

# U4 Expert Answer



## Overview of Corruption in Zambia

### Query:

*"Please provide an update on the extent and type of corruption in Zambia, including an assessment of government action to combat corruption. It would be particularly useful to have your expert view of the TI CPI and other governance indicator scores which show little or no movement, and any explanations for this."*

### Purpose:

The answer will be used for preparing key messages for the new President and long term for the preparation of a new anti corruption programme.

### Content:

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### Summary:

The late President Mwanasa is credited with having put the fight against corruption high on Zambia's political agenda, with initiatives such as the constitution of a Task Force on Economic Plunder, the design of a corruption prevention strategy and the reinforcement of institutions such as the Auditor General and the Anti-Corruption Commission. In spite of some progress made, most indicators of corruption suggest that these efforts haven't yielded the expected results. Major lessons learnt from recent anti-corruption efforts in Zambia include the importance of adopting a holistic approach to anti-corruption that combines both punitive and preventive approaches as well as the need to strengthen the role of non-state actors and focus on actual implementation of anti-corruption commitment. Prioritisation, sequencing and interagency coordination are important factors likely to facilitate the effective implementation of anti-corruption efforts.

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## Part 1: Overview of Corruption in Zambia

### Zambia has made some progress in terms of control of corruption...

President Mwanawasa has been praised for his anti-corruption commitment and is credited with having placed the fight against corruption high on the country's political agenda. His efforts are believed to have improved the country's legal and institutional framework against corruption, while he has experienced some success in cracking down on high level corruption from the previous government. This progress has been reflected to a certain extent in recent governance and corruption indicators.

The **World Bank Governance Indicators** for example indicate progress made between 2003 and 2007 on indicators of political stability, government effectiveness, regulatory quality and control of corruption.

<http://info.worldbank.org/governance/wgi/index.asp>

The **World Bank enterprise surveys** conducted in Zambia in 2002 and 2007 seems to confirm this positive trend. In 2002, almost 45% of the firms surveyed expected to pay informal payments to public officials to get things done and close to 36% expected to give gifts to secure a contract. 46% identified corruption as a major constraint to doing business in the county. In 2007, only about 15% expected to make informal payments to public officials to get things done while 27,5% expected to make gifts to secure government contracts. Only 12,5% identified corruption as a major constraint to doing business in the country.

<http://www.enterprisesurveys.org/ExploreEconomies/?economyid=207&year=2007>

### ... but corruption remains prevalent in the country

#### *Extent of corruption in Zambia*

In spite of these noteworthy improvements, other indicators suggest that corruption remains widespread and systemic in the country. According to the **2004 National Government Baseline Survey (NGBS)**, corruption had become one of the three major concerns of citizens. 87% of the people interviewed perceived corruption to be a problem in the country, with a growing tendency for officials to demand unofficial payments in return for services rendered.

(<http://web.worldbank.org/WBSITE/EXTERNAL/WBI/EXTWBI/GOVANTCOR/0,,contentMDK:20750526-isCURL:Y~pagePK:64168445-piPK:64168309-theSitePK:1740530,00.html>). More recently, the **Index of Economic Freedom 2008** confirms Zambia's poor performance in the fight against corruption, with a score of 26 % in terms of freedom from corruption  
<http://www.heritage.org/research/features/index/country.cfm?id=Zambia>

Zambia has also performed consistently poorly in past iterations of TI's **Corruption Perception Index (CPI)**, scoring around 2,6 between 2002 and 2007, indicating that corruption in Zambia is consistently perceived as rampant and endemic by the various CPI sources. Only in 2008, the CPI slightly improved, awarding Zambia a score of 2, 8, suggesting progress in terms of control of corruption, as perceived by analysts and businessmen. This could indicate that Zambia's efforts against corruption are slowly starting to yield results. However, there is still a long way to go.

[http://transparency.org/policy\\_research/surveys\\_indices/cpi/2008](http://transparency.org/policy_research/surveys_indices/cpi/2008)

#### *Forms of Corruption in Zambia*

These figures indicate that corruption remains a significant problem at both the administrative and political levels in the country. The most common types of corruption in Zambia<sup>1</sup> include petty and administrative corruption, grand corruption and political corruption. The **National Governance Baseline Survey** outlines the various forms corruption can take in Zambia, from administrative corruption to obtain permits or basic services to nepotism and procurement mismanagement. Almost 40% of the respondents report having been asked for a bribe to obtain a public service.

