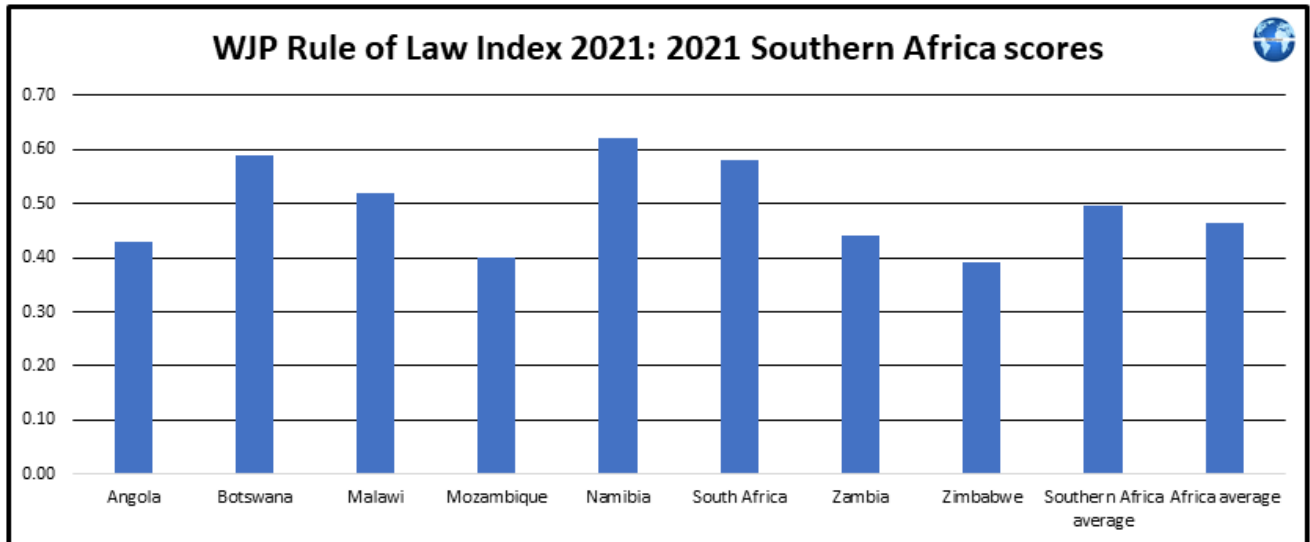


Corruption in Southern Africa (a US perspective)



Introduction

The United States State Department's *Country Reports on Human Rights Practices* ("country reports") strive to provide a factual and objective record on the status of human rights worldwide. The 2021 country reports were published on 12 April 2022.

Section 4 of the country reports provides an assessment of Corruption and Lack of Transparency in Government which addresses the extent to which a country's law provides criminal penalties for corruption by officials and the level of implementation of these laws.

Scores for Southern African countries published by

Transparency International in their 2021 Corruption Perceptions Index (CPI) report demonstrate that Southern Africa was ranked second out of the five African regions in terms of improvements in CPI scores during 2012-2021. Individual country CPI score performance was mixed for Southern African countries in the 2012-2021 period. The country reports for Southern African countries reveal that only two Southern African countries were effectively implementing current criminal penalties for corruption by officials. Further discussion on corruption trends in Southern African countries is provided [here](#).

Details of the overview comments for Southern African countries in the 2021 country reports are provided below.

[Angola](#)

“The law provides criminal penalties for corruption by officials, and the government implemented the law effectively. The government dismissed and prosecuted cabinet ministers, provincial governors, senior military officers, and other officials for corruption and financial crimes. There were numerous reports of government corruption during the year. The Attorney General’s Office continued corruption investigations and brought criminal charges against several officials. Nonetheless, official impunity and the uniform application of anticorruption legislation remained a serious problem.”

[Botswana](#)

“The law provides criminal penalties for corruption by officials, and the government generally sought to implement

these laws effectively. Officials tasked with enforcement lacked adequate training and resources, however. Media reports of government corruption continued. During the year there were numerous reports of government corruption, including allegations tied to tenders issued by local governments for COVID-19 projects, such as renovating public facilities so that they complied with virus prevention measures, as well as in the acquisition of personal protective equipment. A 2019 poll by Transparency International found that 7 percent of those polled had paid bribes to government officials, an increase from the 1 percent who reported paying bribes in a 2015 poll.”

