

Corruption and its effects on public life

Whether it be high profile embezzlement or low-level bribe to a petty bureaucrat, corruption is a major force...destroying natural resources”, Greg Mock, World Resources Institute (WRI)

Who is a corrupt person? Collins Today English Dictionary defines a corrupt person as one who *“behaves dishonestly or illegally in exchange for money or power”*. And if a system is corrupt, the Dictionary explains, *“it is run dishonestly and is open to bribery”*. About bribery, the reference book further explains thus, *“If someone offers you a bribe or tries to bribe you, they offer you money or something else, to get you to do something wrong or illegal”* A system in which people seek personal illegitimate gain through bribery, embezzlement and extortion etc is a corrupt system. And any system that works on the basis of dishonestly and illicitly gotten wealth, by public officials is a corrupt system. This may be big embezzlers or just small bribe takers around the corner.

Corruption spreads its tentacles into every sector of public life. This could be grand corruption which is said to relate mostly to high level public officials and involves large illegal transactions. This is also manifested through what world bank officials explain *“refers to the action of individuals, groups or firms ... to influence the formation of laws, regulations and other government policies to their own advantage as a result of the illicit... provision of private benefits to public officials”*. And Stefan Lovgren of National Geographic News cites a situation where government officials *“manipulate data to limit recovery of species facing extinction in order to protect financial interests”*. Such high level corruption involves huge amounts of money.

Petty corruption is reported to be practiced by low level public officials. This may occur during environmental inspections and policing of illegal acts such as illegal trade in wildlife and prosecution of wildlife law defaulters. The commonest form of corruption at this level is bribery. These officials demand bribes in exchange for services or tasks they ought to do. The irony of low level corruption is that it is practiced most often on even poorer citizens who can barely afford anything. Michel van Hulten, co-founder of Transparency International and Head of the CHOC programme of the United Nations Development Programme (UNDP) for fighting corruption in Cameroon says, *“Corruption and bribery always hit the poor hardest, extracting an extra tax from those who can least afford it”*.

Corruption can simply be put as stealing from the ordinary man and giving to the rich. Resources which are meant for the general good of the people are siphoned to the bank accounts of a few. Mechanic Macomba of Transparency International Senegal states, *“Corruption is endemic...every part of society touched...from top to bottom. It is all spoiled. The situation has become catastrophic”*. Although corruption is a worldwide evil phenomenon, it is particularly damaging to developing countries with fragile economies, weak institutional structures especially the judiciary and high poverty levels. Mina Balamoune-Lutz of the University of North Florida and Léonce Ndikumana of The United Nations Economic Commission for Africa (UNECA) in Addis Ababa state,

“Existing evidence shows that African countries exhibit relatively higher levels of corruption, which constitutes a major constraint to efforts aimed at accelerating growth in order to achieve internationally and nationally mandated development goals”.

Meaningful development efforts are seriously undermined by corrupt practices because resources allocated for development are re-channeled by corrupt officials for personal business. It erodes established social norms since people no longer look forward to honestly earned and legitimate money but towards easily and dishonestly gotten wealth. They accept this new immoral activity as the norm and as Dominique Correa of Transparency International observes, *“People have lowered their hands and just find it normal”.*

Corruption undermines government’s ability to undertake public services and reduces foreign investment since it tarnishes a country’s image and establishes a situation of uncertainty, favouritism and obscurity. Money meant for such public investments find their way into private pockets. Corruption inflates government’s expenditure and raises the cost of operation. On the issue of inflation for example, World Bank sources report that they found evidence that about 300 000 US dollars (about 150 million CFA francs) were paid to Indonesian Public Work Ministry officials for a contract award worth 6 million US dollars (about 3 billion CFA francs). This not only creates opaqueness in the processing of government activities but creates a bad image of the country in the eyes of the foreign investors.

The vices of corruption are many and include among others, abuse of power, amassing of illicit wealth, laundering, fraud, forging of government documents and trafficking. Corruption is rendering development unsustainable, hampering economic growth, and destroying our natural resources. Trafficking in drugs, arms and wildlife products are deeply rooted in corruption. Researchers have concluded that sectors like conservation and natural resource management which engage huge amounts of money do attract corrupt practices.

Is corruption hampering conservation efforts?

