
PROCEEDINGS OF THE

Sixth Annual General
Meeting and Conference
of Heads of
Anti-Corruption
Agencies in
Commonwealth Africa

Swakopmund, Namibia

31 May – 4 June 2016



The Commonwealth

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Foreword

I am delighted to present the report on the Sixth Regional Conference for Heads of Anti-Corruption Agencies in Commonwealth Africa.

The conference in Namibia, held in May 2016, provided an opportunity to celebrate some important successes in the fight against corruption in Africa. We can all take pride in the fact that Commonwealth countries in the region are making progress in strengthening co-operation and collaboration among their anti-Corruption agencies (ACAs).

The Conference provided a unique platform for all heads of ACAs in Commonwealth Africa to discuss and document practitioners' exchanges, share experiences, learn from one another, and benchmark activities that have occurred between and among their agencies. Participants also had the opportunity to share emerging practices and country innovations in the fight against corruption and the promotion of good governance in Commonwealth Africa, resulting in a very successful meeting.

It is clear that our shared Commonwealth values, which include respect for the rule of law and commitment to good governance, will be more important than ever in building on this success as we move forward.

However, we must remain mindful of the scale of the challenge that still lies before us. Sustained attention from governments and donor partners will be required in the years ahead in order to reduce – and ultimately eliminate – the damage inflicted by corruption in Africa. I am pleased that the conference allowed us to focus our minds on this important task.

The decision to set up the Association of Anti-Corruption Agencies in Commonwealth Africa (AACACA) in 2011 was borne out of the belief that co-operation was necessary in order to confront what is increasingly an international threat. The practical value of this collaboration was once again evident in Namibia, as the anti-corruption agencies learnt and drew strength from one another.

The evidence and the application of practitioners' exchanges and peer-to-peer engagements in the fight against corruption by the ACAs is an essential part of this report. These exchanges are an invaluable resource, which will facilitate the transfer of best practice between Commonwealth countries in Africa.

The AACACA is now an established institution and the success of the Namibia conference demonstrates the value of its annual gatherings. As we prepare for our 2017 meeting in Malawi, I am pleased to reaffirm the Commonwealth Secretariat's support for the association and to restate our determination to assist in strengthening the regional response to corruption.

Deodat Maharaj

Deputy-Secretary General (Economic and Social Development)

Commonwealth Secretariat

Acronyms

| | |
|----------------|--|
| AAACA | African Association of Anti-Corruption Authorities |
| ACA | Anti-Corruption Agency |
| ACB | Anti-Corruption Bureau |
| ACC | Anti-Corruption Commission |
| ALAC | Advocacy and Legal Advice Centre |
| APRM | African Peer Review Mechanism |
| AU | African Union |
| AU-ABC | AU Advisory Board on Corruption |
| BIANCO | Bureau Independent Anti-Corruption |
| CAACC | Commonwealth African Anti-Corruption Centre |
| CHRAJ | Commission on Human Rights and Administrative Justice |
| CONAC | National Anti-Corruption Commission of Cameroon (English) |
| DCEC | Directorate on Corruption and Economic Crime |
| DCEO | Directorate on Corruption and Economic Offences |
| EAAACA | Eastern African Association of Anti-Corruption Authorities |
| ECOWAS | Economic Community of West African States |
| EFCC | Economic and Financial Crimes Commission |
| FONAC | Front des Organisations Nationales contre la Corruption |
| GovRisk | the International Governance and Risk Institute |
| GDP | Gross domestic product |
| ICAC | Independent Commission Against Corruption |
| ICPC | Independent Corrupt Practices and Other related Offences Commission |
| ICT | Information Communication Technology |
| IG | Inspectorate of Government |
| KACC | Kenya Anti-Corruption Commission |
| MOU | Memorandum of Understanding |
| NEPAD | New Partnership for Africa's Development |
| NGO | Non-governmental organisation |
| PCCB | Prevention and Combating of Corruption Bureau |
| PPADB | Public Procurement and Asset Disposal Board |
| SADC | Southern African Development Community |

| | |
|--------------|--|
| SAFAC | Southern African Forum Against Corruption |
| SIU | Special Investigation Unit |
| TI | Transparency International |
| UNCAC | United Nations Convention against Corruption |
| UNODC | United Nations Office on Drugs and Crime |

Introduction

This report is a reflection of the proceedings of the 6th Annual General Meeting and Conference of Heads of Anti-Corruption Agencies in Commonwealth Africa, held from 31 May to 4 June 2016 at the Strand Hotel, Swakopmund, Namibia, under the theme of 'Partner Exchanges and Peer-to-Peer Engagements in the Fight Against Corruption'. The conference was convened by the Commonwealth Secretariat and the Anti-Corruption Commission (ACC) of Namibia.

The objectives of the conference were:

1. to strengthen cooperation and collaboration among the Anti-Corruption Agencies (ACAs) in Commonwealth Africa; and
2. to create a platform for sharing emerging practices and country innovations in the fight against corruption for the promotion of good governance.

Attendance

The conference was attended by delegates from Botswana, Cameroon, Ghana, Kenya, Lesotho, Malawi, Mauritius, Namibia, Nigeria, Rwanda, Sierra Leone, South Africa, Swaziland, Uganda, United Republic of Tanzania, Zambia and other invited participants from the United Nations Office on Drugs and Crime (UNODC), Transparency International, Integrity Commission of Dominica, President and Principal Consultant Clarium Fraud and Compliance Solutions Ltd, African Union (AU) Advisory Board on Corruption, AU Commission, the International Governance and Risk Institute and the World Bank.

Conference Proceedings

Day 1: 31 May 2016

Agenda Item 1: Opening Ceremony

Conference participants started arriving at 0800. Upon arrival they were registered and ushered into the conference hall. The conference was called to order at 0900. The Director of Ceremonies warmly welcomed all participants and opened the floor for entertainment by the Namibian Police Brass Band and Mascato Coastal Youth Choir.



Arrival of the guest of honour, His Excellency Dr Hage Geingob, President of the Republic of Namibia

His Excellency the President of the Republic of Namibia, Dr Hage Geingob, in a chat with Dr Roger Koranteng as the official opening ceremony commenced.



Welcoming remarks by Mr Paulus Noa, Director-General ACC, Namibia



During his welcoming remarks, the Director-General of the ACC of Namibia expressed sincere appreciation to His Excellency the President, Dr Hage Geingob, for gracing the opening of the conference with his presence.

The Director-General extended a warm welcome to the present Heads of ACA in Commonwealth Africa, their delegations and all distinguished invited guests.

Mr Noa then proceeded to thank the Commonwealth Secretariat, through Dr Roger Koranteng, for its decision to have Namibia host the 6th Annual General Meeting and Conference of Heads of Anti-Corruption Agencies in Commonwealth Africa.

He reminded participants of the theme, 'Partner Exchanges and Peer-to-Peer Engagements in the Fight Against Corruption', which speaks volumes on the need for regional cooperation in the fight against corruption.

The Director-General stated that the conference will focus on the sharing of experiences of success and also on the challenges that anti-corruption institutions are faced with in the daily execution of their mandates and that this will enable the institutions to improve their efficiency.

In conclusion, Mr Noa mentioned that the conference will also focus on the strategies that are required to preserve integrity and protect anti-corruption institutions from being subverted or discredited.

Remarks and conference overview by Dr Roger Koranteng, Commonwealth Secretariat Adviser: Governance and Anti-Corruption



Dr Koranteng extended his appreciation for the warm welcome extended by the Director-General of the ACC of Namibia. He thanked the government of Namibia through the ACC for graciously agreeing to host the conference. Dr Koranteng noted

that research into how effectively corruption is fought in Africa shows that the results are sometimes disappointing. He highlighted that the problems are associated with the implementation of policies, lack of political will, inadequate capacity of officials, poor oversight mechanisms and poverty in the midst of abundance.

He was of the view that there is a direct link between corruption, poverty and lack of human capital development, as in most African countries, resources that are meant to enhance development are frequently diverted for individual use and personal purposes.

Dr Koranteng stressed that corruption is a crime against humanity. He further added that 50 per cent of tax revenue, 25 per cent of the continent's gross domestic product (GDP) and US\$30 billion in aid for Africa was lost to corruption annually. He was cognisant of the fact that illicit financial flows, especially by multinational corporations, mostly through corrupt practices, continue to deny African countries the financial resources needed for development and make corruption a serious developmental challenge in Africa.

Dr Koranteng confirmed that, as long as the member countries of the Commonwealth confront common challenges and pursue common goals, the Commonwealth will be able to bring together a diverse range of experiences and perspectives that will enable member countries to learn and draw strength from one another. He further confirmed that, since the establishment of the Association of the ACAs in Commonwealth Africa, members have benefited from pro bono inter-agency support and have been able to devise strategies to self-manage and self-sustain anti-corruption work. Meetings have so far been held in Botswana (2011), Zambia (2012), Mauritius (2013), Ghana (2014), Tanzania (2015) and Namibia (2016).

Dr Koranteng mentioned that the Commonwealth Secretariat established the Commonwealth Africa Anti-Corruption Centre in Botswana in partnership with the Government of Botswana and the Association of ACAs in Commonwealth Africa, in which Heads of ACAs and their staff have benefited various programmes run through the Africa Anti-Corruption Centre in Botswana.

Finally, Dr Koranteng assured delegates that, during the conference, participants would discuss and document the type of practitioners' exchanges, experience sharing, peer learning and benchmarking activities that have occurred among ACAs, so that the association can play a meaningful role in helping much-needed inter-agency cooperation among the ACAs.

Introduction and welcoming of the guest of honour by Honourable Cleophas Mutjavikua, Governor of Erongo Region



The Governor of Erongo Region, Honourable Cleophas Mutjavikua, introduced His Excellency Dr Hage Geingob, the President of the Republic of Namibia, to deliver the keynote address and to officially open the conference.

Keynote Address and Official Opening by His Excellency Dr Hage Geingob, President of the Republic of Namibia



The President commenced his keynote address by welcoming all the conference delegates to the Land of the Brave. He assured the delegates of Namibia's commitment to eradicating poverty and fighting corruption. He pointed out that all governments should demonstrate political commitment to promoting transparency and accountability. His Excellency further emphasised that all people want to live, and deserve to live, dignified lives. According to His Excellency, recognising this led to the Harambee Prosperity Plan aiming to ensure that the needs of all Namibians are met.

The President emphasised that the declaration of assets by the Namibian Ministers is in the interests of transparency and to address real or perceived conflicts of interest. He also made reference to Namibia's ranking on the Transparency International Corruption Perception Index, which improved by ten points in 2015 (2014 Transparency International CPI). The president further emphasised the importance of the ideals of the conference, which aims to bring together African Commonwealth countries to share ideas on how to effectively combat corruption, as it reflects the spirit of the Harambee Prosperity Plan. The President thanked Mr Paulus Noa and Advocate Erna van der Merwe, in their capacities as Director-General and Deputy Director-General, and the entire staff of the Namibian ACC for their dedication in carrying out such a difficult task and encouraged them to continue assertively and fearlessly pursuing all corrupt practices and building a reputable Agency.

The President expressed the belief that, in addition to the Anti-Corruption Act, the Government of the Republic of Namibia has created an environment that is conducive to fighting corruption by ensuring an independent judiciary, and the enactment of the Prevention of Organised Crime and the Financial Intelligence Acts, which allow the combating of organised crime and of money laundering. The President emphasised the importance of whistle-blower's protection, and highlighted the introduction of computerised procurement systems, alignment of state-owned enterprises and local government procurement policies and the deployment of e-governance to key ministries as some of the strategies that the Namibian government has put in place to strengthen the accountability framework.

In conclusion, the President urged all participants to actively engage in the conference and provide constructive input to ensure that ACAs become more effective in preventing corruption. The President concluded by declaring the 6th Annual General Meeting and Conference of Heads of Anti-Corruption Agencies in Commonwealth Africa officially opened.

Vote of thanks by Ms Rose Nunu Seretse, Director-General DCEC, Botswana



The Director-General of the Directorate on Corruption and Economic Crime (DCEC) of Botswana, Ms Rose Seretse, thanked the Namibian Head of State, His Excellency Dr Hage Geingob, for gracing the opening of the conference with his presence and emphasised that the presence of Dr Geingob is a clear demonstration of the Namibian Government's commitment to the fight against corruption. Ms Seretse stated that political will is the key to the success of the ACAs. She encouraged the Heads of ACAs to continue rendering a service to the public. Ms Seretse acknowledged all the preparation undertaken by Mr Noa and his team for the conference to take place.

Finally, Ms Seretse acknowledged the presence of the media and thanked the Commonwealth Secretariat, through Dr Roger Koranteng, for providing the opportunity for the Heads of ACAs to share ideas on fighting corruption effectively.

Agenda Item 2: Anti-Corruption efforts in the Commonwealth Caribbean, by Mr Julian N. Johnson, Former Chairperson, Integrity Commission, Dominica

The former Chairperson of the Integrity Commission of Dominica, Mr Julian N. Johnson, expressed his appreciation at being included in the delegation and thanked the Namibian Head of State for gracing the official opening of the conference with his presence. Mr Johnson explained to the delegates that Dominica is dominated by one political party and that the majority of the population depend on government to meet their basic needs. He further expressed his belief that the purpose of an anti-corruption regulatory framework is to preserve the dignity and integrity of, and to ensure public trust in, the ACAs. He noted that there is a need to educate young people on ethics, through competitions in primary and secondary schools.

Mr Johnson discussed the bad experience of the whole Integrity Commission in Commonwealth Dominica being abolished by parliament. He felt that issues such as declaration of assets, political will and the execution of the mandate provided in anti-corruption laws must be strengthened to ensure that ACAs can fulfil statutory obligations.

Plenary

A delegate commented on the abolition of the ACA experienced in Dominica, highlighting that it is not unique, as the same situation has also occurred in Kenya. It was recommended that the public needs to take part in the process of recruitment of the Head of Agencies to the extent that the names and qualifications of potential Heads should be open for public scrutiny.

Agenda Item 3: Country Report – Botswana

Benchmarking at Directorate on Corruption and Economic Crime (DCEC)

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|-------------------------------|-------------------|---|---|
| Côte d'Ivoire | 4 days | <ul style="list-style-type: none"> Studied the mandate of the DCEC. Visited Botswana Parliament, Office of the Auditor-General, Ombudsman and Directorate on Public Prosecutions, and Ministry of Foreign Affairs and International Cooperation. | Learnt about: <ul style="list-style-type: none"> corruption and good; governance, and the set-up of the ACA; the relationship between DCEC and other oversight institutions. |
| Zambia ACC | 6 days | <ul style="list-style-type: none"> Studied the DCEC case management system and how it interfaces with the Directorate of Public Prosecutions, Parliament and civil society. Induction session on the importance of media relations. Visits to Auditor-General, Ombudsman, Competition Authority and Public Procurement and Asset Disposal Board (PPADB). | The delegation learnt about the roles of the different public and private institutions and strategies used by these institutions in the fight against corruption. |
| Lesotho DCEO | 7 days | <ul style="list-style-type: none"> Studied the DCEC case management system and how it interfaces with the Directorate of Public Prosecutions, parliament and civil society. Induction on media relations. Visits to Auditor-General, Ombudsman, Competition Authority and PPADB. | The delegation learnt about DCEC's investigation operations, the DCEC set-up and the strategies used to curb corruption. |
| Mozambique ACC | 5 days | <ul style="list-style-type: none"> The delegation was taken through the DCEC case management system, exhibit management, sessions on forensics and handwriting, and monitoring and evaluation of corruption prevention activities and tools used in such activities. Observed how DCEC interacts with public procurement corruption prevention committees, traditional authorities, Members of Parliament, and members of civil society organisations and the media. Exposure to DCEC investigation process. | The delegation learnt about: <ul style="list-style-type: none"> DCEC's operational processes and how DCEC interacts with different authorities in the fight against corruption; the importance of corruption prevention committees and civil society in the fight against corruption. |
| Malawi Anti-Corruption Bureau | 7 days | <ul style="list-style-type: none"> Introduced to the DCEC's investigation and public education and corruption prevention operational processes. Informed about certain community anti-corruption clubs and how the anti-corruption syllabus and clubs were introduced in junior secondary schools. Took note of how the different organisations collaborate with DCEC in the fight against corruption in Botswana. | The delegation learnt about DCEC's: <ul style="list-style-type: none"> operational processes and methods of cooperating with different organisations to fight corruption; methods used to educate primary school pupils on corruption. |

Study trips to other ACAs by DCEC

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|--|-------------------|---|---|
| Tanzania Prevention and Combating of Corruption Bureau (PCCB) | 7 days | Benchmarking on multimedia studio set up, general production advertising and corporate video. | The delegation learnt about: <ul style="list-style-type: none"> stakeholder engagement, covering topics such as media relations and political will, leading to various recommendations. |
| Zambia ACC | 13 days | Communication crisis management strategy, media policy, dissemination of critical information through social media, anti-corruption media relations, community liaison and reputation management. | The delegation learnt about: <ul style="list-style-type: none"> stakeholder engagement, corporate communication, building and maintaining corporate image, media monitoring and media quarterly briefs. |
| Mauritius Independent Commission Against Corruption (ICAC) | 5 days | Processes and procedures used by ICAC to conduct corruption audits and identify corruption risks were studied. Strategies to form partnerships with the private sector were examine. | A number of recommendations were made that aimed to address the gaps identified. |
| Tanzania PCCB | 7 days | Management of investigation case-load and backlog; best practice in investigation statistical analysis and data updates for proper information management; and effective utilisation and administration of case management systems. | Adoption of the goCASE management system and an increase in the variety of professionals that make up the Asset Recovery Unit are being considered. |
| South Africa Special Investigation Unit | 14 days | Banking document and financial statement analysis and financial profiling. | <ul style="list-style-type: none"> Scanning of hard copies of bank statements and conversion to Excel using ABBYY FineReader software. Analysing of bank statements using a filtered method. A list of bank accounts with suspicious transactions was created. |
| Malaysia Anti-Corruption Academy | 5 days | Benchmark on anti-corruption courses offered to integrity committees. | <ul style="list-style-type: none"> A report has been produced and tabled to DCEC and Botswana Public Service College executive management to enhance efficiency and accountability in the public and private sectors and civil society organisations through training on anti-corruption. The programme is anticipated to commence during the 2016/2017 financial year. |

Areas of needs DCEC seeks from practitioners' exchange

DCEC needs:

- special investigation skills;
- leadership in law enforcement;
- prevention mechanisms;
- educational models;
- to strengthen the legislative framework.

Agenda Item 4: Country Report – Cameroon

Study trips to other ACAs by National ACC of Cameroon (CONAC)

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|--|-------------------|--|---|
| Kenya Ethics and Anti-Corruption Commission (EACC) | 5 days | <ul style="list-style-type: none"> • Guided tour of the different departments of the EACC. • Taken through the Integrity Test programme. | Better understanding of the Integrity Test concept. |

Needs of CONAC

CONAC needs:

- specialised training in areas such as forensic accounting, intelligence surveillance, public mobilisation and sensitisation, and investigation techniques;
- audio-visual equipment for evidence gathering and equipment for a forensic laboratory.

Plenary

A delegate explained the outcome and impacts versus activities, which he felt that the previous presenters had not differentiated adequately in their presentations. The delegate explained activities as measurable amounts of work performed to convert inputs (contribution, effort, participations, involvement, ideas, feedback and responses) into outputs. He further explained that outcome is the end result and consequences of those activities performed.

Agenda Item 5: Presentation by John Ghodi, Senior Governance Officer, African Union Commission, Ethiopia

Mr Ghodi emphasised in his presentation the need to have all stakeholders on board in the fight against corruption. He stressed that, if Africa can effectively implement the Africa Agenda 2063, challenges such as poverty and poor economic development will be alleviated. Mr Ghodi further highlighted that the main objectives of the AU were to eradicate poor economic development, and to promote good governance, transparency and accountability among member countries. He explained that the African Anti-Corruption architectural framework requires organisations at the regional level, such as the Southern African Development Community (SADC), the New Partnership for Africa's Development (NEPAD), AU, the African Peer Review Mechanism (APRM), African Union Commission, the Southern African Forum Against Corruption (SAFAC) and the Economic Community of West African States (ECOWAS), to determine where ACCs in Africa can be held accountable to regional economic communities in the fight against corruption.

Mr Ghodi emphasised that member countries' lack of commitment to the ratification and implementation of the AU Convention, poor funding and limited resources remain challenges to be overcome by ACAs in the fight against corruption.

Plenary

A delegate emphasised the need to improve the financial commitments by AU member countries so that activities can be implemented at the country level. Another delegate felt that the commitment level is high enough, particularly from civil society, but that the dissemination of information remains a challenge. The opinion was also expressed that financial constraints are a challenge to most of the member countries, but that countries must continue their efforts. The delegate concluded by encouraging the agencies to make a serious commitment to seeking funding, as 'where there is a will there is a way'.

Day 2: 1 June 2016

Agenda Item 1: Country Report – Malawi

Benchmarking at Anti-Corruption Bureau (ACB)

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|---------------|-------------------|---|--|
| Botswana DCEC | 7 days | <ul style="list-style-type: none"> A tour of all ACB departments. Meetings with officials from the Office of the President, the cabinet, the media and the Institutional Integrity Committee for the Malawi Parliament. | Created a platform for knowledge sharing between the two ACAs. |

Study trips to other ACAs by ACB

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|---|-------------------|--|---|
| Rwanda Office of Ombudsman | 5 days | Visited partner institutions of the Office of the Ombudsman, namely Transparency International, the Public Service Commission and the Rwanda Association of Local Authorities. | <ul style="list-style-type: none"> Shared experiences on how corruption prevention activities are being implemented at the two ACAs. Learnt how institutions in Rwanda are enforcing ethical behaviour and integrity. |
| Tanzania Prevention and Combating of Corruption Bureau (PCCB) | 5 days | <ul style="list-style-type: none"> Delegates had meetings with members of various sections of the Community Education Department of PCCB. Delegates also had an opportunity to learn from the PCCB Community Outreach Programme, namely an anti-corruption talk show with a youth organisation. A visit to the Dar es Salaam Port to learn how they prevent corruption. A visit to the PCCB library to learn how it operates and sustains the library. | Learnt the best practices and methodologies that the Community Education Department of PCCB is using to inculcate anti-corruption in its country. |

Needs of ACB

ACB needs:

- to build the capacity of officers in fields, such as research;
- training in surveillance techniques; and
- technical support in forensic investigations.

Plenary

A delegate wanted to know about the ACA's Head, who was appointed to serve the High Court, and whether this has the potential to create a conflict of interest. The response was affirmative, but it was noted that the Head was known by the public as man of integrity. The Malawi presenter further explained that, in terms of the integrity pact, the ethical code of conduct is mainly restricted to the senior positions, something that Malawi needs to work on.

Agenda Item 2: Country Report – Ghana

Benchmarking at Commission on Human Rights and Administrative Justice (CHRAJ)

It was reported that, during the year under review (2015/2016), CHRAJ neither received any delegates for benchmarking purposes nor undertook any study trips to other ACAs to learn from them.

It was, however, indicated that prior to 2014 CHRAJ received visitors from the ACAs of Sierra Leone, Kenya, Tanzania, Zambia and Zimbabwe, and that CHRAJ visited the Prevention and Combating of Corruption Bureau (PCCB) Tanzania in 2014 to study the implementation of Tanzania's Anti-Corruption Strategy. The visit to PCCB Tanzania was reported to have shaped the implementation of Ghana's Anti-Corruption Strategy and Plan. Such exchanges were also reported to enhance formal and informal cooperation, to build relationships and to enable the adoption of good practices.

Needs of CHRAJ

CHRAJ needs to develop:

- integrity-compliance tools;
- systemic investigation skills;
- financial and forensic investigation skills;
- special skills on the use of information and communications technology (ICT) in the investigation of corruption.

Agenda Item 3: Country Report – Kenya

The Kenya Anti-Corruption Commission (KACC) was re-established in 2011 and mandated to fight corruption. Like other agencies, it also supports the idea of learning from the best practices of the other ACAs.

Benchmarking at KACC

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|---|-------------------|---|---|
| Botswana, Cameroon, Lesotho and Mauritius | 3–5 days | Exposed to the investigation techniques used by KACC. | The visit helped the individual ACAs to improve their investigation techniques. |

The KACC established the Anti-Corruption Academy because there was a need for training for both public and private sectors in good governance. Commonwealth African countries such as Botswana, Cameroon, Lesotho and Mauritius benefited from the academy.

Needs of KACC

KACC needs to improve its institutional capacity, in particular its investigative capacity. Other challenges that KACC is facing are lack of political support, lenient sentences, a slow judicial process, lack of adequate protection of whistle-blowers and an inadequate legal framework.

Agenda Item 4: Country Report – Lesotho

Benchmarking at Directorate on Corruption and Economic Offense (DCEO)

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|--|-------------------|--|---|
| Mauritius Independent Commission Against Corruption (ICAC) | 4 days | Studied how the Ministry of Education (MOET) and the National Curriculum Development Centre (NCDC) of Lesotho operate. | ICAC to assist DCEO on how to develop and implement an effective anti-corruption programme at school level. |

Study trips to other ACAs by DCEO

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|-----------|-------------------|---|--|
| Mauritius | 5 days | <ul style="list-style-type: none"> • Visits to different groups that work with the Independent Commission Against Corruption (ICAC). • Meetings with the corruption prevention, public education, and research and transformation sections of ICAC. | Effective implementation of anti-corruption programmes, especially at school level. |
| Kenya | 5 days | Information sharing on best practices applied by Kenya in the fight against corruption. | Experienced gained on how research can be applied as a tool for preventing and combating corruption. |

(continued)

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|---------|-------------------|---|---|
| Zambia | 5 days | Information sharing on Zambia's National Anti-Corruption Strategy, the establishment of systems integrity committees and other strategies that the ACC employs in carrying out various anti-corruption activities, in particular its public education and corruption prevention activities. | Learnt that involvement of all strategic groups is key in the fight against corruption. |

Needs of DCEO

DCEO needs:

- political support;
- technical training on anti-corruption issues for new officers;
- strategic planning and implementation of programmes;
- adequate staffing and decentralisation;
- mechanisms to ensure compliance with binding recommendations;
- special courts to deal with corruption cases.

Plenary

A delegate explained that the purpose of integrity committees at school level and the Student Integrity Association at tertiary level is to enhance the understanding of the effects of corrupt practices among young people and to highlight their role in the fight against corruption.

Agenda Item 5: Activities of the African Association of Anti-Corruption Authorities (AAACA), Charles Ayamdoo, AAACA President

Mr Ayamdoo commenced by explaining that the African Association of Anti-Corruption Authorities (AAACA) was formed from the Eastern African Association of Anti-Corruption Authorities (EAAACA) conference of 2009 in Burundi, the EAAACA conference of 2010 in Kenya and the first conference for the Heads of ACAs in 2011.