Eswatini

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year. Officials sometimes engaged in corrupt practices with impunity.”

Lesotho

“The law provides criminal penalties for conviction of corruption by officials. The government did not implement the law effectively, and some officials engaged in corrupt practices with impunity.”

Malawi

“The law provides criminal penalties for conviction of

corruption by officials, but the government did not implement the law effectively. Officials sometimes engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.

The government, in cooperation with donors, continued implementation of an action plan to pursue cases of corruption, reviewed how the “Cashgate” corruption scandal occurred, and introduced internal controls and improved systems to prevent further occurrences. Progress on investigations and promised reforms was slow.”

[Mozambique](#)

“The law provides criminal penalties for conviction of corrupt acts by officials; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. There were numerous reports of corruption in all branches and at all levels of government during the year.”

[Namibia](#)

“The law provides criminal penalties for conviction of official corruption; however, the government did not implement the law effectively. Officials sometimes engaged in corrupt practices with impunity.”

[South Africa](#)

“The law provides for criminal penalties for conviction of official corruption, and the government generally did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.”

Zambia

“The law provides criminal penalties for officials convicted of corruption, and the government attempted to enforce the law but did so inconsistently. Officials often engaged in corrupt practices with impunity. Although the government collaborated with the international community and civil society organizations to improve capacity to investigate and prevent corruption, anticorruption NGOs observed that, the enforcement rate was low among senior government officials and in the civil service.

According to Transparency International Zambia, the conviction rate for those prosecuted for corruption was 10 to 20 percent. The Patriotic Front government did not effectively or consistently apply laws against corrupt officials; it selectively applied anticorruption law to target opposition leaders or officials who ran afoul of it. Transparency International Zambia further reported that, during the Patriotic Front administration, officials frequently engaged in corrupt practices with impunity.”

Zimbabwe

“The law provides criminal penalties for conviction of corruption; however, the government did not implement the law

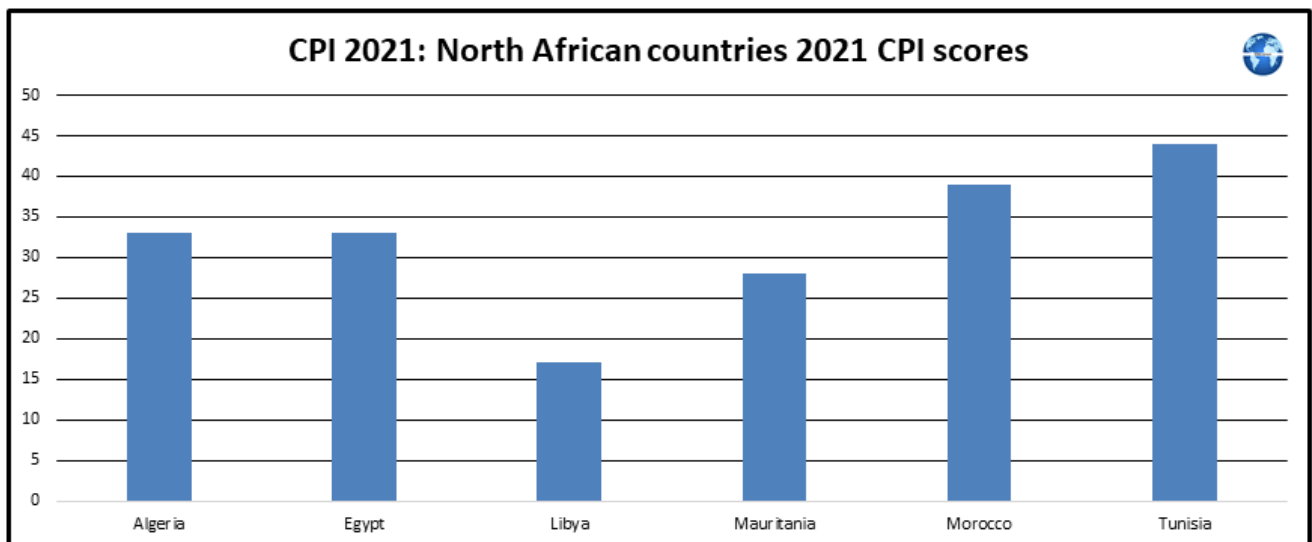
effectively or impartially. Despite government pronouncements, there were numerous reports of government corruption during the year. Experts described the problem as “catch and release,” where the government arrested some corrupt officials, often those out of favour, without ever convicting them.”

