



**Economic Commission  
for Africa**



**African Union  
Advisory Board on Corruption**

# **Combating Corruption, Improving Governance in Africa**



## **Regional Anti-Corruption Programme for Africa (2011 – 2016)**

**By**

**GPAD-UNECA in Collaboration with the AUABC**

**Programme Document**





United Nations  
Economic Commission For Africa



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## Programme Document



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# List of Acronyms

African Governance Report	AGRRI
African Development Bank	AFDB/AfDB
African Peer Review Mechanism	APRM
African Union	AU
African Union Commission	AUC
African Union Advisory Board on Corruption	AUABC
African Union Convention on Preventing and Combating Corruption	AUCPCC
Council for the Development of Social Science Research in Africa	CODESRIA
Civil Society Organizations	CSO
Economic Commission for Africa	ECA
Economic Community of West African States	ECOWAS
Governance and Public Administration	GPAD
Multinational Corporations	MNCs
Non-Governmental Organizations	NGOs
Regional Anti-Corruption Programme	RACP
Regional Economic Communities	RECs
Southern Africa Development Community	SADC
The United Nations Convention against Corruption	UNCAC
United Nations Department of Social and Economic Affairs	UNDESA
United Nations Development Programme	UNDP
United Nations Economic Commission for Africa	UNECA





# 1. Executive Summary

This Regional Anti-Corruption Programme for Africa is an initiative of the UNECA, Addis Ababa, Ethiopia, being undertaken in collaboration with the African Union Advisory Board on Corruption aimed at up scaling the fight against corruption on the continent with a view to ensuring a corruption free, better governed and economically prosperous continent. The United Nations Convention against Corruption (UNCAC) (2003) and the African Union Convention on Preventing and Combating Corruption (AUCPCC) (2003) constitute the main policy and political frameworks for the formulation of this programme, and its main objective is to facilitate the elaboration and implementation of those two frameworks on the African continent. The programme adopts a multi-track strategic approach which combines policy research and analysis, with training and capacity development, peer learning and knowledge and information sharing and documentation of best practices on anti-corruption, policy dialogue and special event on corruption in Africa. The project engages at the national, sub-regional and regional levels with support to national anti-corruption institutions, the pan-African Body of National Anti-Corruption institutions, sub-regional networks of national anti-corruption institutions, and the African Union Advisory Board on Anti-Corruption. In addition, non-state actors of the civil society, media, and private sector are also mainstreamed into the anti-corruption agenda. A holistic approach is adopted which captures the nuances and multi-dimensional nature of the problem of corruption in Africa. The programme complements and in many important respects seeks to actualize the main objectives and priorities contained in the Strategic Plan of the AU Advisory Board on Corruption.

Undoubtedly, corruption remains the most daunting challenge to good governance, sustainable economic growth, peace, stability and development in Africa. In many corruption perception surveys and indices<sup>1</sup>, Africa is perceived as the most corrupt region in the World, and concomitantly also the most underdeveloped and backward region. Hence, addressing the problem of corruption in a strategic and comprehensive way is of paramount importance as a development priority for Africa. This programme fills that void in the anti-corruption agenda in Africa.

The programme combines the ECA's technical capacity and regional mandate with the AU Advisory Board on Corruption's political mandate and responsibility in addressing the problem of corruption in Africa. UNECA as the UN body tasked with the mandate of promoting socio-economic development in Africa has

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<sup>1</sup> These include the UNECA African Governance Report, Transparency International Global Perception Index, and Global Integrity Survey

prioritized anti-corruption as one of its main areas of strategic intervention, while the Heads of State of the African Union have conferred political mandate on the AU Advisory Board on Corruption to oversee the anti-corruption agenda in Africa, and report on it appropriately.<sup>2</sup> These two institutions will draw on their relative strengths and comparative advantages to further the realization of the UNCAC and AUCPCC in Africa.

The Regional Anti-Corruption Programme will have a management and technical structure. The overall management of the programme will be by a **Steering Committee** made up of major stakeholders on anti-corruption in Africa composed of the Executive Secretary of ECA, the Chair of the AU Advisory Board on Corruption, one Representative from the African Development Bank (AFDB) and also from the UNDP; two heads of national anti-corruption institutions, two selected representatives of the Regional Economic Communities (RECs) and a leading member of a prominent civil society organization working on anti-corruption in Africa. The Steering Committee will be made up of nine to ten members. At the Technical level, the programme will be managed by the Governance and Public Administration (GPAD) of the UNECA in collaboration with the Secretariat of the AU Advisory Board on Corruption.

The Regional Anti-Corruption Programme sets clear evaluation and monitoring mechanism to ensure that the objectives contained in the programme are realized and various aspects of the programme are well implemented.

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2 The AU Advisory Board on corruption at its Board Meeting on 14th October 2011 in Mombasa, Kenya, unanimously endorsed the Regional Anti-corruption Programme for Africa, and committed to support its implementation

## 2. Introduction

Corruption is undoubtedly the most pressing governance and development challenge that Africa is confronted with today. Corruption has debilitating and corrosive effects on progress, stability and development of the continent. It impedes economic growth by discouraging foreign investments, creates distortion in resource allocation and competitive markets, increases the cost of doing business, and reduces the net-value of public spending. It also reduces the quality of services and public infrastructure and the volume of tax revenues, and encourages the misappropriation and misallocation of scarce resources. In the political realm, it undermines the rule of law, respect for human rights, accountability and transparency and weakens government institutions. This in turn erodes public legitimacy in government and compromises good governance. The social costs of corruption are also deleterious as it deepens income inequality, poverty and adversely affects good moral values in the society. In general, corruption is a challenge to sustainable economic development, peace and good governance.

***We all know the heavy toll taken by corruption. More than a trillion dollars stolen or lost, every year-money needed for the Millennium Development Goals***  
(Ban-Ki Moon, UN Secretary General,  
2nd September 2010)

While corruption is a global phenomenon, the impact is felt more in poor and underdeveloped countries, where resources for development are unduly diverted into private hands, which exacerbates poverty. According to the 2005 African Governance Report (AGR I), corruption is perceived as the most serious national problem next to poverty and unemployment. In a similar vein, the 2009 African Governance Report (AGR II) indicates that the major state institutions; the executive, legislature and judiciary are perceived to be corrupt in Africa. In most surveyed countries in the Report, over 50 % of the consulted experts perceive the executive and judiciary to be the most corrupt institutions. Sadly enough, the report indicated that even CSOs are not immune to corruption.

