

THE ROLE OF PARLIAMENT IN CURBING CORRUPTION AT THE NATIONAL LEVEL



- (1) Introduction; the Caribbean
- (2) West Africa (Ghana & Nigeria)
- (3) East Africa (Uganda and Tanzania)



THE ROLE OF PARLIAMENT IN CURBING CORRUPTION AT THE NATIONAL LEVEL

Lecture 1:

- (a) Introduction and Background (Rick Stapenhurst)
- (b) Parliamentary Oversight & Corruption in the Caribbean (Anthony Staddon)



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- **RESEARCHERS: Rasheed Draman, Louis Imbeau, Anthony Staddon and Rick Stapenhurst**
- **ASSISTANTS: Thomas Cedric Eboutou and Gabriela Thompson**
- **FIELD WORK: 24 months (2017 and 2018)**
- **RESULTS**
 - published in various articles (JLS, RoundTable, Public Integrity)
 - Anti-Corruption Evidence: The Role of Parliaments in Curbing Corruption (Springer, 2020)
 - Policy Briefs (available at <https://www.mcgill.ca/scs-parliament/>)

Development, Corruption & Oversight

- Corruption hinders development
- Parliamentary oversight is an important determinant of corruption

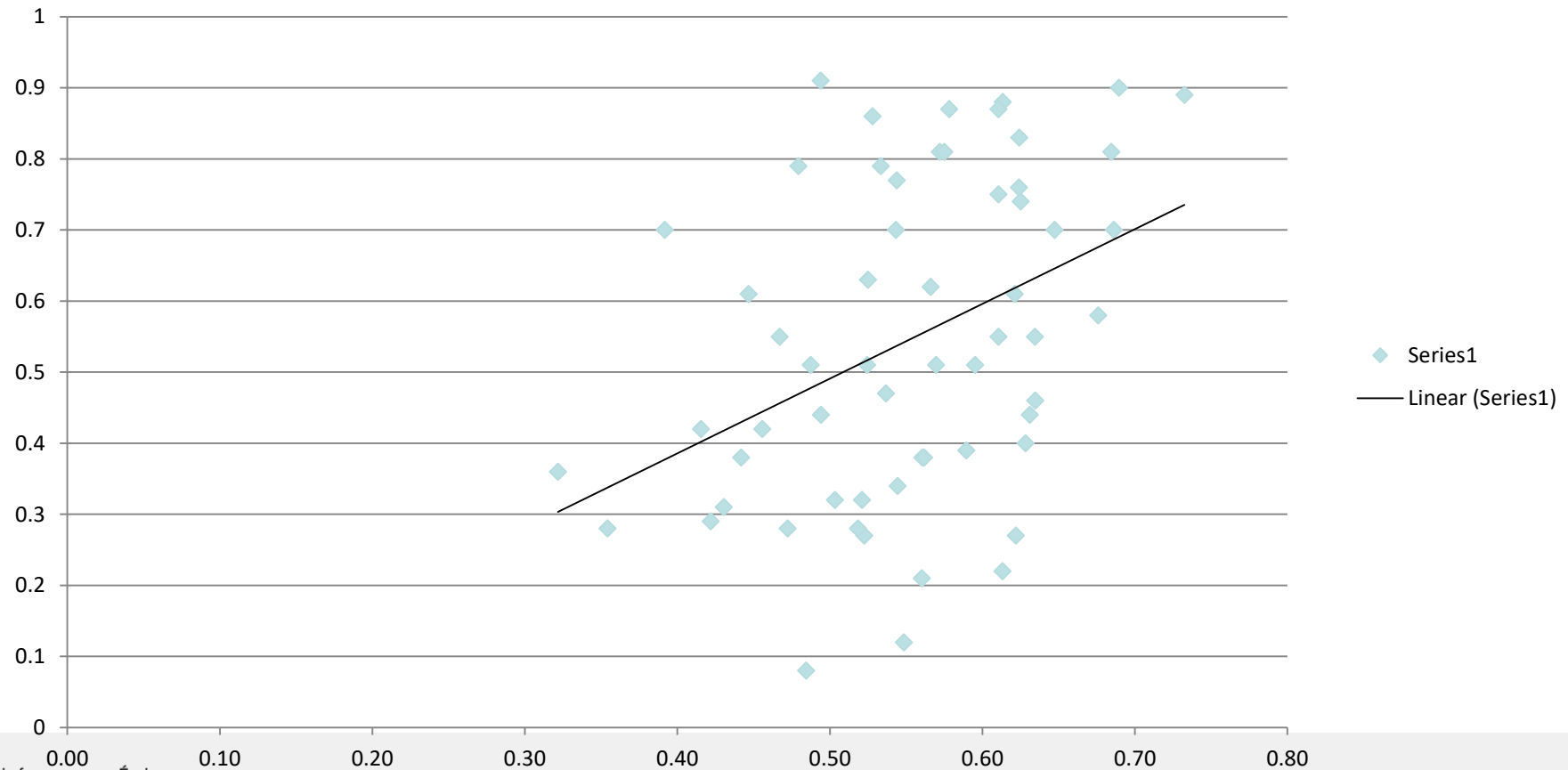
Propositions Tested by Large N Studies

Parliamentary oversight is enhanced by:

- the formal oversight powers assigned to the legislature
- the institutionalization of oversight bodies
- the resources made available to the parliament
- the saliency of the issues under investigation, political will and the non-partisan functioning of oversight bodies
- and the oversight bodies' ability to publicize the findings of their investigations

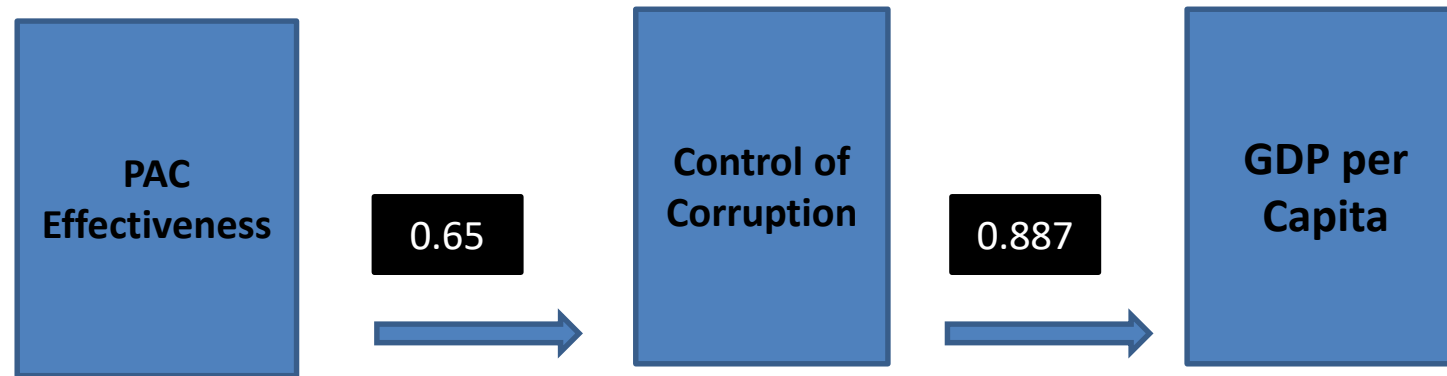
Fairly typical:

Oversight (X) and Corruption (Y)



PACs, Control of Corruption & Economic Development*

* Pelizzo, in Stapenhurst, Pelizzo and Jacobs (2014)



MISSING?

- there is a wealth of knowledge documenting both **current and emerging global good practice.**
- What was missing is the **operationalization of these findings at the country level** and the application of research findings into policy advice

Hypotheses

- (i) parliamentary oversight is a key determinant of corruption;
- (ii) oversight mechanisms: effective in presidential and semi-presidential countries;
- (iii) contextual factors: more important in parliamentary countries;
- (iv) national strategies/programs to strengthen parliamentary oversight are transferable across countries with similar forms of government, but not across countries with different forms.