Conclusion

The country reports for Southern African countries demonstrate that only a minority of these countries are currently well placed to fight against corruption by officials. It is interesting to note that Angola and Eswatini which recorded relatively low scores in the 2021 Corruptions Perceptions Index were assessed in the country reports as enforcing criminal penalties for corruption relatively effectively.

Significant challenges in combatting corruption in Southern Africa are likely to remain until such time as the majority of countries make significant improvement in their ability to enforce criminal penalties for corruption.

Corruption in North Africa (a US perspective)



Introduction

The United States State Department's *Country Reports on Human Rights Practices* ("country reports") strive to provide a factual and objective record on the status of human rights worldwide. The 2021 country reports were published on 12 April 2022.

Section 4 of the country reports provides an assessment of Corruption and Lack of Transparency in Government which addresses the extent to which a country's law provides criminal penalties for corruption by officials and the level of implementation of these laws.

Scores for North African countries published by Transparency International in their 2021 Corruption Perceptions Index (CPI) report demonstrate that North Africa was ranked first out of the five African regions in terms of improvements in country CPI scores during 2012-2021. Individual country CPI score performance was mixed for North African countries in the 2012-2021 period. The country reports for North African

countries reveal that no North African country was effectively implementing current criminal penalties for corruption by officials. Further discussion on corruption trends in North African countries is provided [here](#).

Details of the overview comments for North African countries in the 2021 country reports are provided below.

[Algeria](#)

“Authorities continued their anticorruption campaign against political, military, and security officials, as well as prominent business leaders from the Bouteflika era.

The law provides for criminal penalties of two to 10 years in prison for official corruption, but the government did not fully implement the law. Although President Tebboune’s administration has emphasized rooting out corruption, corruption remained a problem. Officials sometimes engaged in corrupt practices with impunity.”

[Egypt](#)

“The law provides criminal penalties for corruption by officials, but the government did not consistently implement the law effectively. There were reports of government corruption during the year, sometimes with impunity.”

[Libya](#)

“The law provides criminal penalties for official corruption. The government did not implement the law effectively. There were numerous reports of government corruption but, as in 2020, no significant investigations or prosecutions occurred. There were many reports and accusations of government corruption due to the lack of transparency in the GNU’s management of security forces, oil revenues, and the national economy. There were allegations that government officials sometimes misused the letter of credit system to gain access to government funds.”

Mauritania

“The law provides criminal penalties for corruption by government officials, but authorities did not enforce the law effectively, and officials often engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.”

Morocco

“The law provides criminal penalties for corruption by officials, but the government generally did not implement the law effectively. Officials sometimes engaged in corrupt practices with impunity. There were reports of government corruption in the executive, judicial, and legislative branches during the year.”

Tunisia

“The law provides criminal penalties for corruption by

officials, but the government generally did not implement the law effectively. There were numerous reports of government corruption during the year.”

Conclusion

The country reports for North African countries demonstrate that no North African country is well placed to fight against corruption by officials due to material weaknesses in prosecution capacity.

Progress in combatting public sector corruption in North Africa is likely to be constrained until there is a considerable improvement in the relevant authorities’ ability to effectively enforce criminal penalties for corruption.

Corruption in East Africa (a US perspective)



Introduction

The United States State Department's *Country Reports on Human Rights Practices* ("country reports") strive to provide a factual and objective record on the status of human rights worldwide. The 2021 country reports were published on 12 April 2022.

Section 4 of the country reports provides an assessment of Corruption and Lack of Transparency in Government which addresses the extent to which a country's law provides criminal penalties for corruption by officials and the level of implementation of these laws.

Scores for East African countries published by Transparency

International in their 2021 Corruption Perceptions Index (CPI) report demonstrate that East Africa was ranked second out of the five African regions in terms of improvements in CPI scores during 2012-2021. Individual country CPI score performance was mixed for East African countries in the 2012-2021 period. The country reports for East African countries reveal that only two East African countries were effectively implementing current criminal penalties for corruption by officials. Further discussion on corruption trends in East African countries is provided [here](#).

Details of the overview comments for East African countries in the 2021 country reports are provided below.

[Comoros](#)

“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption.

