

Transparency International Anti-Corruption Brief

Corruption in the Middle East & North Africa

Regional Trends from the 2019 Global Corruption Barometer and Country Spotlights

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The Middle East and North Africa region has witnessed substantial upheaval in recent years that has affected many countries' capacity to effectively curb corruption.

As the results of the 2019 Global Corruption Barometer illustrate, substantial governance challenges persist across the region. Political corruption and nepotism remain an issue and perceived levels of corruption continue to rise. Trust in governments and their ability to tackle corruption remains low, and while many citizens continue to believe that ordinary people can make a difference in anti-corruption efforts, their numbers are shrinking.

While the overall outlook appears grim, a granular appraisal of the region belies a monolithic picture. At one end of the spectrum, reform approaches in Jordan have managed to keep levels of bribery down and trust in government comparatively high. At the other end, the situation in Lebanon has deteriorated and the country now has the highest rate of reported bribes paid to access public services in the region. In Sudan, the situation appeared particularly dire, but with the recent ouster of long-term dictator al-Bashir, new space for reform may open up. Morocco and Tunisia continue to present mixed pictures with substantial reform efforts but also considerable challenges. Moreover, while recent elections in Tunisia underlined the absence of trust in the country's established political class, in another sense those elections reflect a sustained effort to consolidate the most successful democratic transition in the wake of the Arab Spring.

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Main points

- Eight years after the Arab Spring, the region is still struggling to ensure political participation of its citizens and to tackle profound governance challenges.
- Political corruption and nepotism, low trust in government, and a shrinking belief in the power of citizens paint a pessimistic picture of the region.
- Corruption in public service delivery is a common challenge but the extent differs vastly between the lowest and best performers.
- A deepening economic crisis has led to renewed protests and instability in several countries in the region.

Introduction

The Middle East and North Africa (MENA) region has witnessed substantial upheaval and political instability in recent years. This has exacerbated the region's pervasive governance challenges, as well as undermined the capacity of governments to tackle corruption in a sustainable manner.

Revolutions in the wake of the Arab Spring of 2011, as well as more recent upheavals, have contributed to the fall of decades-long dictatorships in Tunisia, Sudan, and other countries in the region. In the aftermath, many countries in the region have been struggling to strengthen democracy and social inclusion, as well as tackle the systemic corruption that contributed to sparking the initial protests.

In other countries, such as Jordan and Morocco, governments have tried to forestall protests by responding to grievances and introducing some reforms. While these two states have not experienced outright revolutions, success in bringing about change and tackling corruption has been mixed, with the result that protests have not fully abated.

Today, the region is still characterised by political instability and largely unaddressed demands to curb corruption and the other root causes of popular discontent.

In addition to political instability, failing economies across the region have either led to or intensified political strife and in some countries, such as Lebanon, have reignited protests.

Many states in the region are marked by poor governance and high (youth) unemployment, and with the notable exception of many of the Gulf States, economic growth remains low. Pessimism about the region's future is correspondingly high (Fakir & Yerkes, 2018).

In light of these ongoing political and economic struggles, it is perhaps unsurprising that perceived levels of corruption are on the rise and trust in governments remains low. Dispiritingly, fewer citizens have confidence in their own ability to effect change. These are just some of the sobering results of the regional 2019 Global Corruption Barometer (GCB), which surveyed citizen experiences and perceptions of corruption in six countries in the region: Jordan, Lebanon, Morocco, Palestine, Sudan and Tunisia.

Nonetheless as illustrated below, while the overall picture is relatively grim, the situation differs substantially from country to country.

The following section assesses the regional GCB results in greater detail to identify commonalities across the Middle East and North Africa. Afterwards, spotlights on the six countries surveyed are intended to offer some background and insight into country-specific corruption challenges in order to provide context to the survey results.

Trends across the region

Government and political corruption

Years of authoritarian regimes and patrimonial forms of government have generated and

exacerbated corruption across the region. Political corruption, patronage, and nepotism are among the recurring issues in many of the countries (Lee-Jones, 2018; Kukutschka, 2017; Kukutschka, 2018; Wickberg, 2012). Across the region, these forms of corrupt behaviour have had a deleterious effect on the quality of public services, reduced trust in institutions, and stymied government attempts to reduce corruption.

Literature on governance in the region consistently points to a public sector marked by weak governance, high levels of corruption and practices such as nepotism and patronage (Fakir & Yerkes, 2018; Johnson, 2012; Transparency International, 2019; World Bank, 2016). This characterisation is confirmed by many of the GCB results, such as the extensive use of *wasta*.

Wasta refers to the use of personal connections and intermediaries in order to access public services, and can be widespread even in countries where reported bribery rates are relatively low. In the 2019 GCB, experiences with *wasta* were only surveyed in the countries in the Middle East,¹ where rates between 24% (Jordan) and 49% (Lebanon) were reported.

The existence of high levels of political corruption is underscored by the substantial experience of respondents with vote-buying: reported rates were 12% in Palestine, 26% in Jordan, and a massive 47% in Lebanon.²

High levels of political corruption and *wasta* have a particularly negative effect on public service delivery. In a highly politicised public sector where positions are allocated on the basis of loyalty and public servants hope to profit from their appointment, citizens are likely to struggle to access public services without resorting to bribe-paying. This typically results in a lower quality of public

¹ Jordan, Lebanon and Palestine

² Questions about vote-buying were only asked in Jordan, Lebanon and Palestine

services, a bloated and expensive civil service, and limited access to government for poorer citizens. The rates of bribes paid to access public services as reported by citizens, vary substantially across the region. At the lowest end of the spectrum, 1% of respondents who visited a public clinic or hospital in Jordan reported paying bribes for healthcare, although 20% reported having to use *wasta*. On the other hand, 48% of Lebanese respondents who had been in contact with the judiciary reported having to pay bribes.

Perceived levels of corruption

In all six countries showcased below, a majority of respondents feel that corruption has increased in the previous year.