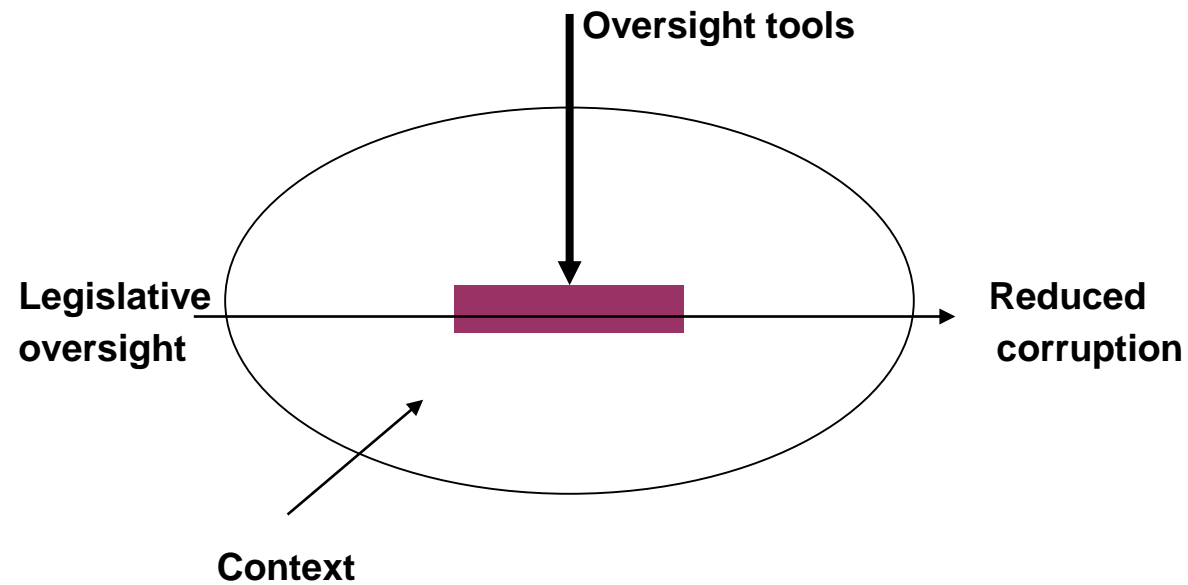
Methodology

Mixed-methodological framework

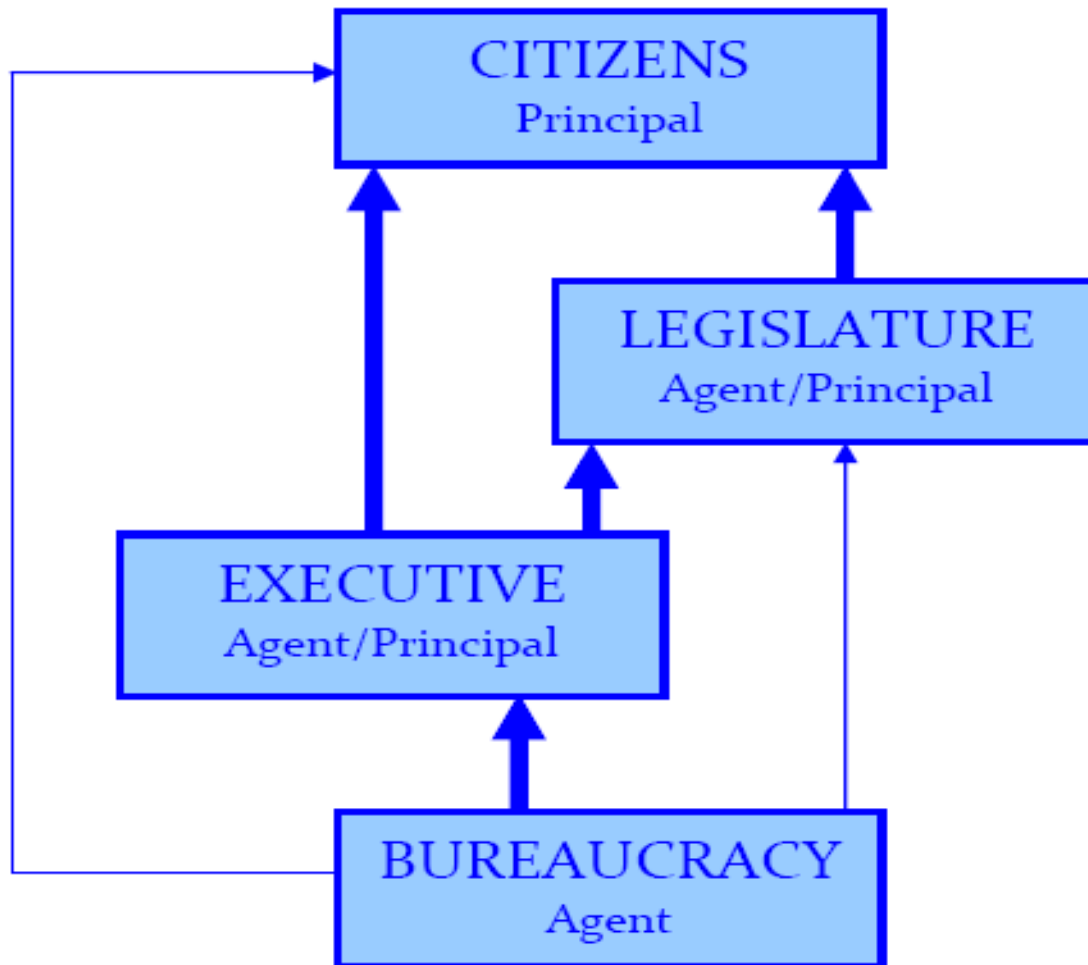
Mixed fixed/flexible research design

Case study framework aimed at empirically verifying the working of these mechanisms :