The 2004 "Show me the Money" report published by TI-Zambia analyses the Auditor General's reports from 1984 to 2004 and estimates that about Kwacha 348.244 billion (65 billion €) worth of public money is either misappropriated, stolen or grossly mismanaged every year.

([http://www.tizambia.org.zm/download/uploads/Show\\_Me\\_The\\_Money.pdf](http://www.tizambia.org.zm/download/uploads/Show_Me_The_Money.pdf))

Echoing these findings, President Mwanawasa himself revealed in February 2007 that more than K3 trillion had been stolen from government by public service workers

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<sup>1</sup> As identified by both the 2002 and 2007 NIS country studies.

over a period of four years. Although this figure was later corrected to K 36 billion (€ 6,7 millions), involving 326 civil servants, it indicates that large sums of money are misappropriated every year. The Auditor General's report identifies the Ministries of Works and Supply, Communication and Transport, and Health as the most vulnerable to corruption.

[http://www.transparency.org/policy\\_research/nis/region/region/by\\_country](http://www.transparency.org/policy_research/nis/region/region/by_country).

**Examples of grand corruption cases** coming into the public domain include those involving the former republican President, Fredrick Chiluba, and nineteen other public officials, including the former Zambian ambassador to the United States and former Zambia Security and Intelligence Services Director. In May 2007, these were found liable of defrauding the Zambian Government of more than US\$ 41 million by the London High Court.

**Public procurement** is also vulnerable to corrupt practices. According to the National Governance Baseline Survey, unofficial payments to get government contracts are quite widespread, with managers reporting forfeiting, on average, 6.4% of the invoice value to public officials in order to expedite contract payments from government. As mentioned earlier, the 2007 World Bank Enterprises survey shows a decreasing trend of about 30% of the firms reporting paying a bribe to secure a contract compared to 36,5% in 2002.

No rule regulates campaign finance in Zambia. **Political corruption** is perceived as rampant in the country, especially in the context of elections. An opinion poll on Lusaka's residents' perceptions of corruption conducted in 2005 reported that nearly 97% of all respondents reported witnessing candidates buying beer and food for prospective voters and nearly 75% reported donations of money to would-be voters. Half of the respondents reported incidents involving the buying of voters' registration cards.

[http://www.tizambia.org.zm/download/uploads/OPINION\\_POLL\\_ON\\_LUSAKA\\_RESIDENTS\\_PERCEPTIONS\\_OF\\_CORRUPTION.pdf](http://www.tizambia.org.zm/download/uploads/OPINION_POLL_ON_LUSAKA_RESIDENTS_PERCEPTIONS_OF_CORRUPTION.pdf)

In the 2006 tripartite elections, TI-Zambia who monitored elections in some part of the country reported on corrupt activities that took place prior to and during the election process. This report was corroborated by other local and foreign monitors such as the Forum for Democratic Progress (FODEP), the Southern African Centre for Constructive Resolution of Disputes (SACCORD), as well as foreign observers

such as the EU who reported on a wide range of electoral malpractice during the 2006 elections. ([http://www.transparency.org/policy\\_research/nis/region/all/by\\_country](http://www.transparency.org/policy_research/nis/region/all/by_country)). More recently, in the November 2008 election, the opposition party alleged electoral fraud in the presidential election. Zambia's election commission began verifying ballots cast in the controversial presidential vote to enable the opposition to challenge the result in court.

<http://www.reuters.com/article/worldNews/idUSTRE4A48MB20081105?feedType=RSS&feedName=worldNews>

The helpdesk has not found recent specific data on **judicial corruption** within the framework of this query. According to the 2004 World Bank/IMF investment climate assessment, 64 % of companies believe that the judicial system will enforce contractual and property rights in business disputes. (Please see: World Bank & IFC Assessment of Investment Climate). TI Zambia's opinion poll of Lusaka's residents found that the courts are generally perceived as moderately corrupt by the public. The Zambia National Governance Baseline Survey indicates that 63% of the businesses surveyed see corruption as a very important obstacle for using the courts in Zambia. 40% of Zambian households and 25% of businesses employ bribes to speed up the judicial processes.