The findings of the African Governance Reports are further supported by Transparency International's corruption perception index in Africa. According to TI, between 2007 and 2010 only three countries- Mauritius, Botswana and Cape

Verde met the minimum threshold of five points, which is the cut off point for tolerable level of corruption in any country. Similarly, the 2007 Global Corruption Barometer showed that Africa as a region is considered to have suffered most from public corruption. These findings clearly indicate that corruption is a serious and pervasive problem in Africa and remains a major obstacle to development and good governance.

The socio-economic and political cost of corruption is myriad in Africa. For instance, it was estimated in 2004 that corruption costs the continent over US \$ 148 billion per annum. Moreover, 50 % of tax revenue, 25% of the continent's GDP and US \$ 30 billion dollars in aid for Africa was eaten up by corruption. In addition, illicit financial flows especially by Multinational Corporations (MNCs) mostly through corrupt practices continue to deny African countries the needed financial resources for development. This makes corruption a serious development challenge in Africa.

*There can be no doubt that corruption is very costly to both governments and businesses and as such impacts negatively on our development efforts. It therefore makes economic sense and good politics to fight corruption. Equally not in doubt is the fact that success of the fight against corruption depends on good governance*

(Paul Kagame, President of the  
Republic of Rwanda 23rd March 2011)

The international community and African countries, in particular, have shown a growing commitment in tackling the problem of corruption in the past decade. A number of international, regional, sub regional and national instruments have been devised to combat the menace. The enactment of the United Nations Convention against Corruption (UNCAC), the African Union Convention on Preventing and Combating Corruption (AUCPCC), and the Southern Africa Development Community (SADC), the Economic Community for West African States (ECOWAS) and the East African Community protocols are examples of this. Many African countries have also established national anti-corruption institutions in an effort to tackle the problem. In spite of all these efforts and measures, the spread of corruption has been unrelenting and has remained a major obstacle to the attainment of the continent's development goals. It is against this background

that GPAD - UNECA, in partnership with the AUABC have crafted the regional anti-corruption programme for Africa. The programme seeks, in a systematic and methodological way to address the growing problem of corruption on the continent by engaging key stakeholders in the anti-corruption drive at the national, sub-regional and regional levels.

*First, corruption destroys the moral integrity and ethics of any society in which it is endemic or rampant. It destroys those values that underpin the sensitivity to our common humanity and concern with each-others wellbeing. It creates a society in which 'anything goes' or promotes a society that does not care for its weak and vulnerable*

(Pakalitha Mosisili, Prime Minister of the Kingdom of Lesotho, 23<sup>rd</sup> March 2011).

### 3. Programme Objectives

The main objective of the programme is to eradicate or significantly reduce corruption in Africa as a means of facilitating its socio-economic development and promoting the welfare of its people. This is to be achieved through the elaboration and implementation of key provisions of UNCAC and the AUCPCC relating especially to; building adequate knowledge base on anti-corruption, strengthening the independence and capacity of national anti-corruption institutions, promoting peer learning and information sharing, encouraging civil society engagement and advocacy on anti-corruption and facilitating the involvement of other key stakeholders such as the parliament and judiciary in the continent's anti-corruption agenda. Broadly outlined, the objectives of the programme include:

- facilitate the elaboration and implementation of the international and regional anti-corruption frameworks i.e., the UN Convention against Corruption and the African Union Convention on Preventing and Combating Corruption in Africa;
- Promote the domestication of international and regional anti-corruption frameworks in national laws and legislations;
- Promote harmonization and coherence between regional and sub-regional initiatives and frameworks on corruption in Africa;
- Promote and document best practices and lessons learned on anti-corruption aimed at encouraging countries to improve their anti-corruption efforts;
- Facilitate the enhancement of national capacity and institutions on anti-corruption in Africa, including, national anti-corruption institutions, parliament, judiciary, public watchdog institutions (such as auditors general, Ombudsman), academia and civil society;
- Facilitate technical capacity enhancement for sub-regional and regional institutions including the Regional Economic Communities (RECs) and the AU Advisory Board on Corruption;
- Promote sustained focus on anti-corruption in Africa as a means of ensuring its continued attention, relevance and mainstreaming in national programmes, planning and policy processes in member- states; and
- Articulate policy options and recommendation on the fight against corruption in Africa.

## 4. Holistic Strategic Approach

Corruption is a multifaceted phenomenon assuming different shades, forms, dimensions, and dynamics. Therefore, effectively addressing it requires a holistic, innovative and strategic approach. To this end, the regional anti-corruption programme will focus on the following areas:

- Technical policy based research, knowledge production, documentation, and dissemination;
- Information sharing, networking and peer learning amongst key anti-corruption stakeholders and institutions;
- Technical support, training and capacity development to member states, sub-regional and regional institutions;
- Policy Dialogue;
- Media engagement and policy advocacy;
- Special Event- The African Anti-Corruption Forum;
- Illicit Financial Flows Project

### **Recent Programmes and Activities in Africa (By the ECA and AU)**

Both the AU and ECA have undertaken some notable activities on anti-corruption in recent years. These include; developing a regional anti-corruption framework, establishing the AU Advisory Board on Corruption, carrying out research on critical anti-corruption issues, and providing assistance to member states in institutional capacity building.

## **5. Recent Programmes and Activities by the UNECA**

The UNECA within the last decade has scaled up its anti-corruption work. For example, in light of the findings of AGR I and II on corruption in Africa, the UNECA decided to prioritize anti-corruption in its governance programming in Africa. The activities undertaken by UNECA on anti-corruption centered on the areas of research and policy analysis, training and capacity support.

### **5.1. Policy Based Research and knowledge production:**

ECA has conducted two major studies and held a major international conference on anti-corruption in Africa. These are:

#### **Deepening Judiciary effectiveness in Combating Corruption:**

The Study reviewed the role of the judiciary in selected African countries in combating corruption. The definition, dimensions, classifications, forms, causes and effects of corruption are articulated in the study. It underscored various factors that promote corruption in the judiciary and highlighted the challenges of fighting corruption within the judiciary itself. The issues of judicial accountability; the rule of law and the systemic weaknesses in the judiciary in Africa are examined and key policy recommendations proffered on strengthening judicial capacity and effectiveness in combating corruption on the continent.

