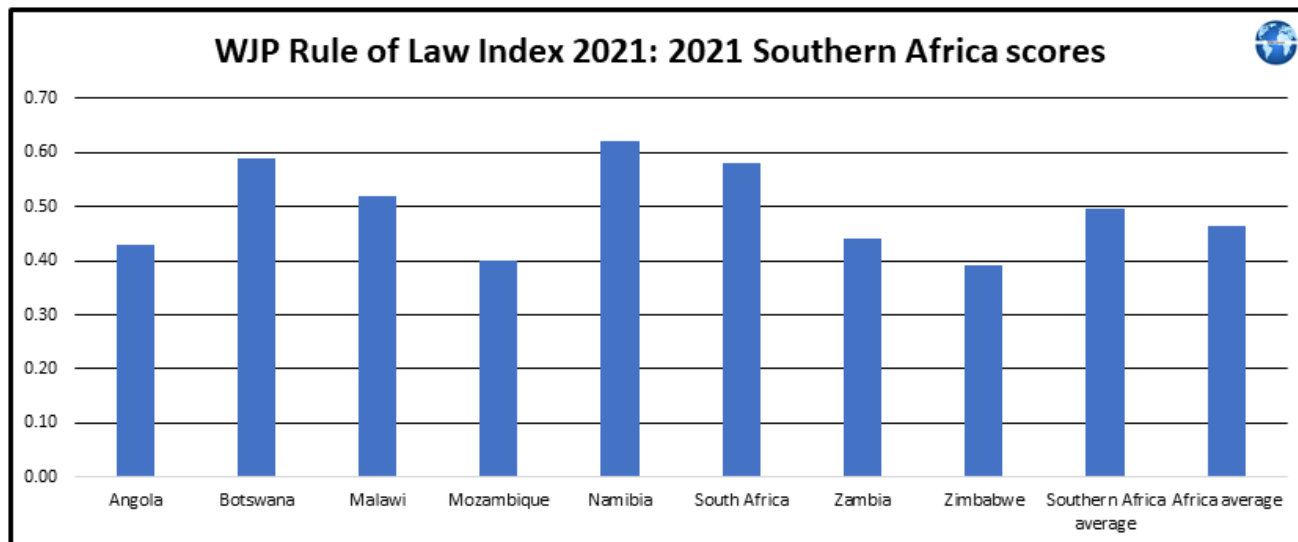


# Corruption in Southern Africa (a US perspective)



## 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.”

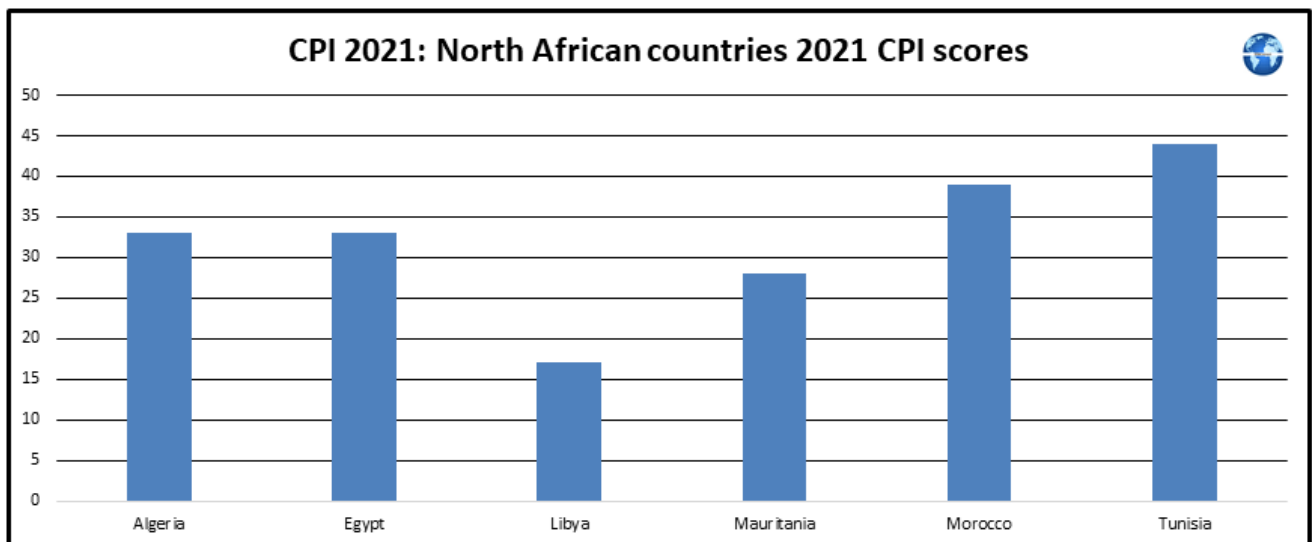
## **Conclusion**

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.

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## **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.

