

REPORT ON THE 2020 CORRUPTION PERCEPTION INDEX LAUNCH HELD ON 28TH JANUARY 2021 AT RADISSON BLU HOTEL, LUSAKA

1.0 INTRODUCTION

This is report on the launch of the 2020 corruption perception index launched by Transparency International Zambia on 28th January 2021 at Radisson Blue hotel. The programmed for the launch essentially started with highlights on the 2019 CPI results, followed by the 2020 performance and its recommendations. Reactions then followed through a panel discussion which then allowed further discussions with participants in attendance. Finally, implications of the 2020 CPI results for anti-corruption fight, TI-Z's perspective was shared. This report therefore provides highlights of the proceedings for the launch.

2.0 PARTICIPATION

In attendance were the ...

In all there were.... Participants, comprising of ... males and ... females. Included were ...media houses ... from Government institutions, from Civil Society Organizations and representing cooperating partners. Notable among the attendees were the Deputy Secretary to Cabinet, Zambia Police Service Deputy Inspector General, Richard Mweene, Zambia Revenue Authority, Commissioner Direct Taxes, Mr. Moses Shuko, Representative from the Office of the Public Protector, Representative from the Anti-Corruption Commission, and representatives from the Cooperating partners and CSOs. In attendance as well were the TI-Z Chapter President, Vice President and some Lusaka based members.

3.0 WELCOME REMARKS

In his welcome remarks, the TI-Z Executive Director noted that the CPI launch is a flagship of global TI Movement. He noted that while it is not a perfect tool, the CPI gives insight of the occurrence of corruption because of the data sources it employs. He stated that TIZ has continued to work with many stakeholders and he was hopeful for continued collaboration. He also stated that the CPI is in line with the strategic plan and puts a spotlight on how Zambia fared in 2020 as measured by the CPI. He called on the media to aid wider dissemination of the CPI results and the acceleration of collaboration of stakeholders in the fight against corruption.

4.0 KEY HIGHLIGHTS OF 2019 CPI FINDINGS

The Democracy and Governance Programme Lead, Mr. Nachibinga gave a highlights of 2019 CPI index specific to Zambia so as to give a backdrop to the 2020 CPI. His presentation gave an overview and backdrop of the CPI noting that it was first launched in 1995. The presentation highlighted that in 2019 66.7% of countries scored below 50/100 with the global average score of 43/100 – thus a number of countries did not perform well.

He stated that in 2019 the CPI focused on politics, money and corruption – thus 2019 CPI most country that performed well had legislation on political and campaign financing.

He further stated that Zambia's score has been declining from 2017, in 2019 Zambia's CPI was 34/100 and rank was 113. Since 2016 however, Zambia has dropped 4 points from 38 to 34, Zambia dropped 17 places from 96 to 113. Generally, SSA continues to be the lowest scoring region on the CPI.

Key messages arising from the 2019 CPI included the following;

- Government should regulate lobbying activities by promoting open and meaningful access to decision making.
- There is need to empower citizens and protect activists, whistle blowers and journalists from victimization.
- Zambia should re-inforce checks and balances and promote separation of powers
- Steps should be taken to control political party financing in order to limit the influence of big money in politics;
- Government should deal with preferential treatment to ensure that budgets and public services are not driven by personal connections or directed by special interests.

5.0 ZAMBIA'S PERFORMANCE ON THE 2020 CPI AND RECOMMENDATIONS

The Chapter President mentioned that in 2020 180 countries were scored with a focus was on the COVID-19 pandemic –The 2020 CPI showed that corruption is pervasive in countries less equipped for managing a global pandemic. Western Europe was the highest scoring region with an average score of 66. While SSA was the lowest scoring region with an average score of 32.

It was noted that at Global Perspective, most countries seem to be have stagnated on the CPI with regards to scores. Key TI messages emanating from the 2020 CPI were

1. Corruption is a barrier to achieving SDGs
2. Corruption is a threat to managing the COVID 19 pandemic
3. Corruption diverts funds from needed investments.

The CPI revealed that SSA showed little improvements from previous years and that across the region the CPI brought out structural gaps in health systems.

Zambia 2020 CPI rating revealed that Zambia had scored 33 out of 100 and ranked 117 out of 180 countries globally – Zambia's CPI trend demonstrates that the country has been steadily declining on the CPI. The report indicated that Nine (9) different sources were considered for Zambia – 6 sources indicated no changes – 2 sources recorded significant downward change and one showed an improvement.