Achievements

The association held its first executive committee meeting in 2013 and mapped the way forward. During the first executive meeting, participants considered the inclusion of Egypt and strengthening the linkage in collaboration with the AU.

Resource mobilisation

With the support of the UNODC Regional Office for West and Central Africa, the AAACA prepared a joint proposal that required US\$3 million to implement the AAACA Strategic Plan.

Linkages

AAACA signed a memorandum of understanding (MOU) with the AU Advisory Board on Corruption, which was established in January 2009. Collaboration with the Commonwealth also commenced and the annual general meeting of the AAACA is to be held once a year.

Challenges

The Annual General Meeting in 2014 was not convened due to travel restrictions resulting from the Ebola outbreak. The search for a venue in 2015 caused serious delays and resulted in the event not taking place. Mr Ayamdoo explained that the Democratic Republic of Congo and Burundi may provide some funding for the annual general meeting. He further explained that discussions are currently ongoing regarding support from the AU Advisory Board on Corruption to AAACA.

Conclusion

Mr Ayamdoo concluded by expressing his belief that AAACA is on course. The Secretariat has been provided with an office.

Plenary

A delegate expressed his views that the communication gap among the AU member countries is a barrier to the implementation of the activities of AAACA.

Agenda Item 6: Country Report – Mauritius

Benchmarking at Independent Commission on Anti-Corruption (ICAC) by Commonwealth African Countries

| Country | Duration of visit | Activities undertaken during visit to cater for areas of interest identified | Outcome of the visit |
|---|-------------------|--|--|
| Lesotho DCEO | 5 days | A team from ICAC conducted an anti-corruption education programme for secondary schools in the Lesotho context in order to understand mainstreaming of anti-corruption education and strategies to engage civil society in the fight against corruption. | Sharing of experiences, expertise and best practice in the fight against corruption: <ul style="list-style-type: none"> • reinforcing public sector integrity; • asset recovery; • public education strategies and programmes; • how to engage the private sector and civil society; • activities and strategies to motivate and engage the students, young people and young professionals. |
| Botswana DCEC | 5 days | Private sector engagement in the fight against corruption. | |
| Uganda Financial Intelligence Authority (FIA) | 5 days | Benchmarking best practices in the context of the drafting of the Bill on Asset Recovery. | |
| Malawi ACB | 5 days | Learning from the Mauritian experience how to establish and sustain partnerships in anti-corruption education activities. | |

Benchmarking at ICAC of Non-Commonwealth African Countries

| Country | Duration of visit | Certain activities were undertaken during the visit to cater for areas of interest identified | Outcome of the visit |
|------------|-------------------|---|---|
| Comoros | 5 days | Legal framework: corruption prevention and education programmes and strategies. | Sharing of experiences, expertise and best practice in the fight against corruption by ICAC, which has an established anti-corruption infrastructure, and good governance performance was of interest to the countries in the process of setting up an ACA. |
| Madagascar | 5 days | To learn from the Mauritian experience with a view to devising a new corruption prevention and education strategy and the setting-up of a fully fledged education and prevention division. | |
| Benin | 5 days | Measures and strategies that could be adopted/adapted to fight corruption in the country in terms of policies, strategies and legal framework, upon the recommendation of the United States Agency for Institutional Development (USAID) programme. | |

Needs of ICAC

Although Mauritius ICAC held a successful conference on anti-corruption reform in 2015, which was part of peer-to-peer learning, a delegate expressed the need to improve communication and explore the use of ICT more in the fight against corruption.

Agenda Item 7: Country Report – Nigeria

The Nigerian delegate explained that, like any other African country, it also has a problem with corruption. The current government has, however, demonstrated its commitment to the fight against corruption. Nigeria has the following three principal ACAs: (1) the Independent Corrupt Practices and Other Related Offences Commission (ICPC), which deals with corruption in public offices and engages in system audit and reviews and public enlightenment and education; (2) the Economic and Financial Crimes Commission (EFCC), which enforces legislation on money laundering, advance-fee fraud, bank-related offences and terrorist financing and offences under the Criminal and Penal Codes relating to economic and financial crimes; and (3) the Code of Conduct Bureau and Tribunal (CCB & CCT), which handle offences arising from the Code of Conduct, conflict of interests and failure to declare or false declaration of assets by public officers. The current Senate President is being prosecuted for false declaration of assets.

The delegate further explained that Nigeria has put in place preventative measures, such as bank identification numbers, procurement tracking, assets monitoring, tax assessment and integrity checks, corruption risk assessments, periodical audits and land fraud checks, to fight corruption. There is also engagement of judges and public policy-makers to ensure, among other things, that these groups appreciate the objectives of the anti-corruption legislation.

Plenary

A delegate commented on academic fraud in Nigeria, where students are supposedly graduating with flying colours, but in most instances the qualification is not obtained legitimately. A delegate wanted to know what measures Nigeria has put in place to prevent academic fraud. It was then explained that the ACAs are aware of the academic fraud and have implemented strict measures, such as encouraging students to report any suspected academic fraud, subject coding and the implementation of random checks at institutions of higher learning.

Agenda Item 8: State of anti-corruption efforts in the fight against corruption in Commonwealth Africa, Dr Roger Koranteng

Dr Koranteng commenced by recognising all ACAs for the efforts in the fight against corruption. He highlighted that Botswana is one of the least corrupt African countries and one of the first to have economic freedom. Mauritius has also made significant efforts in the fight against corruption, in which the media is perceived to have played a positive role.

Dr Koranteng stated that Lesotho and Rwanda have made significant improvements in their fights against corruption in terms of controlling corruption since the first regional conference in 2011. Namibia's legal framework in the fight against corruption is adequate; however, corruption is still a major problem in the diamond sector. Although Namibia has an ambitious framework, its implementation must be improved. Ghana is perceived to have political support, but the country is still experiencing serious problems in its fight against corruption.

Dr Koranteng further stated that South Africa's anti-corruption entities were committed to the fight against corruption; however, the lack of political support is a major challenge to effectively implementing the agencies' mandates. Dr Koranteng suggested that the ACAs need to strengthen their public awareness education programmes. He mentioned that, although Zambia's legal framework such as its anti-corruption policy and Whistle-blowers Act of 2010 is in place, the lack of monitoring and evaluation remains a challenge to effectively fighting corruption.

Dr Koranteng mentioned that Mozambique's government is vocal, but it seems that the anti-corruption laws are not being enforced. He remarked that Malawi takes petty cases seriously but neglects large-scale corruption. Dr Koranteng highlighted that Tanzania has a comprehensive set of laws to fight corruption; however, the level of corruption is increasing. He mentioned that the government of Cameroon has recently shown commitment to fighting corruption; however, the law on declaration of assets and the provisions of the public procurement code are not enforced, and there is a need for a public information law.

Dr Koranteng indicated that Nigeria's fight against corruption has been a challenge; nevertheless, since 2015 Nigerian government has shown improved commitment to the fight against corruption. He revealed that, in Uganda, corruption continues to be the major problem, although the availability of resources is also a major challenge in the fight against corruption. He further revealed that Kenya's major challenge in the fight against corruption is failure to prosecute perpetrators.

He indicated that, overall, 11 of the 18 countries in Commonwealth Africa are doing relatively well on the corruption perceptions index (CPI) and have the following key drivers: political change and political will as pre-conditions of success, implementation of anti-corruption strategies, and financial commitment. In conclusion, he

recommended the following to facilitate the fight against corruption: national surveys, freedom of the media, and monitoring and evaluation using measurable key indicators.

Plenary

A Kenyan delegate challenged the reasons offered for the removal of the commissioners. However, Dr Koranteng indicated that the contents of the report are not his personal opinions, but the perception of the public in those countries.

Agenda Item 9: Country Report – Zambia

Benchmarking at ACC Zambia

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|------------------|-------------------|---|---|
| Lesotho DCEO | 5 days | The main activity was information sharing with all departments of ACC and visiting institutions with established integrity committees, such as Zambia Revenue Authority and Zambia Bureau of Standards. | Learnt how corruption prevention can be applied as a strategy for combating corruption. Learnt about the successes and challenges of integrity committee programmes and how to coordinate and prepare for the commemoration of international anti-corruption day. |
| Malawi ACB | 7 days | The main activity was visiting the legal and investigation department of the ACC where operational information was shared. Other governance institutions, such as the Drug Enforcement Commission, were also visited. | Learnt about asset tracing, recovery and management; the forfeiture of proceeds of corruption; and how the legal department cooperates with other prosecuting agencies in Zambia and abroad. |
| Botswana DCEC | 10 days | The main activities were tours to various departments, review of communication tools used by the Public Relations Unit and field tours for public relations functions. | Learnt how ACC manages its external and internal communications, how to build a corporate image and how to build a good relationship with the media. |

Study trips to other ACAs by ACC Zambia

In the period under review, the ACC did not make any visits to any ACAs in Commonwealth Africa.

Needs of ACC Zambia

ACC Zambia needs to expose its personnel to many ACAs to learn from their experiences that are yielding positive results in the fight against anti-corruption, in particular with regard to:

- the effective investigation of complex cases of corruption leading to the recovery of its laundered proceeds;
- public education and corruption prevention strategies targeting and achieving behavioural change;
- the development of effective communication strategies.

Plenary

No questions and/or comments were put forward with respect to Zambia's presentation.

Agenda Item 10: Country Report – Namibia

Benchmarking at ACC Namibia

It was reported that, during the year under review (2015/2016), Namibia ACC neither received any delegates for benchmarking purposes nor undertook any study trips to other ACAs to learn from them.

The ACC, however, considers practitioner exchanges to be an important tool that has the potential to equip officials with practical and hands-on knowledge and applied skills to prevent corruption.

Although the ACC did not interact with its Commonwealth Africa counterparts, it partnered with a non-governmental organisation to conduct risk assessments at various institutions. An integrity management toolbox is used as a self-assessment tool to conduct integrity and risk analysis. However, the ACC has identified gaps and a new tool is needed to conduct an in-depth system analysis to effectively examine systems, procedures and practices required by the Anti-Corruption Act, 2003 (Act No. 8 of 2003).

It was further mentioned that the main focus of the Namibia ACC was on the development of the National Anti-Corruption Strategy and Action Plan 2016–2019. The National Anti-Corruption Strategy is also incorporated in the Harambee Prosperity Plan. The strategy will be realised through the six strategic objectives, namely (1) increasing the level of political accountability; (2) preventing corruption in government offices, ministries, agencies and public enterprises; (3) strengthening corruption deterrence; (4) educating the public on combating corruption; (5) preventing corruption in the private sector; and (6) engaging civil society and the media in the anti-corruption drive.

The ACC also embarked upon conducting a country-wide corruption perception survey, the results of which will assist it to better execute its programmes.

Needs of ACC Namibia

The ACC Namibia needs:

- technical assistance in the implementation of its National Anti-Corruption Strategy;
- practical tools to conduct an in-depth systems analysis to identify loopholes for corruption and to securely revise systems;

- enhanced investigative capacity to augment the finalisation of cases and successful prosecution;
- enhanced capacity for prosecuting and presiding officers to better handle cases and improve the conviction rate.

Plenary

A delegate wanted to know about Namibia's legislation on the protection of whistle-blowers. The presenter explained that enactment of a law on the protection of whistle-blowers is expected by September 2016 and that it will further strengthen the fight against corruption.

Agenda Item 11: Presentation on challenges of fighting corruption in Africa and strategies for overcoming them, Mr Daniel Batisdam

Mr Batisdam commenced by saying that corruption is arguably the most discussed topic in the world today. On a practical level, fighting corruption is not a one-size-fits-all practice, and responses to the signed and ratified conventions will differ markedly, with different implications. Mr Batisdam mentioned that many countries set up ACCs to satisfy the United Nations Convention against Corruption (UNCAC) and AU conventions, rather than doing it for the benefit of the country and its people. Mr Batisdam mentioned that there is a significant need for resources to allow the ACAs to fight against corruption effectively.

Mr Batisdam explained that, for the ACAs to fight corruption effectively, there should be full independent investigation and prosecution. He further explained that political will does not mean political enthusiasm, but it is expected that politicians be willing to mobilise other participants in the fight against corruption. He recommended that the ACAs address corruption in a strategic and comprehensive way, deal with systematic causes, regard corruption as an internal and external matter, and consider international efforts in the fight against corruption a matter of urgency.

Challenges

Mr Batisdam stressed that over-politicising corruption and crime are the biggest challenges in the fight against corruption in most African countries. He further stressed that in addition to these challenges, international efforts to fight corruption can also be seen in most African countries, such as efforts to drive out corruption, recover and return looted wealth, promote the formal and informal sharing of information, and building of institutions to further international cooperation.

Plenary

A delegate expressed his belief that the mindset on political will is wrong. It is not only the politicians that are corrupt, but corruption is also rooted in the private sector.

Day 3: 2 June 2016

Agenda Item 1: The partner exchanges among civil society organisations in the fight against corruption across Africa: the case of Transparency International chapters, Dr Tapiwa Uchizi Nyasulu, Regional Coordinator Southern Africa, Africa Department, Transparency International Secretariat

Dr Nyasulu commenced by explaining that the Transparency International (TI) mission is to stop corruption and promote transparency, accountability and integrity at all levels and across all sectors of society. She emphasised that the core values of TI are

transparency, accountability, integrity, solidarity, courage, justice and democracy. She indicated that TI consists of 93 national chapters worldwide, five national chapters in formation, 14 national contacts, 32 individual members, the International Board of Directors, the Advisory Council, the International Secretariat, Senior Advisors and other volunteers.

Dr Nyasulu indicated that peer and horizontal learning initiatives, such as integrity packs, are tools for preventing corruption in public contracting. They are essentially an agreement between the government agency offering a contract and the companies bidding for it that they will abstain from bribery, collusion and other corrupt practices for the duration of the contract. Dr Nyasulu highlighted that another peer and horizontal learning initiative is the use of integrity clubs, which are mostly run in primary and secondary schools. These clubs have resulted in students becoming more active citizens who help to promote good values in their communities.

Dr Nyasulu further indicated that Advocacy and Legal Advice Centres (ALACs) are also among the peer and horizontal initiatives that provide free and confidential legal advice to witnesses and victims of corruption through telephone hotlines, walk-in centres and outreach services (mobile clinics). She said that ALACs offer a simple, credible and viable mechanism for citizens to pursue their corruption-related complaints, be empowered in the fight against corruption and play a critical role identifying corruption hotspots that demand reform or official action.

Dr Nyasulu mentioned that some of the success factors for fighting corruption identified from a learning review were the diversity of participants, who came from almost all the continents; informal sharing among the participants when discussing their own challenges; a flexible approach that gave ownership of the process to the participants themselves; a combination of training methods including individual coaching, peer exchange and 'out-of-the classroom' experiences; and the commitment, integrity and openness that the participants brought to the project.

In conclusion, Dr Nyasulu said that peer learning can be costly; however, it is essential to assess the gaps and identify where face-to-face intervention is necessary or if online intervention would be appropriate. She further recommended that internal learning assessments should be undertaken regularly to identify learning gaps and possible appropriate interventions.

Plenary

Uganda wanted to know if the organisational structure and practices of TI resemble international human rights organisations. A delegate explained that TI has its own way of doing reports based on human rights perspectives, but that TI aims to share its reports with human rights bodies. She said there might be a resemblance, but it should not be concluded that TI and human rights agencies are identical, as TI focuses primarily on corruption issues and then on human rights issues.

Kenya wanted to know if there is any physical risk when conducting the TI exercise/ research. It was explained that some physical risk was experienced in Uganda in the 1990's and as a result law enforcement had to be engaged.

Cameroon wanted to know about the criteria for individuals to become members. A delegate explained that the main requirement was that an individual should have integrity that would benefit the organisation.

Botswana wanted to find out if individual members can engage with TI. A delegate mentioned that TI has partnered with various countries such as Madagascar and Tanzania. The way the individuals can partner with TI could be through the embassy or the TI Secretariat. She urged countries to partner with TI and strengthen the country's relationship with TI to fight corruption in an effective and efficient manner.

Agenda Item 2: Country Report – South Africa

Benchmarking at Special Investigation Unit (SIU)

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|---------------|-------------------|---|--|
| Botswana DCEC | 10 days | <ul style="list-style-type: none"> • Visited the Forensic Accountant Unit and Forensic Data Analysis Unit. • Looked at financial profiling and financial analysis. • Received on the job training. | <p>Effective implementation of the skills learnt such as:</p> <ul style="list-style-type: none"> • Conversion of bank statements from PDF to Excel using ABBYY FineReader • Analysis of bank statements and linking of bank accounts. • Analysis of general ledgers, and income and cash flow statements in Excel. • Linking suspects with cash flows. |

Study trips to other ACAs by SIU

In the period under review, the South Africa SIU did not undertake any visits to any ACAs in Commonwealth Africa.

Needs of SIU

A delegate explained that the South Africa SIU is facing challenges on the procurement of an appropriate case management system as well as with delays in court cases. A special tribunal has yet to be established.

Plenary

The Botswanan delegate wanted to know how, since it has many ACAs, do the various agencies ensure that they do not step on one another's toes. A delegate explained that there is a lot of overlap with regard to investigation, but it also creates the opportunity to focus and compare with other institutions how they reach results. Botswana furthermore wanted to know how members of the public choose to whom they should report corrupt practices. A delegate explained that the public has the right to choose which agency to report any corrupt practices to.

Agenda Item 3: Country Report – Swaziland

Benchmarking at ACC Swaziland

A delegate explained that the government of Swaziland has prioritised the fight against corruption by making corruption a stand-alone key focal area in the Swaziland Development Index towards Vision 2022. He continued explaining that the Swaziland Public Procurement Agency has been established as a watchdog that monitors all procurement matters (governmental, parastatal and municipal). The Government Inter-agency Task Team, set up in 2010, continues to work hand-in-hand in the investigation of high-profile matters.

A delegate further explained that according to the interim Commonwealth Secretariat/UNODC report on Benchmark and Gap Assessment Exercise released in December 2015, the Commission received a benchmark score of 51.6 per cent.

It was reported that most Commonwealth Africa ACAs, including ACC Swaziland, suffer from common gaps in a number of critical and high-priority written policies and procedures. The Commission is working on closing the gaps as noted in the interim report.

A delegate mentioned that, in 2014, Botswana and Sri Lanka reviewed Swaziland's legislation and institutional framework under the UNCAC, and Swaziland in turn participated in the reviews of Ghana and Singapore. Steps towards taking appropriate action have been initiated to amend the identified sections of the legislation and institutional framework to ensure uncompromised anti-corruption legislation. As an outcome of the review, a Draft National Anti-Corruption Policy was prepared and is ready to be submitted for approval by the Cabinet.

A delegate highlighted that Swaziland ACC is experiencing an influx in the reporting of tangible allegations of corruption in comparison with previous years, and that high-ranking government officers and high-profile individuals are now facing prosecution, including the former Minister of Justice and Constitutional Affairs who was eventually dismissed following his arrest for corruption. The Chief Justice was impeached for corrupt activities and dismissed from his post.

Needs of ACC Swaziland

There is an urgent need for ACC Swaziland to establish vital specialised investigative and support units. Certain portions of legislation need to be amended and new legislations need to be enacted, such as legislation to protect whistle-blowers and witness protection legislation, to strengthen the legal and policy framework of the country.

Plenary

Botswana wanted to know if it is true that the Swazi legislation does not allow a Swazi citizen to be the Commissioner for the Swaziland ACC and, if it is true, what is the rationale behind it. A delegate explained that it is not true, but that the Swaziland legislation gives the King the right to appoint the Commissioner and the two deputies and that the nationality is not specified. It was also mentioned that the previous two Commissioners were from Lesotho and South Africa, respectively.

Agenda Item 4: Presentation on achieving impact in anti-corruption projects, Nicolas le Moignan, Director, Bespoke Training and Consultancy at GovRisk

Mr Le Moignan commenced his presentation by stating that he will present a view, invite disagreement to stimulate a discussion and learn from participants. He mentioned that the International Governance and Risk Institute (GovRisk) is a specialist provider of training and consulting projects in the areas of anti-corruption, financial crime prevention, procurement policy, cybercrime and other related subjects. He further mentioned the GovRisk works with experts. GovRisk has good relationships with government agencies worldwide, including financial intelligence units, anti-corruption agencies, law enforcement agencies, procurement bodies and judiciaries.

Mr Le Moignan briefed the participants that his organisation coordinated strategy and capacity building for the effective implementation of Mexico's new National Anti-Corruption System, inclusive of coordination of projects across agencies and presentations to Congress and Senate. It also facilitates crime training for the Judiciary and Magistrates of Papua New Guinea.

Mr Le Moignan reported that there are strong calls for better enforcement, cooperation and collaboration as a result of the United Kingdom Anti-Corruption Summit. Mr Le Moignan further reported the following changes as a result of the Summit:

- more Panama-papers-type leaks will happen;
- a genuine shift in attitudes to fighting corruption; and
- an increase in international assessments of corruption.

In conclusion, Mr Le Moignan encouraged Commonwealth Africa ACAs to use assessments to draw attention to corruption issues, to obtain international support and to improve communication on technical anti-corruption efforts.

Plenary

Most of the delegates wanted to know how to benefit from the International Governance and Risk Institute. Mr Le Moignan explained that the institute has built a good rapport with many agencies, such as law enforcement agencies, financial intelligence units and procurement bodies, and is ready to partner with many more agencies worldwide.

Day 4: 3 June 2016

Agenda Item 1: A diagnostic benchmarking assessment exercise of anti-corruption agencies to identify strength and gaps, Ken Brander, President of Clarium Fraud and Compliance Solutions Ltd

Mr Brander commenced his presentation by explaining that a lack of written policies leaves supervisors and employees with operational and investigational uncertainty, thus creating inconsistencies. He mentioned that the immediate result is that anti-corruption investigations and prosecutions suffer. He further explained that at a minimum, directives or policies must be written or reviewed annually. Hence the project on benchmarking assessment of Commonwealth Africa ACAs was proposed and endorsed at the Fifth Annual General Meeting and Conference of Heads of Anti-Corruption Agencies in Commonwealth Africa, Dar Es Salaam, Tanzania, May 2015.

Mr Brander indicated that, as part of the benchmarking assessment proposed and endorsed at the previous AGM, a questionnaire was developed with 25 chapters and four categories, namely (1) organisational management; (2) personnel administration; (3) investigations; and (4) operations and support services. Mr Brander further indicated that 17 of 20 Commonwealth Africa ACAs participated. The participants responded to 2,159 questions, whereby thousands of pages of policy, manuals and legislation were reviewed and dozens of Commonwealth Africa best practice policies and procedures were shared by participating agencies towards the library.

Mr Brander informed the participants that the results of this analysis can be applied to develop strategic recommendations to help the Commonwealth Secretariat, UNODC and ACAs formulate regional and domestic capacity-building strategies moving forward. Mr Brander further informed the participants that the results can be used to demonstrate how a particular ACA compares with its peer group, and offer recommendations to help the ACA prioritise strategic measures to bridge any identified gaps. He mentioned that the result is not a ranking of ACAs, but will illustrate how an ACA balances the 25 inputs in relation to its Commonwealth Africa peers and will assist in prioritising strategic development, financing and funding.

Mr Brander concluded with the following quote from Sir Winston Churchill, 'There is nothing wrong in change, if it is in the right direction. To improve is to change, so to be perfect is to have changed often.'

Plenary

Cameroon suggested that the study should refrain from using the word 'best practices', as there is no formula that fits all. Cameroon felt that the questions were more suited to policing rather than being suitable for all law enforcement agencies. Botswana felt that the study is useful and important to the Botswana ACA.

Agenda Item 2: Country Report – Tanzania PCCB

Benchmarking at PCCB

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|----------------------------------|-------------------|--|--|
| Swaziland ACC | 3 days | Benchmarking on surveillance and intelligence. | Best practices and areas of improvements with regard to surveillance and intelligence were observed and identified. |
| Ghana CHRAJ | 7 days | Studied the implementation of the National Anti-Corruption Strategy and Action Plan, the management of public expectation, and fighting corruption and its correlative effect on human rights and good governance. | Best practices and areas of improvements were observed and identified. |
| Botswana DCEC | 7 days | Benchmarking on investigation in the area of case management systems and statistical analysis. | Best practices and areas of improvements were observed and identified with regard to case management systems and statistical analysis. |
| Egypt Anti-Corruption Authority | 8 days | Visited PCCB Headquarters, regional and district offices. | Experiences were shared on public education, investigation and prevention. |
| Zambia ACC | 7 days | Discussed inter-agency assistance in criminal investigations. | The way forward on inter-agency assistance in criminal investigations was deliberated. |
| Democratic Republic of the Congo | 7 days | Visited law enforcement institutions to benchmark on anti-corruption strategy and good governance. | Best practices and areas for improvement were observed and identified with regard to anti-corruption strategies and good governance by law enforcement institutions. |

Study trips to other ACAs by Tanzania PCCB (2015)

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|------------|-------------------|---|--|
| Zambia ACC | 7 days | Discussed inter-agency assistance in criminal investigations. | Led to a formal mutual legal assistance request being sent to Zambia, which in turn led to the collection of tax evaders in and outside the country with assistance from ACC Zambia. |

Needs of PCCB

The Tanzanian PCCB needs to:

- strengthen its investigative forensic laboratory, its asset recovery and asset tracing unit, and its intelligence unit;
- build capacity for corruption prevention guidelines/tools;
- conduct research around public expenditure systems;
- conduct surveys on selected service delivery systems;
- promote community education;
- implement results-based management and monitoring of the evaluation systems;
- set up an Anti-Corruption and Good Governance College;
- procure investigative equipment.

Plenary

No questions and/or comments were put forward in respect of the Tanzania presentation.

Agenda Item 3: Country Report – Inspectorate of Government Uganda

Benchmarking at Inspectorate of Government (IG)

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|---------------------------------|-------------------|---|---|
| Egypt Anti-Corruption Authority | 8 days | Discussions held with the IG and other agencies on possible areas of collaboration. Visits to the Anti-corruption Division of the High Court of Uganda and two IG regional offices. | Training scheduled to take place at IG Uganda on covert investigations and on anti-corruption strategies. |

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|---|-------------------|---|---|
| Kenya Office of the Ombudsman | 4 days | Delegates taken through departmental presentations and met different stakeholders such as Ministry of Ethics and Integrity, Minister of Justice and Constitutional Affairs, Secretary to Uganda Human Rights Commission and the Deputy Chief Justice, Constitutional Court. | Sharing of skills across the board enhanced the efficiency of the two ACAs. |
| Malawi Director of Public Officers' Declarations | 5 days | Attended various presentations on the Declaration of Income, Assets and Liability procedures in Malawi. | The exposure led to the IG commencing the process of digitalisation of the declarations of income, assets and liabilities of leaders. |
| South Sudan | – | Benchmarking on the IG's role in enforcing the Leadership Code of Conduct. | Created a platform for knowledge sharing between the two institutions. |
| Tanzania PCCB | – | Attended a presentation on procurement fraud and investigations. | Created a platform for knowledge sharing between the two institutions |

Study trips to other ACAs by IG Uganda

During the period under review the IG did not undertake any study trips to other ACAs.