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# **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

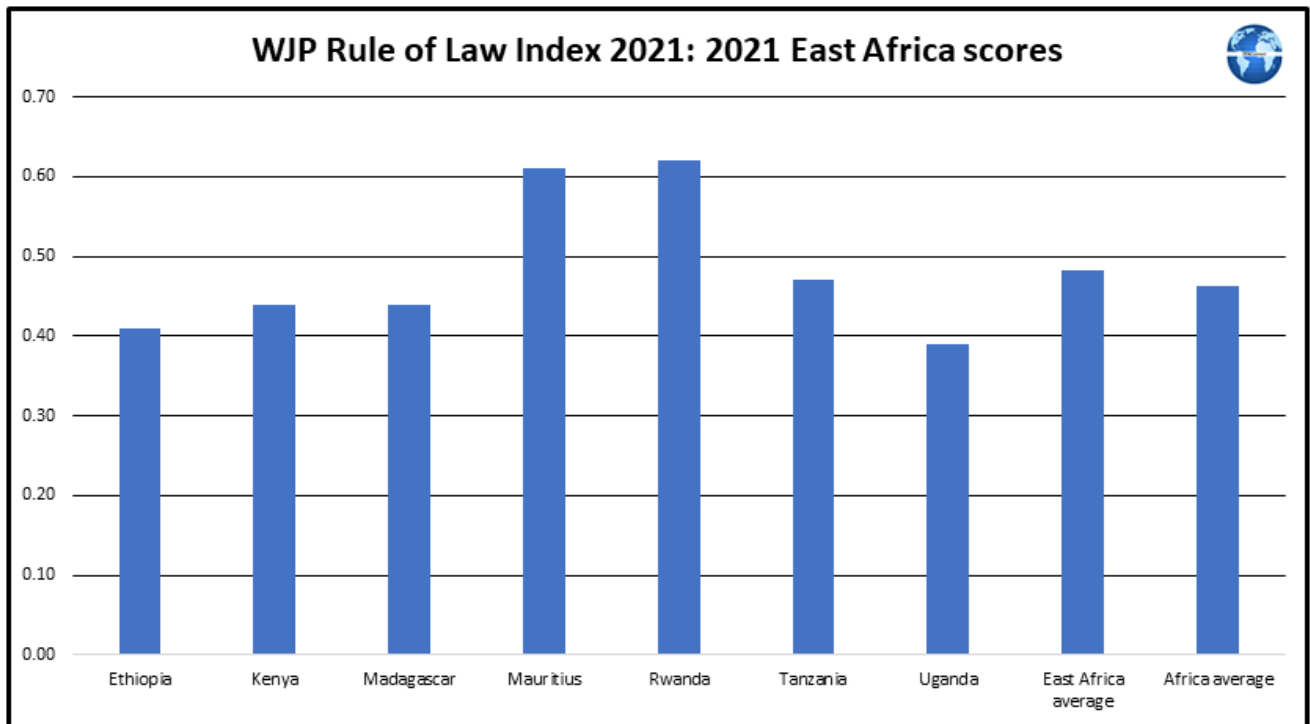
“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. There were isolated reports of government corruption during the year. President Hassan took several steps to signal a commitment to fighting corruption. These included surprise 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