#### **Assessing the Efficiency and Impact of National Anti-Corruption Institutions in Africa**

The study was conducted with the aim of exploring ways of strengthening the capacity of national anti-corruption institutions in Africa. The study provides detailed examination of the nature, powers, performance, efficiency and challenges of selected national anti-corruption agencies in Africa. International and national frameworks on anti-corruption were also analyzed. The study revealed that in most African countries, anti-corruption institutions are weak, mostly non-independent, poorly funded and do not necessarily receive the requisite political backing from and commitment by the political leadership for their activities. The study makes key policy recommendations aimed at improving the capacity of national anti-corruption institutions in Africa.



## **International Conference on “Institutions, Culture and Corruption in Africa” in October, 2008**

The UNECA and the Council for the Development of Social Science Research in Africa (CODESRIA), Dakar, Senegal, organized an international conference on *“Institutions, Culture and Corruption in Africa”* from 13th-16th October 2008 in Addis Ababa, Ethiopia. Over 100 participants attended the conference, with 55 papers presented. The conference brought together leading African scholars, policy makers, civil society activists, practitioners, senior public servants, heads of national anti-corruption institutions, regional and international institutions like the AUC, AfDB, UNDP, World Bank etc. The conference discussed a wide range of issues on anti-corruption in Africa, exchanged knowledge and shared best practices and experiences gained in combating corruption in different countries. International, regional and national instruments were also reviewed. The conference was a significant intervention in the fight against corruption in Africa as it provided a platform for major anti-corruption stakeholders to extensively deliberate on the problem of corruption in Africa and provide strategic focus and policy direction in strengthening the fight against corruption on the continent.

### **5.2. Knowledge Sharing and Peer Learning on Anti-corruption in Africa**

The ECA organized two major expert meetings for anti-corruption stakeholders namely, the judiciary and heads of national anti-corruption institutions in order to share knowledge, promote peer learning and search for policy options on anti-corruption in Africa. These were:

- **Ad-hoc expert group meetings on deepening the judicial effectiveness in combating corruption:** Two expert meetings were held for the judiciary in 2006 and 2007. The meetings were attended by judges, magistrates, and other judicial officers from member-states. The objectives of the meetings were to review and discuss the draft policy background paper prepared by the UNECA entitled “Deepening Judiciary Effectiveness in Combating Corruption” and also share experiences amongst themselves. The participants shared experiences, best practices and drew practical strategies and developed an action plan to enhance the role of the judiciary in fighting corruption in Africa. ECA is following up on this with training for judicial officers on anti-corruption in Africa.
- **Ad-Hoc Expert Group Meeting on Assessing the efficiency and impact of national anti-corruption institutions in Africa:** The meeting was

held from 16-17 February 2009 in Kigali, Rwanda and was attended by over fifty participants from over 20 countries. The participants included heads of national anti-corruption institutions, CSOs, media practitioners, the parliament, and representatives of international and regional institutions. The main objectives of the meeting were to review a draft report produced by the ECA entitled "*Assessing the efficiency and impact of national anti-corruption institutions in Africa*", share knowledge and information, and examine good practices in anti-corruption initiatives in Africa. To improve the capacity of national anti-corruption bodies, the meeting suggested capacity building, ensuring strong political will, protection of "whistle-blowers" and granting autonomy and funding to national anti-corruption institutions.

### **5.3. Training and Capacity Development on anti-corruption for CSOs and National Anti-Corruption Institutions, and Young African Scholars and Policy Makers**

ECA has held two major training workshops for national anti-corruption stakeholders in Africa. These are: training for civil society organizations on anti-corruption and training for officials national anti-corruption institutions in Central Africa.

- **Training Workshop for CSOs on Monitoring and Reporting Corruption in Africa:** The ECA in collaboration with the UNDP organized a training workshop on anti-corruption for leaders of civil society organization from 11-13 November 2008 in Kampala, Uganda. Participants representing CSOs from nine (9) African countries including Ethiopia, Ghana, Kenya, Malawi, Nigeria, South Africa, Sudan, Tanzania and Uganda attended the meeting. The meeting provided an overview of the linkages between corruption and development, and underscored the role of CSOs in monitoring and reporting corruption in their respective countries. It dwelt on possible strategies and tactics that CSOs can use in investigating, monitoring and reporting corruption in Africa beyond speculations, but based on accurate information gathering. The meeting was successful in making representatives of CSOs aware about the processes, mechanisms, methods and responsibilities of monitoring and reporting corruption in Africa. The training workshop also equipped CSOs with the knowledge and information required to execute the arduous challenge of fighting corruption in Africa in a more organized way.

- ***Training Workshop for National Anti-corruption Institutions in Central Africa:*** The ECA, in partnership with the UNDP, New York organized a training workshop for heads of national anti-corruption institutions in Central Africa in October 2010. The workshop brought together senior officers of anti-corruption institutions from eight Central African countries including Cameroon, DRC, Congo Brazzaville, Chad, Equatorial Guinea, and Sao Tome and Principe. At the end of the training workshop, an 'Action Plan' was developed, which ECA, UNDP and other development partners were requested to assist in implementing in boosting the capacity of national anti-corruption institutions in the sub-region.
- ***Training of young Scholars, and policy makers on anti-corruption in Africa:*** The ECA was approached by CODESRIA, which is the leading pan-African research institution in the social sciences in Africa, to direct its 2010 Governance Institute on: ***Corruption, Accountability and Governance in Africa*** in August 2010. The institute brought together 15 young African university lecturers and policy makers from 12 African countries for three weeks. The Institute adjudged the three weeks training session as being the best in its nearly twenty year's history.

## 5.4. Policy Dialogue on anti-corruption in Africa

A governance roundtable on “***Combating Corruption from its Roots: Targeting the Bribers and Bribed***” was convened on 9<sup>th</sup> April, 2008 in Addis Ababa. It was delivered by Ms. Eva Joli, advisor to the Norwegian government on Anti-corruption and Money Laundering. Eva Jolly dwelled on the challenges confronting African states in the process of assets repatriation including the complex legal procedures and the weak regulatory and enforcement regimes and the cost associated with the international prosecution of corrupt officials. Eva concluded by saying that both the bribers and the bribed should be held accountable for the problem of African corruption and that developed countries should do more in assisting African countries on assists reparation of ill-gotten wealth stashed abroad by African leaders and policy makers.