According to the 2007 National Integrity System country study, **petty corruption** is also prevalent and mainly affects institutions such as the Police, the Courts, the Zambia Revenue Authority, the Passport Office and the Department of National Registration. In the above-mentioned 2005 survey of Lusaka residents' perceptions, most of the reported incidents of corruption involved paying the police to pass road blocks and headmasters to secure access to education for a relative. Other common experiences involved getting national registration cards and passports. 80% of the respondents believed that a service could only be provided in exchange for unofficial payments.

[http://www.jctr.org.zm/publications/AFLPresentation/AF\\_Lcorruption07.pdf](http://www.jctr.org.zm/publications/AFLPresentation/AF_Lcorruption07.pdf)

## Part 2: Public Efforts against Corruption

### Ambivalent Political Commitment against Corruption

It is difficult to assess the political commitment of the previous administration to fight against corruption. As already mentioned, the late President Mwanawasa had

placed anti-corruption efforts high on his political agenda and both donors and civil society organisations agree that his government had taken major steps forward in recent years to make the fight against corruption a priority. However, while President Mwanawasa is credited with having cracked down on high level corruption from the previous government, he was generally perceived to exercise more selective political will when it came to his own administration, ultimately undermining the credibility of his commitment against corruption. His strong stance against corruption may have been motivated by a political profiling strategy rather than reflecting government commitment to fight corruption.

<http://www.cmi.no/publications/file/?2914=anticorruption-policy-making-in-practice>

In any case, according to the above-mentioned 2005 survey of Lusaka residents' perceptions of corruption, the public perceived President Mwanawasa's efforts to tackle corruption to be slightly more efficient than those of his predecessor. 37% of the respondents believed that the level of corruption was getting better against 34% who believed that it was getting worse. 88% of the respondents perceived prevailing levels of corruption as high in Zambia against 93% in 2002, indicating some decline in recent years. However, 51% of the respondents remained pessimistic about government's intention to fight corruption. Members of the ruling party were more likely to be optimistic in this regard (62%) than members of the opposition (35%).

[http://www.tizambia.org.zm/download/uploads/OPINION\\_POLL\\_ON\\_LUSAKA\\_RESIDENTS\\_PERCEPTIONS\\_OF\\_CORRUPTION.pdf](http://www.tizambia.org.zm/download/uploads/OPINION_POLL_ON_LUSAKA_RESIDENTS_PERCEPTIONS_OF_CORRUPTION.pdf)

President Mwanawasa mainly demonstrated his commitment to the fight against corruption by setting-up the Task Force on Economic Plunder in 2002, to investigate allegations of economic plunder by former president Chiluba and his associates. This move may have been motivated by the necessity to respond to the scandalised population, develop his own political party base and generate further political capital. According to the Freedom House 2008 report, the task force has drawn criticism for failing to convict high profile officials, for being vulnerable to political pressure from the president and for being misused for political vendettas. The above-mentioned conviction of the Health Ministry permanent secretary in 2005 has contributed to raise/restore the credibility of this body, whose mandate was extended indefinitely in January 2007.

The President also demonstrated his stance against corruption by firing his minister of lands in February

2007, after discovering that she had distributed state property to members of her family.

Following the death of President Mwanawasa in August 2008, acting President Rupiah Banda was elected on 2 November 2008. In his presidential campaign, he has positioned himself as a leader of continuity, expressing his intention to carry on the political and economic legacies laid by late President Mwanawasa. The challenge for him will be to sustain clear and continued political commitment to effectively address corruption issues in the country.

### Anti-corruption measures and institutions

There are numerous actors and institutions involved in combating corruption in Zambia, including the Director of Public Prosecutions, the Auditor General, the Anti-Corruption Commission, the Task Force on Economic Plunder, the Drug Enforcement Commission and the Investigator General, just to name a few. However, most of the anti-corruption institutions have been plagued at some stage by the lack of independence from political interference. While they may be formally independent, in practice, their operations are placed under the pressure of the executive's excessive powers. In addition, government-based institutions are severely under-funded, lacking qualified staff and equipment to perform their functions effectively.

