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Fighting corruption in West African coastal states: how Collective Action can help

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Abstract

Africa is estimated to lose an unbelievable USD 88.6 billion (3.7 percent of Africa's GDP) each year to illicit financial flows,¹ of which corruption is a major component. Rooting out corruption is a collective effort, and the private sector has a major role to play in laying down the foundations for clean business environments and sustainable development.

That is why anti-corruption Collective Action² has got so much to offer Africa, and in particular West African coastal states keen to maximise their clear economic potential. As the spectrum of Collective Action initiatives is quite large, it allows for innovative measures where governments, companies and civil society organisations (CSOs) can join forces toward a common objective, despite their different perspectives. This collaborative approach therefore provides a fertile ground for constructive dialogue between like-minded stakeholders, as well as an opportunity to understand the private sector's language and reality.

CSOs have an important part to play in bringing Collective Action to the fight against corruption in West Africa. They must continue to initiate, facilitate and engage in Collective Action initiatives to help raise awareness and build bridges. Their presence can bring credibility, independent oversight and accountability to the initiatives.

This Policy Brief is based on conversations held with CSOs based in Benin (Social Watch Benin), Ghana (Ghana Integrity Initiative), Ivory Coast (Ivorian Youth Leaders' Network) and Togo (The Togolese National Agency for Consumers and the Environment). It aims to capture their experiences, challenges and outlook on what the future for Collective Action could hold in the region.

Despite their different backgrounds, they are united on one point: fighting corruption collectively by raising the voice of the private sector is an important step to pave the way for sustainable economic growth.

Breaking down silos and working with business will change the narrative over time

In the past two decades, West Africa has experienced a surge of unprecedented economic growth and is attracting more and more international companies looking to invest and enter new markets. Despite Covid-19, the region has seen a staggering 48 percent increase in its foreign direct investment from 2020 to 2022, reaching an all-time high of USD 14 billion USD.³ With coastlines that are rich in agribusiness and major offshore oil and gas resources, the West African coastal states,⁴ in particular, have become an important hub for business in the region. Together they account for up to

1 Africa could gain \$89 billion annually by curbing illicit financial flows, United Nations Conference on Trade and Development, September 2020.

2 To understand the concept and scope of anti-corruption Collective Action, explore the B20 Collective Action Hub at collective-action.com.

3 Investment flows to Africa reached a record \$83 billion in 2021, United Nations Conference on Trade and Development, 2022

4 West African coastal states include: Benin, Ivory Coast, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mauritania, Nigeria, Senegal and Togo.

56 percent of West Africa’s GDP and are home to a third of the region’s population.⁵

Despite this encouraging economic trend over the past couple of years, the region is still nowhere close to reaching its full economic potential. Active local CSOs point to the endemic levels of corruption and pockets of unrest as major hurdles hampering economic growth and development.⁶

In the summer of 2022, the mining company Glencore hit headlines yet again for pleading guilty in the UK to seven counts of bribery in Cameroon, Equatorial Guinea, Ivory Coast and Nigeria.⁷ This comes on top of their prosecution in the US for the same counts, which has already cost Glencore USD 1.1 billion in criminal fines and forfeitures. And while the extractives sector isn’t the only industry struggling with corruption, it is particularly painful given the reliance of most economies in the region on this sector and the immense transformation potential it holds.

Despite corruption remaining a significant challenge, we also see many encouraging examples of grassroots movements and Collective Action initiatives that are beginning to develop in the West African coastal states. Local CSOs in Benin⁸, Ivory Coast⁹, Ghana¹⁰ and Togo¹¹ are playing a vital role in identifying opportunities for Collective Action. Their commitment to engaging the private sector in ongoing discussions has been essential to getting Collective Action initiatives off the ground.

We hope by highlighting these initiatives throughout this Policy Brief, they can serve as a source of inspiration for organisations wishing to get involved in tackling corruption collectively in the region.

5 [West Africa’s Coast: Losing Over \\$3.8 Billion a Year to Erosion, Flooding and Pollution](#), World Bank, March 14 2019

6 [Towards enforcement of African Commitments against corruption](#), Transparency International, 2022

7 [Scandale de corruption au Cameroun : Glencore dit avoir versé de larges pots-de-vin](#), France 24, May 2022

8 [Social Watch Benin](#)

9 [Ivorian Youth Leaders’ Network](#)

10 [Ghana Integrity Initiative](#)

11 [Togo National Alliance of Consumers and the Environment](#)

What is anti-corruption Collective Action?