The National Commission for Preventing and Fighting Corruption was an independent administrative authority established to combat corruption, including through education and mobilization of the public. In 2016 the president repealed the provisions of the law that created the commission, citing its failure to produce any results. The Constitutional Court subsequently invalidated this decision, noting that a presidential decree may not overturn a law. Nevertheless, the president has neither renewed the commissioners’ mandates nor appointed replacement members.”

Djibouti

“The law provides criminal penalties for official corruption, but the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. According to the World Bank’s most recent *Worldwide Governance Indicators*, government corruption was a serious problem.”

Eritrea

“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. Officials sometimes engaged in corrupt practices with impunity.”

Ethiopia

“The law provides criminal penalties for conviction of corruption. The government did not implement the law effectively or comprehensively. The government enacted policies to hold government officials more accountable. There were isolated reports of government corruption. Officials sometimes engaged in corrupt practices with impunity.

On February 19, the HOPR issued the revised proclamation for the establishment of the Federal Ethics and Anti-Corruption Commission, which assessed that the revised proclamation would increase its capacity to implement the law. “

Kenya

“The law provides criminal penalties for official corruption. There were numerous reports of government corruption during the year. Officials frequently engaged in allegedly corrupt practices with impunity. Despite public progress in fighting corruption, the government continued to face hurdles in implementing relevant laws effectively. The slow processing of corruption cases was exacerbated by COVID-19 containment measures, with courts lacking sufficient technological capacity to hear cases remotely.”

Madagascar

“The law provides for criminal penalties for official corruption, but the government did not implement the law effectively. There were numerous reports of government corruption during the year.”

Mauritius

“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. There were isolated reports of government corruption during the year.”

Rwanda

“The law provides criminal penalties for conviction of corruption by officials and private persons transacting business with the government that include imprisonment and fines, and the government generally implemented the law

effectively. There were isolated reports of government corruption during the year, particularly related to road construction projects. The law also provides for citizens who report requests for bribes by government officials to receive financial rewards when officials are prosecuted and convicted.”

Seychelles

“The law provides criminal penalties for conviction of corruption by officials, and the government implemented the law effectively. There were isolated reports of government corruption during the year.”

Somalia

“The law provides for criminal penalties for corruption by officials, but the government did not effectively implement the law. There were numerous reports of government corruption during the year.”

South Sudan

“The transitional constitution provides for criminal penalties for acts of corruption by officials. The government did not implement the law. Poor recordkeeping, lax accounting procedures, absence of adherence to procurement laws, and a lack of accountability and corrective legislation compounded the problem. There were numerous reports of government corruption during the year.”

Sudan

“The law provides criminal penalties for corruption by officials, and the government did not implement the law effectively. There were numerous reports of government corruption during the year.”