Theoretical Construct

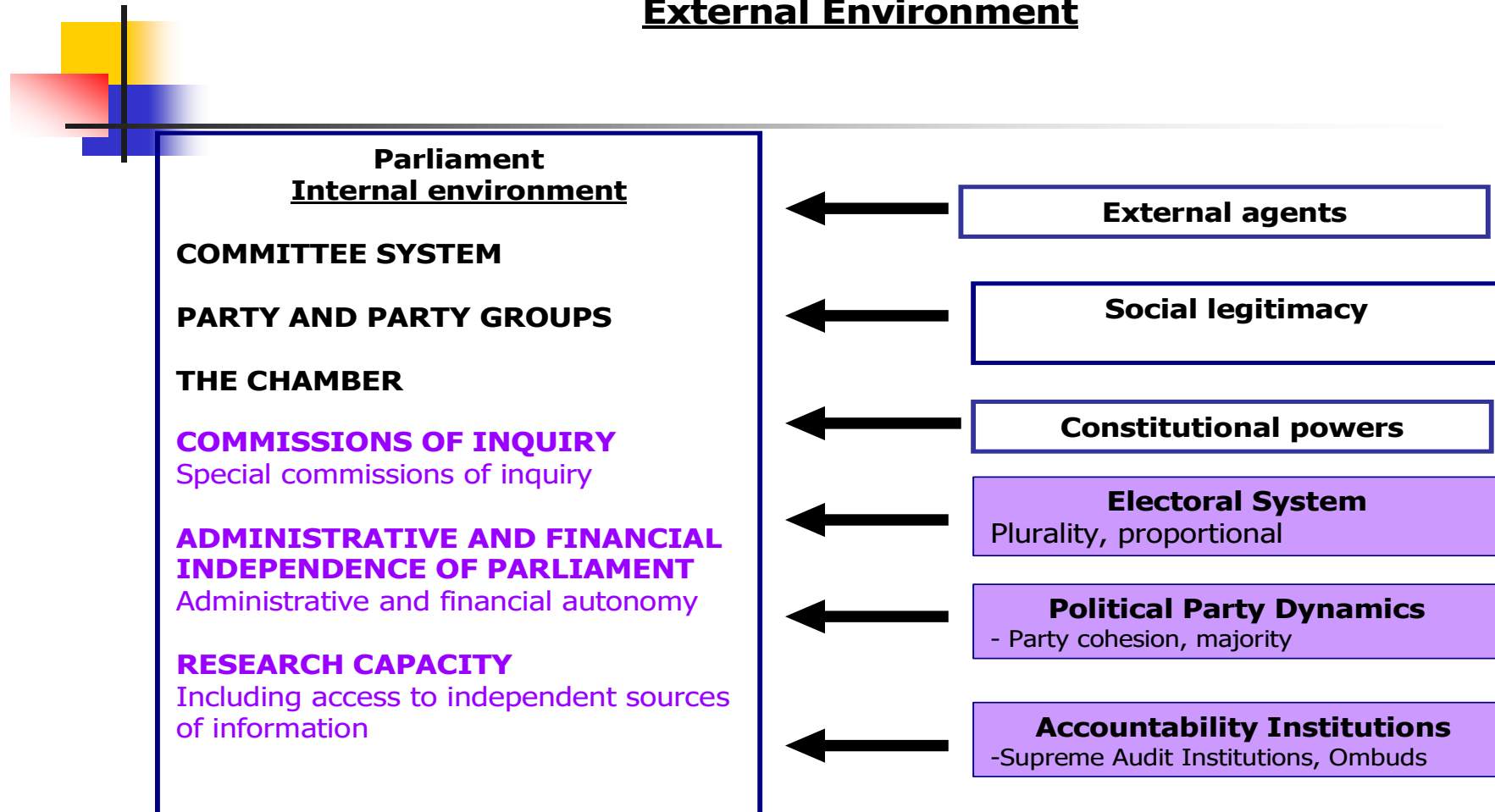


Principal-Agent Theory

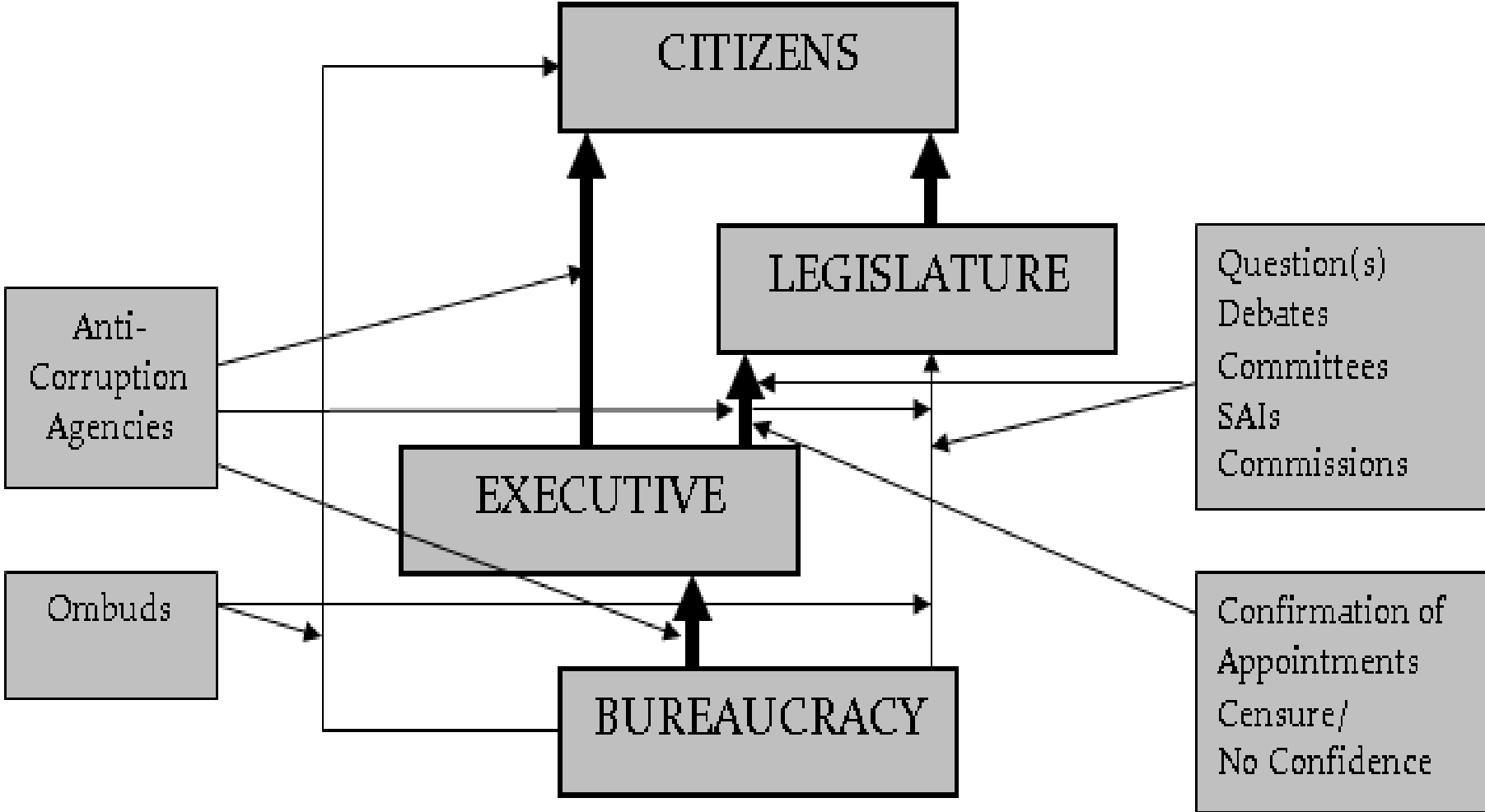


Extension of Wang' s Framework

External Environment



Accountability Relationships and Oversight Tools



The Caribbean: Corruption

Global Ranking 2016	Country	Score (100 = highest possible 0 = lowest possible)
31.	Barbados	61
24.	Bahamas	66
35.	St. Vincent	60
35.	St. Lucia	60
46.	Grenada	56
38.	Dominica	59
83.	Jamaica	39
101	Trinidad & Tobago	35
108.	Guyana	34 (41)

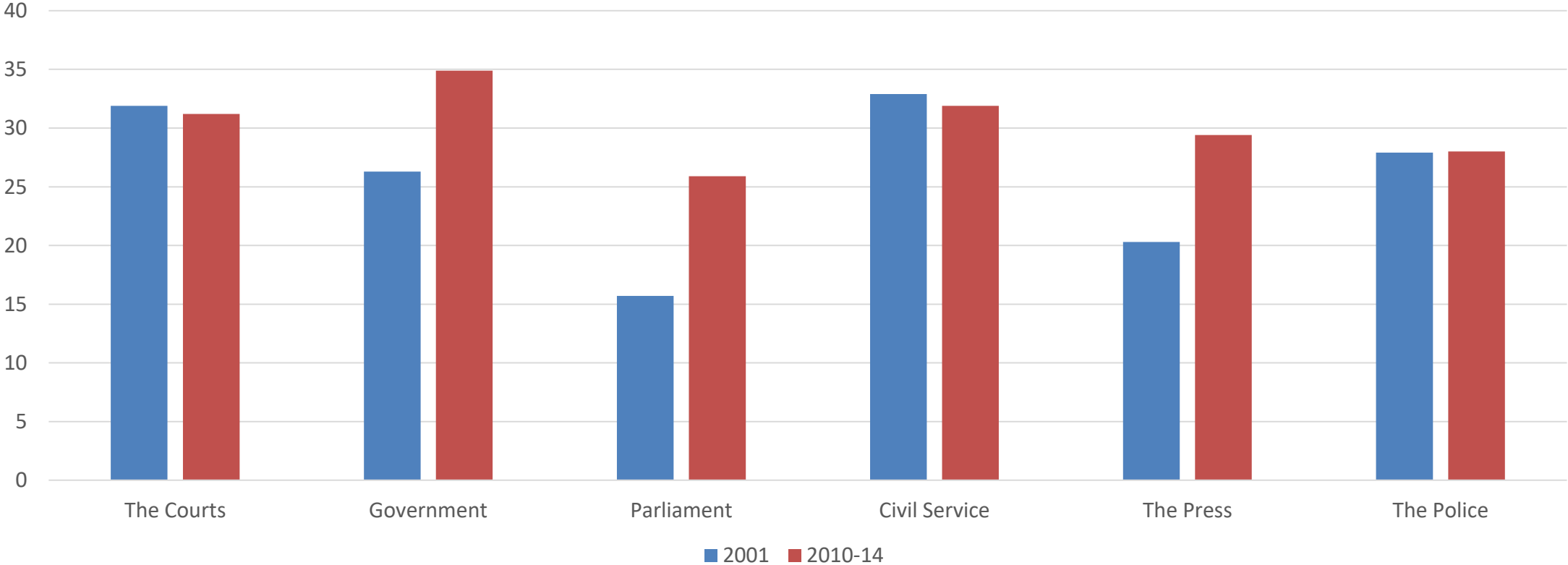
In 2020: T+T score was 40 (ranked 86th); Grenada score was 53 (ranked 52nd)

The Context-Trinidad & Tobago and Grenada

	TRINIDAD & TOBAGO	GRENADA	
Size of Country	Small	Very Small	Major difference
Population	Ethnically fragmented	Ethnically homogeneous	Major difference
British colonial heritage	Yes	Yes	No difference
Stable Constitutional order	Yes	No	Major difference
Form of Government	Parliamentary	Parliamentary	No difference
Electoral system	FPTP	FPTP	No difference
GDP per capita (US \$)	32,000	13,600	Major difference
Political Parties	2, very strong discipline	2, moderate discipline	Some difference
Trust in Parliament	Very low	Data not available	

