

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.

Corruption in Commonwealth Africa (a US perspective)



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Scores for Commonwealth Africa countries published by Transparency International in their 2021 Corruption Perceptions Index (CPI) report demonstrate that the majority of the nineteen Commonwealth Africa countries failed to increase their 2012 CPI scores during 2012-2021. The

weaknesses in the implementation of criminal penalties for corruption by officials have no doubt contributed in some way to the lack of progress in addressing corruption in a number of Commonwealth Africa countries. Further discussion on corruption trends in Commonwealth Africa countries is provided [here](#).

Details of the overview comments for Commonwealth Africa countries in the 2021 country reports are provided below.

[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.”

[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.”

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.”

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 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.”

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.”

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.”

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.”

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.”

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.”

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.”

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.”

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.”

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.”

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.”

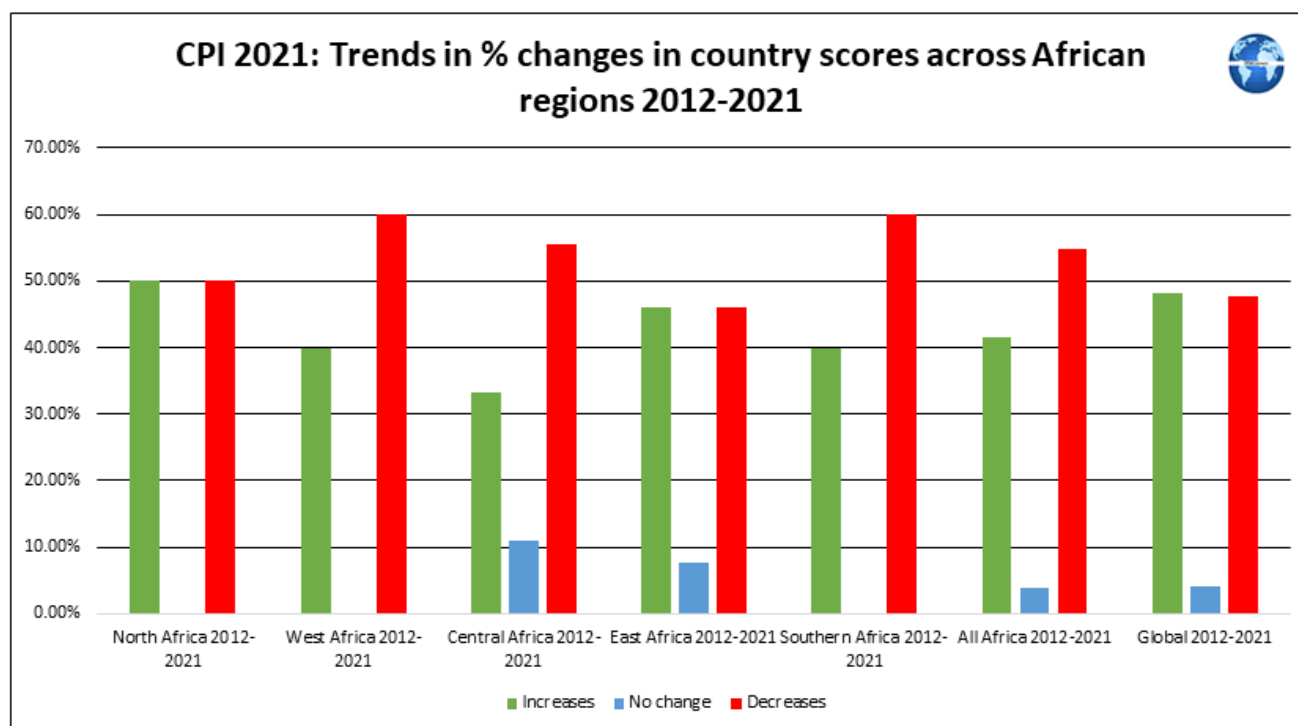
Conclusion

The United States State Department has assessed that more than half of Commonwealth Africa countries are not effectively implementing penalties for corrupt activities. This outcome is similar to the prevailing overall trend in CPI scores reported for 2012-2021.

Considerable effort is required by Commonwealth Africa countries and their development partners in the short to

medium term to reverse the current unsatisfactory trend in implementation of penalties for corrupt activities.

Corruption in Central Africa (a US perspective)



Introduction

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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.”