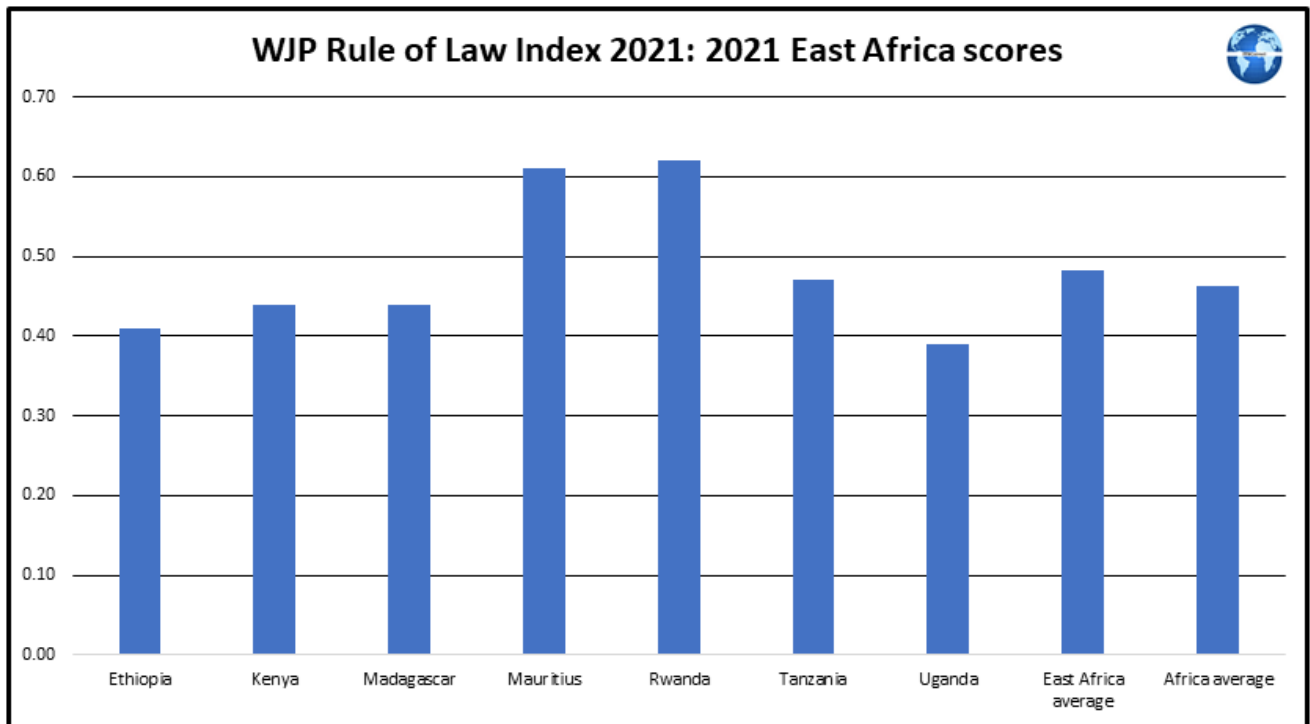
Tanzania

“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. There were isolated reports of government corruption during the year. President Hassan took several steps to signal a commitment to fighting corruption. These included surprise inspections of ministries, hospitals, and the port of Dar es Salaam, often followed by the immediate dismissal or suspension of officials.”

Uganda

“The law provides criminal penalties of up to 12 years’ imprisonment and confiscation of the convicted persons’ property for official corruption.

Nevertheless, transparency civil society organizations stated the government did not implement the law effectively, and there were numerous reports of government corruption during the year. Officials frequently engaged in corrupt practices with impunity, and many corruption cases remained pending for years.”



Conclusion

The country reports for East African countries demonstrate that only a small proportion of these countries are well placed to fight against corruption by officials.

Progress in combatting public sector corruption in East Africa is likely to be modest while the relevant authorities fail to enforce criminal penalties for corruption.

Corruption in West Africa (a

US perspective)



Introduction

The United States State Department's *Country Reports on Human Rights Practices* ("country reports") strive to provide a factual and objective record on the status of human rights worldwide. The 2021 country reports were published on 12 April 2022. Section 4 of the country reports provides an assessment of Corruption and Lack of Transparency in Government which addresses the extent to which a country's law provides criminal penalties for corruption by officials and the level of implementation of these laws. The country reports provide an insight into a major influence on efforts to combat corruption in West Africa.

Scores for West African countries published by Transparency International in their 2021 Corruption Perceptions Index (CPI) report demonstrate that West Africa was ranked third equal out of the five African regions in terms of improvements in CPI scores during 2012-2021. Individual country CPI score

performance was variable for West African countries in the 2012-2021 period. The country reports for West African countries reveal shortcomings in the majority of West African countries in the implementation of current criminal penalties for corruption by officials. Further discussion on corruption trends in West African countries is provided [here](#).

Details of the Corruption and Lack of Transparency in Government overview comments for West African countries in the 2021 country reports are provided below.

[Benin](#)

“The law provides for criminal penalties for corruption by officials, and the government sometimes implemented the law effectively; however, there were numerous reports of government corruption during the year, and officials frequently engaged in corrupt practices with impunity. It was commonly believed, and acknowledged by some judicial personnel, that the judicial system at all levels was susceptible to corruption.”

[Burkina Faso](#)

“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. There were numerous reports of government corruption during the year, including cases of misappropriation, fraud, or other offenses. The NGO National Network for Anti-Corruption cited the customs, police, and General Directorate of Land and Maritime Transport as the most corrupt entities in the government.”

[Cabo Verde](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year.”

Cote d'Ivoire

"The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials reportedly engaged frequently in corrupt practices with impunity. Human rights organizations reported official corruption, particularly in the judiciary, police, and security forces, but they noted victims of such corruption often did not report it or assist in investigations because they believed the government would not act or they feared retaliation. Civil society groups and government officials reported the High Authority for Good Government (HABG), the government's anticorruption authority, was not empowered to act independently or to take decisive action. The HABG can investigate alleged corruption but lacks the mandate to prosecute; it must refer cases to the public prosecutor. In July the government created a special unit within the Abidjan public prosecutor's office dedicated to investigating complex economic and financial crimes, including those involving government officials."