## **6. Activities by the AU**

In the recent past, the AU has played a pivotal role in the anti-corruption drive in Africa by adopting the AUCPCC, a regional anti-corruption instrument, ensuring adequate number of signatories for it to be operational, establishing the AU Advisory Board on Corruption and facilitating some major learning events on anti-corruption in Africa.

### **6.1. The African Union Convention on Preventing and Combating Corruption (AUCPCC)**

The AUC formulated the African Union Convention on Preventing and Combating Corruption, which was adopted by African Heads of states in 2003, and came into force on 5<sup>th</sup> August, 2006. It was formulated with the objective to prevent, detect, punish and eradicate corruption and related offences in Africa. The Convention defines corruption and covers a wide range of offences including bribery, illicit enrichment, illegal funding of political parties, money laundering and diversion of property by public officials. The Convention, among others requires member states to establish anti-corruption legislations and bodies, and urges African government officials to declare their assets and abide by ethical codes of conduct. AUCPCC is the most comprehensive amongst regional anti-corruption conventions and serves as a milestone, since it adopted measures against corruption, which are specific to Africa. It also signifies the consensus of African states in the areas of prevention and criminalization of corruption. Currently, forty-five (45) and thirty one (31) countries have signed and ratified the Convention respectively.

### **6.2. Pan-African Body of National Anti-Corruption Institutions;**

AUC assisted in the establishment of the Pan-African Body of National Anti-Corruption Institutions in Africa, and has since its establishment supported it. The body, with the support of the AUC organized the second "Pan-African Meeting of National Anti-Corruption Bodies" in Johannesburg, South Africa from 23<sup>rd</sup> to 24<sup>th</sup> February 2007. It was attended by representatives of national anti-corruption bodies and other stakeholders from over 25 African countries. The meeting was successful in promoting information and knowledge exchange amongst national anti-corruption bodies and devising way outs for the ratification of the AU convention by all member states.

### **6.3. African Forum on Fighting Corruption**

The AUC in collaboration with UNECA and the Republic of South Africa organized “The African Forum on Fighting Corruption”, which was held in South Africa, from 28 February to 2 March 2007. Over 300 participants attended the meeting including African ministers, parliamentarians, officials of anti-corruption bodies, CSOs, former heads of state and representatives of international organizations. The participants discussed the problem of corruption and its impact on Africa. The meeting came up with a unified African perspective on fighting corruption, which was presented at the Global Forum V entitled “Fighting Corruption and Safeguarding Integrity” held in South Africa, from 2- 5 April, 2007.

### **6.4. Establishment of the African Union Advisory Board on Corruption**

The African Union Advisory Board on Corruption, which was inaugurated on May 26<sup>th</sup> 2009, was another important achievement by AUC in combating corruption. The Board with 11 members from different African countries was established mainly to monitor the implementation of the AUCPCC, and advice the AU and its member states in fighting corruption. It is also mandated to facilitate dialogue among different stakeholders including CSOs, and collect and analyze information on the scope and nature of corruption in Africa. Given the relative poor commitment towards the implementation of AUCPCC by member-states, the establishment of the Board is a good starting point in committing all member states to implement the Convention.

## **7. Regional Anti-Corruption Programme (2011- 2016)**

The ECA in collaboration with the AUABC seeks to intensify its anti-corruption efforts in a coherent and systematic way through the regional-anti-corruption programme that covers a five year period. This programme complements and reinforces the Strategic Plan of the AUABC and does not in any way seek to duplicate or compete with it. Rather, its architects strongly believe that key objectives of the Strategic Plan of the AUABC can be realized through this programme.

### **7.1. Policy Research and Analytical Work**

Knowledge on the state of anti-corruption in Africa is very central to addressing the problem of corruption. Knowledge is a dynamic product, and therefore needs to be nuanced and diversified. However, the emphasis of the programme is on policy-based and technical knowledge directed at addressing key practical challenges on corruption in Africa.

Ten policy based researches (or more), with an average of two every year will be conducted under the programme. These include:

#### **7.1.1 Draft Model Anti-Corruption Legislation for Africa**

Fighting corruption needs appropriate legislation that deals with prevention, detection and sanctioning of corruption. Many African states have adopted anti-corruption laws, but only few of the legislations are compatible with the regional and international standards on anti-corruption. The study will, therefore, help countries develop a comprehensive legislation, which will be derived from both the regional and international anti-corruption instruments including the UNCAC and AUCPCC. The objective is to assist countries to have legislations with minimum standards through which the anti-corruption agenda can be effectively promoted.

#### **7.1.2 Harmonizing Regional and Sub-Regional Anti-Corruption Institutions, Frameworks and Protocols**

The international community has adopted a number of declarations and initiatives in its effort to fight corruption. Different regional and international anti-corruption laws also exist including the UNCAC, AUCPCC, and protocols of SADC and ECOWAS. Nonetheless, these legal instruments lack coherence and synergy. There is therefore need to assist in harmonizing these different valuable legal instruments

to make them more effective in tackling corruption. The study will therefore focus on the comparative nature of the regional and sub-regional instruments on anti-corruption in Africa and seek to create a basis for synergy and harmonization of those instruments.

### **7.1.3. Parliaments and Corruption in Africa**

Parliaments play a critical role in combating corruption, including through the enactment of anti-corruption laws. Parliaments can also curb corruption by reinforcing government accountability and good governance, since they have a power to oversee government agencies. Representation is also an important anti-corruption instrument for the parliaments. Most parliaments in Africa, however, fail to effectively play such important roles and are paradoxically perceived as being among the least trusted institutions on the continent.. The study will, therefore, focus on how the capacity of the parliaments can be enhanced to effectively tackle corruption in the continent. The magnitude of corruption in the African parliaments and how issues of ethics and accountability can be tackled in this important organ of the government will also be given due emphasis.

### **7.1.4. Corruption in Public Procurement Systems in Africa**

The public procurement system in Africa, as in many other parts of the developing World, is a veritable arena of corruption by public officials. Often times, public officials who are linked to procurement systems are usually very rich and influential as they establish networks with a coterie of contractors, consultants and suppliers, through whom transactions take place outside formal channels and without following due process. Corrupt practices include kickbacks, trading in insider information, inflation of contracts etc. The questions are; why is the public procurement system in Africa vulnerable to corruption? What is the nature of the reforms being undertaken by African countries? Are there best practices to be showcased and emulated? How can the institutional capacity and processes of the public procurement system in Africa be strengthened? These are the issues to be focused upon in the research.

