HELPDESK

PROVIDING ON-DEMAND RESEARCH TO HELP FIGHT CORRUPTION

ANTI-CORRUPTION PROGRESS IN GEORGIA, LIBERIA, RWANDA

QUERY

Please summarise what the existing literature has to say about why Georgia, Liberia and Rwanda are perceived to have made more progress than most other low and lower middle income countries on tackling corruption.

PURPOSE

Several country offices have asked for a better understanding of how countries other than Hong Kong, Singapore and South Korea have managed to make significant progress on tackling corruption. They are particularly interested in more recent examples from low and lower middle income countries.

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SUMMARY

Countries like Georgia, Liberia and Rwanda are largely perceived as having achieved remarkable progress in the fight against corruption over the last few years.

In the aftermath of the 2003 Rose Revolution, Georgia has been particularly successful in eradicating petty corruption in a very short period of time through several high profile anti-corruption campaigns, including the prosecution of senior corrupt officials, police reform, deregulation and the liberalisation of the business environment as well as public sector reform.

The case of Liberia illustrates the pro-active – and somewhat debated - role the international community can play in promoting anti-corruption reform in a post-war setting.

In Rwanda, anti-corruption efforts have focused on strengthening the legal and institutional framework, improving government effectiveness, building a strong and competent public service, reforming public finance management systems, prosecuting corrupt officials at all levels of the public sector, etc.

In spite of their apparent diversity, these three countries have benefited from certain common conditions that may have contributed to their success in fighting corruption, including a radical regime change or post conflict context which created a momentum for reform, a strong political will to eliminate corruption; and wide public support and demand for anti-corruption reforms.

1 Anti-corruption progress in Georgia

Overview of anti-corruption reforms in Georgia

Georgia's approach to anti-corruption takes root in the "Rose Revolution" that forced the resignation of President Shevardnadze in November 2003 following the 2003 rigged parliamentary elections. This revolution is considered by many observers as a culmination of mass frustration with rampant corruption and bad governance that characterised the Shevardnadze's regime (Kupatadze, A., 2011). In the wake of the revolution, the new President, Mikheil Saakashvili has placed anti-corruption and economic reforms very high on his political agenda and attempted to fulfil his electoral promises by holding fair and transparent election processes, launching high profile anti-corruption campaigns and initiating large scale reforms across all levels of government (Jandieri, G., 2004).

This rapidly translated into restored public confidence in the government's anti-corruption efforts, as reflected by Transparency International's 2004 Global Corruption Barometer (GCB) (Transparency International, 2004). In 2004, Georgia made the biggest leap of any country in its perception of corruption, with 60 % of the respondents expecting corruption levels to decrease over the next three years. While Georgians' optimism in this post-revolution euphoria quickly decreased with only 38% of the citizens believing that corruption would decrease in 2005.

Since 2004, the fight against corruption in Georgia is often referred to as one of the greatest success of the Georgian government, especially with regard to fighting petty bribery. According to Freedom House 2010, in June 2009, 97 % of the Georgian citizens reported they hadn't had to pay a bribe in the last 12 months (Freedom House, 2010). These figures are consistent with TI's 2010 GCB data. However, the country's record in fighting high-level corruption is more debated, as, despite anti-corruption reforms, there continue to be repeated accusations of top government officials' involvement in 'elite corruption' (Kukhianidze, A, 2009). While Georgians' optimism with regards to their government's efforts against corruption is more nuanced than in the aftermath of the Rose Revolution, the majority of the population (57 %) continues to assess government efforts to fight corruption as either very or somewhat effective (Transparency International, 2009).

Anti-corruption efforts included a wide range of measures such as the prosecution of several high-ranking officials, the reform of the police force, deregulation and the simplification of Procedures including registering property, licensing businesses and tax and customs administration, etc (Karosanidze, T.,2007). More specifically, in its initial stages, the government's anti-corruption efforts focused on a few key areas of reform (Kupatadze, A., 2011):