Public Trust in Trinidad and Tobago

Public Trust in Political Institutions



Question

- What is the cause for the improvement in trust in Parliament in **T & T**
 - Effective communications
 - Code of conduct
 - Declaration of assets
 - Transparency in parliamentary deliberations

- Clerk's long experience: key factor in parliamentary strengthening

Party Composition in Parliament: T&T (2016)

	House of Representatives
People's National Movement (PNM)	23
People's Partnership Coalition (PPC)	18
	Senate
Government nominees	16
Opposition nominees	6
Independent	9



Party Composition in Parliament: Grenada (2016)

	House of Representatives
New National Party (NNP)	15
National Democratic Congress (NDC)	0
	Senate
Government nominees	7
Opposition nominees	3
Independent	3



Survey Question (Scale of 1-5, where 1 = very ineffective and 5 = very effective)	Trinidad & Tobago		Grenada	
	Mean Score	Std. Dev.	Mean Score	Std. Dev.
Effectiveness of the PAC (in T&T, all oversight committees)	3.1	1.1	1.9	1.1
Degree of Partisanship Within Committees	3.6	1.0	3.8	1.0
Effectiveness of the Auditor General	3.2	1.1	3.1	1.4
How Effective is Question Period	2.9	1.1	2.3	1.3
Effectiveness of the Ombudsman	2.2	1.6	2.3	1.1
Effectiveness of the anti-corruption agency	2.6	1.6	3.2	1.6

Observations

- Both **T & T** and **Grenada** have the full gamut of oversight tools. The issue is making these tools effective.
- Recommendations need to be country-specific
- Increased importance of the Senate in terms of oversight
- Establishment of a ‘Social Contract’ forum in Grenada interesting (meets monthly, chaired by the PM)

Committees

- **T&T** strengthened its committee system (regular meetings, public hearings, admin/research support) but effectiveness is limited by part-time MPs and technical support.
- **Grenada:**
 - Joint House-Senate Committees
 - Ministers should be allowed to sit on committees (and chair, but not own departments)
 - Appoint unelected or lay members
 - Admin/research support, e.g. interns

Committees – PAC (Grenada)

- Currently chaired by ranking Opposition Senator (who has competing responsibilities and which makes a bipartisan approach difficult)
- ‘regional’ PAC for smaller countries in the Caribbean or Joint Inquiries?
- AG should be able to hire staff independently and not be dependent on Public Service Commission

Ombuds and Anti-Corruption Agencies

- In T & T and Grenada, public servants and general public are unaware of existence – outreach and public education
- Adequate budgets and financial autonomy
- Establish time frames for agencies to respond to Ombuds/ACA request, introduce non-compliance enforcement
- Granada's Draft ATI Law has yet to be passed by the Parliament.

Other Measures

- Tougher codes of conduct, ethics committee (using, for example, CPA benchmarks)
- MPs and integrity commissions (ACAs) should disclose financial assets & business interests
- **TRINIDAD & TOBAGO:** Parliament provides non-accountable funds to MPs for constituency offices
- **GRENADA:** develop links between social contract forum and Parliament and AG

Conclusions

- Issues of oversight in small countries are fundamentally different than in large; lessons learned in UK and Canada largely irrelevant
- Cannot generalize across small countries – lessons not easily transferable
- AG, Ombuds, ACAs must *be* constitutionally independent and must be *perceived* to be independent. Reporting to parliament a first step
- Oversight institutions, including parliaments, must control their own financial and human resources.
- Political will: citizens must demand effective anti-corruption programs!

THE ROLE OF PARLIAMENT IN CURBING CORRUPTION AT THE NATIONAL LEVEL

Lecture 2:

Parliamentary Oversight & Corruption

- (1) Nigeria (Anthony Staddon)
- (2) Ghana (Rasheed Draman)

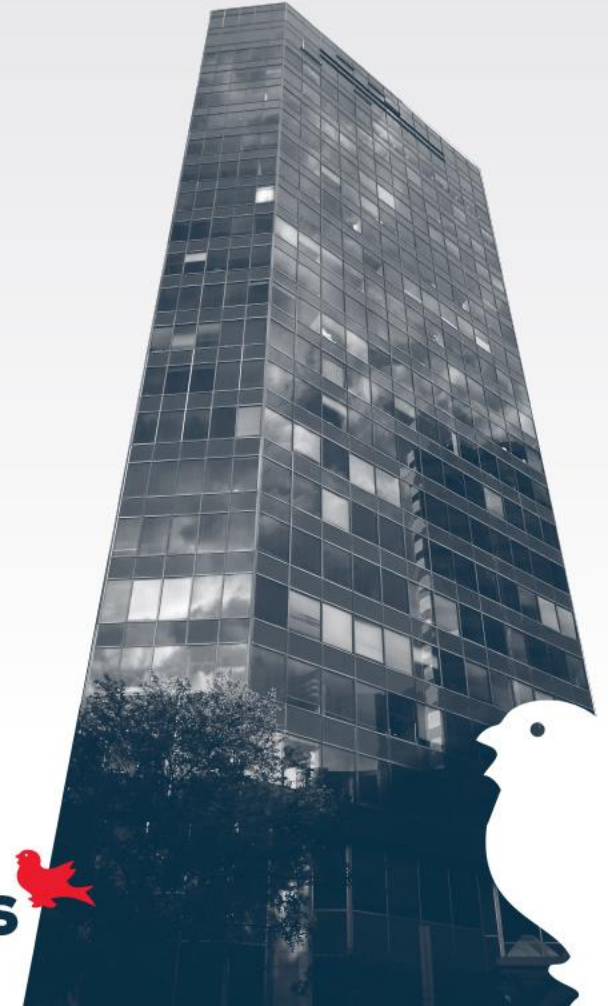
Discussant: Deji Olaore (World Bank Consultant)



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Contextual Factors

- The 1999 Nigerian constitution provides for a presidential form of government with a separation of powers between the executive and legislature.
- In Nigeria the National Assembly (NASS) is charged with oversight of the anti-corruption framework.
 - In the 2016 TI Corruption Index, Nigeria ranked 136 out of 176 countries, with a score of 28 out of 100 (TI, 2017).
- The creation of National Institute for Legislative Studies (NILS) and the National Assembly Budget and Research Office (NABRO) has improved the capacity of the legislature's oversight function.

Social Trust in Institutions

	Percentage of respondents reporting that they have some/ a lot of trust in selected institutions (Afrobarometer 2015)
Army	42
The Courts	39
Electoral Commission	39
The Presidency	32
Opposition Parties	31
Local Government Council	31
Majority Party	29
Internal Revenue Service	28
Parliament	26
The Police	22

Budgetary Powers

- One of the main sources of conflict between the executive and the legislature is the national budget.
- NASS is a budget-making legislature with the capacity to amend or reject the budget proposal of the executive, and the capacity to substitute (part of) a budget of its own conviction.

Observations

- Controversy exists over parliament's influence in the budget as a result of allegations of “Budget Padding”.
- Division exists between civil society and the legislature in terms of the application of the power of the purse.
- Members were specifically barred from allocating funds either directly or indirectly to their constituencies during legislative scrutiny of the 2017 budget proposal.

Observations

- Weak legal framework (no budget law) for broader participation in the budget process
- NASS was also considering a Bill to provide for constituency projects in the Annual Budget.
 - Could reduce the over-reliance on MPs to deliver local services and benefits to their constituents (Olorunmola, 2016).
 - BUT also has the potential for generating and entrenching corruption.
- The existence of special government funds or “Intervention Funds” which lack transparency and accountability.

External Oversight Tools

- The Auditor-General (AG) & The Public Complaints Commission (PCC)
- Anti-Corruption Agencies
 - Independent Corrupt Practices and Other Related Offences Commission (ICPC)
 - The Economic and Financial Crimes Commission (EFCC).
- Good awareness of the AG & Anti-Corruption agencies but poor awareness of PCC.
- The perception is that the external accountability institutions are not particularly effective.

Observations

- A further reason for ineffectiveness is that they are not properly independent of the executive.
- However, the experience of the PCC in Nigeria since 2014 suggests this will not guarantee effectiveness.
 - A closer relationship between the AG and NASS, as proposed by the 2015 Audit Bill is awaiting presidential assent.
 - Greater immediate priority: (i) fixing the gaps in audit (ii) ensuring effective follow up mechanisms to enforce decisions and (iii) focusing on the audit demand side.