Needs of IG

The Uganda IG needs:

- to strengthen the enforcement of the Leadership Code of Conduct and strategic partnerships;
- to increase its organisational capacity to build an effective and performance-driven culture;
- to enhance public awareness about the IG mandate.

Plenary

Lesotho enquired about the challenges encountered during the declarations process and the impact the process has had on combating corruption. A delegate explained that Uganda ACA is currently testing if it has sufficient capacity to roll out the system to see if it is working well and also to train staff, although, in that regard, financial constraints have been a challenge to the success of the exercise.

Agenda Item 4: Country Report – Rwanda

Benchmarking at Office of the Ombudsman of Rwanda

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|---------------|-------------------|--|---|
| Malawi ACB | 8 days | <p>Held discussions with the Office of the Ombudsman of Rwanda regarding, among other things:</p> <ul style="list-style-type: none"> • anti-corruption measures undertaken by the Government of Rwanda. • use of an online declaration of assets system. • mechanisms to carry out investigation of corruption cases. • legal and institutional framework to fight corruption. <p>Visited other national institutions involved in preventing and combating corruption.</p> | <p>Commitment to implement online declaration of assets system and to implement initiatives, such as publication of corrupt convicts.</p> |

Study trips to other ACAs by Office of the Ombudsman

During the period under review the Office of the Ombudsman of Rwanda did not undertake any study trips to other ACAs.

Needs of the Office of the Ombudsman

The political will and a leadership committed to eradicate corruption and related offences.

Plenary

No questions and/or comments were put forward in respect of the presentation of the Office of the Ombudsman of Rwanda.

Agenda Item 5: Country Report – Sierra Leone

Benchmarking at ACC Sierra Leone

During the year under review ACC Sierra Leone did not receive delegates for benchmarking purposes from other ACAs.

Study trips to other ACAs by Sierra Leone

| Country | Duration of visit | Activities undertaken during the visit | Outcome of the visit |
|-----------------------|-------------------|---|--|
| Ghana and Tanzania | 3 days each | <p>Shared experiences on the implementation of a National Anti-Corruption Strategy and explored stakeholder collaboration in the fight against corruption.</p> <p>Held meetings with civil society organisations, the media, the police, the judiciary and the public service commission.</p> | <p>Learnt from Ghana about the importance of having civil society involvement in the implementation of the National Anti-Corruption Strategy.</p> <p>The meeting in Tanzania gave rise to the development and institutionalisation of service charters by the ACC in Sierra Leone.</p> |

Needs of ACC Sierra Leone

ACC Sierra Leone needs:

- assistance in setting up a special division of the High Court to deal with corruption;
- to develop and review legislative instruments related to UNCAC compliance;
- to work collaboratively with sister institutions to learn from the experiences of these institutions and create synergy;
- to strengthen mutual legal assistance on corruption investigation and related matters.

Plenary

Cameroon wanted more clarification of Sierra Leone's statement that the 10 years of war was caused by corruption. A delegate explained that the impunities was the pain by that time and people decided that the only way to stop corruption of those in power was through war. Botswana wanted to find out if Rwanda's public declaration is better than confidential declaration. A delegate explained that the declaration of assets in Rwanda is done online and that makes it viable and accessible to the ACA officials wherever they are.

Agenda Item 6: Group work discussions

Group 1

Topic: Strategies for strengthening the association of ACAs in Commonwealth Africa

Recommendations

1. There is a need for members to be appraised of the constitutional mandate and the roles and responsibilities of the Executive.
2. Heads of ACAs should take steps to share information about the work of the Association for continuity and knowledge sharing within their respective institutions.
3. The Association should take steps to develop its communication strategy, taking into account quarterly or half-yearly publication of its activities and other related matters.
4. As a matter of urgency, steps should be taken to integrate the work of the Association with the AU through a MOU and the establishment of a centre for the Secretariat that should be adequately resourced to carry out its functions.
5. In line with (4), above, the Commonwealth Secretariat should organise a donor's conference to solicit other sources of funding.
6. ACAs should demonstrate commitment to the Association by paying the required annual submissions.
7. The Association should encourage the benchmarking initiative of ACA's performance on compliance to agreed standards and follow up on them.
8. Each member country of the Association should select a country that it would want to visit to share experiences at least once every 2 years.

Group 2

Topic: Strategies for strengthening the collaboration among and between ACAs

Recommendations

1. Members of the network that have not ratified the AU Convention on Preventing and Combating Corruption should do so without further delay.
2. ACAs of member countries were encouraged to sign MOUs with one another in the fight against corruption.
3. The group also agreed that a Commonwealth Africa Anti-Corruption Community of Practice should be established for online exchange of ideas and good practices in the fight against corruption.
4. Region-to-region relationships in the fight against corruption should be encouraged.
5. An anti-corruption journal should be established and this should be coordinated and managed by the Commonwealth Africa Anti-Corruption Commission (CAACC).
6. CAACC should develop a database of technical experts in different areas of anti-corruption for exchange of practitioners among member countries in support of the fight against corruption.
7. Collaboration and linkages between the CAACC and the AU Advisory Board on Corruption should be strengthened. This includes signing of a MOU between the two institutions.

Group 3

Topic: Strategies for strengthening individual agency's capacity and capabilities

Recommendations

1. Review and strengthen existing legislation where necessary, e.g. Anti-Corruption Act to criminalise fraud and conflict of interest, Whistle-blowers Act to enhance protection of witnesses; Money Laundering Act to create a link between money laundering agencies and ACAs.
2. Improve staff engagement, e.g. increase resource/budget allocation for staff training to at least 10% and ensure that good-quality recruitment measures and staff retention policies are in place.
3. Strengthen internal monitoring policies.
4. Use benchmarking exercises to review performances of individual ACAs and set a time frame for implementation of recommendations.
5. Establish and manage a database of good practice.
6. Implement a strong communication and public engagement policy to ensure improved internal and external communication, particularly with the public, the government and the media.
7. Create a strong alliance with organisations, the private sector and international agencies.
8. Strengthen the investigative capacity of ACAs through advanced investigative equipment to match the changes in corruption.

Day 5: 4 June 2016

Agenda Item 1: Annual General Meeting of the Heads of the ACAs/representatives

The minutes are available in Annex 4.

Agenda Item 2: Adoption of the communiqué

The communiqué was read to the delegates and they adopted it, making the necessary amendments. The communiqué is available in Annex 3.

Agenda Item 3: Closing

The Special Advisor to the Governor of the Erongo Region delivered the closing remarks on behalf of the Governor. She appreciated the active participation of the delegates attending the 6th Annual General Meeting and Conference of Heads of Anti-Corruption Agencies in Commonwealth Africa and also acknowledged the efforts by the Commonwealth Secretariat and the officials of the ACC of Namibia to ensure a successful Annual General Meeting and Conference.

Annex 1 Programme Agenda

Tuesday, 31 May 2016

| Time | Topic | Resource Person(s) |
|--|--|--|
| Director of Ceremonies: Ms Natalie Goagoses | | |
| Conference coordinator: Dr Roger Koranteng, Commonwealth Secretariat, UK | | |
| 0800–0900 | Registration of Heads of ACAs and Invited Guests | ACC Secretariat |
| 0900–1030 | Arrival of Guest of Honour | His Excellency Dr Hage Geingob, President of the Republic of Namibia |
| | National and AU Anthems | Namibian Police Brass Band |
| | Welcoming Remarks | Mr Paulus Noa, Director-General, Namibia ACC |
| | Remarks by Commonwealth Secretariat and Conference overview | Dr Roger Koranteng, Adviser Governance and Anti-Corruption |
| | Musical Interlude | Mascato Coastal Youth Choir |
| | Introduction and Welcoming of Guest of Honour | Honourable Cleophas Mutjavikua, Governor of Erongo Region |
| | Keynote Address and Official Opening | His Excellency Dr Hage Geingob, President of the Republic of Namibia |
| | Musical Interlude | Mascato Coastal Youth Choir |
| | Vote of Thanks | Ekpo Una Owo Nta, Chairperson, ICPC, Nigeria |
| | AU and National Anthems | Namibian Police Brass Band |
| | Official Photograph | |
| 1030–1100 | Tea Break | |
| 1100–1200 | Anti-corruption Efforts in the Commonwealth Caribbean Mr Julian N. Johnson, Former Chairman, Integrity Commission, Dominica | Paulus Noa Director-General (Namibia) |
| | Questions & Discussion | |
| 1200–1300 | Presentations by countries (max 20 min) | Chair Sierra Leone |
| | <ul style="list-style-type: none"> • Botswana • Cameroon | |
| | Questions & Discussions | |

(Continued)

| Time | Topic | Resource Person(s) |
|-----------|--|--------------------|
| 1300–1400 | Lunch | |
| 1400–1440 | Presentations by countries (20 min each) <ul style="list-style-type: none"> • Malawi • Ghana (CHRAJ) | Chair Botswana |
| 1440–1500 | Questions & Discussions | |
| 1530–1600 | Tea Break | |
| 1600–1900 | Best Practices Demonstrated By Commonwealth Africa Anti-Corruption Agencies Dr Roger Koranteng, Commonwealth Secretariat | Ken Brander |
| | Break | |

Wednesday, 1 June 2016

| Time | Topic | Resource Person(s) |
|-----------|--|--------------------|
| 0900–0945 | The African Union and the Fight against Corruption in Africa: Accomplishments, the Challenges and Prospects John I. Gbodi, Senior Governance Officer, African Union Commission, Ethiopia | Chair Tanzania |
| 0945–1030 | Questions & Discussions | |
| 1030–1045 | Tea Break | |
| 1045–1145 | Presentations by countries (20 min each) <ul style="list-style-type: none"> • Kenya • Lesotho Questions & Discussions | Chair Cameroon |
| 1145–1245 | Presentations by countries (20 min each) <ul style="list-style-type: none"> • Mauritius • Nigeria (ICPC) Questions & Discussions | |
| 1245–1345 | Lunch | |
| 1345–1445 | Presentations by Countries (20mins each) <ul style="list-style-type: none"> • Zambia • Namibia Questions & Discussions | Chair Swaziland |
| | | |

(Continued)

| Time | Topic | Resource Person(s) |
|-----------|---|---------------------|
| 1445–1545 | Activities of the Association of Anti-Corruption Authorities in Africa (AAACA) Charles Ayamdo, President, AAACA | Chair Uganda |
| | Questions & Discussions | |
| 1545–1600 | Tea Break | |
| 1600–1700 | Challenges of Fighting Corruption in Africa and Strategies for Overcoming Them Mr Daniel Batidam, Chairperson, AU Advisory Board on Corruption | Chair Tim Steele |
| | Questions & Discussions | |
| 1800 | CAACC Advisory Board Meeting Botswana, Ghana, Kenya, Mauritius, Swaziland, UNODC, Commonwealth Secretariat | |

Thursday, 2 June 2016

| Time | Topic | Resource Person(s) |
|-----------|--|-----------------------|
| 0900–1000 | The Partner Exchanges among Civil Society Organisations in the Fight Against Corruption across Africa: The Case of Transparency International Chapters Tapiwa Uchizi Nyasulu, Regional Coordinator-Southern Africa, Africa Department, Transparency International | Chair Mauritius |
| 1000–1030 | Questions & Discussions | |
| 1030–1045 | Tea Break | |
| 1045–1145 | Presentations by countries (20 min each) <ul style="list-style-type: none"> • South Africa • Swaziland | Chair Lesotho |
| | Questions & Discussions | |
| 1145–1230 | Achieving Impact in Anti-corruption Projects Nicolas Le Moignan, Director, Bespoke Training and Consultancy, The International Governance and Risk Institute | Chair Nigeria ICPC |
| 1230–1300 | Questions & Discussions | |
| 1300–1700 | Excursion | |

Friday 3 June 2016

| Time | Topic | Resource Person(s) |
|-----------|--|-----------------------------------|
| 0900–0930 | A Diagnostic Benchmarking Assessment Exercise of ACAs to Identify Agency's Strengths and Gaps Ken Brander, President and Principal Consultant, Clarium Fraud and Compliance Solutions Ltd | Chair Nigeria EFCC |
| 0930–1000 | Questions & Discussions | |
| 1000–1015 | Tea Break | |
| 1015–1100 | Presentations by countries (20 min each) • Tanzania • Uganda Questions & Discussions | Chair Zambia |
| 1100–1145 | Presentations by countries (20 min each) • Rwanda • Sierra Leone Questions & Discussions | Chair Kenya |
| 1145–1215 | Group work • Group 1 • Group 2 • Group 3 | Facilitator Dr Roger Koranteng |
| 1215–1300 | Plenary (Action plans for follow up) | |
| 1300–1400 | Lunch | |
| 1400–1700 | Excursion | |

Saturday, 4 June 2016

| Time | Topic | Resource Person(s) |
|-----------|---|---|
| 0900–1100 | Annual General Meeting of the Heads of ACAs or Representatives only Agenda will be provided in consultation with AAACA Chair | AAACA Chairperson |
| 1100–1130 | Tea Break | |
| 1130–1230 | Meeting of the Heads of ACAs and discussion of Communiqué | |
| 1230–1330 | Lunch | |
| 1330–1500 | CLOSING Reading of the Communiqué Remarks by Chairperson Address by Guest of Honour Closing | Arrival of Guest of Honour Honourable Cleophas Mutjavikua, Governor of Erongo Region |
| 1500–1530 | Tea Break | |
| | Free Afternoon | |

Annex 2 Participants List

| | Organisation | Name/Position |
|----|--|---|
| 1. | Commonwealth Secretariat London | Dr Roger Koranteng Adviser, Anti-corruption Commonwealth Secretariat (GNR) Tel: +44 207 747 6527 Email: r.koranteng@commonwealth.int |
| 2. | Dominica | Mr Julian N. Johnson Former Chairman Integrity Commission Morne Daniella Estate Roseau Dominica Email: julianjohnson524@gmail.com |
| 3. | Ethiopia | John I. Gbodi Senior Governance Officer Political Affairs Department African Union Commission Addis Ababa Ethiopia Tel: +251 0923208041 E-mail: Gbodij@africa-union.org |
| 4. | Ethiopia | Mr Daniel Batidam Chairperson Advisory Board on Corruption African Union Commission Addis Ababa Ethiopia Email: dbatidam@gmail.com |
| 5. | Botswana, DCEC | Rose Nunu Seretse DCEC P/BAG 00344 Gaborone Botswana Email: rseretse@gov.bw |
| 6. | Botswana, DCEC | Desmond Mariri DCEC P/BAG 00344 Gaborone Botswana |
| 7. | Botswana, ACC | Lerato M. Dube Commonwealth Africa Anti-Corruption Centre Bag 00344 Gaborone, Botswana Email: ldube@gov.bw |

| | Organisation | Name/Position |
|-----|------------------------|--|
| 8. | Botswana, ACC | Mogolodi S. Rantsetse Commonwealth Africa Anti-Corruption Centre Bag 00344 Gaborone, Botswana Email: srantsetse@gmail.com |
| 9. | Botswana, PSC | Mrs Itseng Prisca Mompoti Senior Manager Public Service College Botswana |
| 10. | Cameroon, CONAC | Rev. Dr Dieudonné MASSI GAMS Chairman National Anti-Corruption Commission of Cameroon (CONAC) |
| 11. | Cameroon, CONAC | Mr Dieudonné EPO, Head of Studies and Cooperation Division National Anti-Corruption Commission of Cameroon (CONAC) |
| 12. | Cameroon, CONAC | Mrs MORIKANG Irene TCHE Research Officer Prevention and Communication Division National Anti-Corruption Commission of Cameroon (CONAC) Tel: 00237 677705930 Email: imorikang@yahoo.com |
| 13. | Ghana, CHRAJ | Mr Charles Ayamdoo Commission on Human Rights and Administrative Justice Old Parliament House High Street Accra Ghana Email: cayamdoo@gmail.com Mr Charles Ayamdoo The President Africa Association of Anti-Corruption Authorities Avenue du Large No. 52 B.P. 890 Bujumbura Burundi Email: cayamdoo@gmail.com |
| 14. | Kenya | Michael Kamau Mubea Deputy CEO Ethics and Anti-Corruption Commission Nairobi Kenya Email: hwaqo@integrity.go.ke |

| | Organisation | Name/Position |
|-----|-----------------|--|
| 15. | Kenya | Paul Mwaniki Gachoka Commissioner Ethics and Anti-Corruption Commission Nairobi Kenya |
| 16. | Kenya | Pamela Jepkemei Senior Corporate Communications Officer Ethics and Anti-Corruption Commission Nairobi Kenya |
| 17. | Kenya | Neema Mkorori Principal Accountant Ethics and Anti-Corruption Commission Nairobi Kenya |
| 18. | Kenya | George Ojowi Head, Malindi Regional Office Ethics and Anti-Corruption Commission Nairobi Kenya |
| 19. | Lesotho | Mr Borotheo James Matsoso DCEO PO Box 106060, Maseru 100 Lesotho Email: borotheo1@gmail.com |
| 20. | Lesotho | Ms Khauhelo Grace Maliehe Principal Public Education Officer PO Box 106060 Maseru 100 Lesotho |
| 21. | Malawi | Mr Reyneck Matemba Deputy Director General Anti-Corruption Bureau Head Office PO Box 2437 Lilongwe Tel: +265 1 770 130/166/167/370 Fax: +265 1 770 108 Email: rmatemba@acbmw.com Email: reynmatemba@yahoo.com nspoko@acbmw.com website: www.acbmw.com |
| 22. | Mauritius, ICAC | Mr Isswar Jheengut Director-General Corruption Prevention and Education Division Independent Commission Against Corruption (ICAC) Mauritius Email: icacoffice@intnet.mu |

| | Organisation | Name/Position |
|-----|---------------|--|
| 23. | Namibia, ACC | Mrs Namupa Nengola Director PO Box 23137 Windhoek Namibia Cor. Mont Blanc & Groot Tiras St. Eros Windhoek Namibia |
| 24. | Namibia, ACC | Mr Paulus Noa Director-General: ACC PO Box 23137 Windhoek Namibia Cor. Mont Blanc & Groot Tiras St. Eros Windhoek Namibia |
| 25. | Namibia, ACC | Adv EL van der Merwe Deputy Director-General: ACC PO Box 23137 Windhoek Namibia Cor. Mont Blanc & Groot Tiras St. Eros Windhoek Namibia |
| 26. | Nigeria, ICPC | Ekpo Una Owo Nta Chairperson ICPC Nigeria Email: ekpo_nta_ng@yahoo.com Nominated Mr Udofia Abbia Effiong |
| 27. | Rwanda | Mr Musangabatware Clément Deputy Ombudsman in charge of Preventing and Fighting Corruption PO BOX 6269 Kigali Rwanda GSM: +250788300019 Email: cmusangabatware@gmail.com |
| 28. | Botswana, ACC | Mr Francis Montil Commonwealth Africa Anti-Corruption Centre Bag 00344 Gaborone, Botswana Email: montil.francis@orange.fr |
| 30. | Sierra Leone | Shollay Davies Deputy Commissioner |

| | Organisation | Name/Position |
|-----|-------------------|--|
| 31. | South Africa, SIU | Adv. Gerhard Visagie Special Investigating Unit Pretoria South Africa Email: GVisagie@siu.org.za slucas@siu.org.za |
| 32. | South Africa, SIU | Adv. Mothibi Head Special Investigating Unit Pretoria South Africa |
| 33. | South Africa, SIU | Leonard Lekgetho Head Special Investigating Unit Pretoria South Africa Email: LLekgetho@siu.org.za |
| 34. | Swaziland | Dr Ndiphethe Olive Mabila Email: lydiaz759@gmail.com |
| 35. | Tanzania | Stanley H. Luoga Prevention and Combating of Corruption Bureau PO Box 4865 Dar es Salaam Tanzania Email: alfeor2002@yahoo.com |
| 36. | Tanzania | Sabina Seja Prevention and Combating of Corruption Bureau PO Box 4865 Dar es Salaam Tanzania Tel: +255 786 733 567 Email: sabiseja@gmail.com |
| 37. | Uganda | Ms Mariam Fauzat Wangadya Deputy Inspector General of Government Tel: (Office) 0414-259709 Email: mwangadya@igg.go.ug |
| 38. | Uganda | Ms Nansamba Pauline Senior Inspectorate Officer Directorate of Legal Affairs Inspectorate of Government Tel: (Office) 0414-259709 Email: pnansamba@igg.go.ug |

| | Organisation | Name/Position |
|-----|--------------|---|
| 39. | Zambia | <p>Mr Lawrence Hansingo Director- Community Education Anti-Corruption Commission PO Box 50486 Lusaka Zambia Email: ilamba@acc.gov.zm</p> |
| 40. | Zambia | <p>Queen Kashimbo Chibwe Anti-Corruption Commission Lusaka 10101 Zambia Tel: +260 1 237916 Mobile: +260 965 899173 Email: qchibwe@acc.gov.zm</p> |
| 41. | Canada | <p>Ken Brander President and Principal Consultant Clarium Fraud and Compliance Solutions Edmonton, AB Canada www.clariumfcs.com Tel: +1 780 719 0016</p> |
| 42. | UK | <p>Nicolas Le Moignan Director Bespoke Training and Consultancy Tel: +44 203 174 0358 Mobile: +44 7716 320238 Fax: +44 203 411 1160 nicolas.lemoignan@govrisk.org christina.savva@govrisk.org The International Governance and Risk Institute www.govrisk.org</p> |

Annex 3 Communiqué

We, the Heads and Representatives of Anti-Corruption Agencies in Commonwealth Africa, meeting at the 6th Regional Conference of Heads of Anti-Corruption Agencies in Africa hosted by the Anti-Corruption Commission (ACC) Namibia, organised by the Commonwealth Secretariat at the Strand Hotel, Swakopmund, Namibia, from 31 May to 4 June 2016:

1. Note with deep gratitude the invaluable support and warm hospitality provided by the government, ACC and people of the Republic of Namibia, the honour of the presence of His Excellency Dr Hage Geingob, President of the Republic of Namibia at the opening ceremony, and Honourable Cleophas Mutjavikua, Governor of Erongo Region of the Republic of Namibia for performing the closing ceremony.
2. Are mindful of the need to strengthen cooperation and collaboration among the Anti-Corruption Agencies in Commonwealth Africa.
3. Acknowledge the need for a platform for sharing emerging practices and country innovations in the fight against corruption for the promotion of good governance.
4. Commend respectively the Government of the Republic of Namibia through the ACC Namibia and the Commonwealth Secretariat for hosting and organising the 6th Conference.
5. Having exhaustively discussed the aims, objectives and the programme content and being satisfied that a full exchange of views has taken place on the goals of the conference.
6. Agreed on and adopted the following resolutions:
 - Delegates urge the Association of ACAs in Commonwealth Africa to develop strategies for strengthening the Association of Anti-Corruption Agencies in Commonwealth Africa.
 - Delegates urge Anti-Corruption Agencies to develop strategies for negotiating political space for its operations, where necessary.
 - Delegates further urge the development and implementation of meaningful and effective communication strategies for the Association.
 - Delegates encourage Anti-Corruption Agencies to develop effective and innovative strategies to overcome challenges of fighting corruption.
 - Delegates call upon Anti-Corruption Agencies to develop effective strategies to achieve effective and meaningful national inter-agency collaboration.
 - Delegates further call upon Anti-Corruption Agencies to develop strategies for strengthening the collaboration among and between Anti-Corruption Agencies.
 - Delegates urge the Commonwealth Secretariat to organise stakeholders' meeting with the objective of mobilising resources for the Association.
 - Delegates urge Anti-Corruption Agencies to develop and implement effective strategies to achieve meaningful civil society collaboration.
 - Delegates advise Anti-Corruption Agencies to constructively engage the media, private sector and the general public in the fight against corruption.

- Delegates further advise Anti-Corruption Agencies to benchmark and peer-review for improving their effectiveness in fighting corruption.
 - Delegates encourage member countries to ratify and domesticate the African Union convention on preventing and combating corruption.
 - Anti-Corruption Agencies are encouraged to undertake continuous research on corruption and devise appropriate strategies to deal with it.
 - Member countries and Anti-Corruption Agencies are urged to work in close collaboration with international organisations to ensure transfer of knowledge, expertise and skills in combating corruption.
7. Recognising and appreciating the diversity of experiences shared, agree:
- To continue further discussions and capacity building on various issues, including enhancing integrity of anti-corruption officers, which is critical to building a good image of Anti-Corruption Agencies.
 - To collaborate with international organisations in members' respective countries for support and joint programmes.
 - To improve on their financial commitments to the Association by paying their subscription fees on time.
 - To monitor the impact of anti-corruption interventions and to continue to share knowledge gained in such interventions.
8. Further agree that the next conference of Commonwealth Anti-Corruption Agencies 2017 be hosted by Malawi in partnership with the Commonwealth Secretariat.
9. The Conference resolved to have Namibia as the Chair with membership of the following countries as the Executive Committee members:
- Chair: Namibia
 - Vice-Chair: Malawi
 - Secretary: Botswana
 - Treasurer: Rwanda
 - Three other members: Sierra Leone, Tanzania and Lesotho
 - One representative of the Commonwealth Secretariat.