Much has been said about political corruption within the government and within the business sector in general but little focus has been given to corruption in the conservation sector. Most conservation efforts are concentrated in developing countries that are rich in biodiversity. Unfortunately, countries rich in biodiversity tend to manifest poor governance. From the recently-released report by Transparency International (2008), the average corruption perceptions index (CPI) of a tropical developing country stands 2.9 while the least corrupt countries of the world scored above 9.0. What are the relations, then, between biodiversity, conservation efforts and corruption?

And as Greg Mock of the Washington-based World Resources Institute (WRI) puts it, *“Natural resources offer a rich opportunity for corruption”*. Nations which have abundant natural resources with their economies mainly based on the extraction and management of these resources become *“fertile grounds for corruption”*, states as Svetianna Winbourne of Management Systems International (MSI).

Anthony L. Rose et al, (2003) points out the same cause and further outlines the consequences; *“It is greed for profit that causes the timber companies to bribe new logging contracts, slice up pristine rain forests into giant logging concessions, ship tons of irreplaceable hardwood out of Africa leaving behind ruined, diminished wildlife populations”*. In an article published in Nature News, John Whitfield shows another example of the disastrous effect of corruption on biodiversity. He writes, *“Efforts to conserve Indonesia’s forests, for example, have been hampered by illegal logging, supported by corrupt officials despite a raft of protective legislation”*. Corruption, therefore, can prevent the application of a sufficient legislation and turn it into another futile conservation effort.

What makes the environmental sector distinctive from many other adds Svetianna Winbourne (MSI) is that *“corruption here is triggered by large amounts of formal and informal revenues that can be gained from the products of the environment”*. But while examining the amounts of money generated by biodiversity exploitation we should not overlook the huge amounts of money donated to the conservation efforts themselves. Experience has shown that funds allocated for biodiversity management programmes are often diverted to private pockets through embezzlement and bribery. R. Dudley in his essay, *“The Rotten Mango: The Effect of Corruption on International Development Projects”*, states, *“Projects funded by international development banks seem to provide easy targets for corruption”*. As with political corruption in government circles, NGO elites have become a new channel for embezzling of donor funds through projects, which are rarely audited because funding for these projects are generally external or auditors are themselves part of the game or just simply because such projects do have very short life spans. R.J.Smith states, *«Money that’s earmarked for anti-poaching and conservation programs often ends up in the pockets of corrupt officials instead.»*, and R. Dudley tells

us of the extend of the damage being done, *“Corruption diverts perhaps 30 percent from billions of dollars spent annually for international development loans”*.

International illegal trade which is at the centre of dwindling populations of wildlife species generates billions of dollars each year and efforts to fight this illegal activity is confronted by corruption from those who benefit from it. In a study carried out on good governance and biodiversity loss, R.J. Smith et al. in the journal Letters to Nature state, *“We found strong associations between governance scores and changes in the numbers of African elephant and black rhinoceroses”*. Wildlife species are declining in areas fraught with corrupt practices, showing the negative relationship between the two.

Wildlife constitutes a major natural resource in Central Africa in general and Cameroon in particular. And so wildlife crime in recent times has become a modern growth industry frequently nurtured by corruption. Illegal trade in wildlife species is continuously carried out in Cameroon despite the presence of the 1994 wildlife law which governs the wildlife sector. Michel van Hulst, co-founder of Transparency International and Head of the CHOC programme of the United Nations Development Programme (UNDP) for fighting corruption in Cameroon argues, *“Exporting and selling illegally obtained products from Cameroon (oil, wood) in legal markets overseas, makes it all the more difficult to eradicate corruption in Cameroon”*. Corruption facilitates wildlife trafficking and other natural resources and paves the way for the extinction of these biological resources. R.J. Smith declares that *“The most corrupt countries are the least successful at protecting their important species and habitats”*. Mrs. Fosi Mary, who has served for over 10 years as technical adviser of Cameroon’s Ministry in charge of the environment (MINEF/MINEP) states, *“Corruption is a practice which can undermine the process of every activity in sustainable environmental management in our society”*, She further observes, *“We do controls for environmental norms and standards and you*

Fight against corruption – can the civil society play a role?