### **7.1.5. Corruption in Local Governance and Traditional Institutions**

Local governance and traditional institutions are critical in the delivery of social services to the people especially at the grassroots level. However, the problem of corruption is undermining the capacity of local governments and traditional institutions to deliver services to the majority of African population in the rural areas. Corruption at the local level also diverts scarce resources and affects local development by discouraging investment. Despite the acknowledged magnitude

of the problem of corruption at local government level and within traditional institutions it has hardly been properly documented and has also not attracted the necessary analytical and research attention..Thus, the objective of the research is to identify the incidences of corruption in local government and traditional institutions in Africa, the trends and the challenges and how the phenomenon can be effectively addressed.

#### **7.1.6. The Private Sector and Corruption in Africa (3 studies to be conducted)**

In the discourse of corruption in Africa, and globally, the major emphasis is often on the public sector. The public sector is often vilified as being inept, corrupt and inefficient and the private sector regarded as the most efficient, reliable and implicitly less corrupt sector of the economy. This fits perfectly well in the neo-liberal economic paradigm which privileges the private sector as the engine of economic progress and development. However, this assumption is not necessarily correct. The private sector can also be a haven of corruption, and in some instances, even worse than the public sector. The recent global economic crisis was triggered by private sector agents, whose financial mismanagement, corruption and manipulations set a chain of events that virtually crumbled the global economy. The private sector also often times is in league with the public sector on corruption in the latter sector. This study will investigate the problem of corruption in the private sector in Africa and the efforts to address it. The approach would be to first commission a background study that would do a scoping exercise of the problematic and the major challenges; and the second step would be to investigate specific sector cases. Some of the cases to be considered for investigation will be the banking and telecommunication sectors. The studies will not focus on the extractive industry sector for which much work has already been done.

#### **7.1.7 The Media and the Challenge of Transparency and Accountability in the Public Sphere:**

The media is often considered as the fourth estate of the realm. It has a major task of not only disseminating information and educating the general populace on key public issues, but also takes on the challenge of agenda setting in many countries. Undoubtedly, the media is a very powerful institution in any political system. But the media is not immune to corruption. Media practitioners have often been accused of taking bribes, peddling influence, and molding information and reporting to achieve some specific private ends. In other words, the media could be both a perpetrator of corruption and an agency for its control depending on the nature, ethical culture, regulatory regime and character of the media.



The study will look at the problem of corruption in the media, the efforts by media practitioners to address it, and how coalitions and networks are being constituted against the menace of corruption in media practice. Furthermore, the study will look at the role of the media in promoting a corruption free environment in the wider society and the prospects and challenges it faces in this role.

#### 7.1.8. Comparative Study on APRM Findings on Corruption in African Countries.

The African Peer Review Mechanism (APRM) is a major instrument of political dialogue through which African countries seek to promote the culture of good democratic governance on the African continent. It is a self-assessment mechanism put in place by Africa's political leadership by which African countries seek to identify their country-specific governance challenges and build a coalition for political reforms in the country.

Corruption is a recurring decimal in all the APRM country reports so far released. It is one of the five major cross-cutting issues identified in the APRM process so far. The study will do a comparative analysis of the country reports, and tease out what the trends are, major peculiarities and the various dimensions of corruption identified in the reports. This will be good in drawing lessons and policy agenda for the APRM process on corruption in Africa.

## 7.2. Peer Learning and Knowledge Exchange

The peer learning and knowledge exchange would be of two kinds, namely:

- **Organization of Expert Meetings and Workshops:** About 10 expert meetings/workshops will be organized, all centered on the themes of the technical research reports listed above. The expert meetings will bring together experts and practitioners in the various thematic areas of the research to discuss the key findings of the study, share knowledge and experiences and enrich the quality of the reports, with a view to their wide dissemination for knowledge and policy usage;
- **Peer Learning Events for Anti-Corruption Stakeholders:** Peer learning events and knowledge exchange will be organized for key anti-corruption stakeholders on specific issues. The purpose is for them to cross-fertilize ideas and knowledge on a specific concern of common interest. For instance, peer learning event may be organized for the media, labour groups, youth, parliament and professional associations on sharing knowledge and experiences in combating corruption in Africa. The targets of peer learning events will be both state and non-state institutions.

## 7.3. Technical Support, Training and Capacity Development

The technical support and capacity development component of the project targets both state and non-state actors at the national and regional levels. The primary beneficiaries would be:

- African Union Advisory Board on Corruption;
- Regional Networks of National Anti-Corruption Institutions; National Institutions: National Anti-Corruption Institutions; parliament and judiciary; and
- Civil Society Organizations- NGOs, professional groups and the Media.

However, a regional approach will be adopted in facilitating the training and capacity development process.

### 7.3.1. Support to the AU Advisory Board on Corruption:

The technical support to the AU Advisory Board on Corruption will be in the following areas:

1. **Organizing two annual retreats for the Board:** The retreat is meant to serve several objectives. The first is to provide a basis of interaction and knowledge exchange on anti-corruption issues in Africa between leading African scholars and practitioners and the board members aimed at enhancing the capacity of the board. The second is to discuss the work plan of the board and the best way to accomplish it on an annual basis. The third is to assist with the reporting responsibility of the board; and the fourth is to provide a platform for building team spirit, conviviality and a common understanding amongst the board members in their assigned responsibilities. The first retreat would be to apprise the board on current developments on anti-corruption and set the stage for their work in the New Year and the second is to support the board in its reporting responsibility.
2. **Database on Anti-Corruption in Africa:** A database on anti-corruption in Africa which would be a one-stop information centre on anti-corruption in Africa is not only necessary but desirable. This is also one of the major priorities the board has set for itself. Technical capacity support will be offered to the board in doing this.
3. **Annual Anti-Corruption Week:** The anti-corruption week is meant to increase awareness, sensitization and constituency building on anti-corruption in Africa culminating in the anti-corruption day on 9<sup>th</sup> December

every year. Technical support will be provided to the Board in organizing the week which would include organizing essay competition, roundtables and symposiums, and media outreach on anti-corruption in Africa.

