

- **Influence peddling:** The solicitation or acceptance by a public official or any other person, directly or indirectly, of an undue advantage for himself or herself or for another person in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the State Party an undue advantage.

- **Money Laundering:** Money Laundering is the conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of the property. It also refers to the concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to property, knowing that such property is the proceeds of crime.

5. WHAT ARE NEGATIVE EFFECTS OF CORRUPTION

The conduct that constitutes corruption reveals a number of negative effects on the country. Among the documented effects are the following:

- Provision of poor quality services in such areas as education, health, sanitation and electricity
- High cost of provision of services
- Undermining or weakening of democratic institutions and good governance
- Increased costs of business
- High cost of infrastructural development
- Destruction of merit-based competition
- Destruction of the productive capacity and creativity of individuals (e.g. skilled and honest people remain unemployed)
- Facilitation of other criminal activities such as drug-trafficking, and human-trafficking, terrorism, prostitution and money-laundering.
- Violation of fundamental human rights and freedoms
- Loss of lives

6. WHAT ARE THE CAUSES OF CORRUPTION

The causes of corruption in Ghana are many and varied. The causes include the following:

- Limited commitment to the values of integrity
- Insufficient enforcement of laws
- Attitudes and social circumstances that make average people disre-

gard or circumvent the law

- Nepotism
- Love for gifts
- Unbalanced and unfair remuneration and incentives package for different groups of workers or professionals
- Inadequate incentive scheme to motivate and reward honesty, and
- Inadequate social security for the aged and some retired public officers
- Ample opportunities for corruption but lack of systems to close the opportunities

7. WHERE AND HOW TO REPORT CORRUPTION

If you know of any of corruption taking place or likely to place or the corruption is being planned, you should report it to the Commission on Human Rights and Administrative Justice (CHRAJ).

You can do that in writing addressed to the Commissioner. You may also approach the CHRAJ personally and the complaint would be taken by authorized officers of the Commission, which has offices located in Accra, all regional capitals and in 100 Metropolitan, municipal and District Assemblies.

You can also contact the Commission on any of the telephone numbers provided. The Commission can protect you against victimization that you may be subjected to as a result of your attempt to expose corruption. Beware that the services of the Commission is **FREE**. Report any officers who receive any payment from you before attending to you. Also note that officers of the Commission are prohibited from receiving work-related gifts whether before, during after performing a duty.

SAY NO TO CORRUPTION

CHRAJ

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ABC OF CORRUPTION



1. UNDERSTANDING CORRUPTION?

Defining the term “Corruption” is a difficult task. Some authors or writers (especially, Transparency International and the World Bank) explain corruption as the “misuse of public office for private gain”. Others say that to be corrupt is to “change from good to bad; to debase; to pervert”.

Several other definitions have been offered as follows:

Corruption is behaviour, which deviates from the normal duties of a public role because of the private interest (i.e. family, close relative), pecuniary or status gains.

Monopoly, coupled with wide discretion powers without accountability results in corruption. This person illustrates this definition in the form, Corruption (C) = M(Monopoly Power)+ D (Discretion)–A (Accountability)

Generally, corruption connotes behaviour on the part of officials (be they public officials or officials in the private sector) where the officials unlawfully either enrich themselves or those close to them by misusing the power entrusted to them. Thus, it is generally agreed that corruption is the misuse of entrusted power for private gain"

2. NATURE OF CORRUPTION

Corruption has the following special features:

- Corruption is an illegal and illegitimate conduct.
- Corruption is largely secretive
- Corruption serves personal or private interest
- Corruption is against public interest.
- Corruption is a conduct that deviates from commonly accepted standard of integrity of persons placed in authority (in the public and/or private sectors).

3. FORMS OF CORRUPTION

Corruption has several forms. They include the following:

- Bribery
- Misappropriation
- Embezzlement
- Conflict of interest
- Extortion
- Fraud

- Influence peddling
- Patronage
- Misuse of official Property
- Misuse of official time
- Tax evasion
- Illegal Acquisition of Wealth
- Money laundering

4. CORRUPT CONDUCT

The types of corruption listed above are also called “corrupt conduct”.

- **Bribery:** Bribery is the act of offering, promising or giving to someone directly or indirectly, money or other valuables (e.g., houses, shares, land, tickets to sports events, jobs, foreign travels and sex) in order to persuade the person to do something (act or refrain from acting) in favour of the person who offered the bribe. Some bribes come as “kickbacks”, “protection money”, “thank you”, “facilitation payment”, “grease money”, or “commission”.
- **Kickback:** is an illegal secret payment made in return for a favour. Kickbacks are sometimes deducted “at source” from payment to contractors for goods and services provided. Sometimes, kickbacks are included in the cost of goods and services to be provided and represent the difference between the actual cost of the goods and services and the inflated cost.
- **Facilitation Payments:** Are illegal payments made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement.
- **Grease money:** Illegal payment (seen from the angle of the bribe giver, alluding to the drop of oil given to a squeaky wheel of excessive bureaucracy) in order to make “things move smoothly again”.
- **Embezzlement:** When a person holding office in an institution, organisation or company dishonestly and illegally appropriates, uses or traffics the funds and goods that have been entrusted upon them for personal enrichment or for other private purposes, the person holding the public office has embezzled the funds or goods.

Misappropriation, on the other hand, is misuse (mis-appropriation) of property that the person has access to or is legally entrusted in the person’s formal position

or job as public officer, agent, trustee, or guardian.

Misappropriation and embezzlement are forms of diversion of public funds or property.

- **Conflict of Interest:** Conflict of interest refers to the situation where a public official or agent places himself or herself in a situation where the personal interest of the official or agent conflicts with or is likely to conflict with the performance of the functions of the official’s or agent’s office. The “conflicting interest” could be any interest or benefit, which could either be financial or otherwise, direct or indirect.

- **Extortion:** Extortion is unlawful demand or receipt by an officer, in official capacity, of any property or money not legally due to the officer, by using force, fear or excessive authority.

Extortion also includes requesting for fees or payment in excess of those allowed, under pretence of duty.

- **Fraud:** Fraud involves deceit, trickery or false pretenses, by which someone (the fraudster) gains unduly. The gain could be financial or political or some other benefit). The act of fraud is motivated by the desire to deceive another person. Fraud is sometimes referred to as “swindle”, “double-dealing” “cheating”. In recent times, some forms of fraud have emerged and are known in Ghanaian parlance as “sakawa” and “419”.

- **Patronage:** Patronage is the support or sponsorship of a patron, who is usually a wealthy person or some one in power or an influential guardian. It is "kindness" done with an air of superiority and authority. Patronage transgresses the boundaries of legitimate influence and violates the principles of merit and competition. Patronage produces what Ghanaians refer to as “putting square pegs in round holes”

- **Misuse of Official Time:** is a form of abuse of office and means the use of official time for private purposes. Examples of misuse of official time are habitual lateness and absenteeism.

- **Illegal Acquisition of Wealth:** This is also called illicit enrichment and it refers to the acquisition of property that the person cannot explain in relation to the official’s lawful income. It could also mean a significant increase in the assets of a public official that the public official cannot reasonably explain in relation to the official’s lawful income.