<http://www.business-anticorruption.com/Home.asp?pageid=4>

### Institutions

The **Anti-Corruption Commission (ACC)** is an autonomous body composed of a chairperson, four commissioners and a directorate, all appointed by the president and subject to ratification by the national assembly. It is mandated to spearhead the fight against corruption through community education, prevention, investigations and prosecutions in public and private institutions. Since 2006, the ACC has piloted the establishment of integrity committees within eight government ministries, departments and agencies. These include the Zambia Revenue Authority, the Ministry of Lands, the Immigration Department, Lusaka City Council, Ndola City Council, Zambia Police and the Public Service Pension Fund.

ACC's operations have been hampered by the lack of financial and human resources, including qualified staff which undermines its capacity to effectively deal with complex cases. The Mwanawasa administration proved to be more supportive of the ACC and increased the budgetary allocations. However, the ACC is not present

in three provincial capitals which limits its outreach and there have been reports of political interference in its operations.

In spite of these constraints, the ACC figures for 2007 records 20 convictions and 18 prosecution cases. 880 corruption reports were recorded and 416 cases investigated.

<http://www.acc.gov.zm/acc/default.aspx>

As mentioned earlier, the **Task Force on Economic Plunder** was set up in 2002 by President Mwanawasa's administration. It is an ad-hoc body composed of members of the Anti-Corruption Commission, the Zambia Police, the Zambia Security Intelligence Services and the Drug Enforcement Commission. The strength of the task force has been its multidisciplinary composition that has transcended the "silo" existence of other anti-corruption institutions. Several prominent people have been arrested, investigated and convicted in 2006 and 2007, including the former managing director of the Zambia National Commercial Bank.

The **Auditor General (AG)** is appointed by the President subject to ratification by the National Assembly. Its effectiveness has been constrained by staff shortage, lack of funds and independence from political interference. The institution does not have the powers to sanction public officials who have misused or embezzled public funds but can refer the cases to the relevant authorities. As a result, AG has been a neglected body whose audit reports have been largely ignored. However, it recently received increased support and is likely to play an increasingly important role in detecting corrupt practices.

The **Zambia Police Service's** role against corruption is undermined by its lack of independence from political interference. It has been instrumentalised in the past by the ruling elite to crack down on political opponents and journalists exposing cases of corruption. It lacks trained staff in investigative techniques, law and human rights. As mentioned earlier, it is also perceived by the public as one of the most corrupt institutions in the country.

The **Director of Public Prosecutions (DPP)** undertakes criminal proceedings and ensures that investigations conducted by other agencies are conducted in accordance with the law and principles of human rights. Observers report that the DPP has under-performed in the fight against corruption, lacking staff and autonomy to perform effectively.

The **Drug Enforcement Commission (DEC)** hosts the anti-money laundering investigations unit. It does not require the consent of the DPP to initiate prosecutions and has proved its capacity to investigate high level corruption allegations.

The **Commission for Investigations (or Ombudsman)** deals with complaints of abuse of powers such as improper use of discretionary powers or arbitrary decisions. The commission has no power to investigate complaints against the President and all commissioners are appointed by the President. Observers report that the commission has not contributed significantly to the fight against corruption, relying too heavily on the President for the enforcement of its recommendations and lacking resources to operate effectively.

The **Electoral Commission of Zambia** had been gaining increased credibility under Mwanawasa's administration and leadership.

The **Zambia National Tender Board (ZNTB)** is responsible for the regulation and control of public procurements. According to the 2003 Transparency Zambia report on procurement systems, the tender rules and procedures are not publicly accessible and procurement decisions are not made public. Much public procurement does not go through the ZNTB but is often carried out by the procuring ministry. ZNTB is also perceived as lacking independence and contracts are often awarded to well-connected bidders.

<http://www.tizambia.org.zm/download/uploads/GOVERNMENT%20PROCUREMENT%20REPORT.pdf>

While the multiplicity of actors involved in the fight against corruption may reflect genuine political commitment to tackle corruption, it may also create coordination and cooperation challenges as well as enable the politicisation of anti-corruption efforts, with the president primarily focusing on the bodies supporting his agenda.

### **Legal and Institutional Framework**

Although the general legal framework against corruption is in place, serious legal and implementation gaps remain.