### **7.3.2. Support to Regional Networks of National Anti-Corruption Institutions:**

Regional anti-corruption networks have been established in virtually all the sub-regions in the continent in addition to the Pan-African Body of National Anti-Corruption Institutions in Africa. The programme will provide technical support and capacity development to the regional networks in two critical areas- peer learning and knowledge exchange; and inter-network or regional capacity support initiative. The latter will involve the exchange of personnel by the regional networks facilitated and paid for by the Regional Anti-Corruption Programme (RACP).

The regional networks that will constitute the pilot scheme will be those in SADC, ECOWAS and ECCAS, the former two are already in existence and functional; while Central Africa will be supported to establish a network. In addition, the programme will support the operation of the Continental network for anti-corruption bodies in Africa. The RACP will assist in reinforcing the capacity of these networks to be institutionalized and support their member institutions efficiently and effectively.

### **7.3.3. Support to National Anti-Corruption Institutions:**

The technical support to national anti-corruption institutions will be channeled mostly through the regional networks. However, specific requests by countries and national anti-corruption institutions may sometimes be entertained.

Training and capacity development for national anti-corruption institutions will be centered on critical areas of the work of those institutions, which will be organized through the regional networks or on a regional basis. This will include:

- Human rights challenges of anti-corruption projects;
- Building partnership with civil society on anti-corruption;
- Investigation of anti-corruption cases;
- Prosecution on Anti-Corruption.

### **7.3.4. Support to Other National Stakeholders on Anti-Corruption**

There are other critical stakeholders in the anti-corruption efforts at the national level. These include the parliament, judiciary, law enforcement agencies, public watchdog institutions, and civil society. Support to these constituencies will be based on identified needs and consultations with the stakeholders. For the civil society for instance, emphasis could be placed on monitoring, documenting and reporting of corruption; and promoting a corruption free culture in the civil society itself. For the parliament, the emphasis would be on training to enhance their capacity to investigate corruption cases in public institutions; and develop effective partnership with the civil society and professional groups, and to promote the ethics of transparency and accountability in the parliament itself.

The training and capacity development initiatives listed above will benefit from the policy research component of the project.

## **7.4. Policy Dialogue/Roundtable**

The idea of policy dialogue on anti-corruption is to promote informed debate and dialogue on anti-corruption from a policy perspective by leading practitioners, scholars and civil society actors on the various dimensions of anti-corruption. The policy dialogue will be of two kinds:

- Lecture/seminars by leading anti-corruption experts; and
- Roundtable discussion on anti-corruption.

The approach to the policy dialogue would be to allow free exchange of ideas and information, and individuals invited will speak in their personal capacity, rather than on institutional basis. The logic is to free such individuals from institutional encumbrances and censorship, and allow frank and honest discussion to take place.

The policy dialogue will benefit the general public, and the policy and scholarly communities. The objectives are to increase public awareness, shape and influence public discussion on anti-corruption issues, provide feedback mechanism on whether anti-corruption initiatives are working as designed and improve the understanding of policy makers on the strategic choices that they have on anti-corruption decisions. Between 8 -10 policy dialogues will be organized under the anti-corruption programme.

## **7.5. Media, Civil Society and Anti-corruption Advocacy**

The media and civil society organisations are strategic partners in the process of promoting transparency, accountability, democracy and good governance in Africa. The media can also be an agency of corruption, if not grounded on sound ethical values, culture and principles. The engagement with the media will be at three levels. First is at the level of analytical research and understanding of the media itself in terms of its internal functioning and practices and projection of ethical values of transparency and accountability in governance (see. 7.1.7). The second level would be to incorporate the media and civil society organizations in the process of policy dialogue on anti-corruption with other stakeholders (this is covered under the Policy Dialogue section of the programme) and the third level is to engage the media as agency for advocacy on anti-corruption on the continent.

The activities to be undertaken in terms of media engagement and advocacy will be:

1. Training for media practitioners and civil society actors on promoting ethics and transparency in governance;
2. Facilitating media programmes/reports and activities focused on anti-corruption;
3. Identifying and constituting media champions on anti-corruption in Africa;
4. Building an anti-corruption constituency in the media through encouraging the establishment of media networks on anti-corruption in Africa;
5. Working with media associations and professional groups on anti-corruption initiatives.

## **7.6. Special Event**

### **Organizing a Biennial Pan-African Anti-Corruption Forum**

Policy debate, discussion and agenda setting at a regional level on anti-corruption in Africa is quite apposite both to keep anti-corruption issues on the regional and national agendas on a regular basis as well as also to set new policy direction on it apart from sharing information, and knowledge by critical anti-corruption stakeholders. As such, a Pan-African Anti-Corruption Forum will be convened every two years. The forum will bring together regional, sub-regional, national anti-corruption institutions, the executive, policy makers, civil servants, judicial officers, parliamentarians, CSOs, professional groups like labour unions and bar associations,

and different stakeholders. The forum constitutes a major and perhaps the most important regional platform for promoting extensive discussion of anti-corruption issues on the continent; facilitating the exchange of ideas and knowledge amongst different stakeholders; showcasing best practices; understanding what works and what doesn't work; assessing the progress that the continent is making on anti-corruption and the challenges; and keeping the discourse on anti-corruption alive on the continent. Furthermore, the forum will serve as a means of exploring ways to strengthen the capacity of CSOs and anti-corruption bodies; and in encouraging states to ratify and commit to regional and international anti-corruption legislations. The forum will be one of the most important events on anti-corruption on the continent.

## 7.7. Illicit Financial Flows Project

Illicit financial flows through several channels increasingly constitute hidden resources for development in African countries, which require strategic policy and institutional response to address. Global Financial Integrity, a US based think tank estimates that **illicit outflows increased from \$1.06 trillion in 2006 to approximately \$1.26 trillion in 2008**, with average annual illicit outflows from developing countries averaging \$725 billion to \$810 billion, per year, over the period 2000-2008. The real growth of illicit financial flows from Africa was 21.9% over the period 2000-2008.

In response to the challenge of illicit financial flows from Africa, African policy makers and leading economic and finance experts gathered in Lilongwe (Malawi) in late March, 2010 for a panel discussion organized as side event to the *3rd Joint Annual Meetings of the African Union Conference of Ministers of Economy and Finance and the Economic Commission for Africa Conference of African Ministers of Finance, Planning and Economic Development*. The main objective of the side event was to further sensitize policy makers and experts on the negative consequences of illicit financial outflows on the development prospects of the continent. The panel discussion was organized by UNECA in collaboration with the Task Force on Financial Integrity and Economic Development. Following the panel discussion, ECA and development partner institutions reiterated the urgency of addressing the problem, particularly given the current global economic and financial crisis environment, where external resources for development are fast dwindling. The Ministerial Conference mandated the ECA to do work on illicit financial flows and come with appropriate policy recommendations that policy makers may consider both at the national and regional levels.