Following the revelation of 2020 CPI scores below were the Recommendations for Zambia:

1. Strengthen oversight institutions
2. Ensure open and transparent contracting and procurement
3. Defend democracy and promote civic space
4. Publish relevant data
5. Enact legislation that regulates the financing of political parties
6. Increased access to information and public participation/discourse.
7. Strengthen provision of the law supporting corruption and good governance

6.0 REACTIONS TO 2020 CPI FINDINGS – PANEL DISCUSSION

The panel discussants comprised of the following; Hon Prince Mwiinga, High Court Registrar and Integrity Committee Chairperson from the Judiciary, Mr. Silumesi Muchula from Anti-Corruption Commission (ACC), Macdonald Chipenzi, Civil Society (GEARS Executive Director) as well as TI-Z Chapter President, Mr. Kalungu Sampa and the Executive Director, Mr. Maurice Nyambe.

The representative from **ACC** acknowledged that the drop in the ranking showed that Zambia was not doing well. He however, further noted that Zambia has a robust legal framework albeit not perfect. The

legal framework started with the constitution and the other principle laws. He stated that the ACC has engaged government to address its financial and human resource in order to increase its capacity to deal with corruption. He stated that ACC had over 100 cases running. He felt that there was need to improve the legal framework and address issues of sentencing which was not deterrent enough. He further noted that ACC had also engaged government to establish specialized courts to handle corruption cases and called for concerted (multi sectoral) efforts in the fight against corruption.

The representative from the **Judiciary** emphasized that the judiciary is bound by the law (Procedural and Substantive). He suggested that the problem comes in with the people interviewed for the CPI do not fully understand the procedures of judicial process (courts). He stated that regarding to corruption, judiciary does not operate alone but with the support of other institutions such as ACC. However, the Judiciary operates in open court so as to ensure transparency. However, noting that there are instances that the adjudicator can exclude the Public from proceedings (as provided by the law) due to specific reasons such as Health imposed limitations. He stated that to have a fair conclusion, one should be able to attend all sessions of the court. He asserted that the Judiciary remains an independent body in the discharge of its duty and it is accountable to the public in as far as executions and procedure is concerned.

The **GEARS Executive Director** stated that corruption is more than a cancer or any disease and it kills millions people. He noted that discourse on corruption has existed from time immemorial. He stated that it is not about legal framework but about attitudes and behavior. He was of the view that our tradition is dependent on gifts which sustain corruption. He stated that from government regimes from independence to-date, corruption has continued to be the talk of day impacting service delivery, recruitment, procurement, contracting etc. He remarked about the ineffectiveness of integrity committees – stating that the change required was of human attitudes and behavior as opposed to institutional or legal frameworks. He was also of the view that fear of livelihoods (employment) loss deters people from executing their duties particularly in state institutions. He further stated that there was a need to resolve claw-back clauses regarding appointing authority for Director Generals for institutions such as FIC, ACC so that these institutions can be accountable to the people and not the appointing authority. He also noted the challenges posed by claw-back clauses the give the President/Head of State immunity whilst in office.

He also noted that corruption in the electoral process was quite rampant. Stating that electoral processes have laws/provisions to penalize corruption thereof. He recommended that: Integrity committees need to be revised; PS's being Chairpersons of integrity committees must be done away with; there is need for access of information; and ultimately individuals must be dedicated to enforcement mechanisms even risking their lives to fight corruption.

7.0 PLENARY DISCUSSIONS

During the plenary, a number of questions were asked. These included the following;

- ✚ In reflecting on better performing Countries in the SSA, what is it that they are doing that we don't do?
- ✚ The general perception of the ACC is that you wait for instructions from Politicians in order to prosecute as opposed to doing your work.
- ✚ How many people has ACC convicted in 2020 and how many were high profile and low profile cases?
- ✚ How can ACC ride on TI-Z in terms of collaboration? On COVID 19, How are you collaborating to minimize the abuse of resources

- ✚ The Statistics are very alerting. However, many citizens are afraid of getting involved due to victimization in transfers etc. what strategies are we employing?
- ✚ What challenges is ACC facing in implementing the laws especially in the presumption of innocence?
- ✚ What challenges do you encounter in situations where a public Officer is not suspended while being investigated?

7.1 FEEDBACK FROM PANELISTS

ACC

ACC employs a multi-faceted approach to tackle corruptions as the institution cannot operate alone. Additionally, while ACC receives constant resources this could be improved. ACC contended that with regard to perceptions of being selective – they have a number of cases which are not selective and proves to the contrary. The institutions also to large extent depends on public cooperation in combatting corruption.

ACC iterated that Zambia has signed the SADC Protocol against Corruption at regional level of which having an independent anti-corruption body is a requirement. Moreover, the SADC Protocol provides for cross border collaboration in fighting crime (extradition).

With regards to the selective application of the law, ACC stated that the Laws are clear on what happens during investigations which calls for suspension. Thus, ACC's mandate ends at informing and or recommending suspension and that institutions in question should take action thereof.