Dated the 4th Day of June, 2016, at Swakopmund, Namibia

Annex 4 Minutes of the Third Commonwealth Africa Anti-Corruption Centre (CAACC) Advisory Board, held on Wednesday 1 June 2016 at the Strand Hotel in Swakopmund, Namibia

Members present:

Ms Rose Seretse (Chairing)

Mr Desmond Mariri

Mr Mogolodi Rantsetse

Ms Itseng Mompoti

Mr Isswar Jheengut

Dr Niphethe O. Mabila

Mr Michael Mubea

Mr Ayamdoo Charles

Dr Roger Koranteng

Mr Francis Montil

Ms Lerato Dube CAACC (recording)

In attendance:

Mr Ken Brander

| No. | Item | Action by |
|-----|--|-----------------------|
| 1. | <p>The meeting started at 1800 and it was chaired by Ms Rose Seretse, Board Chairperson and Director General of the Directorate on Corruption and Economic Crime (DCEC).</p> <p>The chair welcomed all to the meeting. The Agenda was adopted and the Chairperson invited the Commonwealth Africa Anti-Corruption Centre (CAACC) Advisor, Dr Roger Koranteng, to make the opening remarks.</p> | Board Chairperson |
| 2. | <p>Opening remarks</p> <p>In his opening remarks, Dr Koranteng stated that the Advisory Board would normally meet at the time of the annual meeting for Heads of the Anti-Corruption Agencies. He further stated that some people had suggested that communication among the members can be done through Skype. As a result of firewall technical problems, the conventional style of meeting will be used.</p> <p>He stated that there are new terms of reference for the Advisory Board, which state, among other things, that:</p> <ul style="list-style-type: none"> • the Chairperson should be the Director-General, • the Board should meet once a year, and • each region should be represented in the Board. <p>Dr Koranteng shared with the Advisory Board that the Deputy Secretary-General visited the CAACC. During the same visit, he paid a courtesy call to the Assistant Minister whose portfolio covers the Anti-Corruption Agency in Botswana. He reiterated the importance of having the Centre in Botswana and also highlighted its objectives to the Commonwealth Africa countries; these being:</p> <ul style="list-style-type: none"> • capacity building • Networking • research and analysis. | Advisor to the Centre |

(continued)

| No. | Item | Action by |
|-----|--|-----------|
| 3. | <p>Introduction of board members</p> <p>Members of the Board present had the opportunity to introduce themselves</p> <p>Ms Rose N. Seretse – Board Chairperson</p> <p>Mr Desmond Mariri – Botswana</p> <p>Ms Itseng Mompoti – Botswana Public Service College</p> <p>Mr Isswar Jheengut – Mauritius</p> <p>Dr Ndiphethe O. Mabila – Swaziland</p> <p>Mr Michael Mubea – Kenya</p> <p>Mr Ayamdon Charles – Ghana</p> <p>Dr Roger Koranteng – Commonwealth Secretariat</p> <p>Mr Mogolodi Rantsetse – CAACC</p> <p>Mr Francis Montil – Anti-corruption Expert</p> <p>Mrs Lerato Dube – CAACC (recording)</p> <p>Mr Ken Brander – Clarium Fraud and Compliance Solutions</p> | |
| 4. | <p>Adoption of agenda</p> <p>The minutes were adopted with corrections.</p> | |

| No. | Item | Action by |
|-----|--|-----------|
| 5. | <p>Matters arising from previous meeting</p> <p>Para 2: The last but one sentence was to read; However, he assured the Secretariat's commitment to the fight against corruption.</p> <p>The last sentence to read; He mentioned that it was not clear what would happen after 2017 regarding future financing.</p> <p>Para 7: The Centre Manager left end of December 2014. It was clarified that the previous Centre Manager, Ms Chikanda, and the incumbent Mr Rantsetse was employed in June 2015.</p> <p>Para 7: Intended to put in place anti-corruption help desk. It was advised that the Centre should just advertise the HelpDesk on the website. It was clarified that at the time, the website was not yet in place that is why it was requested that members should just send their questions through email. The website is now functional.</p> <p>The action items from the previous meeting were discussed. The Centre Manager reported on the Help Desk, experts for the Help Desk, feedback on developmental partners, business plan and the audit. It was reported that the newsletter is now replaced with a monthly bulletin. It was agreed that the Centre should formally request Heads of Anti-Corruption Agencies to forward names of employees who can be included in the database of training facilitators.</p> <p>UNODC – Tim Steele said that different development agencies should be approached with proposals for funding.</p> <p>It was agreed that minutes of the previous Board meeting should be sent to Board members at least 3 weeks after the meeting, for comments before finalisation.</p> <p>The minutes were then adopted as a true record of the proceedings.</p> | |

(continued)

| No. | Item | Action by |
|-----|---|----------------|
| 6. | <p>Progress report</p> <p>The Centre Manager, Mr Mogolodi Rantsetse, introduced himself and spoke about the roles of the Centre staff. He mentioned that the staff complement of the Centre is standing at seven and these are:</p> <ul style="list-style-type: none"> • Centre Manager • Communications and Political Affairs Coordinator • Research Coordinator • Training and Development Coordinator • Finance and Administration Officer. <p>He said that with the above officers, the Centre provides service through the three pillars of research, networking and capacity building to address needs in the four areas of:</p> <ol style="list-style-type: none"> 1. prevention 2. Education 3. Investigation 4. prosecution. | Centre Manager |
| | <p>The Centre Manager reported that between June 2015 and May 2016, the following courses were conducted:</p> <ol style="list-style-type: none"> 1. First phase of the Professional Ethics and Integrity course 2. Global Programme on Anti-corruption, Financial Crimes and Asset Recovery 3. Second phase of the Investigations and Prosecutions course for senior officials 4. Second phase of the Professional Ethics and Integrity course 5. Third phase of the Investigations and Prosecutions course for senior officials 6. First phase of Leadership and Management course. | |

| No. | Item | Action by |
|-----|---|-----------|
| | <p>Between June 2015 and May 2016 the Centre spent P1, 237,556 on</p> <ul style="list-style-type: none"> • accommodation • meals • payments to resource persons • flights for resource person • research projects • launch of the website and stationery. <p>He lamented to the Board that since the inception of the Centre in 2013, the compliance of ACAs to the agreed subscription fee of US\$3,000 is poor. The contribution pattern was as follows:</p> <ul style="list-style-type: none"> • 2014, 12 ACAs paid (60%). • 2015, 6 ACAs paid (30%). <p>Mr Mubea of Kenya remarked that it was disturbing that members do not honour their obligation to pay. This goes back to the discussion that funds are sought from donors, yet the beneficiaries of the programmes do not pay subscriptions.</p> <p>However, during the week of the conference, ACAs started to pay and these included Rwanda and Nigeria (ICPC) who paid US\$6,000 and US\$1,500, respectively.</p> <p>The meeting agreed that the issue of subscriptions should be discussed at the Annual General Meeting on 4 June 2016.</p> <p>The Centre Manager reported that the Centre has no funds and DCEC has had to assist by paying for accommodation and meals for participants of the third phase of the Investigators and Prosecutors course. This does not mean that the DCEC has money, but they wanted fulfilment of the course.</p> | |

(continued)

| No. | Item | Action by |
|-----|--|-----------|
| | <p>Dr Mabila of Swaziland commended the Centre for the work that they are doing and the leadership of the Commonwealth Secretariat.</p> <p>Mr Ayamdoo of Ghana stated that the former head of CHRAJ was dismissed from work and financial support was withdrawn by donors, hence their reason for having arrears.</p> <p>The Chairperson advised the Centre staff to update the finances for the AGM.</p> <p>With regards to matters arising, Ghana stated that obtaining a visa to travel to Botswana is difficult.</p> <p>Ms Seretse advised that members of ACAs should use alternative routes because transit through South Africa is also cumbersome.</p> <p>Ms Dube stated that they have on several occasions approached the Department of Immigration to ask for assistance for processing visas. She stated that in most cases the issue is because participants apply for visas late.</p> <p>With regard to training Dr Mabila asked if it would not be prudent to decrease the number of modules/phases.</p> <p>Dr Koranteng responded that the number of phases is not an issue. He said at the start of the Centre a needs assessment was conducted in partnership with the UK Department for International Development (DFID UK) which recommended that the training programmes should be in three phases. He further said that this attracted a lot of international attention as the programmes are different.</p> <p>He further said the issue of finances is a technical one. That he personally felt that the Centre is not generating enough programmes, and said that he will sit with the Centre to come up with more programmes.</p> <p>Mr Montil said that there are 400,000 anti-corruption practitioners but only 2% have been trained. He stated that as the Centre, they have approached the United Nations Development Programme (UNDP) in Botswana and they said they will not fund training because they cannot measure the impact. Mr Montil further said it was important to make it clear that capacity building is not just training.</p> <p>Dr Koranteng stated that the development partners have training votes and want to look at training. They will not look at one-off training but will support consistent training like that offered by the Centre (three modules).</p> <p>Madame Chair advised that we send information on the training needs of ACAs to the AGM. She further said that there is need to have training on forensic investigations, handwriting analysis, intelligence and surveillance, etc.</p> <p>The meeting ended at 1948.</p> | |

Annex 5 Minutes of the AGM

Agenda

1. Introduction of delegates
2. Opening remarks by Dr Roger Koranteng Adviser Commonwealth Secretariat
3. Report of the CAACC Advisory Board
4. Adoption of the Communiqué
5. Subscription fees
6. Host of 2017 meeting

| No. | Item | Action by |
|-----|---|--|
| 2. | <p>Opening remarks by Dr Roger Koranteng</p> <p>Dr Roger Koranteng, Adviser, Commonwealth Secretariat thanked all present for their commitment and dedication to make the Association of Anti-Corruption Agencies in Commonwealth Africa (AACACA). He said that some of the pioneering members are no longer with us, and that the members should consider inviting them for future annual meetings. The members should continue to support the Centre's capacity building efforts by releasing staff to attend the training programmes.</p> <p>Dr Roger Koranteng further stated that the Commonwealth Secretariat is happy to continue to support the AACACA. The Africa association is a pacesetter, and has since 2011 made strides in establishing the Centre, having the annual general meetings. He encouraged the members to look for funding from the development partners in their respecting countries.</p> <p>Mr Paulus Noa, the Chair of AACACA, thanked Dr Koranteng for the remarks. He however noted that AACACA is only active at the time of the annual meetings.</p> <p>Mr Matsoso Borotho from Lesotho commented that their major constraint is finances. He said it is important to share stories through the website.</p> | Adviser Commonwealth Secretariat |

| No. | Item | Action by |
|-----|--|----------------------------|
| | <p>Mr Shollay Davies from Sierra Leone asked if the AGM could consider looking at constitutional matters. Ms Rose Seretse from Botswana responded by stating that the constitution is there, maybe it is a matter of distributing and sharing it. Mr Davies stated that the constitution should be subject to review from time to time and asked if there is a provision for that. Dr Koranteng's response was that the constitution should be considered at the next annual meeting.</p> <p>Mr Mubea from Kenya advised that the minutes of the previous meeting should be discussed at the current meeting so that all members are abreast of what was discussed.</p> <p>Dr Koranteng indicated that the minutes and report are usually availed well in advance and that the reports of the meeting will be provided at the end of the meeting.</p> <p>Mr Noa stated that he will ensure that minutes of the current meeting are availed at the next meeting.</p> | |
| 3. | <p>Report of the CAACC Advisory Board</p> <p>Ms Rose Seretse, chair of the Advisory Board Meeting to the Centre, gave a report on the Centre activities for the past year (June 2015 to May 2016). She reported on training programmes on monitoring and evaluation; leadership and development (including for the Heads); professional ethics and integrity; investigations and prosecutions; corruption prevention; and public education.</p> <p>She stated that a concern is that not all officers attend the three phases that make a training programme and encouraged the Heads to send the same people. Another concern was that some agencies confirm attendance then withdraw at the last minute and this resulted in penalties by the hotels.</p> <p>Ms Seretse also advised that visa application for travelling to Botswana should be applied for at least a month before the course.</p> <p>She further reported that the Centre has a website and Facebook account and encouraged utilisation of both. The website was launched in November 2015 and participants of the Professional Ethics and Integrity course attended. With regard to information sharing, she stated that there was no inflow of information between desk officers and the Centre, and this needed to be improved.</p> | Advisory Board Chairperson |

| No. | Item | Action by |
|-----|---|-----------|
| | <p>Ms Seretse reported that the Centre had just been audited, and was grateful to Office of the Auditor General for conducting the audit.</p> <p>She also spoke about subscription fees and commended those that were up to date, and encouraged those that owed to pay.</p> <p>She requesting for names of officers who can be resource persons for Centre training programmes. She said the Centre has utilised the services of the former head of the Malawi Anti-Corruption Commission Justice Mzikamanda.</p> <p>Ms Seretse concluded by asking all to support the Centre as it belongs to us, and that it is our pride when it is doing well.</p> <p>Mr Noa, the Chairperson of the AACACA, emphasized the importance of the Centre and that it should be supported. He explained that the reason why the Namibia Anti-Corruption Commission sometimes nominates different officers is because some are incompetent and unreliable, and also resignations and transfers.</p> <p>Mr Charles Ayamdoo from Ghana stated that the Centre should be firm on getting results from officers sent for training. He also wanted clarity on the role of the Advisory Board. Requested the Centre should be flexible regarding the same officer attending three phases, as there are sometimes reasonable reasons for non attendance.</p> <p>Cameroon was concerned about the number of phases which is expensive in terms of travel and subsistence expenses. He proposed that the programmes be structured for a longer period and have less phases.</p> <p>Mr Clement Musangabatware from Rwanda lamented that a month is too long to apply for a visa and asked if negotiations can be made to reduce the time to two weeks before the departure date.</p> <p>Adviser from the Commonwealth Secretariat acknowledged the report by Advisory Board chairperson. He said that the Advisory Board is on top of the organogram, and that the Directorate on Corruption and Economic Crime Director General has the oversight responsibility of the Centre.</p> | |

| No. | Item | Action by |
|-----|---|-----------|
| | <p>He stated that the Centre has built the capacity of the officers of the anti-corruption agencies including the Heads. He further stated that the Centre provided training in three phases and not one-offs as with some institutions. He said this approach is effective, and the best according to Tim Steele from UNODC. Dr Koranteng further stated that the Centre cannot have only one phase training but will have at least two. He suggested that the matter (on the number of phases) be taken to the Advisory Board for further discussion.</p> <p>Dr Koranteng said the Centre has had assistance from UNDP, UNODC, Interpol, Transparency International, and African Development Bank, and that it is through such arrangements that Ken Brander was able to do research for us.</p> <p>Mr Borotho suggested having a training programme for liaison officers.</p> <p>Advocate Andy Mothibi from South Africa suggested that the Centre provide a training calendar so that they are able to assist in terms of resource persons.</p> <p>Adviser from the Commonwealth Secretariat agreed that the Centre needs a training calendar. He said though the Centre has been developing training programmes for a while they need to develop new ones.</p> | |

Annex 6 Country Reports

Annex 6.1 Botswana

Directorate on Corruption and Economic Crime

Introduction

Botswana continues to make progress in the fight against corruption; this is demonstrated by the country still having a favourable outlook when compared to other African countries on corruption levels. Botswana remains a benchmark destination for other countries. During the period under review, a number of countries visited Botswana on a benchmarking exercise specifically to learn about the DCEC's anti-corruption strategies.

The complexity of corruption in Botswana is changing the landscape of the anti-corruption discourse. Corruption cases have become more complex and sophisticated and, in response to this challenge, the DCEC has adopted a team-based and task force approach. This has led to establishment of specialised teams that focus on more problematic areas or those sectors that have increasing incidences of corruption.

The DCEC continues to educate the public on evils of corruption and it has since intensified its programmes to cater for the general public through road shows, house-to-house campaigns and establishment of anti-corruption clubs.

The Directorate has also embarked on mobile advertising; this is done in partnership with local transport companies through which the anti-corruption messages are conveyed to the general public and beyond the boundaries. Other platforms like fairs and exhibitions have assisted the Directorate in interacting and building lasting partnerships and relations with other key players in the fight against corruption.

2014–15 Benchmarkings

Anti-Corruption Agencies that visited Directorate on Corruption and Economic Crime

1. Cote D'Ivoire:

Name of Person(s)

Francois Apling-Kouassi

Durations of the visit

4 days

What activities did they undertake?

They were taken through the general mandate of the DCEC, being investigations, corruption prevention and public education. They visited Botswana Parliament, Offices of the Auditor General, Ombudsman and Directorate on Public Prosecutions. They also visited the Ministry of Foreign Affairs and International Cooperation.

What was the outcome of the visit?

Learnt about corruption and good governance and the general set up of the Anti-Corruption Agency. Appreciated the relationship between the DCEC and other oversight institutions.

2. Zambia: Anti-Corruption Commission

Name of Person(s)

Inonge Kalimokwa, Francis Malama, Brian Mbewe, Chiko Halwaiindi and Martin Mayembe

Durations of the visit

6 days

What activities did they undertake?

The delegation undertook to understudy the DCEC's case management system, how DCEC interfaces with the Directorate of Public Prosecutions and working with authorities, parliament and civil society. They were also inducted in media relations and how the DCEC works with the different media houses.

The delegation also visited offices of the Auditor General, Ombudsman Competition Authority and Public Procurement and Asset Disposal Board (PPADB).

What was the outcome of the visit?

The delegation appreciated the role of the different oversight institutions in fighting corruptions and the different strategies in place involving both public and private institutions in preventing corruption.

3. Lesotho: Directorate on Corruption and Economic Offences

Name of Person(s)

Adv. Peter Matekane, Mohau Mokhochane, Rasethuntsha Mothebetsoane, Tlali Setlhabaka, Pabaloo Thebe and Sematha Mohlalefi

Durations of the visit

7 days

What activities did they undertake?

The delegation undertook to understudy the DCEC's case management system, how DCEC interfaces with the Directorate of Public Prosecutions and working with authorities, parliament and civil society. They were also inducted in media relations and how the DCEC works with the different media houses.

The delegation also visited offices of the Auditor General, Ombudsman Competition Authority and PPADB.

What was the outcome of the visit?

The delegation would be able to learn on operations relating to investigations, the DCEC set-up as well as strategies used to curb corruption.

4. Mozambique: Anti-Corruption Commission

Name of Person(s)

Gildo Timana

Durations of the visit

5 days

What activities did they undertake?

The delegation was taken through the case management system, exhibits management, forensic and handwriting sessions, monitoring and evaluation of corruption prevention activities and tools used. The role that DCEC plays in public procurement, Corruption Prevention Committees, working with traditional authorities, Members of Parliament and civil society organisations and the different media relations and lastly the Investigations Division.

What was the outcome of the visit?

The Mozambique Anti-Corruption Commission delegation appreciated the sessions on case management systems and handwriting and how the DCEC works with traditional authorities in fighting corruption. The delegation learnt about Corruption Prevention Committees as well as how civil society fights corruption in Botswana.

5. Malawi: Anti-Corruption Bureau

Name of Person(s)

Agnes Mweta, Patrick Thole and Edward Kamvabingu

Durations of the visit

7 days

What activities did they undertake?

The delegation was taken through general information on investigations, public education and corruption prevention. Boamaruri (Mascot) community anti-corruption clubs, the anti-corruption syllabus infused in junior secondary schools and anti-corruption clubs in the same schools.

The delegation was further exposed to different organisations that have collaborated with the DCEC in fighting corruption (Office of the Ombudsman, Office of the Auditor General, Competition Authority, PPADB and Botswana Television).

What was the outcome of the visit?

The delegation from ACB Malawi appreciated the concerted efforts by different organisations in Botswana that play a role in fighting corruption. They were exposed to a systematic way of cooperation between the DCEC and other organisation and appreciated the fact that almost everyone in the country is aware of corruption and its devastating results. They also observed a simple way of imparting knowledge to primary school pupils through edutainment.

Study trips to other Anti-Corruption Agencies by DCEC

1. Tanzania: Prevention and Combating of Corruption Bureau

Name of Person(s)

Lentswe Motshoganetsi, Cecil Gape and Nlayidzi Force Gambule

Durations of the visit

7 days

What activities did they undertake?

Benchmarking on the multimedia studio, general production advertising and corporate video.

What was the outcome of the visit?

The DCEC officers had stakeholder engagement as far as fighting corruption is concerned, media relations and political will were topics that were covered and highlighted.

Recommendations

- The DCEC will buy equipment and produce the TV drama in-house as it is more cost-effective.
- The DCEC to augment the public relations staff with more officers to staff the office.
- The DCEC will collect pictures about Botswana and the wildlife and produce calendars with anti-corruption messages every year.
- The office to produce more TV and radio content to publicise the DCEC and educate the public on corruption.

2. Zambia: Anti-Corruption Commission

Name of Person(s)

Nlayidzi Force Gambule

Durations of the visit

13 days

What activities did they undertake?

Communication crises management strategy, media policy, dissemination of critical information through social media, anti-corruption media relations, community liaison and reputation management.

What was the outcome of the visit?

Stakeholder engagement, corporate communication, building and maintaining corporate image, media monitoring and media quarterly briefs.

Recommendations

- The DCEC should employ more Public Relations Officers, as this will help to take the pressure off the one officer who currently does everything.
- There is a serious need for specialisation within the Public Relations Unit, e.g. one officer should deal with media relations, another one dealing with internal communication.
- Someone with a wealth of research experience should also be recruited for the purposes of populating information to be used on the online services that we have at our disposal.
- As the public relations field is continuously changing, recommend that Public Relations Officers be trained from time to time.

3. Mauritius: Independent Commission against Corruption

Name of Person(s)

Thebe Itumeleng

Durations of the visit

5 days

What activities were undertaken?

Study processes and procedures undertaken by ICAC during conduct of corruption audits, corruption risk assessments and strategies for partnership with the private sector.

Exercise consisted of a review of the Prevention of Corruption Act of 2002 and other relevant documentation, face-to-face interviews with ICAC Deputy Director, Corruption Prevention and Education Division, Assistant Directors – Systems Enhancement and Chief Anti-Corruption Officers – Team Leaders from Systems Enhancement Branch and Public Education.

What was the outcome of the visit?

Following the benchmarking exercise a number of recommendations were drawn that aimed to address the identified gaps.

Recommendations

Strengthen the Corruption and Economic Crime Act by making provision for the following:

- Monitoring in such a manner as appropriate to the implementation of any contract awarded by a public body, with the view to ensure that there is no irregularity or impropriety involved.
- Make provision for conduct of research, monitoring and evaluation in order to identify the causes of corruption and its consequences on, inter alia, the social and economic structures of Botswana.
- Make a provision within Corruption and Economic Crime Act (CECA) to enable monitoring of current legislative and administrative practices in Botswana.
- Harmonisation of public sector anti-corruption initiatives through the development of a Public Sector Anti-Corruption Framework.

4. Tanzania: Prevention and Combating of Corruption Bureau Tanzania*Name of Person(s)*

Itumeleng Phutegeo, Mosetsanagape Kgopolo, Kesego Kelebemang

Durations of the visit

7 days

What activities did they undertake?

Management of investigation case load and backlog, investigation statistical analysis and regular information/data updates for effective and proper information management and organisational information sharing, effective and efficient utilisation and administration of the case management systems.

Recommendations

- The Directorate considers adopting the goCase case management system. It is widely used by law enforcement agencies within the region.
- The Asset Recovery Unit, which falls under investigations, should be staffed with the following professions; two experienced lawyers, experienced quantity surveyors, experienced accountant and property valuers.

5. South Africa: Special Investigation Unit

Name of Person(s)

Christina Setume

Durations of the visit

14 Days

What activities did they undertake?

- Banking document analysis
- Financial statement analysis
- Financial profiling.

What was the outcome of the visit?

- Analysing of bank statements in Excel where the hard copies of bank statements were scanned into PDF then converted to Excel through software called ABBYY FineReader.
- Analysing of bank statements using filtering method where suspicious transactions were being searched by amount, description or date. A list of bank accounts of suspicious transactions was created in the general ledgers, statements of income and retained earnings, and cash flow statements were analysed in Excel using filtering method.

Recommendations

- DCEC to purchase applicable software.
- Further collaboration between DCEC and SIU.
- Investigators to be trained on Excel course in particular in relation to its application on financial statements analysis and profiling.

6. Malaysia: Anti-Corruption Commission specifically targeting Malaysia Anti-Corruption Academy

Name of Person(s)

Matlhogonolo Busang and Gaopalelwe Khabenyana Phorego

Durations of the visit

5 days

What activities did they undertake?

Benchmark on anti-corruption courses offered to integrity committees.

What was the outcome of the visit?

To enhance efficiency and accountability of the public sector, private sector and civil society organisations in the development, provision and delivery of services through provision of adequate training on anti-corruption. A report has been produced and tabled to DCEC and Botswana Public Service College Executive Management. Implementation of the programme is anticipated to commence during the 2016-17 financial year.

Recommendations

- DCEC to introduce integrity officers as champions in various institutions who will spearhead integrity and good governance and also give guidance with regard to corruption prevention committees.

- There is need for the introduction of CelOprogramme to be in place, which will enhance performance of integrity officers across ministries.
- DCEC to fast-track accreditation of facilitators before the commencement of corruption prevention committees programme.

DCEC needs for Practitioners exchange

- Special investigation skills, e.g. forensic skills.
- Leadership in law enforcement.
- Prevention mechanism and educational models.
- Legislative framework strengthening.

Conclusion

During these visits all the institutions shared challenges they experience and our belief is that challenges can be turned into opportunities that can give organisations a chance to come up with better ways of fighting corruption.

Therefore the exchanges should continue to be carried out.

Thank you for your attention.

Annex 6.2 Republic of Mauritius

Presented by Independent Commission Against Corruption Mauritius

Partner exchanges and peer-to-peer engagement in the fight against corruption

Introduction

Corruption is a dynamic phenomenon that transcends national boundaries and is facilitated by emerging technologies and challenges. Thus, it cannot be fought in isolation. It is a global problem that requires a global solution with active participation and collaboration at regional and international levels. Accordingly, we partner with both Commonwealth and non-Commonwealth countries.

In line with UNCAC Article 43(1) on international cooperation, the Republic of Mauritius has since 2002 been promoting cooperation at regional and international levels in the fight against corruption and several legislations have been adopted which are related to the above. The Independent Commission against Corruption (ICAC) is mandated under the Prevention of Corruption Act of 2002 as amended to, among others, cooperate and collaborate with international institutions, agencies or organisations in the fight against corruption and money laundering. It also makes provision for the promotion of links between the Commission and international organisations so as to foster international cooperation in the fight against corruption.

Since the setting up of the Independent Commission Against Corruption in 2002, bilateral links have been developed with several key institutions in the field of anti-corruption and Anti-Corruption Agencies like:

- ICAC Hong Kong
- ICAC New South Wales
- Corrupt Practices Investigation Bureau (CPIB) Singapore
- ACA Malaysia

- Central Bureau of Investigations (CBI) and the Central Vigilance Agency (CVC) India
- Serious Fraud Office UK
- Federal Bureau of Investigations (FBI) USA
- Financial Enforcement Office of Technical Assistance (OTA) of the US Department of the Treasury
- United Nations Development Fund (UNDP) and United Nations Office on Drugs and Crime (UNODC)

To date, the ICAC is a member of the:

- International Association of Anti-Corruption Authorities;
- Association of Anti-Corruption Agencies in Commonwealth Africa; and
- the South African Development Community (SADC) Anti-Corruption Committee, formerly the South African Forum Against Corruption (SAFAC).

They all promote collaborations and the sharing of experiences and expertise among Anti-Corruption Agencies.

Over and above study tours, the quarterly newsletter of the ICAC is sent to all Anti-Corruption Agencies with a view to share our anti-corruption initiatives and practices. This information is also uploaded on the website of the ICAC and is included in the Annual Reports for sharing.