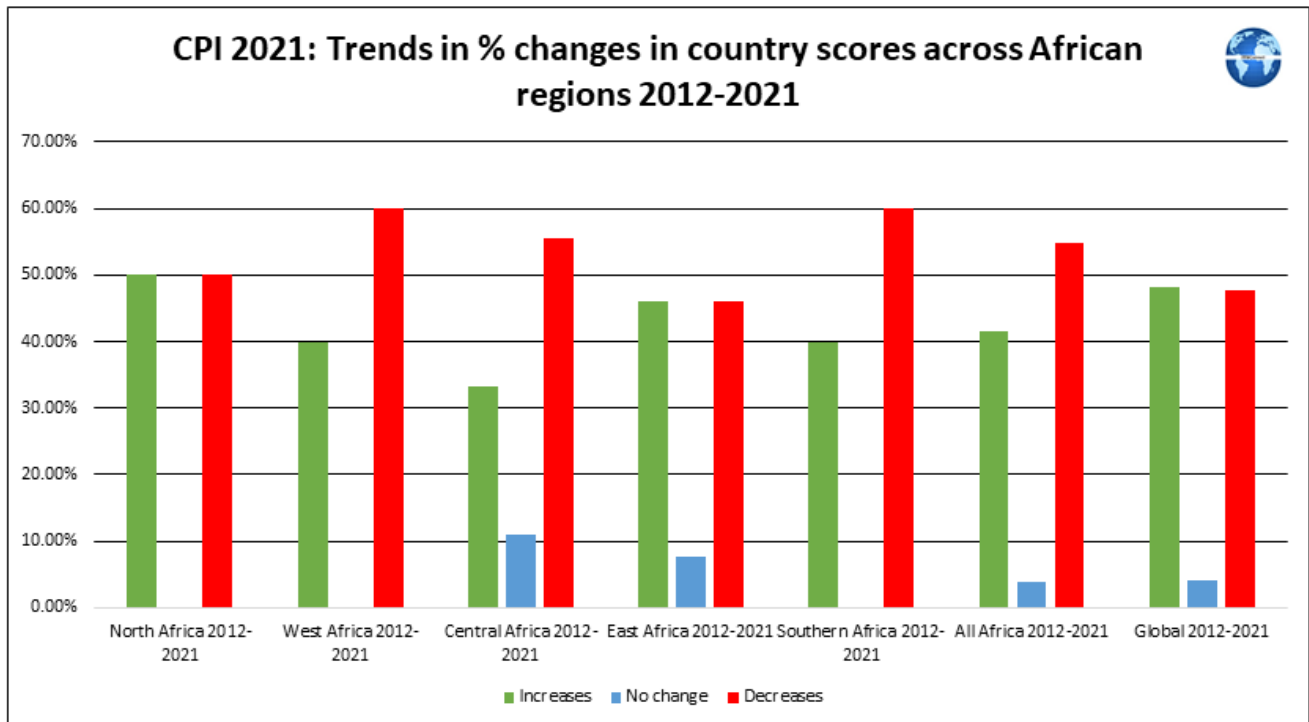
The country reports for East African countries demonstrate that only a small proportion of these countries are well placed to fight against corruption by officials.

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.

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## Corruption in Central 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 Central African countries published by Transparency

International in their 2021 Corruption Perceptions Index (CPI) report demonstrate that Central Africa has been the worst performing African region in terms of improvements in CPI scores during 2012-2021. It is not therefore surprising that the country reports for Central African countries reveal shortcomings in all Central African countries in the implementation of current criminal penalties for corruption by officials. Further discussion on corruption trends in Central African countries is provided [here](#).