Article 13 of the United Nations Convention Against Corruption for which Cameroon is a signatory stipulates that countries should actively promote the involvement of non-governmental organizations in the fight against corruption. Public participation in the eradication of corruption is a necessary condition if any meaningful corruption fight is to be launched. Of what benefit will it be for those who dishonestly gain from a system to change that system? Without the impetus of the public, those corrupt officials within the system whether in government, private sector or even the development sector itself, will continuously want to maintain the status quo since this benefits them directly or indirectly. This necessitates the presence of a third party that stands on higher moral grounds and this is the civil society. True, this cannot be without strong resistance from the old cronies who are profiteers of the corruption business. But with a firm, dedicated and resilient approach, the civil society can eventually move forward, creating a momentum in the society to fight rather than face with fatalism the corruption problem.

Non Governmental Organizations and the fight against corruption

Civil society is composed of the totality of voluntary civic and social organizations and institutions that form the basis of a functioning society as opposed to the force-backed structures of a state and commercial institutions of the market. In our present context the dominant part of the civil society is non governmental organizations (NGOs).

The traditional role of NGOs in the fight against corruption has been focusing mainly on sensitization and advocacy. NGOs confine themselves within the framework of sensitizing all those involved in the corruption chain and the public at large, of the negative and destructive effects of corruption. They advocate for change of behaviour and the creation of institutions that fight corruption. Some try to use the name and shame approach or organize multiple workshops and research further into the corruption phenomenon.

While sensitization maybe necessary, it is nevertheless, insufficient to tackle and solve the problem. Identifying and talking about the problem does not seem to be sufficient for its solution. Knowledge about corruption in itself has very little value if not used to effectively wage war against corruption. Experience shows that the existence of state institutions to fight corruption does not mean an effective fight is on. In any case, the presence or continuous increase of the numbers of non governmental organizations purporting to fight corruption illustrates the inability or the failure of state structures to come to grip with the problem. And the persistence of the corruption problem means the methods used today by non governmental organizations are failing. Corruption in Cameroon, relies not much on the inability to know as on the inability to act. The question is therefore asked, can NGOs still be relevant in the fight against corruption? Can NGOs reinvent their approaches and find a role they can play effectively?

When Corruption hits the law

One of the most serious harms of corruption can be observed when it attacks the very mechanism built to fight it. Corruption wrecks State organs creating the laws and erodes the legal and judicial systems entrusted with applying and enforcing the laws. Enormous effort is put by governments, civil society and the international community to build structures and mechanisms to fight corruption. With the lack of proper application and enforcement, these efforts are rendered futile. When a law can not be applied it becomes irrelevant, for the intrinsic value of a law lies in its application. John Whitfield of Nature News says, “*Efforts to conserve Indonesia’s forests, for example, have been hampered by illegal logging, supported by corrupt officials despite a raft of protective legislation*”. The Indonesian case is just one example of many, where years of efforts are invested in building up an extensive legislation only to realize that corruption prevents its application.

A similar failure of law application and enforcement was observed in Cameroon with the lack of proper application of the wildlife law. For close to a decade following the introduction of a wildlife law in 1994, not even a single prosecution was made. This law was continuously broken by offenders without any prosecution whatsoever. Interestingly, this situation was shared with almost all Central and West African countries where international trafficking in endangered wildlife has its epicentre. The root cause for the non-enforcement of the law within such a long period has been found to be corruption. Illegal wildlife trade blossomed thanks to corrupt practices. Wildlife law enforcement took back seat as illegal wildlife trade grew steadily. These hard facts exposed the failure of conservation efforts. Corruption hinders every activity in every sector and the conservation sector can not be exempted.

The case of The Last Great Ape Organisation

The failure of wildlife law enforcement backed by corruption, warranted new ideas in tackling the issue. The case of The Last Great Ape Organisation (LAGA) shows how, in a unique way, a novel approach was provided for wildlife law enforcement in a country that went for close to a decade without the law being applied. It was abundantly clear that any effort to enforce the law will be futile if the corruption problem was to be left untouched.

The failure of law enforcement and application was seen by LAGA as “*a symptom of failure of the Aid business and its inability to tackle the first obstacle to development – corruption*”, states Ofir Drori, Director of LAGA. LAGA’s analysis of the problem identified corruption as the main obstacle for wildlife law enforcement. LAGA then went ahead to explore new ways to tackle corruption issues as an NGO and prove Civil Society Organizations can and should develop a much more demanding and innovative approach in tackling corruption. A complex challenge as corruption necessitates a multi-aspect approach, and may justify exploring new roles NGOs can play in the fight.