Observations

- There is evidence of CSOs supporting anticorruption efforts and oversight generally
 - The Nigerian Civil Society Legislative Advocacy Centre (CISLAC) has revealed unresolved high profile corruption cases.
- A Bill to supervise, monitor and co-ordinate CSOs and Community Based Organizations (CBOs) is being discussed in the House of Representatives.
 - Fear that the Bill is an attempt to manage and control the financing and activities of CSOs.

Internal Oversight Tools

- Interviewees were fully aware of the constitutional arrangements for confirmation of Ministerial appointments, but perceived that the legislature did not fully exercise its powers in this respect.
- Oversight committees are considered to be neither effective nor ineffective, with MPs, however, rating their effectiveness higher.
- Special Commissions of Inquiry rated as more effective than oversight committees.

Observations

- The overall effectiveness of oversight committees in uncovering fraud and corruption appears to have declined from the 2009/2010 survey (only parliamentarians suggest an improvement).
 - Increasing signs of partisanship within the oversight committees.
 - The bloated governance system in Nigeria
 - The size of Committees in the House of Representatives ranges between 25 and 40 and absenteeism is cited as a concern.

Internal Oversight Tools

- The legislature possesses formal autonomy in all three areas surveyed: establishing its own rules of procedure, selecting its Presiding Officers and in determining its own budget.
 - However, it fails to discharge its powers in a responsible manner e.g. the detail and operation of the budget lacks transparency.
- Respondents thought that the staff resources of the NASS and resources available for oversight are considerable.
 - The fundamental issue is the quality of these staff rather than the quantity.
 - Stakeholders alleged that resources are used to employ family/friends

Observations

- Internal oversight tools are perceived to be more effective on average than external tools and institutions.
- One explanation may be the improved research support available to the NASS through NILS and NABRO
 - Our findings also suggest that legislators are making more use of library and research facilities.
- Some progress has been made by NABRO
 - Committees are seeking its professional input when ministries/agencies appear before them to defend their annual budget estimates.

Conclusions

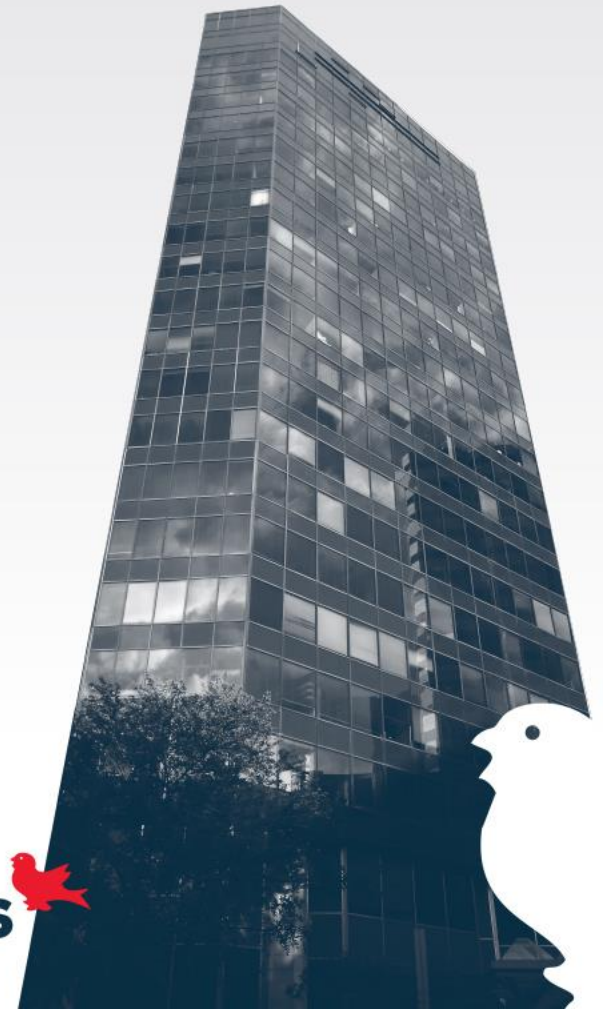
- Parliament is increasingly seen as part of the problem of corruption.
- Three factors stressed: the importance of leadership, transparency across the work of the legislature, and accountability of the legislature.
- Stakeholders, including parliamentary staff, are looking to the executive rather than the legislature to take the lead in anti-corruption efforts.

Conclusions

- Two legislative bills need to be closely monitored:
 - Formal provision for constituency projects in the Annual Budget.
 - Supervise, monitor and co-ordinate CSOs and CBOs.
- Potential of constitutional amendments being considered by the Senate and the House of Representatives (e.g. to ensure that the President assigns portfolios to persons nominated as ministers).
- Focus on evidence-based civic engagement and answering the basic question: what is corruption?

The Role Of Parliament In Curbing Corruption At The National Level

Evidence From Ghana



Key Messages

- Democratic growth, slow development and weak oversight?
- Successful elections, very good example in Africa and most of the developing world in how to count votes and change government.
- But not a shining example of how to exact oversight and accountability from the executive.

Approach

- Forty three respondents – 12 MPs/former MPs), 12 Parliamentary staff, 11 Media representatives and 8 CSOs.
- The interviews were complemented by insights and knowledge gained by the staff of the African Centre for Parliamentary Affairs (ACEPA) who have worked with the Parliament of Ghana over the last two decades.
- Literature on oversight and anti-corruption efforts in Ghana.

The Evidence

- Here, I focus on internal and external oversight tools at the disposal of the Legislature
- Internal:
 - Review of Appointments, Censure, Committees, Commissions of inquiry, Degree of partisanship, Question period etc.
- External:
 - The AG, Ombdus and Anti-Corruption Agencies

Table 1: Internal Tools and Mechanisms Influencing Legislative Oversight

(Scale of 1–5, where 1 = very weak/never and 5 = very effective/always)

Survey Question Number	Survey Question	Ghana 2009-10		Ghana today	
		Mean Score	Std. Dev.	Mean Score	Std. Dev.
1	How Frequently Does the Legislature Review Appointments	3.5	1.7	4.6	1.0
2	How Frequently Does the Legislature Censure Ministers/the President	1.7	0.8	1.3	0.5
20	How Effective Are Oversight Committees in Uncovering Incidents of Fraud and Corruption	3.2	1.5	3.8	1.0
21	How Effective Are Special Committees/Commissions of Inquiry in Uncovering Incidents of Fraud and Corruption	3.8	1.3	3.5	1.4
16	What is the Degree of Partisanship Within Legislative Oversight Committees	2.2	1.6	3.0	1.4
19	How Often do Oversight Committees Meet During a Legislative Session	4.7 (10 times)	0.7 (9 times)	5.0	0.6
22	How Effective is Question Period in Uncovering Incidents of Fraud and Corruption	3.7	0.9	3.0	1.2
24	Are Opposition Members Given at Least Equal Time to Ask Questions	1.0	0.1	1.0	0.0
25	What Percentage of Legislators Attend Plenary Sessions	3.5 (65%)	0.8	3.7 (67%)	1.26

Table 2: External Tools and Mechanisms Influencing Legislative Oversight

(Scale of 1–5, where 1 = very weak and 5 = very effective)

Survey Question Number	Survey Question	Ghana 2009-10		Ghana today	
		Mean Score	Std. Dev.	Mean Score	Std. Dev.
14	How Effective is the Auditor General in Uncovering Incidents of Fraud and Corruption	4.2	0.9	4.2	0.7
16 d	How Effective is the Ombudsman in Uncovering Incidents of Fraud and Corruption	3.6	0.8	2.6	1.5
17 d	How Effective is the Anti-Corruption Agency in Uncovering Incidents of Fraud and Corruption	3.5	1.3	3.0	1.0

Three Key External Oversight Institutions: Mandate without Means

Auditor General

- Article 187(2) of the 1992 Constitution - the AG is charged with auditing all ministries, departments, and other agencies.
- Section 5 of Article 187 requires the AG to inform Parliament of any irregularities, through the audited accounts. The AG's report to Parliament is referred to the PAC by the Speaker.
- Financially constrained - a deliberate ploy by the Executive to stifle the department from intensively exercising its constitutional mandate.

Three Key External Oversight Institutions: Mandate without Means

The Ombudsman

- In Ghana, the Commission for Human Rights and Administrative Justice (CHRAJ) functions as ombudsman. Established in October 1993 “to foster a culture of respect for fundamental human rights and freedoms, as well as administrative justice and fairness in Ghana.”
- Chapter 5 of the 1992 Constitution authorizes the Commission to investigate all complaints of human rights abuses and freedoms. CHRAJ performs the functions of three organizations: human rights organization, ombudsman, and anti-corruption agency.
- Under the constitution, CHRAJ is independent of the three arms of government.