Gambia

"The law provides criminal penalties for corruption by officials, but the government did not credibly investigate or prosecute any official accused of corruption. There were many allegations of government corruption."

Ghana

"The law provides criminal penalties for corruption by government officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption. Corruption was present in all branches of government, according to media and NGOs, including recruitment into the security services. Since the first special prosecutor took office in 2018, no corruption case

undertaken by that office resulted in a conviction. When the new special prosecutor took office in August, his staff included one investigator and one prosecutor, both seconded from other offices. The government took steps to implement laws intended to foster more transparency Page 15 and accountability in public affairs. In July 2020 authorities commissioned the Right to Information (RTI) secretariat to provide support to RTI personnel in the public sector; however, some civil society organizations stated the government had not made sufficient progress implementing the law. The country continued use of the national anticorruption online reporting dashboard, for the coordination of all anticorruption efforts of various governmental bodies.”

Guinea

“The law provides criminal penalties for corruption, but the government did not implement the law effectively. There were multiple allegations during the year of corrupt practices by public officials that went unpunished.”

Guinea Bissau

“The law provides criminal penalties of one month to 10 years in prison for corruption by officials. The government did not implement the law effectively, and officials in all branches and on all levels of government engaged in corrupt and non-transparent practices with impunity. There were numerous reports of government corruption during the year.”

Liberia

“The law provides criminal penalties for bribery, abuse of office, economic sabotage, and other corruption-related offenses committed by officials, but the government did not implement the law effectively. There were numerous reports of government corruption during the year. Officials frequently engaged in corrupt practices with impunity. Corruption was a fact of daily life for citizens and businesses alike.

According to the September Center for Transparency and Accountability in Liberia State of Corruption Report, 90 percent of citizens thought corruption was high in the country and 76 percent had witnessed corruption. The report also labelled the national budget as a tool for corruption in which public resources end up in the pockets of public officials through direct payments, indirect payments, or backdoor deals. As noted earlier in Section 1.e., there was also reportedly widespread corruption in the judiciary, in the form of bribery and extortion where favourable decisions were bought or in the form of direct government influence over judicial decisions. The mandate of the Liberia Anti-Corruption Commission is to prevent, investigate, and prosecute cases of corruption among public officials. On June 14, President Weah appointed Edwin Kla Martin as the new executive chairperson of the commission, effective July 22. Martin's appointment followed the resignation of Ndubuisi Nwabudike as chairperson in February amid allegations that Nwabudike obtained his Liberian citizenship illegally."

[Mali](#)

"The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year."

[Niger](#)

"Although the law provides criminal penalties for corruption by officials, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. There were several reports of government corruption."

[Nigeria](#)

"Although the law provides criminal penalties for conviction

of official corruption, the government did not consistently implement the law, and government employees, including elected officials, frequently engaged in corrupt practices with impunity. Massive, widespread, and pervasive corruption affected all levels of government, including the judiciary and security services. The constitution provides immunity from civil and criminal prosecution for the president, vice president, governors, and deputy governors while in office. There were numerous allegations of government corruption during the year.”

[Senegal](#)

“The law provides criminal penalties for corruption by officials, but the government often did not enforce the law effectively. Officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption.”

[Sierra Leone](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were numerous reports of government corruption.”

[Togo](#)

“Although the law provides criminal penalties for corruption by officials, the government did not implement the law effectively. There were numerous allegations of government corruption, and some officials engaged in corrupt practices with impunity. The body responsible for combating corruption, the High Authority for Preventing and Combating Corruption and Related Offenses, is an independent body that works with the judiciary on strengthening anticorruption practices and oversees adherence of public officials to anticorruption statutes. It also has a public outreach function that includes raising public awareness and referring complaints for legal

action. Other state entities, such as the Government Accounting Office and the Finances Inspectorate, investigated and audited public institutions but reported few results. Authorities maintained toll-free and text-messaging lines for citizens to report cases of corruption.”

Conclusion

The country reports for West African countries demonstrate that only a small proportion of these countries are well placed to fight against corruption by officials.

Limited overall progress is likely to be made against public sector corruption in West Africa while the relevant authorities fail to enforce criminal penalties for corruption.