Collective Action, in a nutshell, refers to initiatives that bring together the private sector with other relevant stakeholders, such as government and civil society, to address common issues of corruption. Collective Action initiatives typically enable a longer-term sustained engagement between like-minded and committed stakeholders to develop tools and approaches to addressing specific corruption-related issues at the sectoral, country or regional level.

There is no one-size fits all approach, as each initiative needs to take account of the economic, political and social context of a given country. Yet sharing challenges and approaches can be a great way to get the discussion going, help identify entry points and benefit from lessons learned.

As the Ghana Integrity Initiative (GII) affirms:

“Even though we don’t all speak the same language, West African states face similar challenges in implementing national, regional and international protocols and norms against corruption.”

Building trust and understanding

Building trust is one of the biggest shared challenges that CSOs face when they engage in multi-stakeholder initiatives. Trust is the crucial bedrock that Collective Action needs to build on to be able to work towards common objectives together with all parties involved.

Speaking a common language

One major hurdle is the lack of common understanding and language around the risks that corruption represents. In order to address this, CSOs need to step outside of their comfort zone to explore the perspective and drivers of the other actors involved. In particular, they need to understand the business realities and drivers of the relevant industry sectors.

For example, in certain contexts rather than using the term “corruption”, it might be more conducive to start the discussion by using terminology with more positive connotations. This was an approach chosen by the Ivorian Youth leaders’ Network (RIJLI). In order to not scare potential partners away from coming to the table, they find it is sometimes better to talk about “promoting integrity” rather than “fighting corruption”.

So, in order to get the discussion going and bring different stakeholders together, it is crucial to understand the different perspectives and find appropriate language to use between actors. This holds true also for CSOs, which often struggles to transition out of their “watchdog” position into more of a facilitator and mediator role.

Changing perspectives

Building trust takes time, especially when relationships between the private and the public sectors have been distant for many years. One of the greatest achievements of the Togo National Alliance of Consumers and the Environment (ANCE) has been to shift private-sector actors’ perception of corruption:

“Companies tended to consider kickbacks as a business opportunity, rather than a threat to the market. The biggest challenge was to change their perception.”

This belief that corruption is a solution rather than a problem is a pervasive challenge according to the CSOs. Convincing actors to say no to perceived short-term gains in exchange for long-term benefits can indeed be arduous – especially for more vulnerable organisations such as small and medium-sized enterprises (SMEs) which feel like they don’t have the leverage in the market to renounce corrupt practices.

Facilitating dialogue

It was among GII’s most notable successes to have built a platform of trust and transparency between private-sector actors and civil society, where they could exchange freely about the challenges they face when doing business.

One of the key success factors of GII’s Multi-Stakeholder Business Integrity Forum¹² was finding a facilitator who was known for their impartiality and integrity, but also ability to promote a positive, open environment and a culture of trust. GII also highlighted that sustained efforts and follow-ups are vital to maintaining momentum.

Building on this, Social Watch Benin stated that communicating the results and evidence of the initiatives is key to fostering dialogue and bringing more actors to the table.

How can Collective Action fill gaps in legal frameworks?

Another challenge raised by all the CSOs are weak legal frameworks, including a lack of protection of whistleblowers and non-existent or non-functioning independent grievance mechanisms. Some countries in the region do not even have a national anti-corruption institution. As Social Watch Benin points out:

“We need independent and impartial structures established by law and not by decree. Otherwise, it disincentivises witnesses, including in the private sector, to speak up about corruption.”

In the ideal world, legal frameworks would be both strong and well enforced by governments. In the real world, Collective Action can complement and plug gaps in weak local laws and anti-corruption practices.¹³

Leading by example

Despite some hurdles, there are some encouraging developments in the region in terms of government engagement with civil society and the private sector on anti-corruption issues.

For example, in 2021 Ivory Coast passed a law establishing a Ministry of Good Governance and Anti-Corruption, which has already initiated a bill on the protection

¹² [The Launch of Multi-Stakeholder Business Integrity Forum](#), Ghana Integrity Initiative, October 2018

¹³ [Collective action and public-private partnerships against corruption](#), United Nations Office on Drugs and Crime, 2022

of whistleblowers and pushed for other anti-corruption specific laws.¹⁴ The Ministry has also launched the Excellence in Good Governance,¹⁵ which recognise people or legal entities that have distinguished themselves by their integrity through an action that has greatly contributed to the fight against corruption. According to RIJLI, the Ivorian government is positively demonstrating its readiness to talk openly about this subject and collaborate with both civil society and the private sector to more effectively work towards preventing corruption.