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

### [Burundi](#)

“The law provides criminal penalties for official corruption, but the government did not implement the law effectively. There were numerous reports of government corruption during the year. Some high-level government officials engaged in corrupt practices with impunity. The constitution provides for the establishment of a High Court of Justice to review accusations of serious crimes against high-ranking government officials, but the court does not yet exist. The anticorruption law also applies to all other citizens, but no high-ranking official to date has stood trial for corruption.”

### [Cameroon](#)

“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. Officials sometimes engaged in corrupt practices

with impunity. The law identifies different offenses as corruption, including influence peddling, involvement in a prohibited employment, and failure to declare a known conflict of interest. Reporting corruption was encouraged through exempting whistleblowers from criminal proceedings. In addition to the laws, the National Anticorruption Agency (CONAC), Special Criminal Court, National Financial Investigation Agency, Ministry in Charge of Supreme State Audit, and Audit Bench of the Supreme Court also contributed to fighting corruption in the country. CONAC, the most prominent of the anticorruption agencies, was constrained by the absence of any legislative or presidential mandate that could empower it to combat corruption. There were reports that senior officials sentenced to prison were not always required to forfeit their ill-gotten gains.”

### Central African Republic

“Although the law provides criminal penalties for corruption by officials, the government did not effectively implement the law, and officials often engaged in corrupt practices with impunity. Corruption and nepotism have long been pervasive in all branches of government. Weak government capacity further limited attempts to address fully the problem of public-sector corruption. There were numerous reports of government corruption during the year.”

### Chad

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

According to Freedom House's *Freedom in The World 2021* report, corruption, bribery, and nepotism were "endemic" in the country, and prominent journalists, labor leaders, and religious figures faced harsh reprisals for speaking out concerning corruption, including arrest, prosecution, and exile."

### Republic of Congo

"The law provides for criminal penalties for corruption by officials. The government did not apply the anticorruption law, however, and many officials engaged in corrupt practices with impunity. There were some reports of government corruption during the year."

### Democratic Republic of Congo

"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, and officials frequently engaged in corrupt practices with impunity. Local NGOs blamed these levels of corruption, in part, to the lack of a law providing for access to public information.

In 2020 President Tshisekedi created the Agency for the Prevention and Fight against Corruption (APLC). A special service under the Office of the President, the APLC is responsible for coordinating all government entities charged with fighting corruption and money laundering, conducting investigations with the full authority of judicial police, and overseeing transfer of public corruption cases to appropriate

judicial authorities. The Platform for the Protection for Whistleblowers in Africa asserted that APLC's record was mixed, without visible results."

## Equatorial Guinea

"While the law provides severe criminal penalties for official corruption, the government did not effectively implement the law. There are no specific laws concerning conflict of interest or nepotism. On May 10, the government passed an anticorruption measure, Law No. 1/2021, imposing stricter standards of behavior on public officials regarding their interactions with the formal and informal private sector.

Officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption. The president and members of his inner circle continued to amass personal fortunes from the revenues associated with monopolies on all domestic commercial ventures, as well as timber and oil exports. Corruption at all levels of government was a severe problem.

According to Freedom House, the budget process was "opaque." The government continued to improve fiscal transparency, including auditing state-owned enterprises and public debt using international accounting firms and publishing data on public-sector debt in the budget."

## Gabon

"The law provides criminal penalties for conviction of

corruption by officials, but the government did not implement the law effectively. There were isolated new reports of government corruption during the year. According to media and NGOs, officials frequently engaged in corrupt practices with impunity.”

### Sao Tome and Principe

“The law provides criminal penalties for conviction of official corruption, 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 Central African countries demonstrate that the fight against corruption is far more than passing anti-corruption legislation. Criminal penalties for corruption by officials must be enforced if significant progress is to be made in addressing corruption.