Moving from silo to holistic

A key strategy for combating corruption in the Commonwealth

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Introduction

The fact that corruption is a major worldwide problem that places too much pressure on governments and resources cannot be over-emphasised. Many nations around the globe have become conscious of the terrible effects of corruption. Consequently, fighting corruption has become a worldwide concern, particularly in the developing world (UNDP, 2005). It is also a fact that national governments, international agencies and non-governmental organisations (NGOs) have preoccupied themselves with the effort to combat corruption, as having anti-corruption measures in place has become a necessary requirement for developmental assistance; in particular, the establishment of national anti-corruption agencies.

Anti-corruption requires good governance, which in turn is characterised by an absence of corruption. Poor governance is often associated with a culture of impunity, where public officials feel little obligation to be accountable to citizens, and where citizens have limited expectation that their elected leaders should be accountable to them (Frimpong, 2009). This situation reinforces monopolies on power that undermine the operation of institutional checks and balances, and helps create an atmosphere of tolerance for corrupt practices. In such an environment, officials face few pressures to change their behaviour. According to Hussmann (2007), the power of vested interests remains strong, while reformers find little traction to address corruption problems. Furthermore, poor governance hinders the emergence of a strong civil society and disempowers citizens who could become advocates for anti-corruption policies and programmes.

It is important to examine the factors militating against the anti-corruption fight and to identify issues for consideration for future strategy, both for countries in the Commonwealth and for development partners.

Factors militating against the anti-corruption fight

In spite of global efforts to combat corruption, the results do not appear to be encouraging. Over the years, various strategies have been developed, the most common being the establishment of anti-corruption agencies by national governments. However, many new forms of corrupt practices are emerging on a daily basis, which put development projects at risk, particularly in the developing countries (Doig, Watt and Williams, 2005). In light of the widespread nature of corruption and the apparent failure of past attempts in the fight against it, current efforts also appear not to be effective.

Every country faces the challenges and risks associated with the phenomenon of corruption. However, the ways in which corruption creeps into and reproduces itself in a given society and political system vary widely, as do the ways in which governments choose to deal with corruption. In most countries, anti-corruption strategies have not been particularly successful for a variety of reasons, among which the following merit special attention:

• Not enough attention has been given to the political dimension of anti-corruption policies. In particular, the high-level political will that helps create the anti-corruption strategies is not maintained throughout the whole government term, or carried over when a new government is elected.

• The public agencies charged with the co-ordination and monitoring of anti-corruption strategies do not usually have the authority, political backing or capacity to encourage or compel powerful line ministries to implement envisioned measures and to report on progress.

• Public agencies that have to implement anti-corruption measures often do not have the required capacities to integrate these measures into their daily business operations, and anti-corruption lead agencies generally lack the capacity to remedy this situation.

• Anti-corruption agencies, oversight institutions, political actors, the media and the public continually hinder the creation of a sustained political debate that could lead to sufficient political pressure to move anti-corruption policies forward.

• Although they provide important support, development partners often fail to see the holistic picture in the fight against corruption. They usually support one institution in the corruption fight to the exclusion of others, thereby perpetuating the silo approach to deal with the problem.

• Roles and responsibilities of stakeholder institutions are to some extent defined in most anti-corruption policies and strategies, although this takes place more on paper than in practice. Co-ordination is generally weak, irregular or non-existent, and the institutions tasked to perform this function often do not take a pro-active approach.
Background

The African Parliamentarians Network Against Corruption (APNAC) is an organisation which aims to coordinate, involve and strengthen the capacities of African parliamentarians to fight corruption and promote good governance. Since its formation in 1999 in Kampala, Uganda, APNAC has promoted accountability, transparency, and public participation in the processes of government, as the best ways to control corruption.

As the elected representatives of the people, MPs play an essential leadership role in combating corruption throughout the legislative process, and in their oversight and representative functions. APNAC’s mandate is promoted by its presence throughout the Eastern, Southern, and Western regions of Africa, via its National Chapters, and working with other anti-corruption bodies in Africa and around the world.