- Prosecution of high ranking officials: Immediately after the revolution, the anti-corruption campaign mainly targeted corrupt officials in the Shevardnadze government and closely associated business leaders. Between 2003 and 2010, 1000 public officials have been charged with corruption offences.
- New anti-corruption legislation was passed, and an anti-corruption strategy and action plan were developed in 2005, promoting a zero tolerance policy. The strategy identified corruption prevention, institutional reform, liberalisation of the business environment, the ratification and implementation of international anti-corruption conventions as well as public participation in anti-corruption efforts as main priorities (Karosanidze, T.,2007).
- The new government also undertook a complete overhaul of the Georgian police which was perceived as a highly corrupt institution. The Ministry was reduced by more than half, around 15,000 old police personnel were fired, and the corrupt institution of the Traffic Police was disbanded. A competitive recruitment system brought in new people. Efforts have been invested in training new recruits in criminal law and procedure code, although the training program was very short and considered rather basic by some observers. Police officer salaries were also raised significantly (Slasde, D.,2011).
- The public sector was also dramatically cut, with the number of public sector employees dropping by almost 50%, while the salaries of the remaining civil servants increased roughly 15 fold. In an effort to create a friendly environment for investors, the new government cut the number of taxes from 21 to 6, reduced regulations and simplified procedures for doing business. Deregulation and economic liberalisation have reduced red tape, illegal shadow trading and widely spread tax fraud and eliminated many opportunities for petty bribery in the sectors such as registering property, licensing business and tax administration where citizens interact more frequently with the state (Corso, M., 2011). Georgia has been praised by the World Bank for its efforts to streamline government regulations

and reduce government interference. The government also eliminated a number of watchdog or regulatory institutions which were considered corrupt (rather than reforming existing agencies to eliminate corruption) and is now in the process of establishing new regulatory bodies.

While these efforts made Georgia relatively successful in fighting petty bribery, critics draw a more nuanced picture of the situation, arguing that the initial anti-corruption strategy was rather ad-hoc in nature rather than systemic, with a curative rather than preventive focus, addressing isolated cases of corruption on a case by case basis (Karosanidze, T.,2007). Some consider that corruption patterns evolved from rampant petty bribery to more clientelistic forms of corruption (Kupatadze, A., 2011). This manifests itself through a discretionary distribution of public services by the state, whereby decisions about resource allocation are made in order to secure the loyalty of powerful groups or individuals to maintain political control. There have also been recent examples where corruption charges have been used selectively to eliminate political opposition. A Georgian business man for example was recently blackmailed by high-ranking law enforcement officials to testify against the former Prime Minister who has become the leader of one of the opposition party that he had accepted a bribe.

Lessons learnt from the Georgian experience

From the Georgian case study, the combination of a number of factors emerges as critical elements that contributed to the success of the anti-corruption campaigns (Kupatadze, A., 2011):

- Change of power, public support and momentum for reform: The Rose Revolution marked the culmination of public frustration with rampant corruption. The new government succeeding the highly corrupt Shevardnadze regime could rely on public support and use the momentum for change opened by the peaceful shift of power to overcome the resistance of the past and initiate massive anti-corruption reforms.

- Political leadership: Anti-corruption was at the core of the new government's political agenda and the new leadership appeared genuinely committed to introducing anti-corruption reforms. The key element of President Saakashvili's state building project was fighting corruption and its corrosive impact on political processes and the legitimacy of the ruling regime.

- Economic incentives for anti-corruption reforms: As Georgia generally lacks natural resources and large industrial enterprises, the new government had a clear understanding that foreign direct investment was crucial to economic growth. As corruption has an important impact on investment and business confidence, the government's commitment to anti-corruption reforms can be seen as part of its efforts to create a friendly environment for investors. This contributed to increase Foreign Direct Investment from under USD 500 million in 2004 to USD 2 billion in 2007.

- External environment: The prospect of joining the EU has played an important role in stimulating anti-corruption reforms, playing as a "push-pull" factor for the country to embark on governance and anti-corruption reforms. However, in spite of Georgia's aspiration to join the EU, the country does not yet have the official status of candidate country.

2 Anti-corruption progress in Liberia

Overview of corruption reforms in Liberia

The case of Liberia illustrates the challenges of post-conflict reconstruction amidst rampant corruption and the pro-active – and somewhat debated - role the international community can play in promoting anti-corruption reform in a post-war setting.

The 14 years of brutal civil war opposing the Government of Liberia and the two rebel factions Liberia United for Reconciliation and Democracy (LURD) and the Movement for democracy in Liberia (MODEL) left the country in a state of economic chaos, widespread corruption and unemployment. Following the 2003 Accra Comprehensive Peace Accord, Charles Taylor stepped down as President, marking an end to his kleptocratic rule, and a National Transitional Government of Liberia (NTGL) was created until peaceful elections brought Ellen Johnson-Sirleaf - Africa's first female head of state - to power in 2006.