Designed to establish effective enforcement of existing wildlife law, LAGA became an experiment field for methods of fighting corruption within a law enforcement and

application process. Its main challenge can be since through its statistics: bribing attempts are documented in 85% of its field arrest operations, and 80% of all court cases within the legal system. But LAGA is not an observer of corruption; it was created to fight corruption, redirecting the positive pressures existing within the system, usually wasted in large conferences, to specific corruption attempts and the field realities that form corruption.

LAGA took the approach of zero tolerance towards corruption. It tried to systematically identify corrupt practices which may block the law enforcement process and furiously fight them heads on at every step of the process. The attempt was made to follow-up the process from the beginning to the end. From investigations to field operations including the arrest and detention of offenders to the legal procedures up to the prosecution of offenders and their imprisonment, it was set to ensure that each stage was protected from the harms of corruption. Each wildlife case was a new field for checking and fighting corruption within it. LAGA carried its fight against corruption to direct confrontation with corrupt officials while forcing the system to duly solve its corruption problems.

The UNEP manual on the implementation of Multilateral Environmental Agreements (MEA) describes the case of LAGA as a model for such implementation and explains how a government – NGO relationship can be built to face up to challenges in an innovative approach which ultimately culminates in tangible results. The UNEP manual states, *“The institutions have proceeded carefully with the collaboration, since law enforcement is historically a governmental function. Accordingly, NGOs in Cameroon traditionally have not participated directly in the enforcement of wildlife or other environmental laws. This innovative experiment has highlighted ways that NGOs can collaborate constructively with Governments to improve the enforcement of wildlife laws”*. The commitment of the Cameroon’s Forestry and Wildlife Ministry was necessary and the Minister states, *“anybody in the administration side who is engaged in anyway in complicity fuelled by corruption with those who violate the wildlife law will be punished and sanctioned like those trafficking in wildlife”*.

The results of the experiment were forthcoming. Seven months after its registration, LAGA brought about the first wildlife prosecution in Cameroon. From 2006, every week a major illegal wildlife dealer is arrested, 87% of these are behind bars from the moment of arrest with no bail granted. Prosecutions are satisfying and have reached the maximum jail term of 3 years. Damages awarded to the State have reached \$35,000 (about 17 million CFA francs) for a wildlife case.

Will Travers CEO of Born Free Foundation noted the added value of LAGA as a model, *“LAGA has built success upon success in recent years and serves as a model for law enforcement NGOs throughout Africa”*. Through the RALF project of the ASPINALL Foundation, the LAGA model is now being replicated in the Republic of Congo, bringing about the first wildlife prosecution in the country within merely six months of work. Other countries are requesting for similar collaboration. The Central African Forest Commission (COMIFAC) has also recommended the LAGA model to all member states

which it saw as a rare example of the application the African Forest Law Enforcement and Governance (AFLEG) Declaration in the wildlife sector.

This unique approach received acknowledgement from the UN Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) when for the first time, LAGA as an NGO received from the Secretary General of the convention the Bavin Award for outstanding achievements in wildlife law enforcement. In the same CITES meeting Cameroon received the Interpol Ecomessage award for a large scale ivory trafficking investigation it carried together with LAGA.

It should be noted that such a process can not be successful if the civil society is not aggressive in its fight against corruption and Cathy Liss, President of Animal Welfare Institute states, *“LAGA, working on the ground and with local enforcement authorities, has proven immensely successful at uncovering sophisticated smuggling operations ... and has been directly responsible for the seizure of smuggled goods, arrest of perpetrators and public exposure of corrupt officials”*.

Niels Marquardt, former US Ambassador to Cameroon sums up the value of LAGA’s experience in a larger context, *“LAGA has gained legitimacy from through its relationship with the Government of Cameroon and leveraged its position to contribute to the fight against corruption within enforcement and judicial processes”*. Most lessons that can be drawn from LAGA’s work are not restricted to wildlife or conservation sectors. Poor enforcement and application of the law is behind various development problems in Africa and more should be done to use similar case studies to explore new ways to fight corruption.