For example, while there are disclosure laws in Zambia, the **asset declaration scheme** only applies to the president, government ministers and deputy ministers. Non ministers, permanent secretaries and members of the judiciary are not required to declare their assets. The effectiveness of the asset declaration regime is

further hampered by the lack of a verification mechanism and difficult access to asset-related information by the public.

<http://www.u4.no/helpdesk/helpdesk/query.cfm?id=160>.

The 2008 Freedom House report explicitly recommends that asset, liability and income declaration requirements should be extended to include all MP, permanent secretaries, judges and magistrates. ACC should publicise and verify those declarations.

Public officials are not allowed to receive valuable **gifts and presents**, but there is no register or monitoring mechanism in place.

Finally, there is a general lack of **access to information** about government officials and spending policies. The Government has considered a Freedom of Information bill for several years but decided against putting it before parliament in late 2006. The Helpdesk has not found evidence of progress made since 2006 towards securing the right of the public to access information. The 2008 Freedom House report also calls on the national assembly to debate a robust freedom of information bill and enact legislation to protect whistle blowers.

TI's 2007 NIS identifies the following milestones in the fight against corruption in Zambia:

- The Government commissioned and published in 2004 the National Governance Baseline Survey Report, a comprehensive study that assesses levels of corruption in public institutions throughout the country.
- The ACC strategic plan 2004-2006 provides for the development of a national corruption prevention strategy. A policy formulation process has been developed and a National Corruption Prevention Policy has been drafted through wide consultation in all nine provinces. However, while the strategy has enjoyed broad support from the public and the private sectors, some key groups such as the group of permanent secretaries or political parties whose support is needed for successful implementation - haven't participated in the policy design. This may undermine the successful implementation of the strategy. The long-awaited Anti-Corruption Policy is still pending to date. It should be revised to take into consideration new emerging trends and adopted.
- In May 2006, the judicial code of conduct act was amended to strengthen the judicial complaints committee. It was renamed as the judicial complaints authority to encourage the public to seek remedial redress in cases of alleged misconduct by judicial officers. The judicial code of conduct also calls on judicial officers to uphold integrity, independence and impartiality.
- The Electoral Act was passed in July 2006, criminalising corruption in the electoral process and outlining illegal practices for elections including bribery and various forms of vote buying. As mentioned earlier, this didn't prevent the 2006 elections to be marred by malpractice.
- In recognition of Zambia's commitment against corruption, the Millennium Challenge Corporation signed a US\$ 22.7 million Threshold Project in May 2007 to assist the government in preventing corruption in targeted government institutions, improving the effectiveness of public sector service delivery, and improving border management and facilitating trade.
- In September 2007, the Anti-corruption Commission bill (that has been debated since 2004) was in its final stage to strengthen the existing Anti-Corruption Commission Act, proposing to offer whistleblower protection and criminalise further acts of corruption associated with elections. The helpdesk has not found evidence of progress made towards its passage since then.
- Zambia ratified the United Nations Convention against Corruption (UNCAC) on 7 December 2007. It has also ratified the African Union Convention on Preventing and Combating Corruption in 2007. Zambia ratified the Southern African Development Community protocol against corruption in 2003.

## Impact of Anti-Corruption Reforms

### *Methodological Challenges Involved in Assessing Impact of Reforms*

For methodological reasons, it is difficult to assess the impact of such anti-corruption reforms, especially in the short and middle term. There is no ideal way of assessing trends in corruption as well as government performance against corruption and such attempts are necessarily limited by the difficulty to measure actual levels of corruption in the first place. In addition, even if change occurs, it is very difficult to link back progress made directly to the policy intervention that may have triggered this outcome. It may be equally difficult to link them directly to changes that may be observed in actual levels of corruption.

The CPI in particular is not a suitable tool to track progress over time. The index provides a snapshot of the views of business people and country analysts for the current or recent years, with less focus on year to year trends<sup>2</sup>. Year to year changes in a country's score can either result from a change in a country's performance or in the CPI's sample and methodology. As a result, some of the variations (or lack of variation) showed by the CPI's scores over years may be explained by methodological factors such as the number and nature of the sources used to calculate the score. The only reliable way to compare a country's score over time would be to go back to individual survey sources<sup>3</sup>. In addition, as the CPI provides a snapshot of a country's overall perceived level of corruption, progress made on a specific dimension of corruption or in a particular sector may be compensated by other forms of corruption or sectors where little or no progress has been made.