In North Africa, this perception is higher than it was in 2015, and quite substantially so in Morocco (from 26% of respondents in 2015 to 53% in 2019) and Sudan (from 61% to 82%). In the Levant region, while still high, the number of people who feel that corruption has got worse in the previous twelve months is lower than the comparative figures from 2015, especially in Jordan (from 75% in 2015 to 55% in 2019) and Lebanon (from 92% to 68%).

Correspondingly, few respondents feel that corruption has reduced over the last year, averaging around 10% throughout the region, with only Jordan faring slightly better at 17%.

While overall a majority of respondents feel that bribery has increased, the reported rates of actual bribes paid paint a more mixed picture. In Sudan and Morocco, reported bribery rates have gone down quite significantly since 2015 (from 48% to 25% in Sudan, and from 48% to 31% in Morocco).

Conversely, they have risen in Tunisia (from 9% to 18%), Lebanon (from 28% to 37%), and Palestine (13% to 17%). Reported bribery has remained unchanged in Jordan at a low 4%.

Despite the large discrepancies in reported bribery rates across the region (from 4% in Jordan to 37% in Lebanon), a clear trend is that citizens feel that the level of corruption is increasing.

Trust in government

The perception of worsening corruption is mirrored by a perception across the region that governments are doing a bad job in controlling it and that anti-corruption measures have largely failed (Fakir & Yerkes, 2018).

With the exception of Jordan, a majority of respondents in all countries surveyed in the 2019 GCB were of the opinion that their government is doing a bad job at curbing corruption (87% in Lebanon, 80% in Sudan, 74% in Morocco, 64% in Tunisia, 51% in Palestine, 43% in Jordan).

In Tunisia and Lebanon, these numbers have deteriorated since 2015 (up from 62% and 76% respectively), while in Morocco they have remained unchanged, and for Palestine and Jordan they have improved (down from 61% in both countries). Again, Jordan is the only country where a majority of respondents now say that government is acting effectively to tackle corruption (55%).

The perception that government and governmental entities are part of the problem is also visible in terms of the institutions perceived to be most corrupt.³ In 2019, respondents listed government

³ Respondents were asked to state how many people in the following institutions they think are involved in corruption: the president or the prime minister; members of parliament; government officials, local government councillors, police officers, judges and magistrates, religious leaders, business executives and non-government organisations.

The reported figures refer to the percentage of citizens who said that most or all people in the respective institutions or groups are involved in corruption. Respondents in the three North African countries were additionally asked about traditional leaders, while those in the three Levant countries were also asked about bankers.

officials or local government officials among the top three most corrupt institutions in all six countries.

Members of Parliament were identified by the citizen surveyed as among the most corrupt three groups in all countries except Palestine (which does not have a functioning parliament). The President or Prime Minister was listed among the top three corrupt players in Palestine, Morocco and Sudan, while business executives or bankers were listed as being among the three most corrupt groups in Jordan, Lebanon, and Tunisia.

Beyond the issue of outright corruption, a general disenfranchisement with the political process evident across the region due to a lack of alternatives to ruling elites. This has expressed itself in low voter turnout, especially among youth in the region (Fakir & Yerkes, 2018). Low levels of trust in government to address corruption was also one of the main reasons people took to the streets to demand regime change, both during the Arab Spring and thereafter (Chulov, 2019b and Sapsford et al, 2019). Concerning, low trust in the political process can also have ripple effects beyond the political sphere. Sapsford et. al. (2019) have argued that the low trust in government and the rule of law in the MENA region is a driver of weakening social cohesion and citizens' faith in impartial treatment.

Citizens' ability to make a difference

In recent years, the region has seen a continued crackdown on civil liberties. As some dictatorships fell and new regimes embarked on (limited) reform processes, other countries are embroiled in protracted conflict or re-emerging dictatorships (Fakir & Yerkes, 2018 and Transparency International, 2019). Today, citizens in most countries in the region have limited freedom of expression, assembly and press, and oppressive responses to the 2011 protests have discouraged many citizens from actively seeking greater participation or representation (Fakir & Yerkes, 2018).

In most of the countries surveyed in the 2019 GCB, a majority of respondents stated that they believe ordinary citizens can make a difference in the fight against corruption. However, there has been a notable decline in the size of these majorities since the previous GCB survey. Between 2015 and 2019, the proportion of respondents saying that ordinary citizens can make a difference dropped from 71% to 59% in Tunisia, from 60% to 54% in Sudan, from 66% to 51% in Palestine, from 66% to 50% in Jordan, from 50% to 49% in Morocco, and from 51% to 39% in Lebanon.

Declining civil liberties, fear of reprisal, limited freedom of speech, press censorship, and years of sustained protest with limited results appear to have taken a toll on citizens' faith in the ability of ordinary people to effect positive change (Fakir & Yerkes, 2018 and Transparency International, 2019). In light of these challenges, it is a testament to the character and resilience of citizens in the region that in four out of six countries surveyed, a majority of respondents still believe in people power.

Spotlight on selected countries

Jordan

Country Brief:

Form of government: Unitary parliamentary constitutional monarchy

Head of state: King Abdullah II (since 1999)

Head of Government: Prime Minister Omar Razzaz (appointed 5 June 2018)

Population: 9.96 million (World Bank 2018)

GDP: 42.29 billion USD (World Bank 2018)

International treaties and conventions: UNCAC, Arab Convention Against Corruption

Background

Jordan, like other countries in the region, experienced protests in 2011 in the wake of what was later called the Arab Spring, with people protesting against corruption and economic hardships in favour of political reform. Similarly to Morocco but unlike most countries in the region, the demonstrations did not grow massively in size and, while calling for political reforms, did not call for outright regime change. A notable difference to much of the region was that King Abdullah II moved quickly to introduce reforms and meet some protester demands. Several Prime Ministers were let go in succession, a National Dialogue Committee was formed to revise the country's party and electoral law, the separation of powers was strengthened, and salaries for government employees and subsidies were increased. The constitution was also amended to establish a constitutional court, an independent election oversight committee was created, the powers of secret state security courts were to be limited, and civil liberties were increased (Boukhars, 2011 and Tobin, 2012).