The illicit financial flows project will proceed at two levels. These are:

- The establishment of a High Level Panel on Illicit Financial Flows in Africa;
- Technical work on illicit financial flows in Africa.

The two levels will be mutually reinforcing. The High Level Panel would be an independent body, which will however, be hosted by the ECA and will provide general direction, high level and policy advocacy on illicit financial flows in Africa. On the other hand, the technical work will be tailored essentially to support the work of the High Level Panel, focusing especially on technical policy research and knowledge production.

It is only the technical component of the illicit financial flows project that is covered under the regional programme, and this is meant mainly to support the work of the High Level Panel and improve technical knowledge and capacity on illicit financial flows in Africa and how to arrest it.

The technical activities to be undertaken under the illicit financial flows project include:

- a. Commission a technical background paper on "Illicit Financial Flows in Africa" that will capture the nature, scale, dimensions and character of illicit financial flows in Africa. The document will also explore the challenges illicit financial flows present to development and the measures that have been taken by African countries to curb the problem and evaluate their effectiveness;
- b. Organize two experts' group meetings to validate the paper at sub-regional level;
- c. Hold multi-stakeholder consultations with government agencies, anti-corruption commissions and CSOs actively engaged in anti-illicit flows campaigns in Africa;
- d. Build a network of organizations around the issue that would give additional impetus to the movement that is building in Africa against illicit financial outflows;
- e. Support and strengthen CSO capacity to be effective partners with government and others in the effort to combat illicit capital flight;
- f. Commission selected national country studies on "illicit Financial Flows in African Countries" that will examine country specificities, institutional and policy gaps and nature of policy response on illicit financial flows in those countries;

- g. Organize five in-country expert meetings to validate the selected country reports on illicit financial flows, and provide these reports as inputs in designing a regional strategy on addressing the problem of illicit financial flows in Africa;
- h. Organize a high level governmental meeting to present the findings of the various consultative meetings and researches. The meeting will determine the institutional frameworks and governance arrangements required to combat illicit financial outflows from Africa; and
- i. Provide technical support to the High Level Panel on illicit financial flows in Africa in developing a regional strategy and policy response to the problem of illicit financial flows in Africa.



## 8. Programme Outputs:

- Draft a Model anti-corruption legislation that conforms to regional and international standards, which African countries can use to revise, improve or craft anti-corruption laws in their respective countries and improve the legal regime guiding anti-corruption efforts in member-states;
- Ten technical background policy papers/documents that will enhance knowledge, understanding and policy options and imperatives in different areas of corruption in Africa, ranging from the private sector, to local governance;
- 10 reports of experts' meetings and workshops that will detail expert discussion, opinions and views on strategies for addressing different aspects of corruption in the different sectors in Africa;
- About ten Retreats organized for the AU Advisory Board to enhance their capacity and improve performance of the Board on Anti-corruption in Africa;
- Ten training and capacity development workshops for major anti-corruption stakeholders primarily national anti-corruption institutions, civil society, parliament and the media on different strategic areas of anti-corruption in Africa;
- Establishment of network for national anti-corruption institutions in Central Africa;
- Five-ten policy dialogues to improve knowledge, public awareness and policy options on anti-corruption in Africa;
- Major regional anti-corruption platform established through the regional anti-corruption forum;
- Major knowledge and policy products developed on illicit financial flows in Africa, which will constitute pioneering works in the domain on the continent;

## 9. Expected Outcomes

- Enhanced capacity of regional, and sub-regional institutions, namely the AU Advisory Board on Corruption and the regional and sub-regional anti-corruption networks to address the problem of corruption effectively in Africa;
- Improved legal and institutional framework for African countries in tackling the problem of corruption in their respective states;
- Enhanced regional strategy, collaboration, coordination and partnership in the fight against corruption on the continent;
- Strengthened capacity of regional networks of national anti-corruption institutions in Western, Eastern, Southern and Central Africa to promote effective anti-corruption initiatives;
- Improved capacity of national anti-corruption institutions and other major anti-corruption stakeholders, namely civil society, parliament and judiciary to better comprehend and address the problem of corruption in member-states;
- Strengthened capacity of the organized private sector in Africa to develop strategies at tackling corruption in the corporate world in Africa and foisting effective partnership with the state in national anti-corruption efforts;
- Increased technical and policy knowledge and African expertise on the problem of corruption in Africa in its variegated form;
- Enhanced information and knowledge sharing among different stakeholders engaging in anti-corruption efforts;
- Improved regional and national space and platforms for anti-corruption agenda in Africa;
- Enhanced transparency and accountability of public officials and the promotion of good governance.

## 10. Key Indicators of Achievement

1. Increased number of African countries ratifying the UN Convention Against Corruption and the AU Convention on Preventing and Combating Corruption;
2. Increased capacity and institutional performance of the AU Advisory Board on Corruption to intervene in corruption issues on the continent and discharge its assigned responsibilities efficiently;
3. Increased number of sub-regional institutions establishing anti-corruption frameworks and programmes, revising, expanding or better implementing them;
4. Increased number of African countries enacting, revising or improving their national anti-corruption laws and regulations and also developing national anti-corruption strategies;
5. Increased number of corruption cases reported, investigated and prosecuted by national anti-corruption institutions in Africa;
6. Increased number of parliaments, CSOs and judiciary that adopt greater anti-corruption stance, uphold the rule of law, report and investigate corruption cases;
7. Increased policy debate and mainstreaming of corruption discourse in governance agenda setting in Africa.