ICAC officers on study tours abroad

During the period 2014–2015, our staff benefited from Commonwealth Africa Anti-Corruption Centre (CAACC) training through peer-to-peer learning as follows:

| | | |
|----------------|--|------------------------------------|
| Mr Soobrayen | First phase, Head of Investigations and prosecutions training programme | 30 June to 4 July 2014 Botswana |
| Mr Roopchand | | |
| Mr Ujoodha | Senior Leadership and Management training programme | 4–7 August 2014 |
| Mr Jheengut | Second phase, Heads of Public/Community Education and Corruption Prevention training programme | 20–23 October 2014 Botswana |
| Mr Ponen | First phase, Head of Investigations and Prosecutions Division training programme | 17–21 March 2014 Botswana |
| Mr Chung Yen | | |
| Miss Suneechur | Second phase, Training Programme for Heads of Public/Community Education and Corruption Prevention Divisions | 24–28 March 2014 Botswana |
| Mr Soobrayen | Second phase, Heads of Investigations and Prosecutions Divisions training programme | 23–27 February 2015 Botswana |
| Mr Ponen | | |

| | | |
|---------------|--|--------------------------------|
| Mr Moonesawmy | Global programme on Anti-Corruption, Financial Crimes and Asset Recovery – CAACC, Interpol, the African Development Bank (AfDB) collaboration for investigators and managers | 3–7 August 2015 Botswana |
| Mrs Badoo | First phase, Professional Ethics and Integrity course | 10–14 August 2015 |
| Mr I. Rossaye | | |
| Mr Bholah | Management and Leadership programme, CAACC | 2–6 November 2015 Botswana |
| Mrs Badoo | Second phase, Professional Ethics and Integrity course | 9–13 November 2015 Botswana |
| Mr I. Rossaye | | |

Delegations on study tours at ICAC

The ICAC collaborates with regional and international anti-corruption institutions. It also promotes the sharing of expertise among Anti-Corruption Agencies in the region and beyond. Such collaboration is essential since an array of possibilities can be harnessed with the different regional and international experiences in the fight against corruption. Mauritius, being a multi-lingual country which is recognised in the field of good governance offers greater opportunity for countries across the region for sharing of Mauritian experience.

The ICAC hosted delegates from five countries during the year 2014-2015. The objectives of these visits were to take cognisance of the achievements and initiatives that have been taken to promote integrity and combat corruption and money laundering in Mauritius and in the region; mutual learning through interaction and sharing of knowledge; and adapt and adopt anti-corruption measures taken in Mauritius. The delegates were exposed and encouraged to participate in actual/real anti-corruption prevention and education activities.

The Mauritian experience is of much interests to countries that are in the process of setting up their anti-corruption agencies or the development of their anti-corruption strategy. Other areas of interest are the engagement of civil society and the private sector in the fight against corruption.

Non-Commonwealth countries

The following delegations were from non-Commonwealth countries.

Comoros

In mid-November, five delegates from *La Commission Nationale de Prévention et de Lutte Contre La Corruption* (CNPLC) of **Comoros** were in Mauritius during the week of 16–20 November 2015. During their stay, the delegates were introduced to the mandates of ICAC with regard to education, prevention and investigation. They also attended a preliminary round of the public speaking competition, at the Hotel School of Mauritius, whereby tertiary education students demonstrated their commitment in the fight against corruption.

Through the study tours, they were able to realise the importance, objectives and reflect on strategies that could be adopted in enhancing their corruption prevention and education programmes.

| Name | Status |
|------------------------|--|
| Bakar Nomane Mohamed | Deputy Commissioner |
| Ben Youssoufa Said | |
| Ibrahim Issoufa Ali | Commissioner |
| Moissuli Mohamed | Chief of Corruption Department – Prevention et Sensitisation |
| Mahamoudou Ahmed Bacar | Prevention et sensitisation |

Madagascar

A delegation of six officers of the Bureau Independent Anti-Corruption (BIANCO) in Madagascar were in Mauritius on a study tour 21–25 September 2015 with a view to devise a new corruption prevention and education strategy for BIANCO. The delegation was in Mauritius to learn from the Mauritian experience in the context of the forthcoming amendments to be brought to the anti-corruption law in Madagascar and for the setting up of a fully fledged education and prevention division at BIANCO.

Accordingly, working sessions were held with relevant stakeholders during their stay and with officers of the different divisions of the Commission. They were exposed to the different corruption prevention and education programmes in the country. The relationship between BIANCO, the national Anti-Corruption Agency in Madagascar and the ICAC was formalised through the signing of a Memorandum and subsequent visits of officers.

| Name | Status |
|-----------------------|-------------------|
| Bakarnomane Mohamed | Officer of BIANCO |
| Moissuli Mohamedaziri | Officer of BIANCO |
| Mahamoudou Ahmedbacar | Officer of BIANCO |
| Ibrahim Issoufaali | Officer of BIANCO |
| Benyoussoufa Said | Officer of BIANCO |

The exposure to the way corruption prevention and education activities are conducted in the country provided the officers of BIANCO with the necessary information to implement their strategy using a holistic approach. With Madagascar being a French-speaking country that has progressed considerably in the fight against corruption, Mauritius was the ideal learning platform for them as they were able to interact easily with all stakeholders, including members of civil society.

Benin

A delegation of five from the Front des Organisations Nationales contre la Corruption (FONAC) of Benin, visited ICAC from 23 to 27 November 2015 with the aim to share experiences and learn about anti-corruption strategies and adopt similar strategies/ measures to fight corruption in their country. Working sessions were held with public and private sector stakeholders for the delegates to take stock of the initiatives taken to fight corruption in different areas. The study tour of the FONAC to Mauritius was conducted under the recommendation of the United States Agency for International Development (USAID) programme.

| Name | Status |
|----------------------------------|--------------------|
| Elias, Jean Baptiste | Head of delegation |
| Gbedji, OKE H. Cleophas | Member |
| Atayi-Guedegbe, Alain Marie Joel | Member |
| Assogba Vihoutou, Martin | Member |
| Honvou Yenoukome Toussaint | Member |

Anti-Corruption Agencies from Commonwealth African Countries

In line with the Constitution of the Association of Anti-Corruption Agencies in Commonwealth Africa (AAACA), which has as objectives under Article 4 to promote the exchange of ideas, information and experiences in the fight against corruption, to identify and resolve obstacles in the fight against corruption and facilitate interaction among members of the Association, the ICAC has since 2014 reinforced collaborations among Anti-Corruption Agencies among Commonwealth African countries.

Furthermore, a number of Anti-Corruption Agencies from Commonwealth African countries usually call on the ICAC for assistance and expertise to enhance their capacity in different fields. Since 2014, the ICAC has welcomed delegations from Botswana, Uganda, Lesotho and Malawi to enhance their competence in corruption prevention and good governance, among others.

Lesotho 2014

Conduct of Anti-Corruption Education Programme with Resource Persons from ICAC

Following a request from the Directorate on Corruption and Economic Offences (DCEO) of Lesotho, an Assistant Director and a Chief Corruption Prevention Officer were delegated to conduct an anti-corruption education programme in secondary schools from 10 to 14 November 2014 in Lesotho for staff of the DCEO. The main objectives of the residential training programme were to:

- share experiences and best practices in the field of anti-corruption education in secondary schools, and
- enable staff of the DCEO and other stakeholders from the education sector to develop and implement an effective anti-corruption programme for secondary schools in Lesotho.

The participants comprised:

- the Director of the Public Education and Corruption Prevention Division
- staff of the DCEO (Education, Prevention and Investigation Officers)
- representatives of the Ministry of Education and Training
- representatives of the National Curriculum Development Centre, and
- teachers of secondary school student.

The training programme centred on the appropriate content, the right pedagogical approach and the methodology that can be adopted to foster anti-corruption education in secondary schools in Lesotho. The training workshop concluded with a tentative plan of action focusing on the short, medium and the long term that needs to be implemented by the DCEO at secondary school level.

From feedback received, the training programme helped the participants to better understand what mainstreaming of anti-corruption education means in the Lesotho context. The training also helped in identifying the best practice approach to adopt in order to have an effective school anti-corruption programme in secondary schools and beyond.

Delegation from Lesotho 2015

Two delegates from the Lesotho Anti-Corruption Agency visited the ICAC from 19 to 24 January 2015. During their study tour, they were able to interact with representatives of the University of Mauritius Anti-Corruption Movement, assist a presentation of new recruits in the public sector, attend a presentation for the non-governmental organisation (NGO) Women International, had a working session with the youth and members of Integrity Club in secondary schools. Their interests mainly pertained to public education.

Botswana

Following the last meeting of the Heads of Anti-Corruption Agencies in Tanzania, several countries indicated their interest to learn from the Mauritian experience regarding the anti-corruption initiatives in the private sector. This was on the basis of a presentation regarding private sector participation in the fight against corruption.

An officer of the Prevention and Education Division from the Botswana Anti-Corruption Agency, the Directorate for Corruption and Economic Crimes (DCEC) was in Mauritius from 7 to 11 September 2015. The delegate had discussions with various stakeholders, notably the Joint Economic Council (JEC) and the Director of the Mauritius Institute of Directors (MloD), particularly with regard to private sector engagement in the fight against corruption. An exchange session was organised with all Anti-Corruption Clubs for a mutual learning on perception of corruption in the public and private sector by students and club facilitators.

During his stay at the ICAC, he had working sessions on the different aspects related to corruption prevention and education and the investigation of corruption and money laundering cases. He also had working sessions with the officers of the Legal Department.

Uganda

A delegation of six persons from the Inter-agency Forum on Anti-Corruption Agencies in Uganda visited Mauritius from 14 to 20 June 2015 for benchmarking for best practice. This was conducted in the context of the drafting of the bill on Asset Recovery. Consultations were held with relevant stakeholders on the effectiveness of the law and the forfeiture of assets by corrupt officials.

Malawi

A delegation of three persons from the Anti-Corruption Bureau in Malawi were in Mauritius on a study tour from 18 to 24 November 2015. The officers were from the Public Education Section and wanted to learn from the Mauritian experiences on how to manage with partners as they were planning to devolve some of their activities to civil society organisations and non-governmental organisations.

Reflection and lessons learnt

Several countries in the region were inspired by the Mauritian experience with respect to private sector engagement in the fight against corruption. Botswana was able to send an officer to Mauritius in that respect but unfortunately the other countries

could not afford to do so. A request from the Zambian Anti-Corruption Agency for a delegation to visit Mauritius was accepted. Unfortunately, the study tour was postponed several times.

Peer-to-peer learning is useful. It optimises available know-how, expertise and resources and creates a synergy among Anti-Corruption Agencies. Peer-to-peer learning, however, bears some physical complications. The physical displacement of delegations can prove to be too costly and most of the time unaffordable. They benefit only a few people in the field.

The visit of a delegation requires considerable preparation and depends upon the load of work of the Anti-Corruption Agency, which at times makes it difficult for both parties.

Challenges and recommendations

The remit of the Anti-Corruption Agencies in Commonwealth Africa (AAACA) is to work together to build the association as the prime vehicle for improving coordination among, and strengthening the capacity of, Anti-Corruption Agencies in Commonwealth Africa.

The effective fight against corruption requires adequate resources and expertise that are not always the case in most of the Commonwealth African countries. There is a need to acknowledge this fact and work ahead accordingly. Thus it is recommended that:

- a. With the fast development in information and communication technologies, the transfer of knowledge and the strengthening of relationships could be improved considerably in a cost-effective manner. Skype meetings, teleconferences and video-conferencing could be ideal means to attain these objectives without any physical constraints. Once the logistics for such means have been provided, focal persons could communicate through such means.
- b. International cooperation can play a significant role in promoting and encouraging open source materials and tools regulated by Creative Commons licence, which is one of several public copyright licences that enable the free distribution of an otherwise copyrighted work. A Creative Commons licence is used when an author wants to give people the right to share, use and build upon a work that they have created.

20 May 2016

Annex 6.3 Rwanda

Namibia, 31 May–4 June 2016

By Musangabatware Clement

Deputy Ombudsman in charge of preventing and fighting corruption and related offences

1. Name of the Anti-Corruption Agencies that visited

Malawi is the Commonwealth African Country that visited the office.

2. Name of the person(s)

Delegates from Anti-Corruption Bureau of Malawi who visited the Office of the Ombudsman of Rwanda are the following:

- Mrs Mary Phombeya, Director of Corruption Prevention;

- Mrs Maureen Mwalabu, Senior Corruption Prevention Officer;
 - Mr Patrick Mogha, Corruption Prevention Officer.
3. **Duration of the visit:** 14–21 February 2015.
4. **What activities did they undertake?**
- They held discussions with the Office of the ombudsman of Rwanda on the following:
 - anti-corruption measures undertaken by the Government of Rwanda;
 - the legal and institutional framework established to fight against corruption;
 - online declaration of assets system;
 - mechanism to monitor interdictions and incompatibilities of High Government Officials;
 - mechanism to carry out investigation of corruption cases and to access the functioning of different public and private institutions.
 - The delegation visited other national institutions involved in preventing and combating corruption (Rwanda National Police and Transparency International Rwanda Chapter). Delegates appreciated Rwanda anti-corruption mechanisms and their impact.
5. **What was the outcome of the visit?**
- Exchange of experiences in preventing and fighting corruption and related offences based on political will from high official to grassroots levels.
 - Commitment of the delegation to implement innovative initiatives from Rwanda: the Advisory Council to fight against corruption and injustice initiated since January 2009; publication of corrupt convicts (shaming); online declaration of assets system by government officials, among others.
6. **Reflection and lessons learnt**
- Political will constitutes a key pillar in adopting and implementing anti-corruption initiatives.
 - The Advisory Council to fight against corruption and injustice is very important while dealing with corruption because it helps to combine efforts from public and private institutions and civil society.
 - It is of paramount importance to focus on prevention, education, collaboration, enforcement as well as monitoring and evaluation while fighting against corruption.
 - The online declaration of assets system is so helpful, saves time and money and is very secure.
 - Similarities in Malawi like Corruption Survey Reports; client Service Charter, Corrupt Practices Act, magazines, National Anti-Corruption Policy, prosecution powers; anti-corruption day, among others.

7. Recommendations

- The political will and a leadership committed to eradicate corruption and related offences should be considered the bedrock in the fight against corruption.
- We should put more efforts on prevention rather than enforcement and inculcate youth with positive values as future leaders from early ages.
- Online declaration of assets should be introduced by Anti-Corruption Agencies in order to effectively deal with corruption and related offences by high officials.
- Visits towards Commonwealth African Country to exchange experiences as well as best practices with other Anti-Corruption Agencies should be considered in future plans.

Annex 6.4 United Republic of Tanzania

31 May–4 June 2016

Introduction

Corruption today is recognised as global challenge affecting all countries. Corruption undermines political, social and economic stability and no country is immune from it. Corruption threatens good governance and has a devastating effect on the democratic process. Corruption in the public sector undermines people's confidence in public institutions, increases the cost of public transactions and hampers the efficiency of public services. In public finances, corruption reduces tax revenue and makes public expenditure revenue ineffective in achieving development.

In recognising the effects and complexity of curbing corruption Tanzania joins forces with other regional and international Anti-Corruption Agencies to fight corruption.

Convention and protocols against corruption

Tanzania has adopted and ratified the following conventions and protocols against corruption:

- United Nations Convention Against Corruption (UNCAC)
- AU Convention on Prevention and Combating of Corruption
- SADC Protocol Against Corruption
- East Africa Protocol on Preventing and Combating Corruption.

International and regional organisation

Prevention and Combating of Corruption Bureau (PCCB) work together with different organisations in the fight against corruption within the region and internationally.

PCCB collaborates with:

- The East Africa Association of Anti-Corruption Authorities (EAAACA)
- Commonwealth Africa Anti-Corruption (CAAC)
- SADC Anti-Corruption Committee (SACC)
- African Union Advisory Board on Corruption
- International Association of Anti-Corruption Authorities (IAACA)

Anti-corruption agencies that visited PCCB since

Swaziland Anti-Corruption Commission

- Name of the persons – Thanda Mngwengwe, Siphon Mthethwa, Sibusiso B. Mndzebee, Mthumzi D. Gama.
- Duration of the visit – 3 days (11-13 February 2014).
- Study visit tour and benchmarking on surveillance and intelligence.

Commission on Human Rights and Administrative Justice - Ghana

- Name of the persons – Richard Quayson and Duke Hammond
- Duration of the visit – 1 week (29 March to 5 April 2014)
- Sharing of experience in the implementation of the National Anti-Corruption Action Strategy, management of public expectation and fighting against corruption and its correlative effect on human rights and good governance.

Directorate on Corruption and Economic Crime Botswana

- Name of the persons - Ms Boitshoke Chokie Pule and Mr Bapat Segadimo.
- Duration of the visit – 1 week (9-15 November 2014).
- Benchmarking on investigation, intelligence and legal services.
- The visit was successful, both PCCB and DCEC shared information on the best practices and also networked.

Egypt Anti-Corruption Authority

- Name of the persons – Amr. Gamal El-Din, Abdul Hamid Yousry, Ahmed Mansour Ayed, Ally Mohamed Wahid, Islam El-Beah, Mohamed E-Beah, Tamer Hany and Shariff Ramgy.
- Duration of the visit – 8 Days (27 July to 3 August 2015).
- Exchange programme: PCCB and Egypt Anti-Corruption Authority have a MoU of experience sharing on public education, investigation and prevention since 2013. The visitors were able to visit PCCB regional and district offices.

Zambia Anti-Corruption Commission

- Name of the persons – Patrick M. Rutumba and Chinga G. Chuba.
- Duration of the visit – 1 week (22-27 November 2015).
- Inter-agency assistance in criminal investigation.

Directorate on Corruption and Economic Crime Botswana

- Name of the persons - Ms Kesego Kelebemang, Ms M. Kgopolo and Mr Itumeleng Phuthego.
- Duration of the visit – 1 week (6-12 December 2015).
- Benchmarking on investigation in the area of case management systems and statistical analysis.

Ministry of Justice and Human Rights - Advisor on Ethics, Corruption and Good Governance from the Democratic Republic of the Congo (DRC)

- Name of the persons – Nkulu Mbayo Marie Claude, Mwanza Mulamba Nicole, Ditutu Mbombo Christiane, Mwamba Imial Emile.
- Duration of the visit – 1 week (17-23 December 2015).
- Study visit and benchmarking on anti-corruption strategy and good governance. Visitors were able to visit other law enforcement institutions and DRC Embassy in Dar es Salaam.

Anti-corruption agencies that PCCB visited since 2014

Visit to Egypt Anti-Corruption Authority

- Name of the persons – Grace Mkinga, David Foya, Emmanuel Korosso, Simon Maembe, Mazwa Masalu, Judith Mashashi, Prosper Mbilinyi, Thadei Nzalalila.
- Duration of the visit – 10 Days (21 February to 2 March 2014).
- Exchange programme: PCCB and Egypt Anti-Corruption Authority have a MoU of experience sharing on public education, investigation and prevention since 2013. This visit was specifically on investigation, surveillance and intelligence knowledge sharing.

Visit to Zambia Anti-Corruption Commission

- Name of the persons – Leonard Swai and Simon Maembe.
- Duration of the visit – 1 week (31 May to 7 June 2015).
- Inter-agency assistance in investigation. The exercise went well and the formal Mutual Legal Assistance has been sent to Zambia.

Areas of assistance

The areas that PCCB mostly need assistance are:

1. Business process improvement

i. **Investigation**

- Enhance investigation and prosecution capacity and case review systems
- Strengthen investigation forensic laboratory
- Enhancing Asset Recovery and Asset Tracing Unit
- Establishment of Intelligence Unit.

ii. **Research and systems analysis**

- Conduct research and surveys in the public expenditure systems in the sectors of agriculture, transport and water
- Conduct surveys on selected service delivery systems.

iii. **Community education and public awareness**

- Prepare and air television and radio programmes on corruption
- Establish a modern audio-visual studio for in-house preparation of radio and TV programmes

- c. Implement Education, Information and Communication Strategic Plan (EIC).
- iv. **Result-based management and monitoring and evaluation systems**
 - a. Implement monitoring and evaluation framework
 - b. Develop strong internal control management system
 - c. Strengthening statistical framework.

2. Working environment improvement

- i. Procurement of motor vehicles to support operations
- ii. Constructions of office and residential buildings
- iii. Construction of modern investigation building at Head Office
- iv. Construction of Anti-Corruption and Good Governance College
- v. Procurement of office equipment (computer, printer, scanner, photocopier, etc.)
- vi. Procurement of ICT equipment
- vii. Procurement of investigation equipment.

3. Capacity Building

- i. training locally
- ii. training overseas.

PCCB proposed area of assistance workplan

| No. | Area of implementation | Detailed activity | Cost (US\$) | Performance indicator |
|---|------------------------|--|-------------|--|
| 1.0 Business process improvement | | | | |
| 1 | Investigation | To support the investigation of high-profile corruption cases which in some cases involve travelling outside the national borders | 454,545 | <ul style="list-style-type: none"> • Increased grand corruption cases |
| | | To support 28 regions and 92 districts to conduct investigations on allegations arising from Public Expenditure Tracking surveys, corruption red flags raised in National Audit Office (NAOT) reports and other detected and reported corruption allegations | 795,455 | <ul style="list-style-type: none"> • Increased investigation cases |

| No. | Area of implementation | Detailed activity | Cost (US\$) | Performance indicator |
|----------|---|--|-------------|---|
| | | To support establishment of and equip the Intelligence Unit. This unit is important for collection, analysis and sharing of corruption information | 1,390,000 | <ul style="list-style-type: none"> • Availability of vital corruption information |
| | | Purchase of investigation equipment (surveillance and undercover) | 818,200 | <ul style="list-style-type: none"> • Amount of equipment purchased • Increased number of investigation files |
| | | Strengthen investigative forensic laboratory | 560,000 | <ul style="list-style-type: none"> • Improved speed of investigation • Improved quality of evidence gathered |
| | | Enhancing Asset Recovery and Asset Tracing Units | 200,950 | <ul style="list-style-type: none"> • Increased number of assets recovered • Reduced corruption |
| 2 | Research and systems analysis | To conduct research in oil and gas, natural resources, agriculture, transport and water | 200,000 | <ul style="list-style-type: none"> • Corruption reduced • Improved social services provision • Increased government revenue collection |
| | | To conduct research on corruption loopholes in sectors prone to corruption in order to improve service delivery | 238,636 | |
| | | To conduct a systems analysis on the provision of services in sectors prone to corruption | 381,818 | |
| | | To conduct survey on National Anti-Corruption Index | 650,000 | <ul style="list-style-type: none"> • National performance |
| 3 | Community education and public awareness | To establish a modern audio-visual studio for in-house preparation of radio and TV programmes | 150,000 | <ul style="list-style-type: none"> • Modern audio-visual studio in place |

| No. | Area of implementation | Detailed activity | Cost (US\$) | Performance indicator |
|-----|--|---|-------------|--|
| | | To prepare and air TV and radio programmed documentaries on PCCB achievement and success in preventing and combating corruption as well as communicating corruption scandals to the public (HQ and 12 regions) | 450,000 | <ul style="list-style-type: none"> Number of TV and radio programmes, document |
| | | To acquire facilities and tools for libraries in six regions and 30 districts | 170,000 | <ul style="list-style-type: none"> Improved library services |
| | | To develop and conduct comprehensive public awareness programmes on the evils of corruption, obligation to involve in the war against corruption, communicate corruption scandals in name-and-shame programmes and commitment of the government in the fight against corruption | 200,000 | <ul style="list-style-type: none"> Reduced corruption Increased public awareness on corruption |
| 4 | Result-based management and monitoring and evaluation systems | To conduct surveys for households, business enterprises and public officials to form baseline values for the developed Home-Grown Corruption and Governance Indicators | 386,363 | <ul style="list-style-type: none"> Baseline values of corruption and governance established |
| | | To support strengthening of internal control systems, result-based management, monitoring and evaluation systems and statistical analysis | 230,000 | <ul style="list-style-type: none"> Improved internal control systems and statistical analysis |

| No. | Area of implementation | Detailed activity | Cost (US\$) | Performance indicator |
|--|--|--|------------------|---|
| 5 | Anti-corruption policy | Development of National Anti-Corruption Policy | 336,363 | <ul style="list-style-type: none"> National Anti-Corruption Policy in place |
| | | Support the implementation of National Anti-Corruption Strategy and Action Plan Phase III | 800,000 | <ul style="list-style-type: none"> Corruption reduced |
| Total of business process improvement | | | 8,412,331 | |
| 2.0 Working environment improvement | | | | |
| 1 | Procurement of motor vehicles to support operations | Purchase of 120 motor vehicles Toyota Land Cruiser Hard Top for investigation operations @ US\$74,000. We need tough and durable motor vehicles to sustain our road infrastructure and land terrain. Our motive is to have at least one durable car in every office in regions and districts | 8,880,000 | <ul style="list-style-type: none"> Number of vehicles purchased Increased number of investigation cases |
| 2 | Procurement of office equipment | Purchase of office equipment including computers, printers, scanners, photocopier, etc., for regional and district offices to cater for shortage in the existing offices and establishment of 27 new offices | 250,360 | <ul style="list-style-type: none"> Availability of office furniture Improved working condition |
| 3 | Procurement of ICT equipment | Purchase of ICT equipment that will be installed in remote backup site such as Acquire KVM Console, Acquire 5 Servers, Acquire Power Backup Facility, Acquire Data Backup Software, Acquire San Storage, 42U Rack, MPLS Router, security appliances, bandwidth manager, and Layer 3 switch, and connect the remote site with fibre to enable high-speed connectivity | 213,027 | <ul style="list-style-type: none"> Improved ICT services |

| No. | Area of implementation | Detailed activity | Cost (US\$) | Performance indicator |
|---|------------------------|---|------------------|---|
| Total of working environment improvement | | | 9,093,027 | |
| 3.0 Capacity building and development | | | | |
| | | To train investigators on investigation techniques for both petty and grand corruption offences. 210 investigators to be trained @ US\$51,360 annually for 5 years | 256,800 | <ul style="list-style-type: none"> • Number of investigators trained • Improved quality of investigation |
| | | Train 128 Prosecutors for 2 weeks on prosecution techniques annually for 3 years @ US\$37,984 | 113,952 | <ul style="list-style-type: none"> • Number of prosecutors trained • Improved quality of prosecution |
| | | Train 148 Community Education Officers from districts and regions on skills in public speaking, public relations and developing awareness programs and librarianship skills for two weeks @ US\$41,468 annually for 5 years | 207,340 | <ul style="list-style-type: none"> • Number of officers trained • Improved community education skills among staff |
| | | Train 48 Research Officers on advanced research methodology, data analysis and report writing to enhance the production of quality research reports for 3 weeks @ US\$34,560 annually for 2 years | 69,120 | <ul style="list-style-type: none"> • Number of investigators trained • Improved preventative mechanisms |
| | | Train 48 Research Officers on system analysis in order to enhance a variety of approaches for corruption prevention for 2 weeks @ US\$34,560 annually for 2 years | 69,120 | |

| No. | Area of implementation | Detailed activity | Cost (US\$) | Performance indicator |
|-----|------------------------|--|-------------|---|
| | | Train 36 Research Officers on monitoring and evaluation for 2 weeks to ensure compliance in agreed recommendation @ US\$28,820 annually for 2 years | 56,640 | |
| | | Train 48 officers on public expenditure tracking system for 3 weeks @ US\$34,560 annually for 3 years | 103,680 | <ul style="list-style-type: none"> Number of officers trained |
| | | Train 33 Planning, Monitoring and Evaluation Officers, Zonal Inspectors and Head of Sections on an organisations policy, operation of PCCB strategies and development activities for 1 week @ US\$36,000 in 1 year | 36,000 | <ul style="list-style-type: none"> Number of investigators trained Improved planning, monitoring and evaluation |
| | | Train Regional Bureau Chiefs, Head of Sections and Regional Statistician on PCCB statistical system and data management systems including analysis and report writing | 90,000 | <ul style="list-style-type: none"> Number of officers trained Improved information sharing |
| | | Train 22 ICT Unit Staff on managing PCCB network infrastructure and ICT services for 2 weeks @ US\$21,300 annually for 5 years | 106,500 | <ul style="list-style-type: none"> Number of investigators trained Improved ICT services |
| | | Train 15 Administration Officers on employee benefits and salary administration course to scale up their skills for 2 weeks @ US\$16,200 annually for 2 years | 32,400 | <ul style="list-style-type: none"> Number of investigators trained Improved human resources management |

| No. | Area of implementation | Detailed activity | Cost (US\$) | Performance indicator |
|----------|--------------------------|--|-------------|--|
| | | Train 12 Internal Auditors on performance audit and investigation for 2 weeks @ US\$11,800 annually for 5 years | 23,600 | <ul style="list-style-type: none"> • Number of officers trained • Improved performance audit reports |
| | | Train 10 Internal Control Officers on advanced vetting and security clearance course for 2 weeks to improve internal control services to the bureau @ US\$17,450 | 17,450 | <ul style="list-style-type: none"> • Number of investigators trained • Improved internal control mechanisms |
| 2 | Training Overseas | Attach five officers at the Serious Fraud Office to learn techniques on investigation of high fraud cases for 1 month @ US\$78,000 annually for 3 years | 234,000 | <ul style="list-style-type: none"> • Number of investigators trained • Improved quality of investigation |
| | | Three Investigators to attend master's degree in anti-corruption studies at the International Anti-corruption Academy (IACA) @ US\$42,500 | 127,500 | <ul style="list-style-type: none"> • Number of investigators trained • Improved quality of investigation |
| | | Train six Prosecutors overseas for two weeks to strength their capacity in prosecution and investigation as case controllers @ US\$55,800 annually for 4 years | 223,200 | <ul style="list-style-type: none"> • Number of investigators trained • Improved quality of investigation |
| | | Train four Officers on intelligence techniques in the UK and USA for 2 weeks @ US\$37,200 annually for 5 years | 186,000 | |
| | | Community Education Officers to attend 28 days training on visual media production at Aarhus University, Denmark | 35,600 | <ul style="list-style-type: none"> • Number of investigators trained • Improved TV and radio programmes production |

| No. | Area of implementation | Detailed activity | Cost (US\$) | Performance indicator |
|---|------------------------|---|-------------------|---|
| | | Seven PCCB Directors and six Senior Officers to attend a study tour in Denmark for 5 days to learn the best practices for corruption mitigations and policy issues pertaining to corruption | 77,220 | <ul style="list-style-type: none"> Improved anti-corruption policy and mitigation strategies |
| | | Seven PCCB directors and three Heads of Section from DPME to attend training on result-based management system, change and impact assessment in the UK | 59,400 | <ul style="list-style-type: none"> Improved result-based management |
| Total of capacity building and development | | | 2,125,522 | |
| Grand total | | | 19,630,880 | |

Conclusion

Prevention and Combating of Corruption Bureau continue to collaborate with other organisations that support the work of anti-corruption within Tanzania, i.e. UNDP, DFID, AfDB, and also different embassies.