ACC stated that they have collaborated with TI-Z in many activities including the referral of complaints, some of which have been investigated.

Judiciary

Judiciary argued that the institution is independent and transparent, and that convictions depends on evidence brought forward on corruption cases. The Judiciary iterated that based on the Constitution the it has a duty to remain accountable and independent.

TI-Z

TI-Z noted that there is need to look at the drivers of corruption. Arguing that Perceptions are key and that individual actions of public and state officers can bring institutions into disrepute and taint institutions. Fighting corruption needs us to look at the drivers of corruption including examining Issues of capacity and funding/resources, prioritizing the fight against corruption (political will) as well as the accountability of institutions.

Lessons can also be drawn from other countries regarding political will and leadership vis a vis fight against corruption. TI-Z also expressed concern about the trivializing and normalizing corruption by senior government officials including government officials seen to be teaching traditional leaders to defraud the government. Additionally, there is seemingly no consistency in the approach in the fight against corruption characterized by a lot of rhetoric, whereas action oriented approaches should be employed to make progress in the fight against corruption.

TI-Z noted that a key gap in the implementation of this law is the differentiation between public official and state official (separation of public and state servant/officers) in revised anti-corruption act and thus called for the harmonization of this provision.

TI-Z proposed a number of strategies it is working on such as;

1. CSOs need to find a way to carry the general public along with regards to anti-corruption interventions. There is need to deepen local level understanding of corruption.
2. Enhanced collaboration with the media.
3. Strengthened research function of TI-Z to design evidence based interventions.
4. Continued engagements with respective government entities/institutions to find ways to address issues of concern.

GEARS

Noted that the lack of action has led to communities being frustrated by institutions – which has negatively affected the perception of the ACC and other intuitions.

8.0 LAUNCH OF THE PERCEPTION

After the panel discussions, the TI-Z Chapter President was called upon to Launch the Report. He therefore launched the report with a call for all to get involved so that Zambia sees an improved scoring and ranking.



Figure 1: TI-Z Chapter President in photo with ZP, ACC & Judiciary Representatives.

9.0 LOOKING AHEAD: IMPLICATION OF 2020 CPI FOR ANTI-CORRUPTION WORK

Mr. Chizonde Bright, the Advocacy, Policy and Research Specialist presented the what next which outlined the 2020 CPI Key Recommendations, looking ahead; 2021 corruption landscape and strategies and key messages.

The 2020 CPI Key Recommendations

To fight COVID-19 and curb corruption, it is essential for Zambia to:

1. Strengthen oversight institutions so that resources reach those most in need and are not subject to theft by the corrupt.

2. Ensure open and transparent contracting in order to combat wrongdoing, identify conflicts of interest and ensure fair pricing within the procurement process.
3. Defend democracy and promote an enabling civic space for holding government accountable.
4. Publish relevant data and guarantee public access so that people receive easy, accessible, timely and meaningful information.
5. Enact legislation that regulates the financing of political parties, in order to stop political party - and ultimately - state capture.
6. Increase public engagement in matters of governance and corruption by increasing access to information and broadening civic space for engagement
7. Strengthen provisions of the law that support the fight against corruption and promotion of good governance

Looking ahead: The 2021 anti-corruption Landscape.

- ✚ *Pass Political party financing legislation in order to avoid state capture & Capacity building*
- ✚ *Generate Political will to encourage the prosecution of cases and separation of powers*
- ✚ *Pass access to Information legislation for media freedom and increase capacity building*
- ✚ *Increase Sensitization among public officials.*

The upcoming general elections provide an opportunity to give corruption a bigger spotlight in Zambia’s governance discourse.

Corruption has been found to be prevalent across the COVID-19 response, from bribery for COVID-19 tests, treatment and other health services, to public procurement of medical supplies and overall emergency preparedness.

Strategies and Key Messages	
Strategies	Messages
<ul style="list-style-type: none"> ❖ Focus on enablers of corruption. ❖ Generate Supportive evidence through research. ❖ Increase knowledge and Sensitization. 	<ul style="list-style-type: none"> ❖ Fighting corruption should not focus on Individuals but on political, legal, economic and social issues. ❖ Research around corruption is critical for evaluation and adaptation of strategies. ❖ Educating the masses on the effects of corruption is critical for change.

10.0 CONCLUSION

The 2020 CPI Launch which was proceeded with media coverage and discussions was successfully launched on 28th January 2021 at Radisson Blu Hotel. The CPI launch was therefore publicized well enough. Participation during the launch was insightful and everyone was agreeable to the need for change of attitude and behavior in order to curb corruption and enhance public Service delivery.