Another positive example is Ghana's Commission for Human Rights and Administrative Justice, which has set up a Monitoring Committee¹⁶ bringing together representatives from the public and private sectors, as well as civil society organisations. The Committee is responsible for following up on the implementation of the National Anti-Corruption Action Plan.¹⁷

Leading by example is not only for governments. There are also some CSO-led initiatives to address common issues that are spreading across the region. For example, both GII in Ghana and ANCE in Togo have set up an Advocacy and Legal Advice Centre (ALAC)¹⁸ with Transparency International, which enables witnesses to report corruption cases anonymously and lodge official complaints. GII explained:

“We promote grievance mechanisms within the private sector, as well as process complaints and provide legal advice.”

Identifying incentives

In order to incentivise private-sector actors to engage in fighting corruption beyond legal requirements, it is essential to identify win-win scenarios

and understand what drives stakeholders to engage. Only then can CSOs demonstrate how businesses can benefit from such initiatives.

For example:

- Companies might be incentivised to engage in Collective Action if they believe it will help them compete on a level playing field. An example could be the adoption of Integrity Pacts to create a level playing field in high-value procurement projects.¹⁹
- International companies interested in entering the market but deterred by the risk of corruption might be incentivised to build an alliance with responsible local companies. Such initiatives have the potential to positively affect how business is being conducted at a country or sector level.
- The chance to build informal networks and strengthen self-regulation is another common incentive to engage in Collective Action. Developing voluntary industry standards can be a useful complement to regulations and formal controls, which in high-risk contexts may even result in more corruption.²⁰

Building capacity and advocating for change

In order to make up for weak legal frameworks, CSOs may take on the role of awareness raisers within the private sector.

GII, for example, has been organising quarterly workshops at a national level to enhance peer learning and build capacity in compliance and integrity among the private sector. The four organisations have made similar recommendations on how crucial it is to promote compliance and sensitise the private sector to its role in implementing national, regional and international norms.

¹⁴ [Bonne gouvernance : le gouvernement ivoirien engagé dans une lutte sans répit contre la corruption](#), Ivorian Ministry of Good Governance and Anti-Corruption, July 2022

¹⁵ [Deux nouveaux Prix nationaux d'Excellence décernés à l'édition 2022](#), Ivorian Ministry of Good Governance and Anti-Corruption, August 2022

¹⁶ [Making the NACAP Work](#), Ghana Anti-Corruption Coalition & OSIWA, July 2019

¹⁷ *Ibid.*

¹⁸ [ALAC](#), Ghana Integrity Initiative

¹⁹ For more information on Integrity Pacts how to implement them, see [Integrity Pacts: Supporting clean procurement](#), Basel Institute on Governance

²⁰ [It takes a network to defeat a network: What Collective Action practitioners can learn from research into corrupt networks](#), Basel Institute on Governance, December 2021

As ANCE Togo stated:

“We have to work hand in hand with the private sector and push for more Collective Action initiatives such as Integrity Pacts and codes of conduct. The private sector has a crucial role to play.”

Lessons for practitioners

- Anti-corruption Collective Action can play an important role in helping West African coastal states maximise their economic potential. Bringing together stakeholders from the public and private sectors with civil society promotes good business along with business integrity.
- CSOs can help to trigger and facilitate Collective Action initiatives that fit the economic, political and social context of a given country.
- To build trust between diverse stakeholders, CSOs will need to find a common language and build understanding of the different perspectives. Establishing platforms for dialogue can help build this trust, but they need a strong facilitator.
- Collective Action can help to fill gaps in legal frameworks. Where legal incentives to resist corruption are weak, CSOs will need to think hard about incentives for different stakeholders to engage. Fair competition, building alliances and shaping self-regulatory standards could all be incentives depending on the context.

Get involved and connect with like-minded organisations

Working on anti-corruption can, at times, feel like pushing a stone up a hill and going at it alone can be disheartening, especially in a context where corruption is still perceived as a way of doing business.

So connecting with other CSOs to exchange and learn from them is important to keep going. It can help build more robust and effective networks and initiatives, especially within a regional context where organisations might be facing similar challenges.

At a global level, the Basel Institute on Governance is working to build up a Collective Action community through a novel mentoring programme. Through this programme, civil society/not-for-profit organisations get the opportunity to exchange and learn from other initiatives that are part of the programme and beyond.

The Programme is intended for civil society organisations that work with the private sector and other stakeholders in tackling corruption. It offers tailored advice, support and technical assistance from leading experts in anti-corruption compliance and Collective Action, for free. You can find out more by clicking on the following link: collective-action.com/get-involved/mentoring-programme/.

To find out what Collective Action initiatives might already exist in your country or region, visit the B20 Collective Action Hub initiatives database: collective-action.com/explore/initiatives.

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