A further challenge of measuring progress in controlling corruption is that anti-corruption reforms do not usually produce meaningful results in the short term. As a result of this lag between policy implementation and policy impact, there are no valid and reliable indicators that can indicate year to year progress in the fight against corruption. Even if changes have occurred, they may not be instantaneously reflected by indicators based on perceptions, as there may be a time lag

<sup>2</sup> Comparisons with previous years should always be based on a country's score, not its rank.

<sup>3</sup> Please see the sources used for the 2008 CPI: [http://transparency.org/policy\\_research/surveys\\_indices/cpi/2008](http://transparency.org/policy_research/surveys_indices/cpi/2008)

before the public notices progress made. This means that substantial changes in perceptions of corruption are only likely to emerge in the index over longer periods of time.

Finally, conflicting results across the various governance indicators may also result from diverging methodological approaches between the various indexes that include different sources and indicators for control of corruption. Each index may be more likely to capture specific forms of corruption than others. The CPI for example captures perceptions from business people and experts and may be more sensitive to forms of grand corruption.

### **Substantive Explanations for Lack of Progress**

The methodological challenges associated with measuring trends and tracking the impact of specific reforms on actual levels of corruption may partly explain Zambia's general lack of progress - until recently - on indicators of control of corruption. But this lack of progress could also be attributed to persistent levels of corruption in the country due to more substantive factors such as lack of clear and unambiguous political will, legal and institutional weaknesses or poor enforcement of anti-corruption reforms.

Corruption persists in higher spheres of government and there have been many corruption complaints involving high ranking officials in misappropriation of public funds or corrupt procurement practices in recent years. At the Anti-Corruption Commission (ACC) second briefing for 2007, Director General Nixon Banda announced that the ACC was investigating the Drug Enforcement Commission chief and his deputy as well as one provincial minister. He further announced that between January and July 2007, the ACC had received 444 complaints against officials in government ministries and 222 complaints against the private sector.

[http://www.transparency.org/policy\\_research/nis/regionall/by\\_country](http://www.transparency.org/policy_research/nis/regionall/by_country).

The above mentioned Index of Economic Freedom 2008 also attributes Zambia's poor performance with regard to corruption to weak controls over government funds and property and investigative units' lack of authority and personnel. The index further states that officials dealing with the public frequently demand illicit payments with impunity and that the government has no clear policy for the disposal of confiscated assets. A lack of transparency, meanwhile, surrounds the

liquidation of assets seized in the recent government campaign against corruption.

<http://www.heritage.org/research/features/index/country.cfm?id=Zambia>.

Some of the experts consulted within the framework of this query also argue that Zambia's CPI scores may show little improvement over time because political statements and reforms are poorly implemented and are not always matched by actions on the ground. For example, there have been instances where the Director of Public Prosecutions had given consent to prosecute some ministers but the government has interfered to protect them from prosecution. People accused of corruption are allowed to remain members of the ruling party and there is evidence of serious maladministration within local governments. In 2005, for example, a former Health Ministry permanent secretary was accused by the Task Force on Economic Plunder of misusing public funds. As he had openly voiced his support for Mwanawasa, the latter ordered the chief prosecutor to drop the case. Although the prosecutor refused and ultimately managed to secure a conviction, such inconsistencies erode the credibility of the government's stance against corruption.

Freedom House report 2008:

<http://www.freedomhouse.org/template.cfm?page=363&year=2008&country=7522>

and

<http://www.businessanti-corruption.com/normal.asp?pageid=131>

### **Lessons Learned and Recommendations**

In view of these mixed results, a 2007 U4 case study of Zambia's anti-corruption policy-making explores how national anti-corruption policies or strategies have come into being in Zambia. The study analyses how reforms were selected, prioritised and implemented, and finally, what role development partners played in the overall process

(<http://www.cmi.no/publications/file/?2914=anti-corruption-policy-making-in-practice>.)

