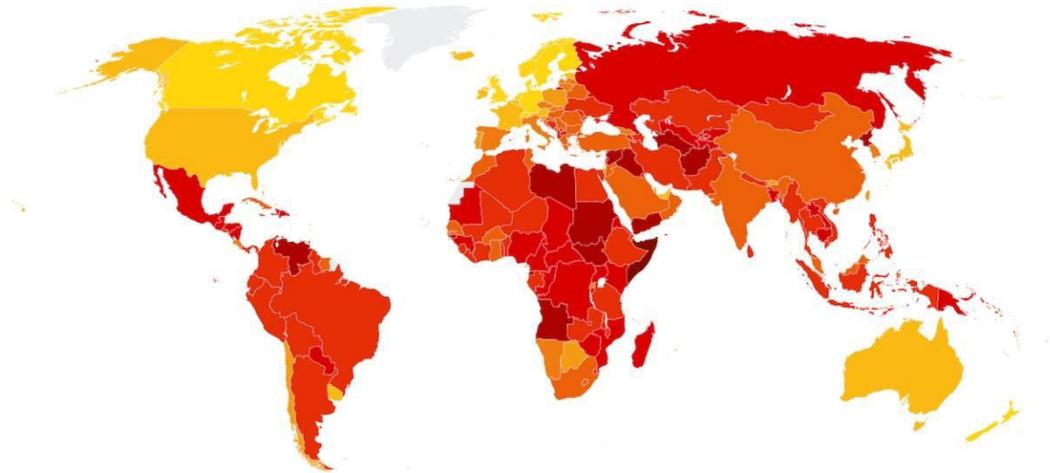


International Association of Anti-Corruption Authorities (IAACA)

IAACA is a nongovernmental organization that aims to fight corruption and its catastrophic results to our societies. Its main goal is to make sure that the *UN Convention Against Corruption* is being ratified all over the world.

Transparency International

It is an international nongovernmental organization fighting against world corruption. It has been founded in 1993 and since then it remains actively seized upon the combat of global corruption.



The most corrupted countries are the darker ones

TIMELINE OF EVENTS

Date	Description of Event
1989	The OECD Anti-Bribery Convention is being established
1993	Transparency International is founded
2001	The organization for African Unity is being replaced by the African Union. A new Pan-African organization similar to the European Union. Among its causes is to combat corruption.
End of October 2011	Law for sale report, exposing JMPD corruption, commissioned.
26 January 2012	Corruption Watch (CW) launched

UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

- The United Nations Convention against Corruption (signed in 9 December 2003) is the only legally binding universal anti-corruption instrument. The Convention's far-reaching approach and the mandatory character of many of its provisions make it a unique tool for developing a comprehensive response to a global problem. The vast majority of United Nations Member States are parties to the Convention.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

In the past ten years, African governments have made some efforts to fight corruption. In many cases, they have been spurred by international donors pushing for transparency and good governance as well as domestic pressure to fulfill promises of reform made on the campaign trail. Apparently these attempts did not pay off as corruption continues to be a major problem in African Countries. Some countries although have to saw very remarkable results. Experts say countries such as Liberia, Rwanda, and Tanzania have made substantive progress on reducing corruption. In addition U.S. President Barack Obama highlighted Ghana's strong governance record during his visit in July 2009. But as we mentioned before in general the situation remains almost the same. Many countries, including Nigeria, Kenya, and South Africa, have made meager progress on fighting graft. All three countries have established anti-corruption agencies that sought to prevent, investigate, and prosecute corruption. But a 2008 paper from the UN Economic Commission for Africa says such commissions have been largely inefficient and ineffective due to their uncertain political footing. Often funded and overseen by the executive branch, anti-corruption agencies can be eliminated (as in South Africa, where the Scorpions investigating unit was disbanded in 2009), and their leaders can be sidelined or forced out of the country (as in Nigeria and Kenya). Finally we can easily reach the conclusion that, although many attempts have been made by the governments, there have to be done many more steps concerning the elimination of corruption in Africa.

POSSIBLE SOLUTIONS

1. First of all is crucial to understand that corruption has many forms and it is not only the bribes. After doing this discrimination it is possible to come up with better solutions.
2. It is very important to keep the citizens engaged on corruption at local, national, and global levels – in line with the scale and scope of corruption. Make use of the architecture that has been developed and the platforms that exist for engagement. Anti- corruption campaigns should be a good means to inform the public.

3. It is also very important to ensure the co-operation between all the states. Both the suffering from corruption ones and the rest. If the states stay united there are more possibilities to combat corruption.
4. International organizations have also to play a vital role concerning the fight against corruption. These organizations should be detached from any political party around the world so as to be impartial and objective. Only then will be realistic chances to an incorruptible Africa.
5. Poverty also leads to corruption and as we already know Africa includes some of the most pore countries in the world. Therefore fighting poverty means fighting corruption.
6. Finally transparency has to be ensured and every governmental agency has to help.

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