These reforms notwithstanding, Jordan, like other countries in the region is still experiencing several challenges in fighting corruption. According to [Rasheed - Transparency International Jordan](#), corruption is still a key national issue in the eyes of the public, which is threatening growth, the national economy overall, and investments to the country.

Main corruption challenges

Similar to Morocco and Tunisia, Jordan underwent substantial reforms in its anti-corruption framework after 2011. Laws were reformed to create greater checks and balances and increase transparency. Several royal decrees were issued, a Code of Ethics for public servants was established, and the country's anti-corruption commission was strengthened substantially and was able to implement a series of anti-corruption strategies (Schoeberlein, 2019). Jordan was also one of the first countries in the region to join [the Open Government Partnership in 2011](#).

While challenges remain, Jordan is at present the only country in the region where a majority of respondents say that the government is doing a good job in tackling the issue of corruption (55%).

Media and civil society engagement:

According to the local chapter of Transparency International, while civil society and media have limited freedom to operate, there have been improvements in recent years when it comes to media reporting on corruption issues (Rasheed for Integrity and Transparency, 2016). The role and importance of civil society was also highlighted in the country's most recent report to the Open Government Partnership (Schoeberlein, 2019).

Public service delivery

Wasta, nepotism and favouritism pose a significant challenge to Jordan, as in neighbouring countries. While reported bribery rates in Jordan are the lowest in the region, both overall (4%) as well as in

accessing specific services, when considering reported rates of *wasta* used, these numbers jump significantly (to 24% overall). The latest GCB data finds that despite this, the use of *wasta* is reportedly lower in Jordan than in other countries in the region.

Out of individual services inquired about, the highest number of respondents reported paying a bribe when dealing with utilities. However, at a rate of 5%, this is still the lowest in that category compared to other countries surveyed.

Nonetheless, as in other countries in the region, the public sector in Jordan is considered somewhat “bloated”, with wages for government employees constituting 67.4% of total government expenditure (Al Ajlouni, 2018).

Current developments

The successes in Jordan’s anti-corruption efforts notwithstanding, renewed protests broke out in 2018. Faced with a flagging economy, austerity measures were undertaken, during the course of which subsidies were cut and taxes were raised. This hit the population hard, which was already struggling with high unemployment and a lack of economic opportunities (Al Ajlouni, 2018).

In response to the resurgence of protests, Jordan’s Prime Minister resigned and was replaced by the reformist Omar Razzaz, who declared creating a new social contract the most important task of his government (Al Ajlouni, 2018).

Anti-Corruption reforms have also been brought forward, especially with regard to tackling public sector corruption and preventing politicians from profiting from their positions. A new law was passed that prevents public officials and parliamentarians with businesses from bidding for public contracts. This law is a crucial step, as it has long been alleged that parliamentarians use large public procurement contracts to profit from their positions (Younes, 2019).

According to [Rasheed - Transparency International Jordan](#), the past two years have seen significant amendments to other legal frameworks and anti-corruption mechanisms as well, such as the introduction of an [Integrity and Anti-Corruption Commission law](#), an [Illicit gains law](#), and [new public procurement regulation](#). Collectively, these have introduced new mechanisms and additional competencies to the Anti-Corruption Commission. Other legal reforms are still pending, including an [Access to Information Law](#) and a Cybercrimes law, which in their current form are considered limiting for journalists and activists in Jordan by [Rasheed - Transparency International Jordan](#).

In addition to legal reforms, [Rasheed - Transparency International Jordan](#) also mentions other reform efforts to improve public administration, the investment climate, and procurement processes. To that end, the government has promised [major amendments](#) with regards to public service regulations and salary scales in the public sector, as well as other performance monitoring tools for public servants. To improve public procurement, automation processes, e-procurement tools, and one-stop-shops have been recently introduced (Schoeberlein, 2019).

As per information provided by [Rasheed - Transparency International Jordan](#), the Jordanian government also increased action on asset recovery and [submitted more than 54 laws related to administrative reform to Parliament](#).

While significant reforms have been introduced, civil society groups are looking for increased space for non-governmental organisations and media to operate. The arrest of over a dozen activities between March and June in 2019 is concerning in that regard (Human Rights Watch, 2019).

Lebanon

Country Brief:

Form of government: Unitary confessionalist parliamentary Republic

Head of state: President Michel Aoun (elected 31 October 2016)

Head of Government: vacant since Prime Minister Saad Hariri's resignation on 29 October 2019

Population: 6.85 million (World Bank 2018)

GDP: 56.46 billion USD (World Bank 2018)

International treaties and conventions: UNCAC (accession 2009)

Background

To prevent violent conflict in a country with strong sectarianism, Lebanon has been governed by a consociational system of government since 1943. As per the system, the different religious sects are each accorded a share of power by allocating government positions based on religious affiliation.

Unfortunately, the way the system was enforced meant that it contributed to increased division that culminated in the civil war in 1975. The [Taif Agreement](#) of 1989 that ended the civil war envisioned an end to sectarianism, though a modified version of the consociational system was ultimately re-confirmed (Makdisi & Marktanner, 2009 and Salamey, 2009). This sectarian power sharing agreement has fuelled state capture, patronage networks, political deadlock, and clientelism (Makdisi & Marktanner, 2009; Salamey, 2009; Wickberg, 2012). It was also unable to provide the hoped-for stability, and persistent internal conflict resulted in the assassination of Prime Minister Rafik Hariri in 2005.

The assassination threw the country into a deepening political crisis, compounded by the

following 2006 war between Lebanon and Israel. In the following years, the country has seen a string of unity governments, none of them able to bring about significant change or stability (Ferguson 2019 and Haugbolle, 2019). The war in neighbouring Syria has further complicated the situation, both because of proxy conflicts being carried out in Lebanon, and by the large influx of refugees into the country (Haugbolle, 2019).