Annex 6.5 Uganda

Background

The Inspectorate of Government (IG) recognises that the war against corruption and promotion of good governance requires cooperation, support and exchange of ideas with other relevant institutions through, among others, exchange visits and study tours. These activities are coordinated by the Public and International Relations Unit of the Inspectorate.

In the period under review the Inspectorate has hosted five delegations from the following African Anti-Corruption agencies; Egypt, Kenya, Malawi, South Sudan and Tanzania and has been hosted by one agency, the Administrative Control Authority of Egypt. This followed the renewal and signing of a Memorandum of Understanding (MOU) between us in February 2015 at the ACA headquarters in Egypt.

The Inspectorate of Government also hosted Ms Sethunya Rethida from the Commonwealth Africa Anti-Corruption Centre (CAACC) to benchmark on best practices of Commonwealth Africa. She held meetings with one of the Deputy-Generals of the Inspectorate of Government, several directors and unit heads with a view to appreciating the workings of the Inspectorate. We look forward to hearing the report on her findings.

There have been other interactions through workshops, trainings and meetings in South Africa, Botswana, Tanzania and Burundi.

The Inspectorate of Government is also active in various regional engagements such as the East Africa Association of Anti-Corruption Authorities (EAAACA), through which we have an agreement to confiscate property of the corrupt as well as arrest and extradite corrupt officials for prosecution.

With regard to organisational needs, the Inspectorate of Government has captured this through its Strategic Plan 2015/2016–2019/2020. These are also in line with the National Development Plan for the Public Accountability Sector.

Commonwealth African countries engaged

1. The Administrative Control Authority Egypt

The Inspectorate of Government has had a longstanding relationship with the Administrative Control Authority of Egypt, which was temporarily disrupted due to the unrest Egypt suffered from 2011. However, the MOU with IG (Uganda) was renewed in February 2015. The two parties agreed to exchange views, information and expertise in the field of combating corruption, and to conduct study exchanges and training.

In line with the MOU, the Inspectorate of Government hosted a delegation from the Administrative Control Authority of Egypt from 19 to 27 October 2015. The three-person delegation included the following:

1. Gen. Hossam El Shahawy (Leader of delegation)
2. Mr Hosham Eldeen Mohammed Desoky
3. Mr Mohammed Reda El-Refaey El-Hamahmy

The delegation held discussions with top management and various directors at the IG and other agencies (the Directorate of Public Prosecution, the Financial Intelligence Authority, and the Criminal Intelligence and Investigations Directorate) on possible areas of collaboration. The delegation also visited the Anti-Corruption Division of the High Court of Uganda and two IG Regional Offices in Mbale and Jinja.

The visit was wrapped up with a meeting in which the Inspectorate presented its needs for training and capacity building. Several areas were identified and they included:

- handwriting analysis skills
- investigating cyber fraud
- preservation and presentation of cyber/electronic fraud evidence
- intelligence led investigations
- surveillance
- identifying, developing and monitoring insider informants
- asset tracing
- money laundering.

Reflections, lessons learnt and recommendations

The existence of a formal agreement such as a Memorandum of Understanding, is key in creating strong and long-lasting inter-agency partnerships and is strongly recommended.

Training and capacity building for staff is a key strategic need for anti-corruption agencies and cannot be over-emphasised.

These visits can be coordinated in such a way as to cut across other agencies in the public accountability sector in order to capitalise on the multi-sectoral nature of the anti-corruption fight.



Following the successful visit by the Egyptian delegation, the Inspectorate sent two of its members of staff – Mr Peter Mwebesa (Principal Investigation Officer) and Mr Daniel Achato (Senior Investigation Officer) – to Egypt to attend a week of training in anti-corruption strategies.

Nine members of staff will travel to Egypt from 22 to 29 May 2016 for training in Covert Investigations.

2. Commission on Administrative Justice (Office of the Ombudsman) Kenya

The Inspectorate of Government hosted a delegation from the Office of the Ombudsman Kenya from 19 to 22 May 2015. The purpose of the visit was to benchmark and learn from the experiences of the IG in executing the Ombudsman's mandate. Led by the Kenyan Ombudsman, Dr Otiende Amollo, the delegation also comprised Dr Regina Mwatha – Vice Chairperson, Ms Saadia Mohammed – Commissioner, Mr Leonard Ngaluma – Commission Secretary and Mr Edward Okello – Director, Special Advisor to the Chairperson.



The Kenyan delegation is received by the Deputy IGG

Inclusive of their programme in Uganda, the group also met the Minister for Ethics and Integrity, Hon. Rev. Fr Simon Lokodo, the Minister for Justice and Constitutional Affairs, Hon. Kahinda Otafiire, the Secretary to the Ugandan Human Rights Commission, Mr Gordon Mwesigye and the Deputy Chief Justice/Head Constitutional Court, Justice Steven Kavuma.

The team crowned their 2-day programme with a dinner hosted by the Deputy IGG, Mr George Bamugemereire.

Reflections, lessons learnt and recommendations

In Kenya, the Ombudsman and anti-corruption functions are separate, whereas in Uganda the Inspectorate of Government is tasked with both responsibilities. This eats into the resources that are available to be allocated to the Ombudsman function.

That notwithstanding, the Inspectorate is committed to maximally utilising its resources to achieve its full mandate. It also recognises that, although Ombudsman cases may not get as much media attention, the success in that area goes a long way in aiding the anti-corruption fight in the long term, since administrative injustice and maladministration are inseparable from corruption.

Sharing of experiences across the board aids efficiency among anti-corruption agencies.

3. Director of Public Officers' Declarations of Malawi

The Inspectorate received and hosted a two-person delegation from the newly formed Office of the Director of Public Officers' Declarations of Malawi on an intensive 1-week programme to study the Declaration of Income, Assets and Liability procedures in Uganda. Various presentations were made in that regard. The delegation also visited some regional offices as part of the programme.



The Director for Leadership Code, Ms Annet Twine, and Mr Acidri Victor (PIO) with the delegation from Malawi.



The Malawi delegation visits the Jinja Regional Office.

Reflections, lessons learnt and recommendations

Whereas Malawi has opted to separate the function of management of the Leadership Code of Conduct from other anti-corruption functions, the Inspectorate still has this area under its docket, albeit with challenges such as the absence of a Leadership Code tribunal to implement the decisions of the IG. The tribunal shall soon be established as an amendment to the Leadership Code Act 2002 is anticipated.

The IG is currently in the final stages of digitalising the process of declaration of incomes, assets and liabilities of leaders. This is an area in which there is still a need to benchmark and consult to ensure that the system is efficient and is able to generate useful information that can guide investigations and prosecutions.

4. South Sudan delegation

In a similar vein, the Inspectorate of Government hosted a delegation of officers from different government institutions of South Sudan. They came to benchmark against the IG's role of enforcing the Leadership Code of Conduct.



The delegation from South Sudan at the Inspectorate of Government Office Headquarters.

Reflections, lessons learnt and recommendations

The Leadership Code of Conduct seems increasingly to be recognised as a key part of the anti-corruption fight.

Collaboration could be cost-effective and has the potential to curb cross-border corruption if harnessed well.

5. Public Procurement Regulatory Authority, Tanzania

A delegation from the Public Procurement Regulatory Authority of Tanzania visited the Inspectorate of Government for a study tour on Governance, Accountability and Ethics. A presentation was made on procurement fraud and investigations.



The Tanzania delegation during a meeting at the IG Head office in Kampala.

Reflections, lessons learnt and recommendations

The world over, procurement remains one of the most corruption-prone areas facing a wide range of challenges such as bribery and kickbacks. In Uganda the Inspectorate of Government works closely with the Public Procurement and Disposal of Assets Authority with each organisation handling the cases in which it has jurisdiction.

Organisational needs

Through its Strategic Plan the Inspectorate of Government has identified five key areas for action over the next 5 years.

1. Improvement in the efficiency and effectiveness of the IG in preventing, detecting and eliminating corruption.
2. Leveraging the Ombudsman role to embed adherence to the rule of law, efficiency, natural justice and good governance in public administration.
3. Strengthening the enforcement of the Leadership Code of Conduct.
4. Strengthening organisational capacity to build an effective, performance-driven culture.
5. Enhancement of public awareness about the IG mandate and strengthening of strategic partnerships.

The following organisational constraints have been identified.

i. **Inadequate performance management system**

The IG lacks a performance management system that cascades the mission of the entire organisation and breaks it down into individual targets with clear line of sight. (Line of sight is a concept from theory on compensation and goal-setting

that suggests that rewards and performance goals should be designed so that employees see a common line of sight between their goals and the organisation. They believe that if they meet the organisational performance goals, they as individuals will also have their goals met.) Performance appraisals should be aimed at rewarding top-performing staff and sanctioning non-performers.

At the IG, employee issues have not been adequately addressed in areas of engagement, work methods and up-skilling, especially as the nature and practices of corruption keep evolving.

ii. **Highly manual system and low use of technology**

Most work practices at the IG are based on a manual system, although it has a relatively good IT infrastructure. This is because most members of staff lack the requisite skills to employ modern methods and fully utilise the IT and technological infrastructure in place. For instance, the existing case management system has not been fully utilised.

iii. **Over-reliance on reported complaints to combat corruption**

The IG's work activities have been largely focused on receiving and handling complaints and not initiating investigations on maladministration, corruption, breach of the Leadership Code of Conduct, etc. Nevertheless, it must be borne in mind that by the time cases are reported for investigation by concerned stakeholders, the 'crime' may in effect already have been committed. It is in the interest of the institution to engage in more proactive interventions to identify potential loopholes in the administration of public offices and close them before they result in abuse of resources and assets. Proactive measures that improve good governance and combat corruption are provided and form part of the IG strategy.

Table A6.1 below shows the strategic issues faced by the IG and the corresponding strategic objective

In conclusion, the IG seeks to:

- a. Enhance capacity to efficiently and effectively investigate and prosecute corruption cases through enhancement of staff skills.
- b. Improve capacity to verify declarations, investigate and prosecute breaches of the Leadership Code of Conduct.
- c. Develop and implement e-system declarations.
- d. Source and adopt good practices that can be further disseminated to effect change and seek exchange programs to ensure that IG talent is equipped and proficient in preventing and fighting corruption.

Annex 6.6 Zambia

Introduction

The Anti-Corruption Commission in Zambia is mandated by law (Anti-Corruption Act No. 3 of 2012) to fight corruption. The institution has existed since 1982. It is the lead agency in the fight against corruption in Zambia and it has the following functions:

- prevention of corruption both in public and private sectors
- enlisting public support towards the fight against corruption

Table A6.1 Strategic issues faced by the IG

| No. | Key Strategic Issues (Problem) | Strategic Objective (Solution) |
|-----|---|--|
| 1 | Prevalence and complexity of corruption in the public and private sectors | Enhance public awareness about IG mandate and strengthen strategic partnerships (1, 2, 3, 4, 5, 6). |
| 2 | Gaps in the legal framework, lack of IG corporate status and delays in the judicial process | Improve efficiency and effectiveness in preventing, detecting and eliminating corruption (1, 4, 5, 6, 9). |
| 3 | Inadequate funding | Strengthen the enforcement of the leadership code of conduct (1, 2, 4, 5, 6, 8). |
| 4 | Non-implementation of IG recommendations | Maximise the role of the ombudsman to embed adherence to the rule of law, fairness, efficiency, natural justice and good governance in public administration (1, 4, 5, 9). |
| 5 | Poor methods of record storage, retrieval and sharing in public offices | Strengthen organisational capacity to build an efficient performance-driven culture (3, 4, 7, 8, 9, 10). |
| 6 | Limited practical participation of the general public | |
| 7 | Inadequate performance management system | |
| 8 | Highly manual system and low use of technology | |
| 9 | Over-reliance on reported complaints to combat corruption | |
| 10 | Inadequate monitoring and evaluation of the previous organisational strategies | |

- initiating, receiving and investigating allegations of corruption
- prosecuting cases of corruption.

Corruption is a global challenge that requires concerted efforts to effectively tackle it. Since most, if not all, Anti-Corruption Agencies (ACAs) in Africa operate in similar environments, a serious consideration for partner engagements to tackle corruption is an important aspect. It goes without saying that partner exchanges and peer-to-peer engagements are excellent opportunities that enable Anti-Corruption Agencies to learn best practices, identify areas of improvement and employ appropriate mechanisms for effective results.

Recent visits of anti-corruption agencies to anti-corruption Zambia

In the period 2014 to date (May 2016) the Anti-Corruption Commission of Zambia had visitations from other Anti-Corruption Agencies as follows:

- 2.1 From 1 to 5 December 2014, one Chief Corruption Prevention Officer by the name of Mr Sematha Mohlalefi from the Directorate on Corruption and Economic Offences (DCEO) of Lesotho visited ACC Zambia. The purpose of

the visit was mainly to gain experience on how ACC Zambia applies corruption prevention as a strategy for preventing and combating corruption and to learn from successes of Integrity Committees and the practical challenges they were faced with. Additionally, the trip was aimed at learning how to coordinate and prepare for the commemoration of the United Nations Anti-Corruption Day, as well as draw good lessons from it.

During his visit to Zambia, Mr Mohlalefi visited selected institutions with established Integrity Committees where information on the role of the committees was provided. Among the institutions that he visited were Zambia Revenue Authority and the Zambia Bureau of Standards.

- 2.2 From 7 to 14 June 2015, a delegation of two officers from the Anti-Corruption Bureau (ACB) of Malawi visited the Commission in Zambia. The two officials were Dr Bandawe, the Director for Legal and Mr Baleki Ndovi who is a Senior Legal Officer at the agency.

The purpose of this visit was to study the general operations of the Commission in Zambia and how it carried out its mandate in the Legal and Prosecutions Department. However, specific areas of interest included asset tracing, recovery and management, forfeiture of unexplained property, and learning how the legal department cooperates with other prosecuting agencies in the country.

The main activity that characterised the trip was visitation to the legal and investigations departments of the Commission where operational information was provided. Other governance institutions such as the Drug Enforcement Commission of Zambia were also visited.

- 2.3 The Anti-Corruption Commission of Zambia also hosted a visitor from the Directorate on Corruption and Economic Crime (DCEC) of Botswana. The visit was by the institution's Public Relations Officer by the name of Nlayidzi Force Gambule. Mr Gambule visited ACC Zambia from 24 August to 4 September 2015.

Mr Gambule's hoped to appreciate the Commission's Corporate Communication Policy and Strategy. Specifically, the visit was intended at enabling him to understand the various strategies that the Commission employs to build its corporate image and how the Commission relates to the media. It was also aimed at helping Mr Gambule appreciate how ACC manages its internal and external communication processes.

The visit was characterised with tours to various departments, review of communication tools used by the Commission's Public Relations Unit and field tours for public relations functions.

Zambia's visits to other anti-corruption agencies

The Anti-Corruption Commission of Zambia had opportunities to visit two Anti-Corruption Agencies from 2014 to May 2016.

The visits were as follows:

1. From 21 to 24 April 2014, five officials from ACC Zambia visited the Malaysia Anti-Corruption Commission (MACC). The delegation included the Board Vice Chairperson Dr Steven Moyo, the Deputy Director-General Mrs Irene Lamba, one Commissioner, Mrs Rollen Mukanda, the Secretary to the Commission, Mr Matthew Mbewe and a Senior Human Resource Development Officer Mrs Rachel Mtengo.

The visit to Malaysia was aimed at among other things establishing grounds for collaboration between the two agencies, establishing areas of mutual relationship and cooperation as well as learning more on anti-corruption law enforcement.

Information was shared through discussions that were held in various departments of the Malaysia Anti-Corruption Commission.

2. Another country that Zambia visited was the Philippines. From 4 to 7 August 2015, six officials from ACC Zambia visited the Office of the Ombudsman in the Philippines. The delegation comprised ACC Board Chairperson, Justice Timothy Kabalata, three Commissioners namely Mr Jubert Sinyangwe, Rev. Godfridah Sumaili, Mrs Rollen Mukanda, the Commission Secretary and a Senior Human Resources Management Officer, Mrs Milika Chilaika. The tour was aimed at learning more about the Office of the Ombudsman and other governance institutions in the country, learning best practices and strategies being used in the fight against corruption in the Philippines and to identify areas of development for a mutually beneficial relationship between the two countries.

During the visit, five other institutions were visited and these were the Commission on Human Rights (CHR), Securities and Exchange Commission (SEC), Civil Service Commission (CSC), Philippine Centre for investigative Journalism (PCIJ) and the Office of the President, where information was shared through discussions.

Lessons learnt and reflections

The visits undertaken by ACC Zambia to two Anti-Corruption Agencies in Malaysia and the Philippines yielded some positive results. Some of the lessons learnt were:

- In Malaysia, having its own Anti-Corruption Academy enables the agency to train its own officers in all the relevant programmes.
- There is a need to invest in training facilities.
- The institution's buildings are highly equipped such that interviews related to investigations are recorded for future purposes and the same interview rooms allow for privacy and protection of complainants.
- In the Philippines, technological advancement is being used in various strategies to the benefit of the institution to enhance the anti-corruption fight.

Outcomes of the visit by Zambia ACC

Visits that Zambia undertook to other Anti-Corruption Agencies resulted in positive developments towards enhancing efforts aimed at fighting corruption in the country. Some of the results were:

- Development of a proposal for a Memorandum of Understanding (MoU) between Malaysia and the Philippines and Zambia on cooperation in the prevention and combating of corruption through exchange of information and experience. This is intended to be an all-encompassing MoU that will enable Zambia to collaborate with the two countries and develop a mutually beneficial relationship
- Development of mechanisms and provision of information to enable Zambia's Anti-Corruption Commission to establish a Consultancy Unit, which will also serve as a training wing.

Needs for practitioner exchanges

The realisation that corruption is a global challenge makes the need for exchange visits between Anti-Corruption Agencies a cardinal aspect of tackling the scourge. As shown earlier, ACC Zambia only managed to undertake one visit in each of the years under review that is, one in 2014 and another in 2015.

This scenario goes to show the need for ACC Zambia to expose its human resources to many Anti-Corruption Agencies in Africa and beyond in order to learn from their experiences and strategies that are yielding positive results in the anti-corruption fight.

Zambia would immensely benefit if several exchanges were undertaken. The needy areas for Zambia are as follows:

- Exposure of officers to ACAs with effective investigation of complex cases of corruption leading to recovery of its laundered proceeds.
- Familiarisation of officers to ACAs with public education and corruption prevention strategies that have been effective in targeting and achieving behavioural change.
- Exposure of officers to ACAs that have developed and successfully implemented a communication policy and employed effective communication strategies.
- Visits to ACAs that have employed practical strategies informed by empirical data, which register positive measurable economic impact in the fight against corruption.

Recommendations

Many Anti-Corruption Agencies in Africa face the challenge of lacking adequate financial resources in the fight against corruption. Therefore, in order to achieve the objectives of this conference and bring to fruition the theme of this year's review meeting, the following is recommended:

- That the Commonwealth Secretariat puts into practice the outcome of this year's theme by identifying areas of financial support for ACAs in Commonwealth Africa.
- Consideration by Heads of Anti-Corruption Agencies be taken to individually implement lessons to be drawn out of this review meeting.

Conclusion

The Anti-Corruption Commission of Zambia would like to welcome the initiative to encourage partner exchanges and peer-to-peer engagement as the theme for this year's meeting advocates.

It is hoped that, as this initiative moves from words into action, Anti-Corruption Agencies will benefit from the long-term support being suggested to address many agency needs that have drawn back the fight against corruption in recent years.

Lastly, it is important to note that corruption is a highly complex crime which cannot be tackled by working in isolation, hence the need for such partnerships and exchange programmes for anti-corruption practitioners.

Annex 7 Challenges of Fighting Corruption in Africa and Strategies for Overcoming the Menace

Speech by Daniel Batidam, Chairperson - AU Advisory Board on Corruption

Introduction

- Corruption is arguably the most discussed subject in the world today
- The problem of corruption is reported to have reached alarming proportions in many parts of the globe, including Africa
- This makes the topic to be discussed very relevant and timely

How bad is corruption?

- Corruption, no matter how it is defined, has debilitating effects on many nations.
- UN Secretary-General, Kofi Annan, said:
 - *'Corruption is an evil phenomenon, found in all countries, big and small, rich and poor.'*
 - *'Its effects are most destructive in the developing world (Africa inclusive)'*
- Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a government's ability to provide basic services, feeding inequality and injustice, and discouraging foreign aid and investment.
- Corruption is a key element in economic underperformance and a major obstacle to poverty alleviation and development. (See foreword by Kofi Annan on adoption of UNCAC).
- On the practical level:
 - The Control Risk Group estimated in 2011 that developing countries lost close to US\$1 trillion to fraud.
 - According to the Mo Ibrahim Foundation, corruption costs Africa over US\$148 billion per annum (which is equivalent to 25% of African GDP).
- President Buhari recently described corruption in Nigeria as a 'way of life' under 'supposedly accountable democratic governments,' and points to evidence suggesting that between US\$300 billion and US\$400 billion of public funds have been lost to corruption since Nigeria's independence in 1960.
- This, in a nutshell, shows how bad corruption is to Africa.

Fighting corruption

- The need to fight corruption is quite obvious. That is partly why we are here today.
- Africa is a vast continent comprising 54 states
- Each state has its unique legal and other arrangements, institutions, culture and other circumstances in which it has to tackle corruption.
- No 'one-size-fits-all' solution to corruption in all countries is possible.
- Many African countries have signed, ratified:
 - the AU Convention on Preventing and Combating Corruption
 - the United Nations Convention against Corruption, and
 - other sub-regional anti-corruption instruments.
- Many of our countries have set up dedicated institutions to combat corruption, no matter what they are called.
- That satisfies Articles 6(1) and 36 of UNCAC and Article 5(3) of AU Convention.
- Many have gone through the first cycle review, are undergoing the review or are yet to do so in fulfilment of their international obligations under UNCAC.
- But, is that ALL required to fight corruption?

Resources and capacity

- Is that ALL required to fight corruption?
- We set up ACAs but we do not provide them with adequate resources to function effectively.
- That gives the impression that some were established just to look good internationally.
- Some cannot attract qualified personnel.

Independence

- It is essential that full independent investigative and prosecutorial powers are vested in the same body.
- Where the enabling legislation provides for an overlap of functions between the investigative body and the prosecutorial, or are vested in totally different bodies, the impact would be minimal.
- Examine the situation in Africa, where only a few ACAs have prosecutorial powers.
- In other situations, there are multiple institutions dealing with corruption.
- That invites forum shopping, turf wars, etc. And, in such a situation, effective coordination is usually important, but difficult to achieve.

Political will

- It all boils down to political will.
- Political will is: *'the commitment of actors to undertake actions to achieve a set of objectives...and to **sustain the costs of those actions over time**'* (Brinkerhoff & Kulibaba, 1999).
- Political will is not 'political enthusiasm'.

Political enthusiasm

- Is characteristic of new regimes.
- Takes place in the first year or even first 2 years.
- Political opponents are the corrupt mainly.
- A few supporters may be included (tokenism).
- Swift prosecution and imprisonment.
- They soon realise that it is not sustainable.
- Corruption is a system and must be fought with a system.
- We should address corruption in a strategic and comprehensive way.
- There is the need to deal with systemic causes of corruption and seal the loopholes that enable people to be corrupt.