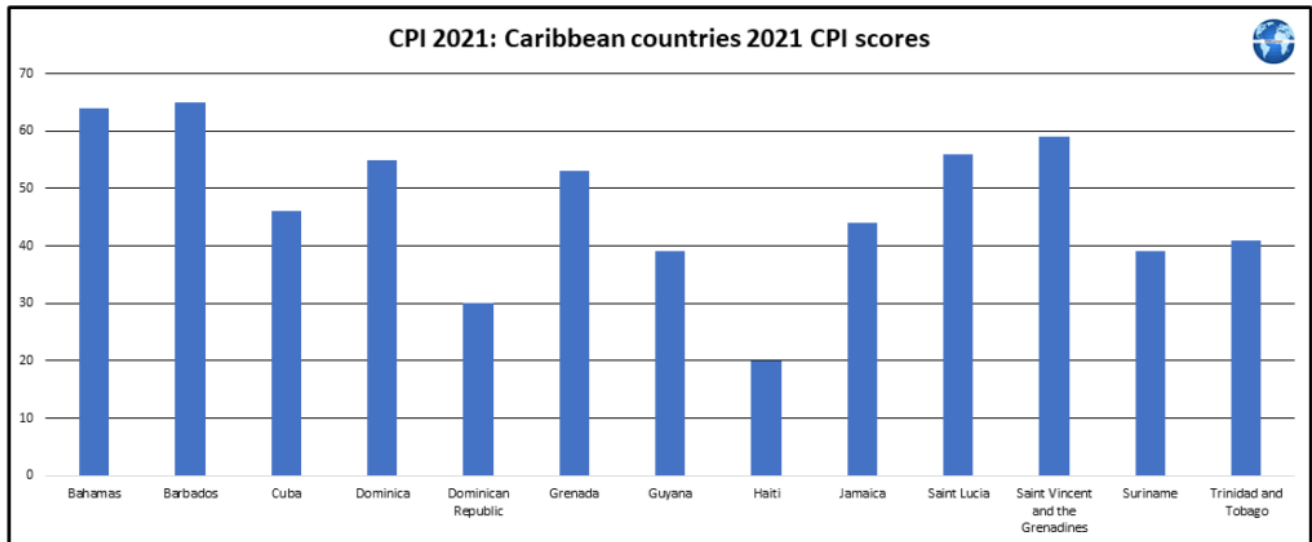
Sao Tome and Principe

“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.

Corruption in the Caribbean (a US perspective)



Introduction

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While 2021 scores for Caribbean countries published by Transparency International in their 2021 Corruption

Perceptions Index (CPI) report reveal material variations in anti-corruption performance, all Caribbean countries generally have criminal penalties for corruption by officials. The level of implementation of these laws, however, varies considerably. Inconsistent or ineffective implementation of penalties for corruption was reported in seven countries. Further discussion on corruption trends in Caribbean countries is provided [here](#).

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

[Antigua and Barbuda](#)

“The law provides criminal penalties for corruption by officials, but full implementation of the law was hindered during the pandemic. Media reported several allegations of corruption against officials during the year. Media and private citizens reported government corruption was widespread and endorsed at the highest levels of government.”

[Bahamas](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There was limited enforcement of conflicts of interest related to government contracts. There were reports of government corruption during the year where officials sometimes engaged in cronyism and accepted small-scale “bribes of convenience” with impunity.”

[Barbados](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. In October the government passed the Prevention of Corruption Act, which provides for the prevention, investigation, and prosecution of acts of corruption, and applies to persons in both the public and private sectors. There were no reports of government corruption during the year.”

Belize

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

Cuba

“The law provides criminal penalties for corruption; however, the government did not implement the law effectively. There were numerous reports of government corruption, supported by a poorly regulated and opaque banking sector. The government was highly sensitive to corruption allegations and often conducted anticorruption crackdowns.”

Dominica

“The law provides criminal penalties for corruption by officials, but the government implemented the law inconsistently. According to civil society representatives and

members of the political opposition, officials sometimes engaged in corrupt practices.”

Dominican Republic

“The law provides criminal penalties for corruption by officials, and in a change from previous years noted by independent observers, the government generally implemented the law effectively. The attorney general investigated allegedly corrupt officials.

NGO representatives said the greatest hindrance to effective investigations was traditionally a lack of political will to prosecute individuals accused of corruption, particularly well connected individuals or high-level politicians. Under President Abinader, however, the attorney general pursued a number of cases against public officials, including high-level politicians and their families, mostly from the previous administration but also including members of the current administration. Nonetheless, government corruption remained a serious problem.”

Grenada

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated allegations by the political opposition and some members of media regarding government corruption during the year, but none proved credible.”

Guyana

“The law provides for criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year, and administration officials investigated these reports. There remained a widespread public perception of corruption involving officials at all levels and all branches of government, including the police and judiciary.”

Haiti

“The law criminalizes a wide variety of acts of corruption by officials, including illicit enrichment, bribery, embezzlement, illegal procurement, insider trading, influence peddling, and nepotism. There were numerous reports of government corruption, and a perception of impunity for abusers. The judicial branch investigated several cases of corruption during the year, but there were no prosecutions. The constitution mandates the Senate (vice the judicial system) prosecute high-level officials and members of parliament accused of corruption, but the body had never done so. The government’s previous anticorruption strategy expired in 2019, and as of October there was no formal anticorruption strategy.”

Jamaica

“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, and corruption was a significant problem of public concern. Media and civil society organizations criticized the government for being slow and at

times reluctant to prosecute corruption cases.”

[Saint Kitts and Nevis](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. Media and private citizens reported government corruption was occasionally a problem.”

[Saint Lucia](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented these laws, but not always effectively. There were isolated reports of government corruption during the year.”

[Saint Vincent and the Grenadines](#)

“The law provides criminal penalties for corruption by officials, but the government did not always implement the law effectively.”

[Suriname](#)

“The law provides criminal penalties for corruption by officials, and the government implemented the law effectively at times. The 2017 Anti-Corruption Law, which was unanimously approved by the National Assembly, had not been implemented as of October, but authorities stated they were able to prosecute

cases of corruption based on existing law.

Corruption cases reported to the Attorney General's Office were investigated. There were numerous accusations from political opponents, civil society, and media that officials engaged in corrupt practices."

Trinidad and Tobago

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

Conclusion

The laws in Caribbean countries generally provide relatively robust criminal penalties for corruption by officials.

The above-mentioned country reports, however, reveal there are currently significant variations in Caribbean government efforts to implement legislation covering criminal penalties for corruption.