Three Key External Oversight Institutions: Mandate without Means

Ombuds - Three Challenges:

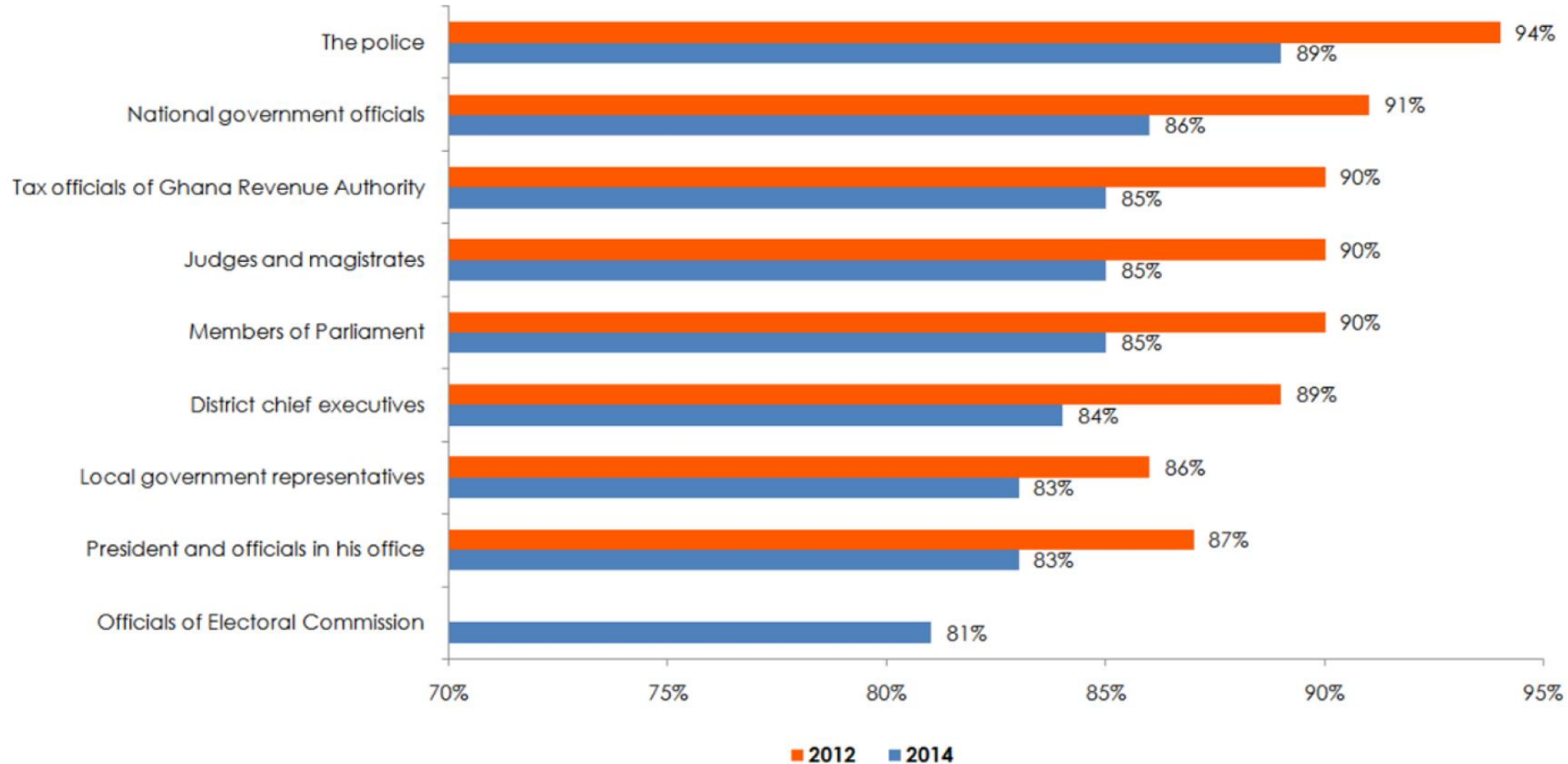
1. Financial constraints.
2. Inability to prosecute should investigations result in an adverse finding because of political constraints.
3. The appointing authority.

Three Key External Oversight Institutions: Mandate without Means

Anti-Corruption Agency

- The main institution noted for anti-corruption is the Economic and Organized Crime Office (EOCO). EOCO used to be called the Serious Fraud Office (SFO).
- The institutions' reputation in the fight against corruption has suffered a setback because of the constant interference of political elites in the activities of the institution.
- The independence of the institution has also come under question because of the selective manner in which the institution sometimes deals with cases.

Figure 1: Afrobarometer corruption perceptions | 2012-2014¹



Explanations

Executive Co-optation of Parliament

- In 2015, Ghana ranked 7th out of 54 countries on the Mo Ibrahim Index of African governance (IIAG), but has been one of the worse performing countries when it comes to accountability and the fight against corruption.
- According to the report, The African average score for corruption is only 36.3 and shows a sizeable average decline of -14.4 score points since 2006.
- Of the 33 countries which Afrobarometer has surveyed for this measure and for which there is a ten-year trend available, 22 have declined in the last ten years and 12 of these by more than -20.0 score points.
- Large declines of -40.0 points or more are seen in Madagascar (-78.1), Sierra Leone (-63.0), **Ghana** (-51.1), Malawi (-48.3), South Africa (-44.0), Tanzania (-42.9) and Liberia (-42.0)

Explanations

Executive dominance of Parliament

- The relationship between the Executive and Parliament determines the behavior of national politics, the roles of public institutions and to an extent the political system of a country.
- The Executive controls resources and appoints the administrative heads to monitor and distribute resources to all the arms of government.
- Half of Cabinet is from Parliament – the latter has become a “waiting room for executive appointment”.

Explanations

An expanded space for corruption: Economic Incentives and the Role of the Oil and Gas Sector

- The Executive arm of government in Ghana has come under the spotlight when corruption in the oil and gas sector is discussed.
- The role of the legislature in Ghana in the sector is supposed to be transparent yet parliamentary duties on natural resources are often concealed to the public and this create room for cronyism and corruption.
- Perception of Executive use of oil resources to buy of dissent

Explanations

Excessive Partisanship in parliament and oversight responsibilities

- Partisanship per se is not a bad thing (Schmitt,2009). Ideological differences create a pool of options making decision making in the House more effective.
- Whiles the forgoing is true, extreme partisanship during oversight has the propensity of letting the key issues elude the committee and greatly reduces the effectiveness of the committee.
- That was the situation in Ghana.

Conclusions/Implications for Policy

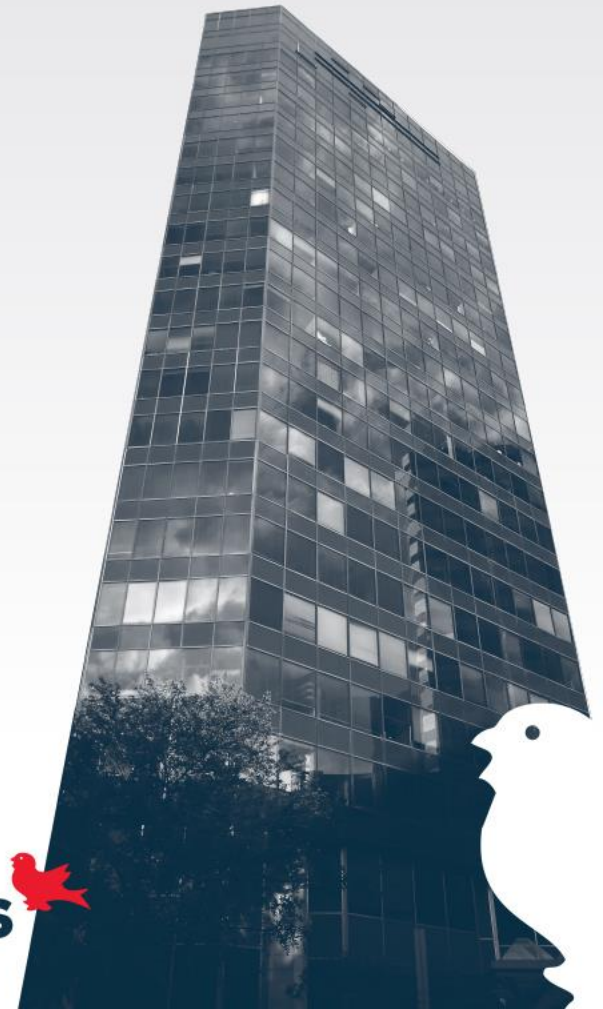
- “No high profile convictions of corruption cases in the last 10 years” (Jon Benjamin, British High Commissioner to Ghana).
- Ghana Constitutional Review Commission, Lindberg and Zhou (2009) legislature weak vis-à-vis the executive branch.
- Similar conclusions by the African Parliamentary Index (2013).
- The biggest challenge for policy is how to shift incentives from private/personal to public goods provision.