From the early days of her mandate, President Johnson-Sirleaf demonstrated strong leadership against corruption. She announced her commitment to fight corruption in her inaugural address, declaring that corruption would not be tolerated in her administration (Sirleaf, E., 2006). Promptly acting on these words, she started by firing all transitional political appointees in the finance ministry pending an investigation into corruption allegations (IRIN, 2006 and Boucher, A. et al, 2007). She announced that corrupt officials would be prosecuted, dismissed 17,000 government workers in the first months of her mandate, vowed to declare her assets and required

that her appointees and cabinet members publish a list of their assets in the local press (Clark, M., 2008). As early as March 2006, she issued an executive order that created a code of conduct for public servants (Boucher, A. et al, 2007).

Other anti-corruption reforms included ensuring the independence of the General Auditing Commission, establishing the Liberia Anti-Corruption Commission, reforming financial management with the Public Finance Management Act, promoting transparent budget processes and assuring Liberia's compliance with the Extractive Industries Transparency Initiative (TLC Africa, 2010). Steps were also taken to strengthen the Public Procurement Commission, improve the governance of state-owned enterprises and address capacity challenges in the public sector (IMF, 2010).

A very salient feature of Liberia's anti-corruption efforts is the heavy involvement of the international community in the reform agenda, placing non-Liberians at the centre of the country's internal administration (Reno, W., 2008). Following a 2005 meeting of major donors, the Governance and Economic Management Assistance Program (GEMAP) was established as a program concept allowing international donors to forcefully intervene to manage assets and expenditures and build the capacity of the Liberian government (Clark, M., 2008). A unique oversight system was established, with a layered authority shared by government officials and external advisors. Advisors and financial controllers within each ministry and state-owned enterprise report ministry activities back to donors and have a binding co-signing authority. Although many Liberians perceive GEMAP as an infringement of national sovereignty, President Sirleaf has announced her will to uphold the Government's commitment to GEMAP in her inaugural address but promised "*to render GEMAP non-applicable in a reasonable period of time*".

GEMAP provides technical assistance to and monitoring of the Liberian Government in six key areas, including financial management and accountability, procurement practices, budget and expenditure management, control of corruption, strengthening key institutions and capacity building. More specifically, measures envisaged under the GEMAP program include (Clark, M. 2008 and Chessen, M. et al,):

- Financial Management and accountability: Revenue are centralised within the Ministry of Finance and funds are disbursed through controller-monitored government accounts at the Central Bank of Liberia. IMF selects the Chief Administrator of the Central Bank to ensure that standards for transparency and fiscal accountability are met. Internationally recruited experts are placed within key agencies to establish transparent financial systems and provide technical guidance.

- Budgeting and expenditure management: Reforms focus on strengthening and clarifying budget formulation and execution procedures by building capacity, establishing robust systems and making budget information publicly available.

- Procurement practices and granting of concessions: Special emphasis is placed on expending the competitive bidding process, monitoring resource flows associated with natural resources, joining the Kimberley process for diamonds and the EITI.

- Control of corruption: Efforts focus on strengthening control systems to detect and prevent corruption in both the public and private sectors, through the creation of an independent anti-corruption commission.

- Support to key institutions: The program envisages strengthening key institutions responsible for managing government revenues such as the General Auditing Office, General Services Agency, the Governance Reform Commission and Contracts and Monopolies Commission.

- Capacity building: This component of GEMAP focuses on reforming public administration in Liberia with special emphasis on reforming the civil service through the resumption of wages and the enforcement of codes of conduct.

The combination of these efforts has contributed to make progress in control of corruption, as reflected by the country's Corruption Perceptions Index scores. In 2010, Liberia ranked 87 out of the 178 countries included in the survey with a score of 3,3 (Transparency International, 2010). In 2005, the country was ranked 137 of the 158 countries surveyed with a score of 2,2.

Although there is no comprehensive and formal impact assessment of the programme, many positive results have been attributed to GEMAP implementation, including a massive increase in government revenues, and improved information flows and budget transparency, which contributed to restore donor confidence and led to debt alleviation (Clark, M., 2008). Financial management and accountability have been filtered throughout selected ministries, and the programme has focused on enforcing

transparency and promoting public access to government performance creating an unprecedented opportunity for public scrutiny and debate. This has been achieved through measures such as the regulation of revenue flows, concession review, reduced leakages on revenue imports and monitoring of transactions across ministries.