Main corruption challenges

Political corruption & patronage

The divvying up of government positions across sectarian lines and the entrenched levels of patronage have trickled down and created a system in which public sector jobs are distributed based on party loyalties, leading to a bloated and corrupt civil service (Ferguson, 2019).

The high prevalence of political corruption is underscored by the unusually high number of people in the country that report having experienced instances of vote buying in the 2019 GCB (47%, as opposed to Jordan's 26% and Palestine's 12%).

Similarly, reported rates of bribery in Lebanon are substantially higher than in neighbouring Jordan and Palestine (37% versus Jordan's 4% and Palestine's 17%). Moreover, the number of respondents declaring that most or all members of parliament (64%) and government officials (68%) are corrupt is also higher than the other countries surveyed in the Levant.

Public service delivery

Patronage and clientelism have not only cemented the country's political corruption, they have also resulted in a deterioration of public services, as public companies and public procurement are used to extract funds for political parties and individuals. This has led to a corrosion of public service delivery from electricity provision to public transport and waste management, with reforms being blocked by

the same politicians profiting from the current system (Ferguson, 2019 and Haugbolle, 2019). The issue of failing waste management became so pressing that it led to public protests and campaigns in 2015 (Fakir & Yerkes, 2018).

Unsurprisingly therefore, Lebanon not only scores badly on bribery in the GCB 2019, it also has the highest reported rates of bribery for individual service delivery across all sub-categories except hospitals/health, where Morocco tops the list. Lebanon also reports significantly higher rates of *wasta* (49%) than its neighbours.

Corruption in the justice system

Patronage and political corruption also affect corruption in the justice system. According to the 2019 GCB results, Lebanon has by far the greatest corruption challenges in its justice system compared to other countries in the region, with 53% of respondents believing judges and magistrates to be corrupt. This is significantly higher than in the second-placed Palestine (31%).

Similarly, 48% of Lebanese respondents said they had had to use a bribe or *wasta* when dealing with the courts, which is also substantially higher than in Palestine (15%) and Jordan (0%).⁴

Insufficient reform efforts

In response to increasing criticism within the country as well as demands made at a [2018 donor conference in Paris](#), the government issued some public commitments to counter corruption. Also in 2018, after eight years of elaboration, an anti-corruption strategy document was finalised. However, according to information provided by the [Lebanese Transparency Association](#), the strategy was ultimately rejected by the government under the pretext that it needs further updating.

⁴ This question was not asked in the three North African countries.

A series of laws to counter corruption have been passed in previous years, such as an access to information law, a law to increase transparency in the petroleum sector, and a law to protect whistleblowers. However, the [Lebanese Transparency Association](#) states that this legislation was not enforced due to the absence of a national anti-corruption committee, and the whistleblower protection law has been sent back to Parliament for review by the President of the Republic

As yet, reform efforts do not seem to have led to any substantial changes in practice and the new laws have seen little attempt at implementation (Dandach, 2019).

Current developments

The country's longstanding mismanagement has led the economy into a downward spiral. Saad Hariri (son of the murdered Rafik) was appointed Prime Minister in 2016 with the task of forming yet another unity government in early 2019, the country's sixth since 2006. However, there is little trust that this recent administration would prove to be more successful than its predecessors (Haugbolle, 2019).

With the country's economy on the verge of collapse, the government had proposed austerity measures and additional taxes on a struggling population. Faced with already rising prices and dysfunctional public services, this has sparked ever-growing outrage. France, the World Bank, and other donors to the country have called for the implementation of anti-corruption measures and reforms to the dysfunctional political system. With the government so far failing to do so, donor countries have been withholding payment (Chulov, 2019; Chulov, 2019b; Dadoush, 2019; Ferguson, 2019).

Widespread corruption and the worsening economic crisis eventually drove Lebanese citizens

onto the streets in 2019 and in October the protests grew to the country's largest protests in over a decade (Chulov, 2019). After hastily promised reforms did not lead to an abating of protests, Prime Minister Saad Hariri resigned (Chulov, 2019b).

While it remains to be seen whether this round of protests will pose a lasting threat to the country's political class, it has been argued that the current protests differ from previous ones in that they cut across sectarian lines and criticise politicians from all parties and sects. They have also called for the government to step down from the outset. As Khatib (2019) puts it, "for the first time, the protests are a condemnation of the political status quo that has, since even before Lebanon's 15-year civil war, been largely recycling the same faces (or their relatives and descendants) in parliament, the cabinet and high-level positions in the civil service and military."

Morocco

Country Brief:

Form of government: Unitary parliamentary constitutional monarchy

Head of state: King Mohamed VI (since 1999)

Head of Government: Prime Minister Saadeddine Othmani (appointed 17 March 2017)

Population: 36 million (World Bank 2018)

GDP: 118.5 billion USD (World Bank 2018)

International Treaties and Conventions: UNCAC, Arab Convention Against Corruption

Background

Like many countries in the region, Morocco has seen protests arise in the wake of the Arab Spring in 2011. Similarly to Jordan, the protests did not grow as widely as elsewhere and did not rise to the level of mass mobilisation. Moreover, while criticising the government, they did not call for an outright regime change.

This was partially due to a fractured protest movement, and partially due to the fact that King Mohamed VI was able to stem off wider protest with reforms. Shortly after demonstrations broke out, King Mohamed VI announced some wide-ranging measures: the role and power of the Prime Minister was strengthened and the King's authority was slightly curtailed by mandating that he select the Prime Minister from the strongest performing party in Parliament. A wide number of relevant institutions were given wider scopes and/or powers, among them the recently created Human Rights Council, the Competition Council, the Central Commission for the Prevention of Corruption, and the Court of Auditors. Constitutional reforms increasing civil liberties, political participation, decentralisation, and judicial independence were promised by the King and overwhelmingly confirmed in a national

referendum (Boukhars, 2011; Fakir & Yerkes, 2018; Werenfels & Saliba, 2017).