THE ROLE OF PARLIAMENT IN CURBING CORRUPTION AT THE NATIONAL LEVEL



Lecture 3:

- (1) Evidence from Tanzania (Rasheed Draman)
- (2) Evidence From Uganda (Agnes Titriku)



Corruption in Tanzania

- Corruption permeates all sectors of the economy and governance, especially the Executive and the Judiciary.
- Tanzania ranked 116th in 2016 on the transparency international's corruption perception index.
- No alignment between the national fight against corruption and the work of Parliament.

Corruption in Tanzania

- The President John Magufuli (who has been touted as a strong anti-corruption campaigner) was making progress in the fight against corruption.
- His involvement and unique inspirational anti-corruption drive was hailed by all.
- Yet, after one year, Tanzania had only marginally improved: 117th. in 2015 to 116th. in 2016 on the CPI. (NB currently, 94th.)
- Punitive and preventive approaches would be important to move forward in the fight against graft.

Executive-Legislative Relations – Appointment of Ministers

- Government's activities in parliament is headed by a PM who is appointed by the President.
- The President has significant influence in the legislature in Tanzania: appoints ten members who are not elected into the legislature; appoint all Ministers and deputies from the House.
- Legislature fused with Executive and cronyism between members of the party in power. This seriously undermines parliamentary scrutiny.

Executive-Legislative Relations – Censure and Impeachment

- The majority (60%) of the respondents were aware that parliament can censure or impeach a minister. But 40% were not!
- Article 38 clause (2) (d) makes it possible for the President to be impeached by the National Assembly. But this has never happened in the history of Tanzania.

Executive-Legislative Relations: Budget Making

- The exercise of Parliamentary oversight in the budget process is critical to good governance and accountability.
- Parliamentary involvement in the budget was confirmed by all the respondents, who confirmed that Parliament has the power to amend the budget.
- But respondents reported that it does so only occasionally, and by relatively small amounts

Executive-Legislative Relations – Political Party Cohesion

- Political party cohesion in Tanzania is described as “Somewhat Strong”.
- This is good for the growth of democracy as multiparty democracy had been abandoned after the 1964 elections, which saw the Chama Cha Mapinduzi (CCM) winning all but one seat in parliament.
- Today the opposition parties have emerged that pose a greater threat to the CCM, but the latter still has an absolute majority in Parliament.

Executive-Legislative Relations – Political Party Cohesion

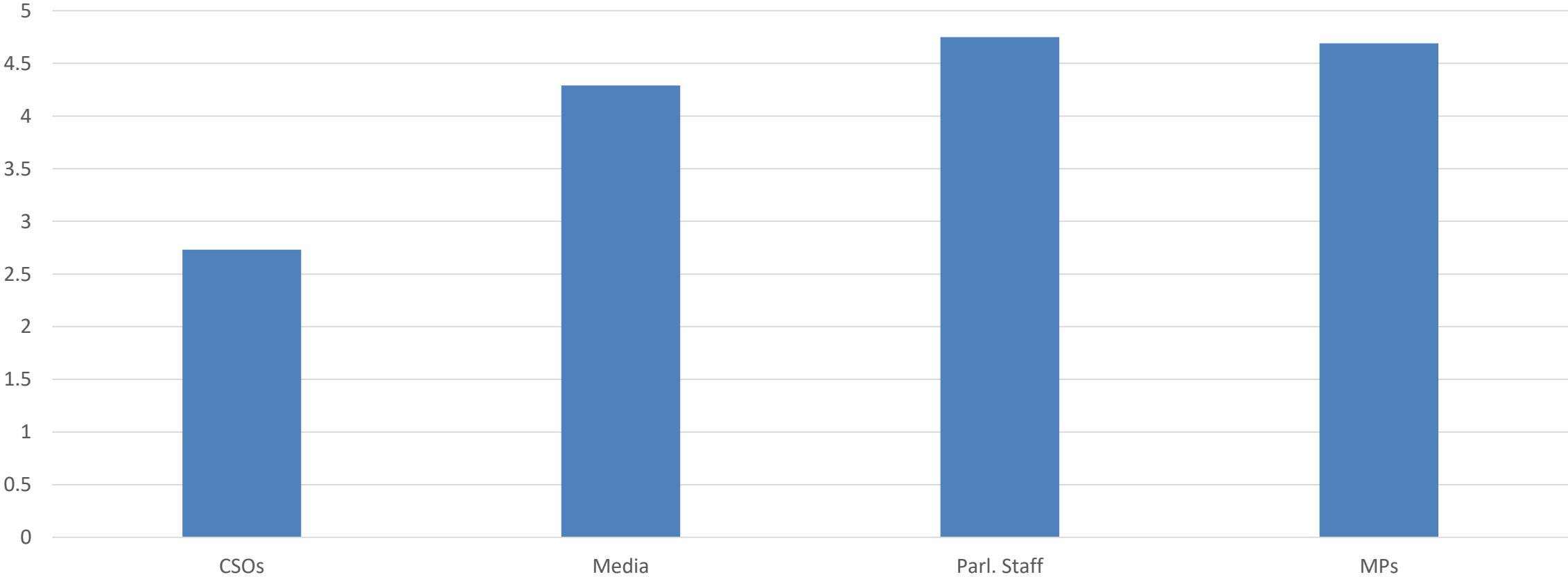
- Parties in parliament have formed a cross-party platform to advocate for reforms.
- This platform has been instrumental in calming political tensions at both intra-party and inter-party levels – the latter witnessed some isolated cases of violence and verbal abuse.
- Political party activities were banned until the general election in 2020. Opposition parties defied government openly.

External Oversight Institutions – Controller and Auditor General (CAG)

- The President, rather than Parliament, is appointing authority.
- Most the respondents indicated that the CAG does not report directly to parliament; he reports directly to the President, who subsequently sends audit reports to Parliament for scrutiny.
- Survey respondents were split on the issue of CAG independence: 55% indicated that he has complete independence while 45% said he does not.
- 42% believed that the CAG could be removed from office by the President without recourse to the legislature.

How Effective is the CAG in Uncovering Fraud and Corruption?

1= Very Ineffective; 2.5 = neither effective nor ineffective; 5= very effective



■ 1= Very Ineffective; 2.5 = neither effective nor ineffective; 5= very effective

External Oversight Institutions – The Ombudsman

- Commission for Human Rights and Good Governance. Head is appointed by the President, Parliament.
- Most respondents were aware that the Ombuds does not report to the legislature.
- Most acknowledged that the office does not have independence over its budget.

External Oversight Institutions – Anti-Corruption Agencies

- The Prevention and Combating of Corruption Bureau (PCCB), Economic and Organized Crimes Control and the Police. The President (and not Parliament), hires/fires heads of all these institutions.
- Most (80%) of the respondents believe that the agencies are not independent regarding their budget or staffing.

External Oversight Institutions – Media/Access to Information

- One of the few countries in Africa with an FOI Act which offers significant help to the work of journalists and opens the governance process to severe scrutiny.
- Respondents assessed the effectiveness of the Act in making information available to members of the National Assembly as “neither effective nor ineffective”.
- There are subtle rigidities that have the potential of blocking MPs and the general public from accessing the information.