Home-grown strategies

- We need home-grown strategies.
- Fighting corruption is, first and foremost, an internal matter.
- External assistance is good to complement internal efforts.
- Strategies imposed would not and have not worked.

Politicisation of corruption

- Over-politicisation of corruption and crime.
- In my country (Ghana) it is a major problem. I believe it may be so in some of your countries as well.
- How do we deal with it?
- In so far as we continue to over-politicise corruption and crime, we risk losing the battle.

International efforts

- Corruption is transnational.
- International cooperation is critical.
- We in Africa have:
 - the Africa Association of Anti-Corruption Authorities
 - the Commonwealth Association, and
 - other regional networks.

- We seem to be on the right track.
- But there are other challenges:
 - resources, and
 - sustainability.
- We still need to reinvigorate international efforts:
 - To drive out corruption, pursue the corrupt and recover looted wealth back to the countries of origin, the majority of which are from Africa and the developing world.
- The UK Prime Minister's recent Anti-Corruption Summit held in London provided yet another forum.
- The Panama Papers: a blow to secrecy.
- More needs to be done both at national and international levels for improved global transparency.

Conclusion

- What I said so far:
 - In Africa, we have all the basic structures to fight corruption
 - We have made modest achievements but much more is required
 - We need to sustain the efforts.
- Political will, (i.e. credible intent to fight corruption), is critical.
- Political will should translate into the following:
 - Building institutions (resources, personnel, independence, building organisational integrity, among others).
- We must tackle corruption holistically and not with measures that cannot be sustained.
- We should share information (informally and formally).
- We should intensify international cooperation.

Annex 8 The African Anti-Corruption Architecture: The Pathway, the Challenges and its Prospects on Africa's Socio-Economic Transformation

By Ikubaje G. John¹

Synopsis

This paper traces the origin of corruption to the spiritual account of human evolution in relevant literatures and argues that corruption is not new but an ancient practice that has no respect for developing, developed and industrialised societies alike. It argues that in addition to the efforts against corruption at the national level in African Union (AU) member states, the combat against corruption started first in two of the African Regional Economic Communities (RECs), namely the Economic Community of West African States (ECOWAS) and the South Africa Development Community (SADC); it, however, contends that some of the members of these referenced Regional Economic Communities do not necessarily have a better anti-corruption credential and strategies than the other AU Members from other African economic groupings. Thereafter, the paper defines the African Anti-Corruption Architecture (AACA) as the overarching framework of Africa for fighting corruption and other related offences on the continent. AACA is constructed in such a way that efforts against corruption at the following levels of government, namely the African Union at the continental level, Regional Economic Communities level and individual member states level, are connected with the aim of mutually reinforcing a coordinated fight against corruption in Africa. The paper also provides explanation on how the AU Member States are combating corruption and the challenges that influenced the African Union and the RECs to come up with strategies in the fight against corruption. It also highlights the different initiatives that the regional and continental organisations embarked upon in the fight against the menace. The paper further highlights the accomplishment and the challenges in the fight against corruption and other related offences in Africa. It also draws attention to possible remedies to the challenges of corruption in all the African Union Member States. In conclusion, the piece argues that although anti-corruption architecture design is fundamental, much more important is the political commitment of all stakeholders to effective implementation of the architecture. It concludes that, irrespective of the African

Anti-Corruption Architecture, if the ongoing trend of corruption in AU Member States is not forestalled, the United Nations SDGs and the African Development Agenda 2063 may not yield the expected results on the continent.

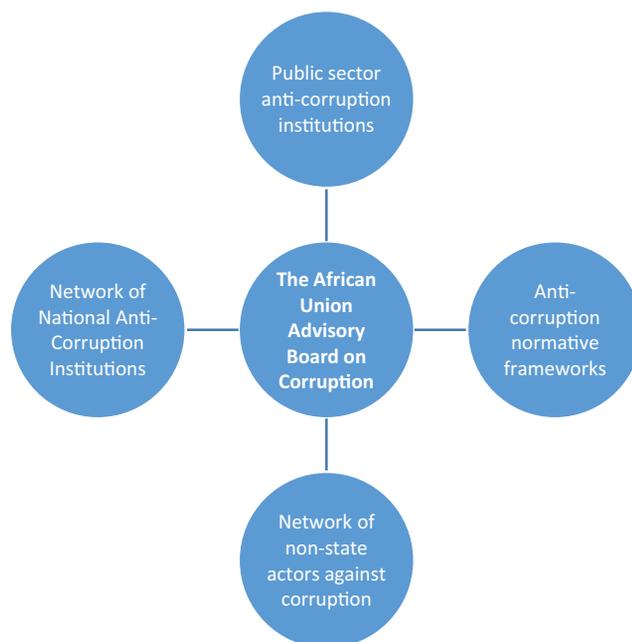
Introduction

Corruption is both an ancient and a global phenomenon. Its practice is referenced by and dates back to the ancient biblical and Islamic evolutionary historical books and days respectively. These ancient historical documentations argues that in the 'Garden of Eden', corruption overturned and crippled the first social institution that God constituted on the planet earth – the Garden of Eden (Genesis Chapter 2–3, Quran Chapter 7:22, (Schenone and Greeg, 2003)². It is a menace that has no respect for developing, developed and industrialised societies³. Corruption is well known across the world as a danger to socio-economic transformation but it has been very difficult to reach a global consensus on its definition and permanent cure till date for so many reasons.

The word corruption gained prominence in development lexicon in late 1980s and early 1990s alongside other development concepts like good governance, transparency, accountability and popular participation to mention but a few. In fact, the World Bank and other international financial institutions like the International Monetary Fund (IMF) concluded that the Structural Adjustment Programme (SAP) failed in Africa due to bad governance including corrupt practices. Prior to the above period, different institutions and social settings called corruption different names. For example, the International Financial Institutions (IFIs) like the World Bank (WB) did not call it corruption in the past but 'project leakage and or project pilferage'; these WB concepts were coined as a result of its experiences of corrupt practices in some of its supported development projects across the globe; this among others, underscores why development banks like the African Development Bank (AfDB) and others with similar institutional objectives continue to prioritise the anti-corruption fight in project development. While there is no universally acceptable definition for corruption due to diverse interpretation of its practice in different setting, nevertheless, all rationale adults know what constitutes corrupt practices (Inspector General of the Government of Uganda, 1989).

The challenge of consensus building on the word corruption also brought along with it the problem of having a universally acceptable definition for the concept. Unfortunately, to date, there is no globally acceptable definition for the menace. Different definer(s) describe and define it from their experiences and perspectives. Some development practitioners and researchers have also contended that the best way to define corruption is to look at it from its various manifestations; this school of thought argues that corruption could manifest in the form of bribery, greed, stealing, extortion, embezzlement and fraud, and nepotism etc. Many scholars have also contended that corruption can be likened to the dreadful acquired immune deficiency syndrome (AIDS) which cannot currently be cured but can be successfully prevented if the necessary steps are taken⁴. Despite these arguments on its definition, practice and solution, it is important to emphasise that some definitions of corruption have gained prominence in governance and development literatures globally, some of these include Transparency International's definition of 'abuse of entrusted authority for private gain' to that of Ciggard's definition of corruption as equal to monopoly plus discretion minus accountability (Monopoly (M)+Discretion (D)–Accountability (A))⁵ among several others.

Our reference to the above two definitions does not make them the best as renowned governance and development scholars have also clamped-down on them through criticism pointing to their limitations. It is in the context of the above

Figure A8.1 The African Anti-Corruption Architecture

challenge that anti-corruption normative instruments like the United Nations Conventions against Corruption and the African Union Convention on Preventing and Combating Corruption does not provide a specific definition for the concept but suffice to say that we all know what it connotes as anti-corruption practitioners and researchers through the above reference manifestation of its practices.

The African Anti-Corruption Architecture (AACA)

The African Anti-Corruption Architecture (AACA) is the overarching framework of Africa in fighting corruption and other related offences on the continent. AACA is constructed in such a way that efforts against corruption at the following levels of government, namely the African Union at the continental level, Regional Economic Communities at the regional level and individual member states at the national level are coordinated with the aim of reinforcing a coordinated fight against corruption in Africa. The architecture has the following four key pillars, namely the public sector anti-corruption institutions; the non-state actors' anti-corruption networks; a hybrid of public sector and non-state actor's network against corruption; and anti-corruption normative frameworks. The African Union Advisory Board on Corruption is the Secretariat of the architecture and it coordinates the fight against corruption from Arusha in the Republic of Tanzania. Its main role is to provide advice and technical assistance in the fight against corruption in AU member states and to promote and coordinate synergies among all the pillars. Unfortunately, this role has not been effective. Four other pillars are expected to be established and operational in each of the three levels of governance in Africa, namely at the national, sub-regional and regional levels.

The Fight against Corruption in Africa: the National and RECs Experiences

Before sharing the African Union experience in the fight against corruption, it is important to emphasise that there is hardly any African country that has no national policy, institutional and legal frameworks against corrupt practices⁶. In addition, there

are various types of horizontal and vertical network measures against corruption at both national and sub-regional levels, respectively. The challenge, though, has always been implementation and political commitment to these initiatives.

As briefly enunciated in some of the paragraphs below, there are different explanations that underscore the establishment of various African anti-corruption partnerships at sub-regional and regional levels. Some of these explanations include the fact that there is a conviction that the fight against corruption will work better if independent states of Africa provide technical assistance for each other and collaborate against cross-border crimes and corruption. It was this conviction among other things that made some of the African Regional Economic Communities (RECs), otherwise known as the building blocks of the African Union, to embrace first the fight against corruption before the African Union⁷. The explanation for the late embracement of the anti-corruption fight at the continental level was connected with the fact that the promotion of democratic and good governance was not among the initial objective of the African Union when it was Organisation for African Unity (OAU). The objectives of the then OAU was to among others eradicate all forms of colonialism from Africa, promote the unity and solidarity of member states, promote and intensify their socio-economic and political integration, defend the sovereignty and territorial integrity of Member States and to guide their political independence⁸; others include promotion of international cooperation and respect for the United Nations Charter and the Universal Declaration of Human Rights.

The transformation of the OAU to the AU in 2000 as we will later discover in this paper brought along with it a significant paradigm shift in the work of the continental institution the African Union, which includes promotion of democratic principles and good governance in member states. Under the African Union governance architecture, the African continent has up to eight Regional Economic Communities (RECs) and Regional Mechanisms (RMs) that are duly recognised by the AU. Significant numbers of these RECs now have one anti-corruption institution and or programme. The RECs and RMs on the continent include the Arab Maghreb Union (UMA); the Economic Community of Great Lakes countries (CEPGL); the East African Community (EAC); the Economic Community of West African States (ECOWAS); Southern Africa Development Community (SADC); Community of Sahel-Saharan States (CEN-SAD); Central African Economic and Monetary Community (CEMAC); Inter-Governmental Authority on Development (IGAD); Common Market for Eastern and Southern Africa (COMESA) and the Economic Community of Central African States (ECCAS).

Out of the above regional communities, reasonable numbers of them have substantive legal and institutional initiatives and programmes on anti-corruption for its members. The establishment of anti-corruption initiatives at the regional level was connected with the argument of the international development and financial institutions like the World Bank and International Monetary Fund (IMF) that effective anti-corruption is an antidote to the failure of the Structural Adjustment Programmes (SAP) on the continent in the 1980s. The Southern Africa Development Community (SADC) was the first Africa regional community to adopt a regional anti-corruption legal instrument in August 2001 known as the SADC Protocol on Corruption. In addition to this, the South Africa region also has another anti-corruption body known as the Southern African Forum on Corruption (SAFAC), countries such as Tanzania in East Africa are also a member of SAFAC and the East African Anti-Corruption Authorities (EAAACA), respectively.

Similarly, the Economic Community of West African States (ECOWAS) also found wisdom in regional anti-corruption initiatives and came up with the ECOWAS Protocol on Corruption in December 2001. To its credit, ECOWAS was the first REC to facilitate

Table A8.1 ECOWAS states in the lens of Transparency International (2012–2015)

| Countries | 2015 | 2014 | 2013 | 2012 |
|---------------|------|------|------|------|
| Cape Verde | 55 | 57 | 58 | 60 |
| Ghana | 47 | 48 | 46 | 45 |
| Senegal | 44 | 43 | 41 | 36 |
| Burkina Faso | 38 | 38 | 38 | 38 |
| Benin | 37 | 39 | 36 | 36 |
| Liberia | 37 | 37 | 38 | 41 |
| Mali | 35 | 32 | 28 | 34 |
| Niger | 34 | 35 | 34 | 33 |
| Côte d'Ivoire | 32 | 32 | 27 | 29 |
| Togo | 32 | 29 | 29 | 30 |
| Sierra Leone | 29 | 31 | 30 | 31 |
| The Gambia | 28 | 29 | 28 | 34 |
| Nigeria | 26 | 27 | 25 | 27 |
| Guinea | 25 | 25 | 24 | 24 |
| Guinea-Bissau | 17 | 19 | 19 | 25 |

Source: See Emmanuel Akomaye's presentation at ECOWAS on trends of corruption: its effects and challenges to anti-corruption efforts in West Africa, April 2016.

continental NGOs on transparency and accountability to campaign against corruption and other related offences in member states. In addition to the ECOWAS Protocol on Corruption, it has also established an anti-corruption institution known as the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA); GIABA is the ECOWAS institution responsible for facilitating the adoption and implementation of anti-money laundering (AML) and counter-financing of terrorism (CFT) measures in West Africa. Comparatively speaking, in terms of anti-corruption initiatives, both the Southern and the Western African regions have surpassed other regions on the continent, although this does not mean that all the countries in the two regions are ahead of other countries on the continent in terms of anti-corruption performances. Meanwhile, see below the Transparency International lenses on corruption in ECOWAS Member States from 2012–2015.

The East Africa Community has also been actively strategising against corruption in the region. The region has an association known as the East African Anti-Corruption Authorities (EAAACA). It also has a Protocol on Preventing and Combating Corruption. Other initiatives at the regional level include the establishment of a regional network of independent anti-corruption bodies.

The Trends of Corruption and the Role of the African Union on the Scourge

Although, corruption is a global phenomenon, its practices and effects in Africa are colossal. While this conclusion is true, it is, however, important at this juncture to emphasise that Rwanda and Botswana are two countries among few others on the continent that have demonstrated that African countries can be above board on corruption if it so desires. In 2014 for instance, the European Union (EU) Commission documented that corruption alone is estimated to cost the EU economy

EUR 120 billion per year⁹, just a little less than the annual budget of the European Union (European Commission, 2014). Similar corrupt practices also prevail in other continents like the Americas and Asia. Research has revealed that the annual total of bribes paid worldwide was estimated to be over US\$1 trillion while the WB documented that corrupt public officials in developing countries receive US\$ 20–40 billion in bribes annually¹⁰. While other developed continents have the necessary capacity to absorb the shock(s) of corruption the same cannot be said of the African continent due to its low level of development. This among other factors underscores the development of different anti-corruption initiatives on the continent by the national governments, the Regional Economic Communities, the African Union, the Commonwealth of Nations and the United Nations.

In addition to the above explanations for different anti-corruption initiatives in Africa, it is important to also indicate that in 1990, as the cold war was coming to an end, the OAU recognised that the changes at the global political level would also impact on the continent and this would affect the state of democracy, governance and the observance of human rights. This global trend impacted so many things on the continent, including the transformation of the OAU to AU in 2002 and eventually the AU anti-corruption efforts. In addition, in 2002, the African Union estimated that corruption costs African economies more than US\$ 148 billion each year. This figure represents 25 per cent of Africa's GDP and increases the cost of goods by as much as 20 per cent, thereby deterring investment and inhibiting development. The scourge of corruption eventually reached endemic proportions in many African countries, with consequences for deepening poverty and the continent being referred to as the most corrupt in the world. The vision of the AU is an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena while the objectives of the continental organisation are to promote democratic principles and institutions, promote and support citizens' popular participation and good governance on the continent. It was under this mandate and vision alongside other explanation above that the African Union found wisdom to promote anti-corruption programmes on the continent. In addition to the above explanations, as we will later discuss below, there are other explanations as to why the AU decided to prioritise anti-corruption initiatives and adopt the AU Convention on Corruption in July 2003. Also, in 2004, the African Development Bank (AfDB) estimated that, 50 per cent of tax revenue and US\$ 30 billion in aid for Africa was lost to corruption¹¹. In the same vein, the United Nations Economic Commission for Africa (UNECA)'s Governance Report I (AGR I), 2005, indicated that corruption is perceived as the most serious national problem next to poverty and unemployment on the continent.

The 2009 African Governance Report II (AGR II) confirmed that corruption is the single most important challenge to the eradication of poverty and creation of a predictable and favourable investment climate and general socio-economic development in Africa¹². Aside from the above documentation on corruption, the menace has also negatively affected the different sectors in Africa of which the extractive industry and public sector are cases in point. This effect therefore makes corruption a critical clog in the wheel of socio-economic and political development in Africa. It was in the context of the above, and under its mandate to promote democracy, human rights, good governance and development on the African continent that the AU decided to adopt a legal framework known as the African Union Convention on Preventing and Combating Corruption.

Despite the adoption of the referenced framework, corruption trends have not changed significantly in Africa to date. A recent report of the High Level Panel on Illicit Financial Flows from Africa by the AU and UNECA and led by H.E. Thabo Mbeki, former

President of South Africa, reveals that the continent is annually losing more than US\$50 billion through illicit financial outflows, and corruption is one of the facilitating factors for these outflows alongside weak governance capacity (AU/ECA, 2015). The explanation for the above is linked to weak national anti-corruption institutions. The AU, the Regional Economic Communities and the AU member states have developed commendable regulatory instruments in their efforts to combat corruption but the challenge to implement changes at the national level remains.

In addition to the Convention, the AU had also adopted the New Partnership for Africa's Development (NEPAD) document, which set up a coordinating mechanism to effectively combat corruption. Also, the Union initiated an anti-corruption blueprint for fighting corruption under its NEPAD Action Plan. The Political Governance component of the African Peer Review Mechanism (APRM) has been the auspice where corrupt practices have been examined and evaluated. Solutions on how to combat corruption in countries that have signed up to APRM are provided in various APRM reports. It is important to indicate that the NEPAD/APRM have been doing great work on corruption in terms of findings and recommendations on how to tackle the scourge. Unfortunately, implementation of APRM recommendations by countries that have been reviewed has been a great challenge.

Furthermore, the Department of Political Affairs of the African Union Commission also has the mandate to promote democratic governance on the continent. The Department is the Secretariat of the African Governance Architecture (AGA). AGA is the African Union framework for promoting democratic and good governance in Africa. AGA also has a platform that brings together the African Union organs with mandate on governance, including the Advisory Board on Corruption, the RECs, the NEPAD and the APRM.

The African Governance Architecture has the following five clusters under which the African Governance project is being spearheaded and coordinated¹³:

1. democracy and election
2. human rights and transitional justice
3. constitutionalism and rule of law
4. humanitarian affairs, refugees and displacement
5. governance.

The activities of the governance cluster include promoting effective and efficient public service in member states, deepening decentralisation and promoting good local governance, promoting good governance in natural resource management in member states and campaigning against corruption and illicit financial outflow from member states. The Governance Cluster also manages the Secretariat of the African Union Specialized Technical Sub-Committee (AU-STC) on Public Service and Administration. The AU-STC on Public Service and Administration has Anti-Corruption Champions among the AU member states. The Sub-Committee developed and adopted a continental Anti-Corruption Strategy for Public Sector Governance. The Commission is currently promoting the implementation of the strategy among member states. The African Union Commission has also been working with the African Association of Anti-Corruption Bodies. The Department of Political Affairs is currently facilitating the signing of a memorandum of understanding between the continental body and the African Union Advisory Board on Corruption. The African anti-corruption architecture therefore operates under a bigger framework – the governance cluster of the African Governance architecture.

The African Agenda 2063, Civil Society and the Fight Against Corruption

It has been documented that corruption was a major impediment to the achievement of the MDGs on the continent. (Cockcroft, 2012). It is therefore obvious that if corruption is not dealt with in Africa, the Africa Development Agenda 2063 and the United Nations Sustainable Development Goals (UN-SDG) may not yield their expected results on the continent. The recognition of the significant role of civil society on good governance and development made the then Organisation of African Unity (OAU) and other key stakeholders organise a five-day continental conference in Arusha, United Republic of Tanzania from 12 to 16 February 1990. This collaborative meeting of African governments, civil society, and the United Nations led to the adoption of the African Charter for Popular Participation in Development and Transformation in February 1990. The Charter affirms that African nations cannot be built without the popular support and full participation of the people, nor can the economic crisis be resolved and the human and economic conditions improved without the full and effective contribution, creativity and popular enthusiasm of the vast majority of the people. The Charter emphasises the crucial role of citizens' (Africans) participation in development agenda processes – formulation and implementation. The Charter also underscores the role of civil society in good governance and development at national, regional and continental levels.

A decade after the enactment of the Charter, three conferences were organised to develop a collaborative framework between African civil society and the AU in Addis Ababa, Ethiopia in June 2001, June 2002, and June 2004¹⁴. According to Mr Amara Essy, the then Secretary General of the OAU, 'the convocation of the second conference, the day before the launch of the African Union, underscores the determination of the OAU/AU to adapt to the evolving world environment and the growing role and legitimacy of civil society'¹⁵. These conferences gave birth to the African Union Economic, Social and Cultural Council (ECOSOCC) from 27 to 30 March 2005. The aim of the Council is to promote active civil society participation in African Union processes. The platform is made up of several civil society organisations across Africa and its role is to influence African Union policies and programmes. The platform currently has a Secretariat at the African Union headquarters known as the African Citizens Directorate (CIDO)¹⁶. It is important to emphasise that the AU-ECOSOCC is meant to positively influence the African Union policies and programmes including the fight against corruption in Africa.

In addition to the above institutional framework, the African Union has also put in place several normative frameworks to promote African civil society involvement in good governance and development programmes in all the African Union member states. Some of these include article 4 of the African Union Constitutive Act, which provides for the participation of the African people in the activities of the African Union itself. Others include article 12 of the African Charter on the Values and Principles of Decentralisation, Local Governance and Local Development; article 13 of the African Charter on Human and Peoples' Rights, article 3 of the African Charter on Democracy, Elections and Governance; articles 11 and 12 of the African Union Convention on Preventing and Combating Corruption, article 5 of the African Union Charter on the Values and Principles of Public Service and Administration etc. Considering that the role of civil society organisations is critical to the AU Development Agenda 2063, it is important for the African Union and its member states to broaden their collaboration on the project to include all the critical non-state actors. It is on the basis on the foregoing that the African Union Commission is working to facilitate the establishment of the continental network of non-state actors

against corruption in Africa. ECOWAS has done fairly well with the establishment of the Civil Society Organisations Platform on Transparency and Accountability in Governance (ECSOPTAG) in April 2016. For the fight against corruption to be successful, civil society must be empowered to fight corruption through awareness creation, whistle-blowers and protection legislation, among others.

The Establishment of the African Union Advisory Board on Corruption

The accounts of corruption challenges under the trends of corruption and the role of the African Union in dealing with corruption underscore the establishment of the Board. In addition, the role of the African Commission on Human and Peoples' Rights also contributed to its establishment. In 2002, the Human Rights Commission organised a meeting on challenges to socio-economic rights in Africa. One of the core outcomes of the meeting was that corruption was identified as a major challenge to the actualisation of socio-economic rights in Africa. This finding was one of the explanations that propel the African Union policy-making organs to establish the Board (Murray, 2004). The African Union Convention on Preventing and Combating Corruption was adopted in 2003 and it came into force in 2006. Section 22 of the Convention provides a follow up mechanism to the Convention. It provides for the establishment of the African Union Advisory Board on Corruption. The Board is an autonomous organ established within the African Union. The Secretariat of the Board was initially under the supervision of the Department of Political Affairs of the African Union Commission but is now in Arusha, Tanzania.

The Board has also had its own challenges. The former acting-Executive Secretary of the Board was accused of mismanagement of the Secretariat of the Board thereby leading to his outright dismissal. However, it is important to indicate that this accusation is yet to be substantiated in a court of law of any of the African Union member states. While the African Union management and policy-makers were furious at the corruption allegation, they argued that the Swedish grant under question of mismanagement was not directly managed by the African Union but by the United Nations Economic Community for Africa (UNECA)¹⁷. This challenge has impacted negatively on the image and continuous support of the international development partners to the Board. The African policy-making organs were more than embarrassed on hearing of the corruption allegation and challenge within the African Union Advisory Board on Corruption. Currently, the Secretariat of the Board is building capacity to achieve a better performance, as the Board is still operating its 2011–2015 Strategic Action Plan.

The main mandate of the Board is to promote and encourage the adoption of measures and actions by State Parties to prevent, detect, punish and eradicate corruption and related offences and to follow up on the application of the measures specified in the convention.

The Roles of the African Union Advisory Board on Corruption

According to article 22(5) of the AU Convention on Preventing and Combating Corruption, members of the Board are:

- a. To promote and encourage adoption and application of anti-corruption measures on the continent.

- b. To collect and document information on the nature and scope of corruption and related offences in Africa.
- c. To develop methodologies for analysing the nature and extent of corruption in Africa, and disseminate information and sensitise the public on the negative effects of corruption and related offences.
- d. To advise governments on how to deal with the scourge of corruption and related offences in their domestic jurisdictions.
- e. To collect information and analyse the conduct and behaviour of multi-national corporations operating in Africa and disseminate such information to national authorities designated under article 18 (1) hereof.
- f. To develop and promote the adoption of harmonised codes of conduct of public officials.
- g. To build partnerships with the African Commission on Human and Peoples' Rights, African civil society, governmental, intergovernmental and non-governmental organisations to facilitate dialogue in the fight against corruption and related offences.
- h. To submit a report to the Executive Council on a regular basis on the progress made by each State Party in complying with the provisions of this Convention.
- i. To perform any other task relating to corruption and related offences that may be assigned to it by the policy organs of the African Union.

The African Union has elected three sets of members to the Board till date. The first set of the AU Advisory Board on Corruption (AU-ABC) was appointed for the period 2009–2011 by the 14th Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, from 29 to 30 January 2009 (Doc. EX.CL/Dec.425 (XIV)). The newly elected members were sworn in on 4 May 2015 in Arusha, Tanzania¹⁸. The Board's Strategic Plan has four core areas of interventions as detailed below.

Programmes of the African Union Advisory Board on Corruption

The Board has a five years Strategic Action Plan from 2011–2015. The Strategic Plan was drawn from the African Union Convention on Preventing and Combating Corruption and other relevant and useful documents. Based on the above, four cardinal areas of work were carved out for the Board, namely (1) support of the implementation of the Convention; (2) awareness raising of the Convention and increasing visibility of the Board; (3) building partnerships with relevant partners; and (4) promoting organisational efficiency of the Board and monitoring and evaluation of its interventions.