The main objectives of APNAC are to:

• Build the capacity of parliamentarians to exercise oversight roles, especially on financial matters
• Share information on best anti-corruption strategies and practices
• Promote projects to control corruption based on best practices
• Cooperate with other organisations and civil society members with shared objectives

APNAC Executives

At its annual general meeting in Lusaka, Zambia, in September 2009, APNAC members elected a new leadership to steer the affairs of the Network for a two-year term. They are:

President: Hon. Given Lubinda, Zambia
Vice-President: Hon. Dieudonné M. Bonanet, Burkina Faso

Regional Representatives

East Africa
Hon. Musikari Kombo, Kenya
Hon. Dr Amir Zainab Gama, Tanzania

Central Africa
Hon. Ouchar Tourgoudi, Chad
Hon. Dr Bouzabo Patchili, Chad

West Africa
Hon. Osei Kyei Mensah-Bonsu, Ghana
Hon. Ndeye Gaye Cissé, Senegal

Southern Africa
Hon. Eduardo Namburete, Mozambique
Hon. Jabulani Mangena, Zimbabwe

APNAC Secretariat

Since January 2010 the Secretariat of APNAC, which had hitherto operated from offices in Nairobi, Kenya, was moved to Accra, Ghana, from where it currently operates under the auspices of the Parliamentary Centre’s Africa Poverty Reduction Office. The APNAC Secretariat is headed by its Executive Director, Daniel Batidam, who works with a small team in close collaboration with the PC-Africa staff and the APNAC Executive Committee to implement the Network’s continental programmes.

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The Commonwealth Secretariat’s holistic approach

What the factors above indicate is that anti-corruption policies and strategies in their current form are ineffective in the fight against corruption. Under these circumstances, it is imperative that we seek new alternatives to confront this problem. A successful fight against corruption brings substantial benefits to countries, as indicated by the Chief Executive of Transparency International: ‘Corruption is a powerful force, but it is not inevitable or unavoidable. Diminishing its impact restores diverted resources to their intended purpose, bringing better health, nutrition and education to victims of corruption around the world, and with them, opportunity and hope’ (Eigen, 1998).

The high premium placed on the promotion of good governance through the reduction in corruption in Commonwealth countries is evidenced by its constant inclusion in the Commonwealth Heads of Government meetings. In recent years, the Commonwealth Secretariat’s anti-corruption programme has attracted large numbers of high-calibre applicants and has become a flagship training programme in the area of good governance. Some member governments have continued to nominate officers from various levels of their country’s anti-corruption commissions/bureaux to attend this programme so as to create a critical mass within the organisation. However, review of work done in this area has revealed a need for a holistic approach to deal with the issue of corruption within Commonwealth countries (Koranteng, 2009a). Rather than focusing primarily on anti-corruption commissions/bureaux, there is a need for bringing on board other oversight, regulatory, law-enforcement and governance institutions involved in the monitoring, detection and response to corrupt practices, as well as in the management and implementation of anti-corruption programmes and strategies (Koranteng, 2009b).

For example, when governments allocate large sums of taxpayers’ money, they do, in the interest of the taxpayers, expect in due course a detailed account of how this money has been spent. The government must be satisfied that the money has been used for its intended purposes and spent wisely. In accordance with this, the Auditor-General examines the annual accounts of all public institutions and after careful scrutiny certifies the accounts and submits his reports to parliament. The Auditor-General’s office thus exists to promote good governance, transparency, accountability and probity in the public financial management system by auditing the management of public resources. Parliaments have set up the Public Accounts Committees and entrusted them with the detailed examination of those accounts, exacting accountability from any misappropriation.

The offices of the Ombudsman and Integrity Commission have become a standard of measure of transparency. The Ombudsman office is a statutory institution whereby ordinary citizens can have their rights protected. It enables those who are subjected to poor or unfair services from public sector institutions to seek redress. Another good component of good governance committed to raising the governance standards is the Integrity Commission. This statutory independent institution is set up to receive, examine and retain all declarations of assets, and to verify or determine the accuracy of such declarations by public office holders. The same priorities need to be made to encourage accountability and improvement in government operations, and should be driven by the overriding concern to reduce corruption and promote good governance.