Lessons learnt from the Liberian experience

The Liberian case illustrates the important role that external actors can play in very specific contexts, suggesting that donor-driven programs to reduce government corruption can be implemented effectively under certain circumstances. The program benefited from a unique set of factors that contributed to its success, included a strong focus on transparency in government activity, shared authority between Liberian officials and external experts, the existence of a genuine political will to address corruption and sustained donor support. In spite of its positive impact on corruption, many observers have criticised the donor driven approach to anti-corruption reform and argued that the program can not be seen as a blue-print for fighting corruption and promoting good governance in post-conflict countries. In particular, a number of conditions must be met to consider such an approach as an option (Clark, M., 2008):

- The program must be fully supported and actively enforced by the country's leadership. In this case, President Sirleaf has actively supported the GEMAP's agenda from her first days in office.
- The transfer of skills to host country officials for the post implementation phase of the programme is an important element to consider from the program design stage to ensure the long term sustainability of the initiative.
- The program must enjoy sustained commitment of resources from the donor community.
- Another important factor of success is the involvement of civil society in the design and implementation of such programs and the need to ensure an inclusive reform process, especially in post-war contexts. In Liberia, this aspect is largely considered as one of the major weaknesses of GEMAP implementation, resulting in negative public perceptions of donor infringement on Liberia's sovereignty. Liberia's vibrant civil society has been very vocal in questioning the nature of the solution proposed and is increasingly considered an important stakeholder to involve in the development and implementation of any assistance strategy.

3 Anti-corruption progress in Rwanda

Overview of anti-corruption reforms in Rwanda

Since the end of the 1994 genocide the Rwanda Patriotic Front has ruled the country. Paul Kagame took office in 2000 under the transitional government and won successive elections in 2003 and 2010. According to Freedom House 2007, the analysts consider that power remains concentrated in the hand of small military and civilian elites known as the "akazu", with the RPF keeping tight control over civic and political life.

However, in spite of its violent past and fragile social fabric, most governance indicators suggest that Rwanda has also made significant progress in term of control of corruption since the genocide. According to Freedom House 2007, the government's firm and sustained commitment to fight corruption has brought the country a reputation for having less corruption as compared to other African countries (Freedom House, 2007). Rwanda performs better that most of the countries surveyed by the World Bank in Eastern and Central Africa in terms of control of corruption, indicating significant progress on all indicators compared to 2002, especially in terms of political stability, government effectiveness and control of corruption (World Bank, 2009). The Ibrahim Index of African Governance published in 2007 also designated Rwanda as the country which had most improved in Africa, in comparison to the 2002 data set. (Mo Ibrahim Foundation, 2007).

Anti-corruption interventions have focussed on several key areas:

- Strengthening the legal and institutional framework: Major anti-corruption measures have taken place between 1997 and 2004, with special emphasis given to strengthening the legal and institutional framework against corruption. The anti-corruption legal framework to fight corruption is mostly in place, rated very strong by Global Integrity's 2009 report, with legislation criminalising attempted corruption, extortion, passive and active bribery, bribery of foreign officials and money laundering (Global Integrity, 2009). The government has also adopted a code of conduct and rules of disclosure for public officials, while assets declaration requirements for politicians were integrated in the 2003 constitution. Legislation dealing with conflicts of

interest and protection of whistleblowers still requires strengthening (AFDB, 2008).

Strong oversight institutions have also been created such as the Auditor General Office in 1999 and an effective Ombudsman Office in 2004 which operates as an Anti-corruption agency except that it does not have prosecution powers. The National Tender Board created in 1997 to implement the government's public procurement policy was replaced in 2008 by the Public Procurement Agency which is granted a policy and oversight role. The country has also embarked on a reform of the judiciary to promote more independent and competent courts, including inspection mechanism and disciplinary sanctions to fight internal corruption (Transparency International, 2008).

- Zero tolerance policy: The government has also been praised for the strong stance it takes on corruption, as reflected by its vigorous implementation of a zero tolerance policy at all levels of the public sector. In 2004 for example, all 503 members of the Rwandan judiciary were dismissed, allegedly for corruption and incompetence related matters (Global Integrity, 2009). In 2007, 62 police officers were dismissed for soliciting bribes (AFDB, 2008). An increasing number of senior officials are also being prosecuted for corruption related crimes, although observers argue that it is difficult to determine whether the prosecutions are legitimate or politically motivated (Bertelsmann Foundation, 2010).

- Public service reform: Since 1997, the government has implemented far reaching public sector reforms, including rapid downsizing by about two third with the dismissal of 6000 inadequately qualified employees, the removal of 6500 ghost workers. Benefits have been monetised and salary increased, while new public service laws have been enacted. Since 2005, there has been greater focus on pay reform, improved human resource management as well as training and capacity building (AFDB, 2008). Recruitments are increasingly done on the basis of competitive tests, following objective criteria and institutions have internal and external audit systems (Transparency International, 2008).