The reforms limiting the King's choice for Prime Minister have resulted in a level of political integration and cooperation between antagonists. The Justice and Development Party (PJD) of the moderate Islamists has won the largest portion of votes in both parliamentary elections since 2011, thus guaranteeing them the Position of Prime Minister. The somewhat grudging "coalition" between the monarchy and the PJD is seen by some as a reason for the country's relative political inclusion and stability compared to other countries in the region (Werenfels & Saliba, 2017). It could partially explain why austerity measures including subsidy cuts that were recently implemented did not lead to the extensive protests experienced elsewhere in the region (Werenfels & Saliba, 2017).

The relative stability notwithstanding, the country's economic challenges have led to protests, especially in more marginalised areas of the country (Fakir & Yerkes, 2018). Protests broke out in 2016 and 2017 in the neglected Rif mountain area over a lack of reforms, socioeconomic grievances, and rampant corruption (Fakir & Yerkes, 2018 and Werenfels & Saliba, 2017). While the protests did not grow to the level of a nation-wide protest, they were the largest protests since the Arab Spring and "point to grievances undermining what has to date been an adaptable and functioning system" (Werenfels & Saliba, 2017: 3).

Main corruption challenges

As in other countries in the region, a challenge in Morocco is the perception that positions of power and public service are mainly used for personal enrichment. Among the countries profiled here, Moroccans have reported the second highest overall bribery rate at 31% and the highest when it comes to experience with bribery in hospitals (32%). However, Morocco's reported bribery rate has gone down since 2015; both overall, by 17%, and with regards to experiences of bribery when

accessing particular services. Interestingly, this is not reflected in citizens' perceptions. The percentage of respondents believing that corruption has increased in the past year stood at 53% in 2019. While this is the lowest overall number among the countries profiled here, Morocco has seen the biggest jump out of all countries since 2015, when only 26% of respondents felt corruption had got worse in the previous year.

Ineffective or insufficient anti-corruption reforms

A ten-year national strategy to counter corruption was launched in 2015 and a national committee to counter corruption was established a few years later to follow-up on the strategy. The country's supreme audit institution, established in 2007, was given the task to address mismanagement and misuse of public funds. It has gained increasing prominence and power in recent years and was able to investigate and prosecute several high-profile cases. It regularly publishes [reports](#) on its audit activities, including information on revenues and expenses, overall audit activity as well as individual audits of specific companies, industries and social programs. The country's anti-corruption agencies have also undergone substantial reforms (Berraou, 2019 and Schoeberlein, 2019). Several laws were introduced or reformed, among others on anti-money laundering, asset declarations, and access to information, and the country has recently joined the Open Government Partnership (Kingdom of Morocco, 2018).

However, according to experts, the effects of the reforms have so far been mixed. The access to information law drew heavy criticism from civil society for not meeting international standards, being overly vague, and including too many exemptions (Transparency International, 2019).

Overall, reform efforts have suffered from insufficient political will, a weakness in applying international standards such as institutional independence, and a lack of resources, capacities, and institutional effectiveness (Berraou, 2019).

This assessment seems to be shared by respondents of the GCB in 2019, 74% of which said that government was doing a bad job at tackling corruption. This is a number that has increased since 2015, when 64% shared that view. Even starker is the drop in respondents saying government is doing a good job, falling from 30% in 2015 to 13% in 2019.

Morocco has also seen the highest increase in respondents saying that corruption has got worse in the previous year (from 26% in 2015 to 53% in 2019), although the current percentage of respondents saying so is still lower than in all other countries except Jordan.

Current developments

Morocco presents a bit of a mixed bag compared to other countries reviewed here. The general perception seems to be that reform efforts were insufficient and reforms so far ineffective. Matching this assessment, the percentage of people thinking things are getting worse and government is doing a bad job at addressing corruption is increasing. At the same time, the reported rates of bribery have dropped substantially between 2015 and 2019 (from 48% to 31%), the country has been faring better on the CPI in recent years, and larger scale protests, as seen in other countries in the region, have so far not occurred.

The strengthening of democratic elements in 2011 that led the king to concede some political power to the PJD has brought a level of stability to the country that other countries in North Africa are struggling to achieve. Yet there has been criticism that the government is increasingly suppressive of civil society and that the palace is attempting to revoke some of the independence and power given to the elected government (Fakir, 2017 and Werenfels & Saliba, 2017).

Palestine

Country Brief:

Form of government: President-parliamentary *de jure* state

Head of state: Mahmoud Abbas (Palestinian National Authority, West Bank) (since January 2005)

Head of Government: Mohammad Shtayyeh (Palestinian National Authority, West Bank) (since 14 April 2019)

Population: 4.57 million (World Bank 2018)

GDP: 14.6 billion USD (World Bank 2018)

International treaties and conventions: UNCAC, Arab Convention Against Corruption

Background

The history and political organisation of the Palestinian territories affects both the prevailing types of corruption, as well as the available measures to counter them. The limited power of the Palestinian Authority (PA) and the ongoing Israeli occupation limit the measures at the government's disposal to conduct institution-building or reform legal frameworks. The separation and friction between the West Bank with the PA and Gaza with Hamas further exacerbate the situation (Coalition for Accountability and Transparency – AMAN 2019).

The PA was established in the wake of the Oslo Peace Accords and meant to represent the Palestinian people. However, since Hamas won the 2006 elections in Gaza and took over its government the year after, there are *de facto* two governments. The PA holds what little control it has only over the West Bank, with Hamas governing in Gaza. A series of power-sharing and reconciliation agreements failed, and no national elections have been held in over a decade (Kershner, 2019 and

Kukutschka, 2018).

The years of violent conflict, ongoing occupation, and internal division have disrupted attempts at effective institution-building and have derailed Palestinian aspirations at statehood (Coalition for Accountability and Transparency – AMAN, 2013; Kershner, 2019; Kukutschka, 2018). The struggle between the PA and Hamas has exacerbated political corruption, with both sides looking to increase power.