It is against this background that the Commonwealth Secretariat’s Governance and Institutional Development Division’s (GIDD) project on governance and anti-corruption has shifted from a silo to a holistic approach to include Auditor-Generals, Parliaments, the Ombudsman and Integrity Commissions offices, Ethic Commissions, and anti-corruption institutions, as well as non-states actors, to enable them to ensure a proper and prudent stewardship of the public purse.

The Commonwealth Secretariat’s governance project

Traditionally, strategies that deal with governance issues in general and corruption in particular have been based on a silo approach. Such a disjointed or compartmentalised approach has not yielded the desired results as it fails to take a comprehensive view, which requires the involvement of other key institutions. What we have learned, therefore, is that there is the need for a holistic approach to deal with the issues of governance and corruption within member countries by bringing together all key stakeholders involved in monitoring, detecting and responding to the promotion of good governance.

The Secretariat’s governance project envisages a holistic view to promote shared responsibility for strategic decision-making, country-needs assessment, programme execution, and partnership opportunities across public sector institutions in order to control corruption and promote good governance. The key values underpinning the project are the principles of accountability, transparency, integrity, predictability and participation in public sector decision-making. The purpose of this project is:

- To strengthen good governance through a reduction in corruption and thereby promoting accountability, transparency and integrity in the Commonwealth.
- To support member countries in strengthening governance, oversight and anti-corruption institutions in order to realise the goals of good governance.

The Secretariat’s governance strategy is being executed via a three-pronged approach – at the pan-Commonwealth, regional and in-country levels.

- At the pan-Commonwealth level, programmes offer a strategic platform for benchmarking and sharing international best practices at the global level. Government officials in Commonwealth countries gain a deeper understanding of governance issues, as well as the design and implementation of specific strategies to tackle corruption and to promote good governance within their own countries.
- At the regional level, opportunity is provided for the revitalisation of regional communities of practice or regional associations to share ideas and experiences and benchmark action plans and frameworks for combating corruption in their countries.
VISION
To make Nigeria a safe and corruption free nation and enhance its positive image among the comity of nations.

MANDATE
The Commission is empowered to prevent, investigate, prosecute and penalise economic and financial crimes and is charged with the responsibility of enforcing the provisions of other laws and regulations relating to economic and financial crimes as stipulated in the Economic and Financial Crimes Commission Establishment Act (2004); the Money Laundering Act 1995; the Money Laundering (Prohibition) Act 2004; the Advance Fee Fraud and Other Fraud Related Offences Act 1995; the Failed Banks (Recovery of Debts) and Financial Malpractices in Banks Act 1994; the Banks and other Financial Institutions Act 1991; and Miscellaneous Offences Act.

MISSION
To sanitise the financial and economic environment, restore confidence and integrity in business practices and to restore the positive image of the country for the benefit of all stakeholders.

CORE VALUES
• Integrity
• Courage
• Professionalism
• Strict adherence to the rule of law

ESTABLISHMENT
The Economic and Financial Crimes Commission (EFCC) was established in 2003 under the EFCC Act 2002, which was amended in 2004. The Act identifies a wide range of economic and financial crimes such as Advance Fee Fraud (419), Oil Bunkering, Cyber Crime, Bank Fraud and Capital Market Fraud. The EFCC is also empowered to enforce all extant laws on economic and financial crimes.