## 11. Feedback, Monitoring and Evaluation

There are three levels at which the task of feedback, monitoring and evaluation will be carried out under the programme. These are:

1. **Beneficiary Assessment Approach:** After every event, an evaluation form will be distributed to all participants to assess how useful and rewarding the activity had been; as well as to establish the extent to which it is likely to influence their immediate and future work on anti-corruption in their respective constituencies. The evaluation forms will be carefully analyzed and scientifically tabulated with a view to establishing the value of each activity and the entire programme. Ultimately, the assessment exercise will provide useful pointers regarding the extent to which countries' national anti-corruption systems, notably their laws, regulations, policies, institutions, and programmes are or have been influenced by the programme, both *d jure* and *de facto*;
2. **Internal Evaluation Group:** An internal team will be constituted to regularly review and monitor the progress of the programme, determine the perceptions of people about it; its value to various stakeholders and how it can be improved upon. Also, the progress of the programme will be analyzed as to whether the timelines and the set targets are being met;
3. **Independent External Evaluation:** In the fourth year of the programme, a team of experts will be constituted to undertake a critical evaluation of the programme and determine how far it has achieved its goals and recommend alternative options on how the programme should be improved upon.

## 12. Partnerships

The principal partner with which the ECA will be working on this project is the African Union Advisory Board on Corruption (AUABC). Other partners include:

- Pan-African Body of National Anti-Corruption Institutions
- Regional Networks of National Anti-Corruption Institutions
- National Anti-corruption Institutions
- Pan-African Parliament
- African Commission on Human and Peoples Rights
- APRM Secretariat
- Regional Economic Communities (RECs)
- African Development Bank (AfDB)
- United Nations Development Programme (UNDP)
- UNDP Millennium Development Goals Office
- African Institute for Economic Development and Planning (IDEP)
- United Nations office on Drugs and Crime (UNODC)
- Global Compact Office of the UN
- United Nations Department of Economic and Social Affairs (UNDESA)
- International Monetary Fund (IMF)
- World Bank
- Conference of Ministers of Public Service in Africa
- Council for the Development of Social Science Research in Africa (CODESRIA)
- Organisation for Social Science Research in Eastern and Southern Africa (OSSREA)
- Open Society Institute (OSI)
- Business Action Against Corruption
- African Business Roundtable
- Transparency International
- Commonwealth Business Council
- African Universities and Colleges
- Other relevant and interested partners

## Annex I

Activity Log Regional Anti Corruption Programme (2011 – 2016 )			
Planned Major Activity	Narrative Summary	Timelines	Major actors/ partners involved
1) Policy Research and Analyses	Draft Model anti-corruption legislation for Africa	July to October 2011	GPAD-ECA/ Consultant; Select African Experts on corruption; African Officials,
	Harmonisation of regional and sub-regional anti-corruption institutions, frameworks and protocols	Continuous (throughout the 5 year period)	
	Parliament & corruption in Africa		
	Corruption in Public Procurement Systems in Africa		
	Corruption in Local & Traditional Institutions		
	Privates Sector & Corruption in Africa (3 studies)	1 Study every 20 months	
	The media, Civil Society and the challenges of transparency & accountability in the Public Sphere		
	Comparative Study on the APRM findings on corruption in African countries		
2) Peer Learning & Knowledge Exchange	2.1 Ten Expert Meetings/ Workshops	Average of 2 meetings/workshops per year	
	2.2 Peer Learning Events for Anti-Corruption Stakeholders	2 Peer Learning events per year for five years	

Activity Log Regional Anti Corruption Programme (2011 – 2016 )			
Planned Major Activity	Narrative Summary	Timelines	Major actors/ partners involved
3) Technical Support, Training & Capacity Development	3.1 Support to AU Advisory Board on Corruption <ul style="list-style-type: none"> <li>- Two annual retreats for the Board</li> <li>- Data Base on anti-corruption in Africa</li> <li>- Organization of annual anti-corruption Week</li> </ul>	2 retreats per year (1st & 2nd quarter of year)  Compilation once every two years  Last quarter of every year	
	3.2 Support to Regional Networks of Anti-corruption Institutions		
	3.3 Support to National Anti-corruption Institutions		
	3.4 Support to other National Stakeholders on anti-corruption		
4) Policy Dialogues/ Round Tables	4.1 Lectures/Seminars by Anti-corruption Experts		
	4.2 Roundtable Discussion on Anti-corruption		
5) Media, Civil Society and Advocacy on corruption	5.1 Training for Media practitioners & Civil Society Actors on Ethics & Transparency in Government	2 Training events per year	
	5.2 Focused Media Programmes/Reports on Anti-corruption	2 programmes/ reports per year	
	5.3 Identification of media Champions	Once a year	
	5.4 Building anti-corruption champions	Continuous (all year)	
	5.5 Working with media associations & programmes on anti-corruption Initiatives	Continuous (all year)	

Activity Log Regional Anti Corruption Programme (2011 – 2016 )			
Planned Major Activity	Narrative Summary	Timelines	Major actors/ partners involved
6) Illicit Financial Flows Project	6.1 Establishment of High-Level Panel on Illicit Financial Flows	By January 2012	
	6.2 Technical Research on Illicit Financial Flows in Africa <ul style="list-style-type: none"> <li>- Technical Background Paper</li> <li>- Holding of two Expert Group Meetings</li> <li>- Convening of Mutual Stakeholders Consultation</li> <li>- Build network of organisations/ institutions on issues</li> <li>- Support/strengthening CSOs</li> <li>- Commission National Country Studies</li> <li>- Convene 5 in-country Expert validation meetings</li> <li>- Provide technical Support to High Level Panel</li> </ul>	Activities spread out throughout the five years of the programme	
7) Special Event	5.1 Biennial Pan-African Anti-Corruption Forum	Once every two years	



## Annex II

Regional Anti Corruption Programme for Africa -2011 – 2016		
Programme Outputs Log		
Main Programme outputs	Breakdown of outputs	Output Timelines
1. Model anti-corruption legislation for Africa	One (1)	Late 2011 to early 2012
2. Technical background policy papers/document	10 papers	Two (2) papers per year
3. Report of experts meetings and workshops	10 Reports	Two (2) reports per year
4. AU-ABC Retreats	10 Retreats	Two (2) retreats per year
5. Holding of Training and capacity development workshops for major anti-corruption stakeholders	10 Training/capacity development workshops	Two (2) workshops per year
6. Support the establishment of networks of national anti-corruption institutions in Central Africa	1 for the Central African Region	During the 1st two years of the programme
7. Convening of policy dialogues to improve public awareness etc	5 – 10 Policy Dialogues	1 or 2 dialogues per year
8. Convening of major regional anti-corruption forums as platforms for continent-wide dialogue	2 Forums during a five year period	Biennial
9. Development of major products on illicit financial flows in Africa	About ten (10) different products	About two (2) per year