Lessons learnt from anti-corruption policy making in Zambia include:

- It is important to adopt a **holistic approach** including most stakeholders. In Zambia, the previous government was starting to acknowledge the need to move beyond the sole investigation and prosecution of large scale corruption case from the Chiluba regime to effectively address corruption in the

country. The Zambian National anti-corruption prevention strategy drafting process has provided a good example of a well-planned, nationally owned and information-based anticorruption policy design. Broad consultation has generated wide support for the policy.

- There is also a need to involve and secure the unambiguous support of the **highest level of government** in order to effectively implement complex and sensitive anti-corruption policies. This helps ensure political weight behind the policy. The draft anti-corruption policy is a political commitment to anti-corruption that enjoys widespread support and has created high expectations. It is of crucial importance that government delivers on its promises and manages expectations from the public at large.
- **Policy consistency** is needed to enhance the credibility of government's commitment against corruption. The recent past has shown that certain personalities can be shielded against investigation and prosecution, due to the general lack of independence of anti-corruption bodies. This is likely to undermine the public's confidence in political will against corruption.
- **Strengthening non-state actors** such as civil society organisations, the private sector and privately owned media plays a very important role in fostering demand for change and support for reform outside the government. They shouldn't be excluded from anti-corruption policy design.
- **Punitive action must be accompanied by a parallel prevention drive.** Frying the big fish can show results and secure support for reform in the short term. However, in the longer term, it is important to bring prevention and prosecution strategies together to promote and sustain more in-depth reforms over time.
- Given the numbers of actors involved in the fight against corruption in Zambia, there is a risk of dilution of anti-corruption efforts, interagency overlaps and coordination challenges. Effective implementation can be facilitated by clear mandates, responsibilities, and targets assigned to the various stakeholders. It is also important to **establish priorities, sequence anti-corruption reforms and set realistic objectives** in consultation with the various stakeholders to identify opportunities, potential obstacles and strategic entry points for reform.

- **Inadequate staffing and resources** hinders effective policy design and implementation. With few exceptions, government institutions and development partners lacked adequate human and financial resources to provide sustained support and orientation to anti-corruption work.
- **Development partners** have a considerable weight in Zambia and have used it in the past to exert pressure on the government<sup>4</sup>. They've been instrumental to support the Task Force but more could now be done to mainstream corruption into core governance and public sector reforms. It is also important to intensify coordination, exchange of information and approaches, skills and expertise transfer among the development community who often lack knowledge about anti-corruption policies. Last but not least, development aid to Zambia should be managed in the most transparent and coordinated manner possible, according to the highest ethical standards.

### Part 3: Further Reading

#### Supporting Zambian Judicial Capacity to Handle Corruption Cases (2008)

This U4 expert answer provides examples of initiatives that have supported the capacity of the judiciary in handling corruption cases and fast-tracking corruption cases in court. It stresses that corruption cases are more likely to be effectively handled by a well-functioning and independent judiciary with adequate resources and capacity. Progress should therefore address both judicial independence and accountability and judicial inefficiencies.

<http://www.u4.no/helpdesk/helpdesk/query.cfm?id=169>

#### Corruption and Public Sector Reform Monitoring Systems (2008)

While most national anti-corruption strategies (NACS) recognise that they are intrinsically related, the link between NACS and main government policies is often missing at the operational level. Mainstreaming corruption into the monitoring of ongoing public sector governance reform could help strengthen the links between anti-corruption efforts and public sector reforms. This expert answer explores the potential of such approaches in the context of Zambia.

<http://www.u4.no/helpdesk/helpdesk/query.cfm?id=168>

#### National Integrity System Country Study (2007)

This report provides a detailed assessment of Zambia's anti-corruption system. It concludes that, in general, most NIS pillars contribute little to the effectiveness of the national integrity system. The executive has excessive powers and influence all the government-based pillars.

[http://transparency.org/policy\\_research/nis/regional/afri-ca\\_middle\\_east](http://transparency.org/policy_research/nis/regional/afri-ca_middle_east)

#### Anti-corruption policy making in practice: Zambia-A Country Case Study (2007)

This report explores how national anti-corruption policies or strategies have come into being in Zambia. The study analyses how reforms were selected, prioritised and implemented, and finally, what role development partners played in the overall process.

<http://www.cmi.no/publications/file/?2914=anti-corruption-policy-making-in-practice>

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<sup>4</sup> For example, they strongly voiced their concerns when investigations against the permanent secretary of Health were dropped