- Public Finance Management (PFM): The government has also committed to establish a sound PFM system but this is still an area that needs further strengthening (AFDB, 2008).

- Improving government effectiveness: Most sources agree that the country has also achieved remarkable progress in improving overall governance structures, especially in terms of government effectiveness and transparency of the regulatory framework. Rwanda has streamlined administrative procedures, reducing bureaucratic controls and registration requirements bureaucratic which contributed to reduce red tape and opportunities for petty bribery. As a result, the country boasts one of the most effective bureaucracies and civil service in the region (Freedom House, 2007).

In spite of this progress, there is still room for improvement and remaining implementation gaps. In particular, vertical accountability between government and citizens need to be strengthened, especially with regard to transparency, access to information and participatory processes such as budgeting[1], planning and monitoring. According to Freedom House 2007, the regime gives very little space for independent voice, limiting opportunities for political participation and, according to some analysts, this trend has been worsening since 2003 (Freedom House, 2007). The country received a political rights score of 6 and a civil liberties score of 5 in the Freedom of the World 2010 report, characterising countries '*where basic political rights are absent, and basic civil liberties are widely and systematically denied*' (Freedom House, 2010).

Lessons learnt from the Rwandan experience

In 2006, The Rwanda Ombudsman Office Chairperson attributed decline of corruption in the country to three major reasons: "*we have removed corrupt leaders in the last few years, we have added additional training and supervision and the decentralisation process lowered corruption cases*" (Chêne, M., 2008).

In addition, most analysts recognise that there is a sustained and genuine political will to fight corruption, which greatly contributed to the success of the anti-corruption campaigns. Similarly to Georgia, political will was further stimulated by the government strong focus on building the business climate to attract foreign direct investment, through measures aimed at streamlining licences and tax processes, providing economic incentives to anti-corruption reforms. Anti-

[1] *In 2011 for example, Rwanda's scored 11 out of a possible 100 in the Open Budget Index, and was placed in the category 'scant information', suggesting that the country to increase access to information to enable the public to hold the government to account in terms of spending of public money*

corruption efforts have been firmly rooted in Paul Kagame's economic vision for Rwanda, formally articulated in a document called Rwanda Vision 2020 that promotes peace through economic and social progress (Booth, D. and Golooba-Mutebi, F., 2011). This has translated in making investments that were driven by a long term vision for the development of the economy rather than the pursuit of purely short term personnal gains. More specifically:

- Rent extraction has been rigourously centralised within the operations of a holding company fully ruled by the ruling RPF, whereby benefits do not directly flow to members of the political class except indirectly and corporately by this mechanism;
- The political leadership does not maintain itself in power by distributing privileges to its supporters;
- Policy making is not driven by resource allocation to supporters or to finance the campaigns of the RPF but by the necessity to overcome ethnic dicisions through economic and social developments;
- Corruption at high level has been regularly and vigorously sanctioned.

Anti-corruption campaigns targeting corrupt officials have been integrated into a more comprehensive approach to fighting corruption, with governance interventions of a more preventative nature such as public sector reforms, streamlining government processes, public finance management related reforms, etc.

In addition, the relatively successful delivery of public services helped restore the legitimacy of government and public confidence in the state institutions. (For example, Rwanda has achieved gender parity in net primary enrolment rates as early as 2000/2001 and is well on track to achieve Medium Development Goals on universal primary education and eliminating gender disparities in the education sector (AFDB, 2008).

Conclusion

Although it is very difficult to compare countries with such different social and historical backgrounds, broad common trends can be identified that may have contributed to achieving progress in terms of control of corruption in these three countries. These factors are in line with those that have been identified more generally for a successful fight against corruption in post-conflict contexts (Boucher, A. et al, 2007).

- A radical regime change or post conflict context which creates a momentum for reform;
- A strong political will to eliminate corruption
- Strengthened control and oversight systems, including in some countries social accountability mechanisms; and
- Wide public support and demand for anti-corruption reforms.

Once these conditions are met, successful anti-corruption interventions have focused on a mixed of the following elements:

- Building an effective and independent judiciary;
- Promoting a stronger and more capable public administration, with barriers to cronyism and nepotism;
- Ensuring a sustainable and legitimate government revenue stream;
- Promoting effective government regulation and open market economy.

In spite of their different contexts, the three above studied countries have adopted a radical rather than incremental approach to anti-corruption, focussing on simultaneously strengthening systems on several fronts, rather than progressively introducing reforms in selected areas and sectors.

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