- i. **Support of the implementation of the Convention.** The primary aim of this activity is to provide technical support to State Parties to the Convention on effective implementation and to collect and document information on the nature and scope of corruption and related offences in Africa. One of the Board's most important functions in article 22 of the Convention is to collect and document information on the scope of corruption and related offences in Africa. The Board has made some preliminary progress in an effort to collect and document information through the Baseline Questionnaire that was developed and sent to State Parties to the Convention. The responses of the State Parties that have completed and returned the Baseline Questionnaire revealed that a

lot remains to be done in order to fully implement the Convention by member states. Unfortunately, the majority of State Parties have failed to implement the Convention in terms of adoption of legislative and other measures to ensure that the proceeds of illegal and corrupt practices are not used to fund political parties, the incorporation of the principle of transparency into funding of political parties and the declaration of assets by public officials.

ii. **Awareness raising of the Convention and increasing visibility of the Board.**

The intention of this intervention is to embark on impactful advocacy missions to AU member states to, among other things, promote implementation of the Convention and convince member states that have not ratified the instrument to do so. So far, the advocacy missions have assisted the Board in assessing the challenges and opportunities that countries are encountering in implementing the Convention. It has also helped in finding out how the Board should channel its support. Through its work, the Board has conducted in-depth interviews with various stakeholders in the concerned State Parties (government officials, national anti-corruption authorities, private sector, media and civil society organisations) on the nature and state of corruption. Furthermore, the advocacy missions allowed the Board to follow up on the answers provided by the State Parties to the Baseline Questionnaire it administered and it has also utilised the opportunity to encourage states party to the Convention that have completed and return their questionnaire(s) to do so. Thus, advocacy missions are a means of securing vital, reliable and up-to-date information on the activities of member states in preventing and combating corruption and critical to the development of its progress report.

iii. **Building partnerships.** A significant numbers of participants are already involved in the fight against corruption in Africa, with specific fields of expertise and pertinent experience. The aim of this programme is to expand and strengthen the partnership network of agencies fighting against corruption in Africa and to strengthen and help the Board to take stock of the existing initiatives and to show value added results from different partnerships. The overarching intent of this intervention is the consolidation of partnerships in the fight against corruption on the continent.

iv. **Organisational efficiency of the Board and monitoring and evaluation.** The achievement of the Board's mission is only possible if this Board is a functioning and performing organisation, hence the strategic axis on the efficiency of the Board as an institution. In addition, the Board is expected to support and have an impact on the fight against corruption at continental, sub-regional and national levels. The key objectives here are:

- The establishment of functional and efficient secretariat.
- The mobilisation and securing of financial resources for the functioning of the Board and implementation of projects.
- The optimisation of the efficiency of Board members during their mandate, in order to address the relatively short mandate of Board members and ensure continuity between different mandates.
- The systematisation of the planning, monitoring and evaluation mechanism of the Board.
- The capitalisation of information on the progress made in the implementation of the Convention by all stakeholders.

Accomplishments

1. Reporting to the AU organs on the state of corruption in member states and implementation of the Convention in countries that have ratified the Convention.
2. One of the accomplishments of the Board was the adoption of the Strategic Plan for 2011–2015, which was initiated by the first Board. The draft strategic plan was presented and discussed in the validation workshop organised in March 2011 and later adopted in October 2011 during its 9th Ordinary Session.
3. Publications of relevant documents in support of the fight against corruption in Africa, e.g. a model Anti-Corruption Law for AU member states.
4. Collaboration with the African Association on Independent Anti-Corruption Bodies for its resuscitation.
5. The AU has developed a code of ethics and conduct and anti-harassment policy for its staff and consultants, the document is under consideration for adoption.
6. The AU has also drafted an anti-fraud and corruption policy in 2014 for its staff and consultants.

Challenges of the African Union in the fights against corruption

Only 34 out of the 54 AU Member States that adopted the Convention in 2003 have ratified the Convention. The majority of the AU member states that have ratified the Convention have not implemented it in such a way as to give it legal effect in their states. Only the United Republic of Tanzania has communicated to the Chairperson of the Commission the designation of a national authority or agency in application of offences established under article 4 (1) of the Convention, in violation of article 20 (1)–(2) of the Convention; members of the Board are elected on part-time basis with four statutory meetings per year. The Secretariat of the Board lack sufficient human, material and financial resources to carry out its mandate. The Board faces financial constraints as it receives nominal funding from member states. The contribution from member states to the finances of the Board has been in the range of US\$ 500,000–650,000 per annum for operational budget. The Board secured additional funding from development partners, mainly from the Swedish Embassy in Ethiopia but currently, there is a challenge with the funding as explained above and the Government of Sweden has ended its financial support to the Board. Africa needs to commit more resources to fight corruption in Africa.

In addition, the Board lacks visibility and the requisite information on the state of corruption and its impact on development in Africa. Many Africans are not aware of the existence of the Board and how the continental organisation can assist them in the fight against corruption. The Board has not embarked on well-structured research leading to discovery of corruption facts and recommendations on how to tackle development challenges emanating from corrupt practices. Most states party have failed to ratify and domesticate the Convention and other related instruments with provision for the fight against corruption such as the African Charter on Democracy, Elections and Governance and the protocol establishing the African Court of Justice and Human Rights, especially in those common law countries that are required to pass legislation incorporating ratified instruments into domestic laws; they have also

failed to implement the Convention even though they have ratified or accessed and domesticated it. Virtually all State Parties that returned the Baseline Questionnaire to the Secretariat of the Board recognised through their answers that they were yet to fully implement the Convention but not much has been done by these countries.

Some Governance and Anti-Corruption analysts have described the African Union Advisory Board on Corruption as a toothless dog that can bark but cannot bite. For an anti-corruption institution to be effective, it must have the authority to demand transparency and accountability from its clients without refusal. The Board cannot sanction any member states as it is only an advisory entity.

The capacity of the Board to be objective in its findings and report to the AU policy-making organs can be compromised due to funding dependency on AU member states. The Permanent Representative Committee (PRC) of the African Union determines the budget of the Board on a yearly basis. State Parties to the AU convention on corruption are not the sole determinant of the AU-ABC budget. All the AU member states determine the Board's budget. From inception to date, the member states have only catered for the Board's operational budget while international development partners have been providing the Board's programmes budget. Any member state that is not satisfied with the report of the Board can rally round other AU member states to impoverish the Board.

The AU Board Members are elected by the African Union Heads of State and Government but the Executive Secretary is appointed by the Chairperson of the African Union Commission through a competitive process. The Executive Secretary is not directly answerable to the Chairperson of the Board and/or the Bureau of the Board; this was argued by the Chairperson of the Board why the Board could not control the Secretariat of the Board from 2013–2015. There is a need for a mechanism that would make the Board have full control of the Secretariat of the Board. As a result of the limited capacity of the Secretariat of the Board, the Political Affairs Directorates of the African Union Commission supervises the Secretariat of the Board, thereby negating the principle of equality of AU organs as one organ is not expected to supervise another organ.

Unfortunately the African Union Advisory Board on Corruption was charged with the responsibility to fight corruption was itself enmeshed in corruption menace (Embassy of Sweden, Ethiopia (2013)). This unsavoury experience made the African Union policy-making organ clamp down heavily on the Board and came up with stringent decision to reposition the Board and to come up with internal mechanisms that would guide against corrupt practices in all the relevant African Union organs (African Union Executive Council Decision, 2015).

The way forward

The activities of the Board should henceforth go beyond 'Board meetings' where mostly management of the Secretariat and Board issues are discussed. The Board should be out there in member states to evaluate implementation of the Convention and to provide requisite technical assistance to the affected State Parties. If the Board is to make meaningful impacts on anti-corruption, members of the Board should be appointed on a full-time basis and more resources should be allocated to the Board to carry out its assignments as provided in article 22 of the Convention on Preventing and Combating Corruption. The African Union Advisory Board should focus more on defining a continental strategy for anti-corruption in Africa and the strategy should also cater for programme implementation and evaluation.

Some critics of the AU Advisory Board on Corruption have argued that the name of the Board is also not helpful. They contended that the name should be 'African Union Advisory Board on Anti-Corruption' and not 'on Corruption'. While this may be important, we have argued elsewhere that if the works of the Board are carried out as enshrined in the statutes of the Board, the name is likely to be insignificant in terms of its impacts on anti-corruption in Africa.

In addition to the above recommendation, the Board should make a more concerted effort in its advocacy to popularise the Board, its activities and the usefulness of the Board on good governance and development in Africa. There is a need for the Board to be known by majority of Africans as a result of the impacts of its work. Unfortunately, this is not the case. The African Union Advisory Board on Corruption should coordinate and collaborate with other international and similar organisations with mandates to fight against corruption in Africa. There is also an urgent need for all the AU organs with mandates related to anti-corruption to work together under the AGA's governance cluster to jointly develop a common anti-corruption strategy for Africa. Partnership between the AU Advisory Board on Corruption and the African Association of Independent Anti-Corruption Bodies, the regional Association of Independent Anti-Corruption Bodies and the Commonwealth Centre on Anti-Corruption is critical.

The African Union Advisory Board on Corruption should partner with the African Union Specialised Technical Committee number eight, sub-committee on Public Service and Administration, to promote anti-corruption champions at member state and also at individual levels on the continent to promote anti-corruption in Africa. These individual champions would be different from the Board members and they will all work together to combat the menace on the continent. The Board should prioritise research and training programmes. An African Anti-Corruption Centre should be established by the Board to cater for corruption research and training of AU member states. The content of the training would be determined by the findings emanating from the Board's research work. Also, the AU member states should prioritise the funding of the Board's programmes and activities and they should not be left at the discretion of the international development partners.

An administrative mechanism should be put in place to ensure that the Head of the AU-ABC Secretariat is answerable to the Bureau of the AU-ABC headed by the Chairperson of the Board. As a continental anti-corruption advisory body, the Board should demonstrate good example to AU member states and other public sector institutions in Africa by developing a comprehensive and implementable anti-corruption policy for members and staff of the African Union Advisory Board on Corruption. A code of conduct, integrity pact and asset declaration form(s) should be developed and signed by all the Board members and its staff on a yearly basis and this should form part of the Board's activities and principles. Furthermore, professional and competent officials with integrity credentials should be recruited to the Secretariat of the AU Advisory Board on Corruption; member states of the AU should henceforth prioritise domestication and implementation of the AU Convention on Corruption.

It is important at this juncture to indicate that the AU Convention on corruption provides for civil society and the private sector in the fight against corruption. These vertical and horizontal anti-corruption measures should be maximally utilised and all the AU organs with mandate on governance and anti-corruption should team up for the establishment of the African network of non-state actors Against Corruption in Africa to compliment the effort of the AU-ABC in the fight against corruption in Africa. The model Anti-Corruption Law that was jointly developed by UNECA and the Board

should not be left on the bookshelves. The Board should be pro-active and engage member states that are in need of the model law for them to use it accordingly in their fight against corruption and other related offences.

Notes

- 1 He was one of the founding staff of the African Union Advisory Board on Corruption in Addis Ababa, Ethiopia where he served as the pioneer Senior Governance Officer (Anti-Corruption and Legal Matters). He was at some point with the Department of Political Affairs at the African Union Commission (AUC) coordinating the AUC work on anti-corruption and the governance cluster of the African Governance Architecture (AGA). He is currently a Human Rights Expert with the Department of Political Affairs, African Union Commission, Addis-Ababa, Ethiopia. Mr Ikubaje can be reached through jikubaje@gmail.com. The opinion expressed in this paper is strictly that of the author and by no means the African Union Commission and any of the African Union organs.
- 2 In the same vein, corruption across the globe today continues to cripple so many socio, political and political institutions across the world.
- 3 According to a study carried out and written by Marco Hafner, Jirka Taylor, Emma Disley, Sonja Thebes, Matteo Barberi and Martin Stepanek at RAND Europe and by Professor Mike Levi at the request of the European Added Value Unit of the Directorate for Impact Assessment and European Added Value within the Directorate General for Parliamentary Research Services (DG EPRS) of the General Secretariat of the European Parliament and peer-reviewed in accordance with RAND's quality assurance standards, the cost of corruption in Europe was estimated to be €990 billion (£781.64 billion) lost annually; see details at http://www.europarl.europa.eu/RegData/etudes/STUD/2016/579319/EPRS_STU%282016%29579319_EN.pdf (viewed on 7 May 2016).
- 4 See Odukanmi Olushola's article on Corruption in Nigeria: An Incurable Disease? In the Nigerian Voice, published on 17 June 2013. Available online: <https://www.thenigerianvoice.com/news/116623/corruption-in-nigeria-an-incurable-disease.html>
- 5 See 'three levels of fighting corruption' in a paper delivered by Robert Klitgaard at the Carter Center Conference on Transparency for Growth in the America on 3 May 1999.
- 6 Majority of the African Union member states have signed and ratified the UN and AU Conventions on Corruption. Unfortunately, the number of the African Union member states that ratified the UN Convention Against Corruption is currently (as of May 2015) more than those that have ratified the AU Convention on Preventing and Combating Corruption. Some have argued that the explanation is anchored in the political economy of anti-corruption but research is certainly necessary to find out why some AU member states prefers to ratify the global convention on corruption and not the one that they crafted for themselves.
- 7 Most of the African RECs has its network of Independent Anti-Corruption Commission. In fact, the ECOWAS has taken the first bold step to facilitate and support the establishment of the ECOWAS NGOs Platform on Transparency and Accountability in Governance (ECSOPTAG) in April 2016. During its

establishment, the ECOWAS brought the President of the ECOWAS network of Anti-Corruption institutions network to facilitate some of the sections of the technical consultative meeting that led to the establishment of the network.

- 8 See the Charter of the Organisation of African Unity, 1963 for more details.
- 9 This figure increased to EUR 990 billion in 2015.
- 10 See the Concept Note for the 5th Commonwealth Review Meeting of Heads of Anti-Corruption Agencies in Africa held at Bahari Beach Hotel, Dar es Salaam, Tanzania 25–29 May 2015.
- 11 See the report of the Governance and the Fight Against Corruption in Africa organised by UNECA 9–10, December 2009.
- 12 See, UNECA, African Governance Report, (AGR I), 2005. Addis Ababa, Ethiopia. P.148; and African Governance Report (AGR II), 2009. Oxford: Oxford University Press.
- 13 The five clusters of the AGA also represent the five areas of the Department of Political Affairs interventions. Unlike the African Peace and Security Architecture's (APSA's) pillars, which are distinct from the Department of Peace and Security Divisions, the same cannot be said of the AGA. The Department of Political Affairs singlehandedly defined the AGA and its cluster before bringing on board other AU organs with mandates on governance; this underscores why the focus of the Department of Political Affairs is exactly the same thing as the AGA. This conceptual challenge continues to impact negatively on the understanding and intervention of the AGA to date. For instance, during one of its recent retreats for AGA Secretariat and its Platform members in South Africa, the GIZ offices to the African Union in Addis Ababa, Ethiopia refused to admit the Humanitarian, Refugee and Displacement Division of the Department of Political Affairs to the retreat. This has prompted some critics to conclude that AGA is logically not under the control and management of the AU but of the development partners that pay its staff and dictates its programme intervention.
- 14 See Francoise Nduwimana on African Civil Society: Prospects for Raising Awareness on Priority Issues published by Partnership Africa, Canada in 2004
- 15 See the Opening Speech delivered by Amara Essy, Secretary General of the OAU at the second OAU/AU conference on civil society, Addis Ababa, June 11, 2002.
- 16 African civil society organisations felt that the space provided by the ECOSOCC was not adequate and this led to an alternative platform known as Centre for Citizens Participation in African Union (CCP-AU). The Centre has been doing excellently to influence the African Union policies and programmes.
- 17 Considering the seriousness of the corruption challenge, the African Union Commission mandated its Internal Audit Directorate to carry out a comprehensive administrative and financial audit of the Secretariat of the Board. In addition, the Swedish Government also engaged a forensic audit firm to carry out a separate audit and their findings were similar. The two reports indicated that the Board had mismanaged the fund.
- 18 The gender composition of the Board members is, however, diminishing and this needs urgent attention as the year 2016 has been dedicated to Human Rights with Special Focus on the Rights of the Women by the African Union.

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Annex 9 CHRAJ Agency-to-Agency Exchanges

**CHRAJ
AGENCY –TO-AGENCY EXCHANGES
(2014-DATE)**

Presented at the 6th Commonwealth
Review Meeting of Heads of ACAs in
Africa

Swakopmund, Namibia
(31 May-4 June, 2016)

Profile of CHRAJ

- Established in 1993
- Three-in-One Institution:
 - National Human Rights Institution
 - Ombudsman Institution
 - Anti-Corruption Agency

Anti-Corruption Mandate

- Corruption
- Conflict of Interest
- Breaches of Code of Conduct for Public Officers of Ghana
- Contravention of or non compliance with the Constitutional Provisions on declaration of Assets and Liabilities
- Illicit Enrichment

Outreach

- Head Office located at Accra
- 10 Regional Offices located in the 10 regional capitals
- 100 District Offices

Personnel

- There are about 165 Investigators:
 - a mix of professionals including lawyers
 - variously trained in anti-corruption both in Ghana and abroad.
- At levels different levels of competence and expertise
- There are trainers and experts

Needs

- As such, the needs vary according to experience, and capacity.
- Generally, the following are some of the needs:
 - Integrity and Ethics
 - Development of integrity compliance tools
 - Conducting systemic investigation/Examination

Needs

- Basic Intelligence
- Financial Investigations
- computer forensics
- Use of ICT in investigations of corruption

Exchanges

- Before 2014, we received visitors from ACAs of the following countries:
 - Sierra Leone
 - Kenya
 - Zimbabwe
 - Tanzania
 - Zambia
- We also received MPs from the Tanzanian Parliament (2015)

Exchanges

- ZAMBIA ANTI- CORRUPTION COMMISSION visited (last) from 17TH – 23RD APRIL, 2013
- Delegation:
 - Dr. Steven Moyo
 - Mr. Dominic Chanda
 - Mr. Ernest Mwape
 - Rev. Mrs. Suzyo Ngandu
 - Mrs Idah Chella
 - Mrs. Dorothy

Cont'd

- *The delegation had discussions with Heads/Representatives of the following Institutions/Organisations:*
 - *Public Services Commission*
 - *Economic And Organised Crimes Office (EOCO)*
 - *Financial Intelligence Centre (FIC)*
 - *Auditor-General's (AuG)*

Cont'd

- *Ghana Anti-Corruption Coalition (GACC)*
- *Ghana Integrity Initiative (GII)*
- *Centre For Democratic Development (CDD)*
- *African Parliamentarians Network Against Corruption (APNAC)*
- *Institute Of Economic Affairs (IEA)*

Cont'd

- The delegation studied how “Ghanaian Authorities and Civil Society are fighting corruption and are also helping to improve efficiency in public service delivery”
- During debriefing at the end of the visit, the delegation disclosed that it was satisfied with the visit and were returning with good impression about the cooperation between ACAs and CSOs in Ghana.

Others

- As a Three-in-one, we also received visitors from:
 - Niger Human Rights Commission
 - Botswana Ministry of Justice (2015): with interest in the Ombudsman & Human Rights Mandates

ACAs visited

- CHRAJ also visited the Tanzania in 29 March - 5th April, 2014
- Delegation:
 - Richard Quayson, Ag. Commissioner
 - Duke Hammond, Director, Administration
- Purpose: study the implementation of the Anti-Corruption Strategy of Tanzania

Cont'd

- They also visited CHRAGG
- The delegation's visit helped in shaping the implementation of Ghana's AC Strategy and Plan

Conclusion

- Our experience is that, such exchanges:
 - build relationships
 - Enhance cooperation (both formal and informal)
 - Enable adoption of good practices

Cont'd

- Foster information exchange and sharing of experience
- Can lead to enhanced performance by ACAs, among others

THANK YOU

Annex 10 Activities of the Association of Anti-Corruption Authorities in Africa (AAACA)

Activities of the Association of Anti-Corruption Authorities in Africa (AAACA)

Presentation
by
Charles Ayamdoo
President, AAACA
Director, Anti-Corruption, CHRAJ

Preview

- Introduction
- Background
- Establishment
- Update on Activities
- Conclusion

Introduction

- The Association of Anti-Corruption Authorities in Africa brings together anti-corruption authorities in the members states of the AU/ Africa, to:
 - foster unity, coordination and intensify cooperation among African States in fighting corruption

Background

- 2009: 3rd Conference of the East African Association of Anti-Corruption Authorities (EAAACA) was held in Bujumbura, Burundi.
- Formation of a continental platform to fight corruption was highlighted by the President of the Republic of Burundi in his address at that meeting

Cont'd

- 2010: Another EAAACA Conference held in Nairobi, Kenya considered the call by the President of Burundi to have a continental platform on anti-corruption

Cont'd

- 2013: The EAAACA organised the 1st Conference of Heads of African Anti-Corruption Authorities in Bujumbura, Burundi (June 2013)
- About 13 agencies from the Commonwealth attended this meeting

Cont'd

- Delegates from Commonwealth included:
 - Botswana – Shadrack Gerald Kgomo
 - Ethiopia – Ali Suleiman Mohamed
 - Ghana - Ayamdoo Charles
 - Kenya- PLO Lumumba
 - Liberia –Mrs. Frances Johnson Morris

Cont'd

- Malawi – Phombeya Mary Sinai
- Namibia – Noa Paulus
- Nigeria – Othman Abubakar Adamu
- Rwanda – Tito Rutaremara

Cont'd

- Swaziland – Justice Harris Micahel Mtegha
- Tanzania – Edward Hoseah
- Uganda – Raphael Baku
- Zambia – Lt. Col (RTD) Kayukwa G. Robert

Cont'd

- Bujumbura Declaration:
 - an Interim Steering Committee
 - Prepare a draft Constitution
 - Convene another Conference to consider the Draft Documents
- Burundi hosted the Interim Secretariat, which facilitated the work of the ISC

Cont'd

- The Interim Committee was composed of Representative of Regional Anti-Corruption Bodies.
- Members were:
 - Prof. Lumumba (EAACA)
 - Dr. Jean Baptiste Elias (NACIWA)-Convener/Chair
 - Dr. Edward Hoseah (SAFAC)

Cont'd

- The rest were:
 - Christopher Leba Gakemi(Central Africa)
 - Sherif Badawy (North Africa)
 - Habonimana Leonidas (Special Brigade AC, Burundi)-Secretariat (later Angele Barumpozako)

Establishment

- The 2nd Conference of Heads & Representatives of African Anti-Corruption Authorities was held in Accra, Ghana(15-19 September 2013)
- A Constitution was adopted

Cont'd

- Members resolved that the AAACA Secretariat be situated in Bujumbura, Burundi
- A nine-member Executive Committee (EXCOM) was elected

Cont'd

- Members of the EXCOM :
 - President- Ayamdoo Charles (Ghana)
 - 1st Vice-President - Justice Lul John Gatwech- (South Sudan)
 - 2nd Vice President -M. Odounga Awassi Dieudonne - (Gabon)
 - Secretary-General -Ms. Angele Barumpozako- (Burundi)

Cont'd

- The others are:
 - North Africa- Mr. Amr Aly Fahmy Moustafa (Egypt)
 - West Africa -Ms. Frances Johnson Allison (Liberia)
 - East Africa -Mr. George Nathan Bamugemereire (Uganda)
 - Central Africa-M. Fohitung Samuel Tangang- (Cameroun)
 - Southern Africa-Mr. David Nyamirandu(Malawi)

Update

- Ms. Angele Barumpozako (SG) was replaced by Lievin Macumi, newly appointed Commissioner-General of Burundi .
- Ms. Frances Johnson Allison and Mr. David Nyamirandu had also left the employment of their respective Anti-Corruption Authorities.

Cont'd

- The vacancies were communicated to Southern and West Africa for replacement
- West Africa nominated Issiffou Bourema (Niger) and Chairman of NACIWA to replace Mrs. Johnson
- Southern Africa is yet to make a replacement

EXCOM Meeting

- First Formal EXCOM meeting was held in Bujumbura in March 2013 (with support from UNODC)
- EXCOM did the following:
 - *Produced a Strategic Plan (SP)*
 - *Developed a Work Plan for 2014*
 - *assessed capacity of Secretariat*

SP (2014-2018)

- **Strategic Goals:**
 - 1: Fully operational AAACA with functional Secretariat.
 - 2: Communication and Resource Mobilization Strategy Implemented.
 - 3: Enhanced implementation of the UNCAC and the AU Convention on Preventing and Combating Corruption.

Cont'd

- 4: Improved cooperation and networking among the Anti-Corruption Authorities on anti-corruption prevention, investigation and prosecution.
- 5: Established partnerships and alliances in the fight against corruption.

2014 Work Plan:

- Have a fully operational Association with an effectively functional Secretariat
- develop a communications and resource mobilization strategy
- conduct preliminary work on the development of a framework of cooperation among member states on the fight against corruption,

Cont'd

- strengthen linkages and collaboration with the African Union Advisory Board on Corruption, among others
- The Secretariat has circulated the minutes of EXCOM, SP, Work Plan to members

Cont'd

- The EXCOM also:
 - Put some controls in place, opened the Association's Account
 - Registered the Association in accordance with the laws of Burundi
 - Had discussions with the Vice President of Burundi

Cont'd

- Joint funding proposal with UNODC has been prepared
- Potential Funders contacted for support:
 - Belgium Embassy
 - European Commission
 - AfDB
 - AU ABC

Cont'd

- Dues/Fees
 - In Accra, Members set an annual membership dues/fee of USD 2,500 payable by 31 December each year .
 - This rate is subject to review by the Association at its AGMs.
 - Fees paid as of 2014 (14 Members)

Cont'd

- Of the 14, six Agencies from this meeting had paid the dues by 2014
- They are: CHRAJ-Ghana, EACC-Kenya, ACC-Namibia, EFCC-Nigeria, PCCB-Tanzania, IG-Uganda

Members' contact

- The Secretariat has updated members' contact information
- The Secretariat continues to do so as and when changes do occur

MOU

- Signed an MOU with the AU Advisory Board on Corruption
- Scope:
 - Advocacy & Research
 - resource mobilisation
 - capacity building
 - peer learning and best practice exchanges
 - Building and strengthening alliances

Challenges

- Include the following:
 - Staffing of Secretariat
 - Funding
 - Organisation of AGMs depends mainly on donors
 - 2014 AGM: Ebola, IACC in Tunisia
 - 2015 AGM could not be held
 - Offer by Republic of Congo to host AGM, still pending

Conclusion

- The AAACA has the potential to deliver on its objectives
- The effective Implementation of SP, which will place the Association on a better pedestal, is critical
- The AAACA needs support from all its members

THANK YOU