External Oversight Institutions – Media/Access to Information

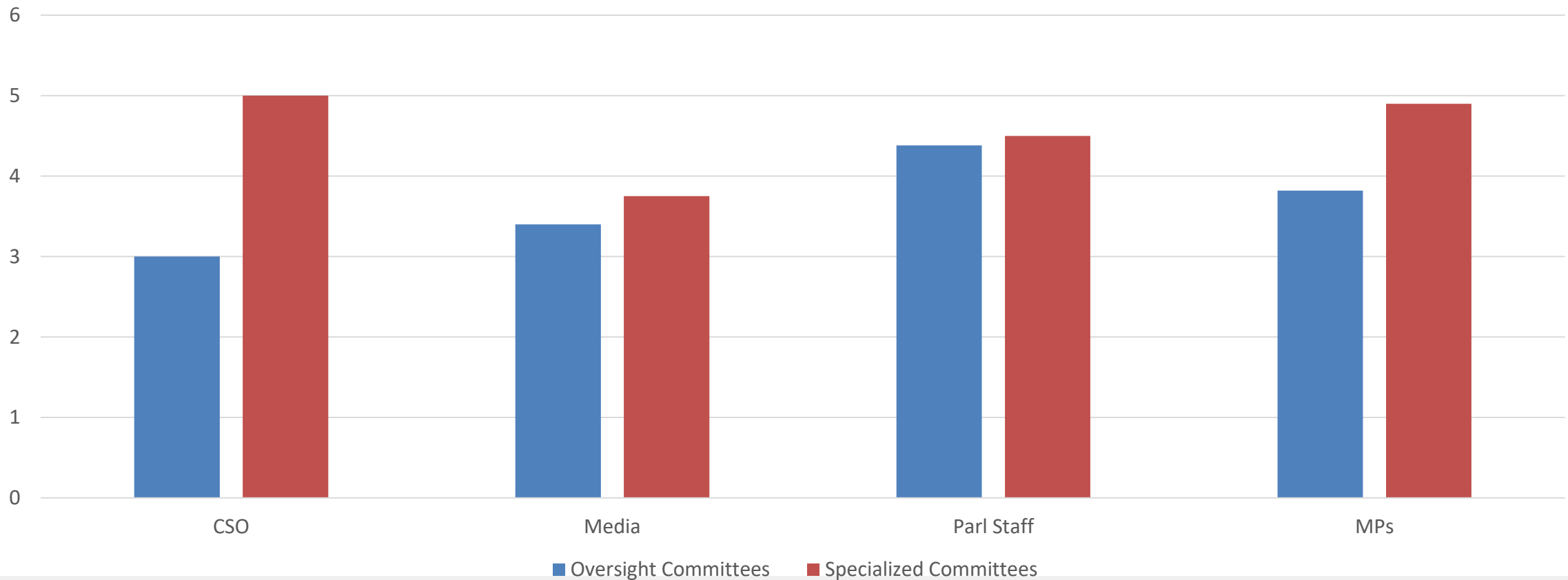
- Respondents also alluded to government's restrictive laws that impact the media. These have led to a massive drop in the country's ranking in the Freedom of Press report, from 83rd in 2017 to 124th in 2020
- As a result, the media has not been very instrumental in uncovering corruption.

Internal Factors – Committees

- The principal oversight committees – the PAC and the Local Authorities Accounts Committee. Specialized committees are also established from time to time
- The level of partisanship in these and other committees is “neither weak nor strong” as revealed by the survey. Good for consensus building as over-politicization of oversight committees’ work reduces their effectiveness.
- The committees meet about 10 times a year and they are well equipped with a technical staff of about 5-6 people.

How effective are these committees in uncovering fraud and corruption?

1= Very Ineffective; 2.5 = neither effective nor ineffective; 5= very effective



Internal Factors – Specialized Committees

- Two-thirds of the respondents indicated that special parliamentary committees and commissions of enquiry have been “very effective.”
- Work of these committees and commissions have led to many ministers resigning, heads of institutions fired and recommendations that the Executive sanction those that have violated the law.

Internal Factors – Information Resources

- The Tanzanian National Assembly has a library that assists members and staff in their activities. Utilization of the library by MPs is characterized as “often”.
- Members also have access to their own independent sources of information. Policy “Think Tanks” abound in Tanzania and they have proven to be very resourceful to members.
- Parliament-CSOs relationship has also been helpful in assisting MPs get information.

Conclusions/Implications for Policy

Based on data reviewed, I draw a number of conclusions:

1. Parliament has the capacity and sometimes the will to lead the fight against corruption.
2. But Parliament can't do it all alone. Support is needed, particularly from external oversight institutions.
3. These institutions are 'executive-controlled' and lack independence.
4. Another key ally of Parliament – the media – is 'tightly controlled'.
5. The President made fighting corruption his key 'mantra' but this has proven to be unsustainable, because the institutions of state are not provided the needed space to carry out their mandate.

The Role Of Parliament In Curbing Corruption At The National Level

Evidence From Uganda
Agnes Titriku



Political Context

- Third Republic from 1996 to date with multi-party democracy legalized in 2005
- Jan 2021 elections is the 6th in the 3rd republic – all won by Yoweri Museveni
- Presidential system but with some features of a Parliamentary system e.g. Prime Minister

Political Context

- At the time of the research - Parliament with 426 members with the National Resistance Movement (NRM) holding a majority of two thirds. Out of the 426 members, 289 are directly elected, 112 were reserved for only women and 25 special seats made up of representatives of the army, youth, workers, PWDs etc.
- After Jan 2021 elections – NRM 316 seats, NUP 61 seats, Women 146 and 30 appointed seats. There has been an addition of 103 new seats.

Findings: Executive-Parliament Relations

- A hybrid system with a Prime Minister in charge of government business in Parliament. Some Ministers are also appointed from Parliament.
- Parliament has powers to: review and approve appointments; censure ministers; impeach the President; veto legislation and enact Private Member's Bills
- Considerable powers in the budget process. Parliament is able to make significant amendments to the Executive's budget – thanks to the existence of a Budget Act, PFMA and a PBO

Findings: Political Parties

- Party cohesion neither weak nor strong. However, it is deemed stronger in the Ruling Party than in Opposition Parties
- Floor crossing not allowed
- Party loyalty is rewarded
- Internal party mechanisms to sanction erring MPs

Findings: External Oversight Institutions

- Auditor General appointed by the President and reports to Parliament. Considered *somewhat effective*. The AG's findings rarely result in either prosecution or appropriate sanctions.
- An Ombudsman – Inspector General of Government, who reports to Parliament
- Anti-corruption agency – Uganda uses a multi-agency model. No single institution serving as an anti-corruption agency.

Findings: External Oversight Institutions

- A number of independent departments and units form part of the anti-corruption set up. They include the IGG, Anti-corruption court, the Police, AG etc.
- An access to information law deemed *somewhat ineffective/somewhat effective* in facilitating public/parliamentary access to information
- Government restrictions or influence on the media, as well as self-censorship on the part of the media

Findings: External Oversight Institutions

- Very active CSOs but with little impact when it comes to getting the Executive to act on corruption cases
- CSOs have collaborated with Parliament to highlight incidents of fraud and corruption in sectors like Health, Education and Local Government
- CSOs campaigned to make the Production Sharing Agreement on oil public, influence the budget, and some legislations

Findings - Internal Factors: Committees & Resources

- Three main oversight committees – PAC, Committee on Commissions, Statutory Authorities and State Enterprises (COSASE) and Local Government Accounts- rated *somewhat effective* in uncovering fraud and corruption
- Special investigative committees when necessary - also rated *somewhat effective* in uncovering fraud and corruption
- Committees receive adequate technical and information support for oversight – DRS, Library, Budget Office, Dept. of Legal and legislative services, think tanks, academia, CSOs

Findings: Processes in the Chamber & Mandate

- Parliament is autonomous in setting its administrative procedures and determining its budget. However, government controls the release of funds to the parliament
- Parliament has to a *considerable extent*, adequate qualified staff to enable it perform its oversight function.

Findings: Informal Structures

- A number of informal groups/forums spanning different subject matters and interests e.g. Parliamentary forum on Climate Change and Food Security, Youth Affairs, Oil and Gas, APNAC, Women Parliamentary Association etc.
- Difficult to track their performance due to a lack of reporting structure. They are not accountable to the institution of Parliament

Conclusions

Executive Dominance and Influence

- Having members of the Executive in Parliament means that MPs have double allegiance with the scales tilting more in favour of pleasing the Executive.
- Strong regulations, procedures and tools for oversight but weak on implementation. This is confirmed by the IGG's annual reports on Corruption trends in Uganda and the API. E.g Executive control of resources, interference in the investigation and prosecution of corruption cases and reluctance to act on recommendations.
- Establishment of parallel accountability structures and frameworks with no deliberate attempt to streamline and coordinate their operation.

Conclusions

High degree of partisanship within Parliament

- NRM super majority has served the interest of the Executive more than pursuing the agenda of oversight and fighting corruption. E.g. Recent developments around payments to MPs to “facilitate” consultations on amending the Presidential age limit in the constitution
- Party interest often trumps national interest and the course of accountability e.g. phenomenon of “rebel MPs”, attempt to prevent journalists from covering parliament, Caucusing etc