ACHIEVEMENTS
Since inception EFCC has:
• Recorded over 400 convictions with about 1200 cases pending in courts
• Assisted in de-listing Nigeria from the blacklist of the Financial Action Task Force (FATF)
• Recovered funds and assets worth over $6.5 billion
• Instilled greater confidence in doing business in Nigeria, between Nigerians and their foreign counterparts
• Boosted corporate governance
• Minimised public sector corruption
• Undertaken research and training in corruption, economic crimes and terrorism financing for staff and other sister agencies in and outside the country
• Built partnerships with Nigerians and other stakeholders

THE NEXT LEVEL
The EFCC has shown through its dogged war on graft over the years that it is possible to reduce corruption to its barest minimum in the country. Indeed, the United Nations Office on Drug and Crimes (UNODC) in its 2008 annual report described EFCC as the most successful anti-corruption agency in Africa. The challenge now is to continue improving on its techniques and practices with the aim of intensifying the war against corruption and economic crimes while soliciting for a more holistic cooperation from all stakeholders.

Ultimately, EFCC is poised to become one of the best law enforcement agencies in the world and make Nigeria a corruption free country.

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At the in-country level, the contribution of the Commonwealth Secretariat’s approach to helping reduce corruption and strengthen good governance should be greatly felt. The strategy aims to improve in-country co-ordination and co-operation among relevant agencies by bringing together all key governance or watchdog institutions involved in the monitoring, detection and response to corrupt practices. This approach, which underpins the good governance project, has recently been implemented in Botswana, Zambia, Seychelles, Gambia and Lesotho, and has so far been well received. The outcomes of the project activities have built organisational capacities, action plans and frameworks for co-ordination and collaboration, all of which are first good steps to having a coherent governance framework in place tailored to country circumstances and contributing to enabled, accountable and transparent means of combating corruption. Below are some quotes from key policy-makers regarding the project outcomes in their respective countries.

Inter-agency co-ordination was critical if the country was to record effectiveness in the fight against corruption and that it was gratifying that the gathering had made valuable inputs in coming up with the framework for coordination. The framework marked a new and revolutionary chapter in the fight against corruption for Zambia by bringing together key institutions that had mandates to the promotion of good governance.

Dr Joshua Kanganja, Secretary to the Cabinet, Republic of Zambia

One of the most notable outcomes of the workshop was the creation of a committee comprising all the key institutions of governance. The main purpose of the committee was to identify possible areas for future collaborative partnership in advancing Good Governance in Botswana.

Matshidiso D Bokole, Executive Director, Office of the Ombudsman, Botswana

I wish to extend our appreciation and gratitude to you and the Commonwealth Secretariat for having made it possible for the training of investigators, corruption prevention officers and intelligence officers. The feedback I got from the Directorate of Corruption and Economic Crimes, Auditor-General, Ombudsman, Police and Botswana Unified Revenue Services is that they gained a lot both from each other and from the skills impartation by the international experts in the field of corruption. The course has also enhanced networking amongst the various organisations that participated.

Rose Seretse, Director, Directorate on Corruption and Economic Crimes, Botswana

The Anti-corruption Symposium is one of national importance in establishing for the first time an effective anti-corruption framework that will go a long way in achieving our aim of having zero tolerance for corruption and enhanced good governance with a sound system of checks and balances.

Mr Joseph Belmont, Vice-President of the Republic of Seychelles

The case for a holistic approach

The experiences of Commonwealth countries indicate that anti-corruption measures need to be embedded in co-ordinated and collaborative policies, instead of being carried out in isolation or in an ad hoc manner. It must also be recognised that anti-corruption approaches cannot be confined to technocratic solutions alone, but should acknowledge the inherently political nature of anti-corruption work. National anti-corruption policies face the challenge not only of building bridges between the realms of corruption prevention and law enforcement, but also of linking them adequately to policies of other oversight institutions and to the reforms aimed at strengthening the country’s governance systems.

For Shah and Schachter (2004), the case for a holistic anti-corruption strategy is that combating corruption is not a linear process with static goals in which technocrats have the control to achieve predicted or stated outcomes. Anti-corruption policies are particularly complex undertakings, as they cut across the different sectors and multiple institutions of a country’s governance system. These policies are usually created by a variety of actors with multiple, conflicting and, at times changing political objectives, when they should be harmonised to sustain the fight against corrupt practices.