In 2018, President of the PA Mahmoud Abbas dissolved the Legislative Council, intensifying the rift with Hamas and further eroding checks and balances within the PA (Kershner, 2019). In Gaza, Hamas has managed to establish a *de facto* government, build a relatively functioning judiciary, and develop an improvised process to pass a limited amount of legislation. However, as in the West Bank, authoritarian governance tendencies are the norm, with limited checks and balances, weak official accountability, and a tight control over NGOs and the media (Brown, 2012).

Main corruption challenges

In the 2019 GCB, Palestine is the second best performer in the region in terms of reported levels of reported bribery (17%). However, when including the regional phenomenon of *wasta*, where personal connections or intermediaries are used to access public services, that number jumps to 40%. Perceived levels of corruption are even higher, climbing to as high as 80% (Kukutschka, 2018).

The power monopoly within the political elite, illicit enrichment at the top, aid dependency and an ineffective legal framework have been identified as crucial problems in Palestine. A lack of transparency of public institutions and public fund management, and low trust in public institutions were identified as further issues (Coalition for Accountability and Transparency – AMAN, 2013; Kukutschka, 2018; Schoeberlein, 2019).

Nepotism & clientelism

While overall bribery rates in Palestine are relatively low compared to other countries in the region, the perceived levels of corruption are high.

An explanation for this gap might be the high levels of state capture, nepotism, and a politicised civil service. These types of corruption can have a strong effect on people's perception of corruption levels, but they tend to register less on common bribery indicators (Kukutschka, 2018 and Transparency International 2010).

This is mirrored by the types of corruption cases most often reported to the Palestinian Anti-Corruption Commission, which in 2018 were *wasta*, favouritism, breach of trust, abuse of power and abuse of position. While improvements have been noted in appointing civil servants, the appointment to higher positions still often occurs per presidential decree and outside of the formal process (Coalition for Accountability and Transparency – AMAN, 2019).

Insufficient anti-corruption measures, but notable improvements

In recent years, a number of reform efforts have been undertaken to tackle corruption. A Commission for Combatting Corruption was established in 2010 together with a new anti-corruption law. The commission has financial and administrative independence, was able to investigate several high-profile cases, and publicises its activities. The resulting increased awareness of, and trust in, the institution has led to an increase in reports received (Schoeberlein, 2019). Further measures undertaken include the increased use of asset declarations, the establishment of a Code of Conduct for the public sector, and improved tendering measures at the Public Procurement Directorate (Coalition for Accountability and Transparency – AMAN, 2013).

Government performance

While a slight majority of Palestinians still feel that their government is doing a bad job in countering corruption (51%), these numbers have improved notably from 2015. Moreover, 45% of Palestinians now say that their government is doing well in dealing with corruption, which is the second highest number in the region only after Jordan.

Yet even so, corruption in Palestine's highest executive institution remains high. In the 2019 GCB, 49% of Palestinians considered the Prime Minister's Office corrupt, 47% considered government officials corrupt, and 45% considered the President's Office to be corrupt. Even considering Palestine's unique difficulties when it comes to institution building, the executive has been criticised for exerting improper influence over the judiciary and prosecution, hampering their independence and affecting the rule of law. The PA has also recently dissolved the already inactive Legislative Council, further strengthening the position of the executive vis-à-vis other pillars (Abrams, 2018; Kershner 2019; Transparency International, 2010). There is also mounting criticism of an increasing crackdown on freedom of speech, with the government curtailing the work of independent civil society organisations, arresting critical journalists and limiting media freedoms, and clamping down on protest in both the West Bank and Gaza (Amnesty International 2019).

Current developments

Despite obvious challenges, according to the [Coalition for Accountability and Transparency \(AMAN\)](#) several positive reform efforts were introduced in recent years (Coalition for Accountability and Transparency – AMAN, 2019). These include efforts to improve public service delivery and public sector performance, the engagement of civil society in the appointment of lower ranking public servants, increased transparency in hiring for the public sector, and the adoption of a Code of Conduct for the security service. Measures of social accountability also

increased, with civil society organisations reviewing the public budget and how funds were managed, and more public institutions established mechanisms for citizens to log complaints. The PA has further acceded to international conventions and charters, including the UNCAC, and has made commitments to develop reports on achievements, such as its Voluntary National Review as part of the 2030 Agenda monitoring framework. Other tangible improvements, according to AMAN, include the formation of the new 18th Palestinian Government, which has shown signs of openness and a willingness to collaborate with civil society organisations. Concrete anti-corruption efforts include the development of a Palestinian national cross-cutting strategy against corruption. These developments could provide an entry point to regain the trust of citizens in the national anti-corruption effort (Coalition for Accountability and Transparency – AMAN, 2019).

However, the political and economic situation remain challenging, due to the ongoing occupation and intensifying settlement policy, rising unemployment and poverty, especially in Gaza, declining donor support and investment, and the persisting internal power struggle (Shikaki, 2019 and UNCTAD, 2019).

Sudan

Country Brief:

Form of government: Under provisional government

Head of state: Sovereignty Council of Sudan (since 20 August 2019). First Chairman: Abdel Fattah Al-Bourhan

Head of Government: Prime Minister Abdallah Hamdok (sworn in 21 August 2019)

Population: 41.8 million (World Bank 2018)

GDP: 40.85 billion USD (World Bank 2018)

International Treaties and Conventions: UNCAC, AU Convention on Preventing and Combatting Corruption, Arab Convention Against Corruption

Background

Omar al-Bashir had ruled Sudan for 30 years after coming to power through a military coup in 1989. His rule was characterised by the banning of political parties, independent media and other forms of opposition, as well as the violent suppression of dissent. Almost all power was centred around the executive branch, which had disassembled or largely controlled the legislative and judicial branches. This meant that in the Sudan of Omar al-Bashir, almost no political checks and balances were in place, leading to a deteriorating human rights situation and effectively no controls for corruption. A decades-long civil war further contributed to insecurity, instability, and widespread repression. Moreover, in 2009 the International Criminal Court brought charges against al-Bashir on accusations of war crimes and crimes against humanity (Kukutschka, 2017).

⁵ Palestine reaches similar levels, but numbers are separated for the Presidency (45%) and the Prime Minister (49%).

It is then maybe not surprising that according to many governance indices, Sudan has been among the most corrupt countries in the world for years. On Transparency International's [Corruption Perceptions Index](#) (CPI) it has commonly scored among the lowest ranked countries and was scoring at a 16 out of 100 in 2018, placing it 172nd out of 180 countries.

To what extent the recent ousting of Omar al-Bashir) will change this trajectory remains to be seen.

Main corruption challenges

Corruption in Sudan was deeply embedded in the system and “in the norms and expectations of political and social life. Corruption in this case is a feature of the country’s governance regime, and it does not constitute an exception to the rule, but the rule itself” (Kukutschka, 2017: 3).

Considering the country’s political landscape and systemic corruption, it is noteworthy that Sudan’s overall reported rate of bribery is not significantly higher than the regional average. The overall rate of 24% places it third among the countries profiled here (after Lebanon and Morocco). However, Sudan has by far the highest proportion of respondents thinking that corruption has got worse in the past year – at 82%.

The President/Prime Minister, members of parliament, and government officials were considered the most corrupt institutions at 49%, 47%, and 45% respectively. This signifies a substantial deterioration since the last survey in 2015, with the biggest drop occurring for the President/Prime Minister. This also puts the Sudanese executive branch as the most corrupt in North Africa and possibly the region.⁵

Patronage & state-capture

In Sudan's system of deeply embedded corruption, public officials long held significant stakes in private companies. Al-Bashir had been accused of having siphoned off up to US\$ 9 billion in oil money and stashing it abroad. Moreover, individuals close to the president and his party or the military were said to effectively control the economy and use their wealth to influence politics (Elamin, 2019 and Kukutschka, 2017).

With corruption so entrenched in the political system and used to the regime's advantage, there were no visible efforts to counter corruption.

Absent anti-corruption controls

In addition to high levels of corruption, Sudan has also consistently ranked poorly in controlling corruption. Under al-Bashir's rule, basic controls such as parliamentary oversight, judicial independence, free press, freedom of assembly, political opposition or access to information were effectively non-existent (Kukutschka, 2017).

An inadequate legal framework, political interference in the legal process and impunity for government representatives further increased corruption challenges (Elamin, 2019 and Kukutschka, 2017). According to Elamin (2019), the absence of adequate laws, controls, and penalties, made corruption a "low-risk, high-reward" activity, with few incentives for individuals to refrain (Elamin, 2019: 12).

While the country has signed the UNCAC and the African Union Convention on Preventing and Combatting Corruption, and some other anti-corruption legislation was in place, the legal framework is heavily inadequate. An Anti-Corruption Agency was established in 2012, but its chairman was removed by al-Bashir only a year into his job and never replaced, leaving the agency inactive. Similarly an auditor general exists, but

political interference has been exercised regularly (Elamin, 2019 and Kukutschka, 2017).

In any case, in a country like Sudan, conventional legal or institutional approaches to countering corruption would have been highly unlikely to have delivered any results, given the grip of the executive over key institutions (Kukutschka, 2017).

Current developments

Sudan experienced a period of substantial upheaval starting in December 2018, when a popular revolt led to the ousting of Omar al-Bashir.

After months of protest, al-Bashir was forced to resign by the military in early 2019 and a transitional military council took over. However, after continuing protests against a military takeover, a power sharing agreement was reached in August 2019 between the Transitional Military Council and the civilian opposition alliance (or Forces of Freedom and Change (FFC)). The power agreement is meant to last for three years until elections can be held. Under the agreement, a sovereignty council will function as head of state, consisting of 11 members; 5 each picked by the military and the civilian alliance and one agreed to by both sides. For the first 21 months, the council is to be headed by a representative of the military, for the following 18 months it shall be headed by a civilian representative (Al Jazeera, 2019; Al-Sheik, 2019; Soliman, 2019). The deal also included the establishment of an independent investigation into violence against protestors during the revolution.

The agreement represents an important way forward for the country, though it may prove challenging for the civilian alliance to not be tainted by association with the military and lose crucial support in the population (Soliman, 2019).

It remains to be seen whether the new transition government will be able to establish much-needed checks and balances and gain the trust of the citizens to truly bring about change as well as tackle the country's corruption challenges.

Tunisia

Country Brief:

Form of government: Unitary Semi-Presidential Republic

Head of state:

President-elect Kais Saïd (elected on 13 October 2019).

President Mohamed Ennaceur (acting in the interim, due to the death of former president Beji Caid Essebsi in July 2019).

Head of Government: Prime Minister Youssef Chahed (appointed in 2016)

Population: 11.57 million (World Bank 2018)

GDP: 39.86 billion USD (World Bank 2018)

International Treaties and Conventions:

UNCAC, AU Convention on Preventing and Combatting Corruption (signed, not ratified), Arab Convention Against Corruption

Background

Tunisia was the first country in the region where protests erupted in 2011, having ripple effects throughout the region. The Tunisian revolution toppled long-standing autocrat, President Zine El-Abdine Ben Ali, ending more than five decades of authoritarian leadership under Presidents Habib Bourguiba (1959-1987) and Ben Ali (1987-2011) (Lee-Jones, 2018).

Since then, Tunisia has seen two peaceful transitions of power that came through elections overwhelmingly considered free and fair, and which included open political competition. In a region caught in protracted conflict this presents a positive outlier (Akrimi, 2019 and Bouchlagem & Thépaut, 2019).

However, the political landscape has been far from stable. The country has seen seven heads of government between 2011 and 2019. The current Prime Minister, Yousef Chahed has been in power since 2016. According to [I Watch](#), this instability has been in part due to the prolonged economic and social crisis, as none of the previous political administrations have been able to broker a lasting agreement with key stakeholders.

The persistent economic crisis has resulted in repeated protests, especially in economically marginalised regions, and has contributed to the fragility of the country's democratisation process (Akrimi, 2019; Fakir & Yerkes, 2018; Yerkes & Muasher, 2017).