Anti-corruption policy-making does not follow a simple model where implementation is conceived as simply putting documents into practice (Meagher, 2005). Conversely, policy processes are dynamic interactions with multiple feedback loops permeated by political and power issues that influence or even dominate technocratic approaches (Nussbaum, 2006). Hence, encouraging interaction among governance, oversight and law enforcement agencies to create strategic alliances to fight corruption is the recommended approach forward.

It is important that Commonwealth countries recognise the need to build high-level political agreements and achieve a national consensus in order to develop a strategic vision for how to fight corruption. The challenge lies specifically in making an anti-corruption policy framework strategic rather than elaborating long wish lists. Below are some pertinent questions for member countries to consider when they set out to design their anti-corruption policy framework:

- Is a single anti-corruption strategy feasible and desirable, or should an alternative approach for coordinated policies be chosen? What conditions influence the choice?
- Would the integration of an explicit anti-corruption dimension into government core policies and reforms be a viable option?
- What kind of institutional arrangement for implementation and coordination is necessary for the chosen approach?
- What kind of political agreement is needed for the chosen option(s)? How can anti-corruption issues be turned into national policies that ideally survive for more than one government term?
**Policy recommendations**

Fighting corruption directly by using a single anti-corruption agency may not be the most suitable approach in all contexts. Instead, the question arises as to whether an approach that co-ordinates and collaborates widely among governance and oversight institutions might be more promising. Commonwealth member countries should consider formulating a holistic anti-corruption approach that promotes open, transparent collaboration among democratic institutions and also with non-state actors.

Development partners need to make every effort to strengthen the links between anti-corruption and governance reforms. This also entails overcoming certain ‘silo’ visions that continue to persist within national anti-corruption approaches. Integrating anti-corruption components into core reforms is key to mainstreaming anti-corruption strategies into public administration.

Overall responsibility for co-ordination and oversight needs to be assigned to a high-level political authority that has the political mandate and support with the necessary political leverage to compel powerful line ministries to follow through on their own commitments to good administration and anti-corruption. But this laudable approach could easily be made ineffective by selecting units at the president's office with little power or visibility, as such units tend to have a relatively subordinate rank and insufficient authority to deal with powerful line ministries and other public agencies. Such a co-ordination mandate could be assigned to an important cabinet minister, a lead figure in the president’s office, or a similarly high-level authority. Anti-corruption bodies, if already in existence, could be in a good position to facilitate the coordination as long as they can operate in tandem with such top-level political authorities.

There could also be the creation of an inter-agency co-ordination body under the leadership of the presidency, coordinated by an anti-corruption agency aimed at creating a forum for discussion, harmonisation and synergy. However, it should be noted that institutional arrangements to co-ordinate and oversee implementation of anti-corruption initiatives are often ill-conceived from the start. Some anti-corruption agencies often do not have the authority, leadership or political backing to compel powerful line ministries to comply with anti-corruption measures. Frequently, they face difficulties in demanding compliance with minimal monitoring requirements. The presence of a high-level anti-corruption or pro-integrity policy coordinator located close to the president to give anti-corruption policies more visibility and connect the technocratic with the political level is highly recommended.

**Conclusion**

Tackling corruption and promoting good governance cannot be externally imposed: both must be internally driven, championed and owned, based on the specific concerns and circumstances of each country. The Commonwealth Secretariat encourages the development of national anti-corruption strategies to promote good governance. These strategies need to be comprehensive in bringing about transparency and accountability in all sectors by empowering and strengthening all key institutions involved in ensuring good governance. Countries’ efforts should therefore be geared towards the establishment and the strengthening of institutions that will create transparency in official transactions.

These strategies require strong political will at the highest levels of government if they are to succeed. Political will is needed to move from intent to action in addressing corruption and ensuring good administration. Political will depends upon an enabling governance environment that provides incentives, authority and operating space for ‘national ownership’, meaning that national actors – in particular in government but also other relevant players that have a stake in putting reforms into practice – drive, own and monitor both the content and implementation of anti-corruption policies.

**References**