Main corruption challenges

Business sector corruption & state capture

The years of authoritarianism have had a lasting impact on Tunisia's corruption challenges. Under Ben Ali, state capture was prevalent and over 600 businesses were owned by Ben Ali and his family, while billions of dollars were stored in shell companies and foreign bank accounts, notably in European countries (Lee-Jones, 2018 and Yerkes & Muasher, 2017).

In the 2015 GCB, 47% of respondents considered "most or all" business executives to be corrupt. However, in 2019, this number has dropped significantly to 28%. This may be due to substantial efforts at confiscation and asset recovery undertaken since 2011. An Asset Recovery Commission was established, a policy for administrative confiscation was passed, a Confiscation Committee was introduced, and the Higher Council for the Fight against Corruption and for Asset Recovery and State Property was created.

Tunisia has also confiscated assets of 114 individuals from and close to the former president's family through its nationalisation law. However, international asset recovery remains a challenge

and as yet few assets have been repatriated (Lee-Jones, 2018). According to information provided by [I Watch](#), the Tunisian government has lost several asset recovery cases against members of Ben Ali's family in European countries including France and Switzerland. The most notable recent case is the Mabrouk affair, where the Swiss Federal Criminal Court rejected an appeal by the Tunisian government to freeze the assets of those linked to Ben Ali (Swiss Info 2019).

Decentralisation of corruption

Compared to other countries in the region, Tunisia has a relatively low rate of reported bribery (18% in 2019). However, the perception of corruption levels has increased and has become a destabilising factor in the country's transition. It has been argued, that while corruption under Ben Ali was contained to a small circle around the president, corruption has since simply become more decentralised (Lee-Jones, 2018 and Yerkes & Muasher, 2017).

Efforts to counter corruption insufficient or ineffective

After taking office in 2016, the new Prime Minister Chahed made countering corruption a priority of his government (Lee-Jones, 2018). The following year, the government declared a "war on corruption" and many high-profile cases were brought against individuals, resulting in several arrests, asset freezes, and confiscations. However, as stated by [I Watch](#), the anti-corruption campaign was selective in nature and judgements in a large number of these cases are still pending.

Several national, independent bodies have been established to tackle corruption in previous years, and the National Authority for the Fight against Corruption was enshrined in the country's 2014 constitution. A freedom of information law and a law to protect whistleblowers were also passed. Furthermore, in 2018 the parliament approved laws related to asset declaration and conflicts of interest. Additionally, the government has worked to

increase transparency by joining the Open Government Partnership and introducing different digital and technological measures to counter corruption (Lee-Jones, 2018 and Yerkes & Muasher, 2017).

Despite these efforts, several surveys, including the GCB, show that citizens perceive corruption to have got worse in recent years and that government is not doing enough to tackle the challenge.

The 2017 Administrative Reconciliation Law, which included an amnesty for Ben Ali era civil servants accused of economic crime, caused rifts between the government and civil society, which launched a national movement known as *Manich Msamah* ("I will not forgive").

Furthermore, many of the established new institutions suffer from underfunding and there is a prevalent belief that new laws and regulations are inadequately implemented (Lee-Jones, 2018 and Yerkes & Muasher, 2017).

Thus while the country has done (comparatively) well in transitioning to a democratic regime, the perceived reality of its citizens paints a grimmer picture. This is also reflected in a significant drop in people feeling that ordinary citizens can make a difference when it comes to tackling corruption, which stood at 59% in 2019 (down from 71% in 2015), while 36% were of the opinion that ordinary citizens cannot make a difference.

Current developments

The lack of trust in government and the ruling elite played out in this year's presidential elections, which resulted in a poor showing for both mainstream parties (the secularists of Nidaa Tounes and the moderate Islamists of Ennahdha) (Bouchlagem & Thépaut, 2019 and Otay, 2019). A run-off was ultimately held between two relative "outsiders", both independents: the constitutional law professor Kais Said and the media businessman and head of the Qalb Tounes party

Nabil Karoui, who had been arrested prior to the vote on charges of money laundering and tax evasion.

Kais Said eventually won the run-off in a landslide on 13th October 2019. He had declared the polarisation between Islamists and secularists “an artificial struggle that diverts from the real social and economic issues”, reportedly making him a popular anti-system candidate (Otay, 2019). It has been argued that his promises of advancing decentralisation and curbing corruption are a likely explanation for his popularity, especially among younger Tunisians and Tunisians with university degrees (Bouchlagem & Thépaut, 2019).

Conclusion

Many of the countries in the MENA region struggle with corruption issues that are linked to the region's governance challenges and history of autocratic regimes.

A politicised civil service and high levels of nepotism have hollowed out public services and reduced citizens' trust in their institutions. At the same time, shrinking space for civil society and low levels of political inclusion have reduced citizens' belief in their ability to make a positive difference. These pervasive challenges have led to the region-wide perception that corruption is getting worse.

Considering the embeddedness of the problem, Fakir & Yerkes (2018) have argued that tackling corruption in the region requires a broader and more systemic approach that goes beyond isolated changes in law or process: "With the notable exception of Tunisia, Arab states possess a variety of autocratic features that are correlated with corruption. (...) Adequately addressing corruption in the region requires not only legal reforms, (...), or technological solutions, (...), but also a fundamental change in the political culture within which corruption thrives".

The results of the 2019 GCB paint an overall pessimistic picture for the countries of Northern Africa and the Middle East. Despite this, some countries, such as Jordan, have managed to maintain persistently low levels of bribery, while strengthening citizens' belief in the government's ability to tackle corruption. Other countries like Tunisia and Morocco that still face considerable challenges, have in recent years embarked on significant and much-needed reforms.

Finally, recent protests in Sudan and Lebanon are expressions of the political instability in much of the region. Yet they also show that citizens, even against a backdrop of dwindling confidence in their ability to effect change, are still determined to hold corrupt governments accountable.

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