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MISSION REPORT
National Integrity Coordinator/Ministry of Justice of FGS
Study Tour to Garowe, Puntland Sate of Somalia
(24-28 February 2019)

Introduction

The personnel that visited Garowe was National Integrity Coordinator Mr. Mahad Mohamed Sheik Hassan who embarked on a study tour to the Puntland Good governance and Anti-Corruption Bureau which was established in 2005 in the name of “Astaynta Maamul Wanaagga”. This body was established by the Adde Muse administration which intended to disseminate the good governance and broadly foster the confidence in government services, integrity and condor through public awareness. The present report contains the findings, conclusions and recommendations of the personnel’s visit to Garowe, Puntland. This trip was carried out within the framework of the Project Initiation Plan (PIP) towards Somali integrity system which is to be implemented within the period of (Feb – May 2019), especially in the first time of the implementation course.

Dialogues and discussions were made with the Ministry of Justice, Puntland Good Governance and Anti-Corruption Bureau (PGGACB) and ministry staff members. The main aim of this trip was a peer learning of integrity, anti-corruption, and transparency with anti-corruption bodies, relevant ministries to focus on the identification of open challenges of accountability and detecting corruption.

The mission provided valuable insights to the coordinator for the role and work of PGGACB over a decade and half of experience for detecting corruption in Puntland. Four days were spent in Garowe city which allowed me to meet with the stakeholders to create a firm network for enforcing integrity and fighting corruption. I would like to express my sincere appreciation to the Ministry of Justice of Federal Government of Somalia and UNDP for the excellent preparation of the logistics and itinerary of the study tour. My gratitude also goes to the hosting Puntland Administration especially Ministry of Justice and PGGACB for the cordial and warm welcome and hospitality.

Historical Context & Integrity Environment

The Puntland Good governance and Anti-Corruption Bureau was established in 2005 in the name of “Astaynta Maamul Wanaagga” by the administration of Ade Muse, who first intended to disseminate the good governance and broadly create confidence in government services, integrity and condor through public awareness.

The mandate of the office were four main principles, those are fundamentally related to the relevant responsibility which are to observe and monitor the budget of the government which is the key thing that will encourage people to receive their rights as it is preserved and approved by the parliament. That mandate will explain and foster to receive every citizen his/her right. The second was to observe the justice and fairness within the government institutions and such justice should be based on legal & accountability. The third one is Security – It is the most crucial one in which all other activities can make it possible. To observe all activities that can violate the order and stability of the society, in this case, social and military activities had to be engaged and the best way to do so was to engage low enforcement institutions such as Ministry of Security, Police etc. The fourth one was to observe the good governance in the entire government institutions. Although this office has been operating more than a decade at the state level in integrity matters, it is still lacking to achieve to detect corruption directly due to social structure of the people who still based on tribalism. Every case reported to the low enforcement agencies are exonerated because of clan interference of the case. The only achieved roles is to raise the awareness of the society.

Awareness Raising

The level of awareness raising on corruption in Puntland is making development since the PGGACB paid a lot of efforts to spread and disseminate the good governance themes in all regions of the Puntland, the office conducted several awareness campaigns with the assistance of the Civil Society Organizations such as (PUNSA).

- Conducting good governance seminars to these relevant institutions;
 - a) Reconciliation of clan elders to support the good governance
 - b) Enforce integrity and spread good governance seminars to the members of the Parliament and the cabinet.
 - c) Civil Society organizations on the issue of good governance
 - d) Trip to all Puntland regions by spreading on good governance and integrity.
 - e) Workshop with Military officers
 - f) Work shop with the Director Generals/
 - g) Workshop with Courts and overall judiciary
 - h) Conferences/ debates

- i) Commemoration of National Anti-Corruption Day - On 9th December of every year, the PGGACB organizes the commemoration events receives support from UNDP. This event is always utilized to spread the awareness message and disseminate in the society.

Meeting with Uluma -After the extension of the mandate to the office, it is again conducted the anti-corruption campaigns to all regions of Puntland. In this time, the office used religious leaders to raise the awareness of the society, since the religion highly warns the corruption. This produced to be talked for fighting corruptions all over mosques in the Juma lecture. It is also formed a team/committee consisting of well-known Uluma and intellectuals to disseminate the awareness of anti-corruption warns in the light of religion.

Causes and Types of Corruption

According to Dr. Abdalla Ali, who did a research in “Accountability Stakeholders and Corruption Practices in Puntland” in which he expressed that there are various structural issues that causes to committing corruption in Puntland, those includes weak public sector, weak accountability, irregular and low salaries of civil servants; poverty and ignorance the bad consequences of corruption. The other main thing is the absence of effective instruments and complaints procedure by which citizens can hold public servants to account for their misuse of public assets, and lack of documentation about illicit practices. There are strategic plans for social economic development encompassing governance, justice, security, infrastructure and social livelihood but the implementation of these plans is the biggest challenge in Puntland.

The variety of types of corruption in Puntland are pervasive in all public and private sectors but the main ones are an illicit practices found in government institutions; those are the corruptions in public procurement; international aid public sector recruitment; local municipalities; customs authority at ports, airports and corruption in the justice system(Abdalla, 2016).

International Community- Role of UNDP

Since 2005 the Puntland Good Governance and Anti-Corruption Bureau was providing a continuous support by the UNDP in terms of capacity building of their officers. The PGGACB created strong relationship with the neighboring counterpart institutions whom their ant-corruption commissions has been functioning such as Kenya, Rwanda in which relevant trainings were conducted to them to build their capacities. UNDP should continue its support the anti-corruption bodies till the ripe is near and the fruitful of good governance, democracy, integrity and accountability is prevailed in Somalia.

Main Questions Asked During the Study Tour

Question One: What are the description and analysis of the ‘Integrity’ Ecosystem? Like the Open Governance Initiatives?

The main ecosystem structure in Puntland are incomes from ports, airports, municipalities, and different kind of direct and indirect taxes which are mainly missing or lacking the right person at

the right place and right time, therefore, the structure of ecosystem in Puntland exhibits less condor in terms of accountability, integrity and transparency. In the course of our daily routine, we visited in the port of Bososo for 15 days to raise the awareness of the port authorities, identify corruption loopholes and describe the integrity required in the ecosystem. The amazing thing that we encountered in the port was importing a car which is to be paid the regular tax imposed but inside the car is a huge amount of taxable commodities hidden which is to be avoided from the tax. The other problem we saw is that there are discounts given to the specific persons illegally because taxes cannot be discounted since it is right and responsibility to each and every citizen.

Question Two: What is an action-oriented and participatory approach towards understanding and tackling development challenges?

Action is very limited because tribalism is the main challenge and hindrance to detect corruption since we cannot apply our rules and regulations to corrupted person in Puntland we stick-to-it-iveness suggesting the replacement of the officer and compare the income of the two era. The PGGACB tries to mitigate the problem by giving them an awareness of the consequences of the corruption. The main challenges are resistant, image damaging and threat to the officers since the weapons are in the hands of the society. Some respondents answered the main challenges are lack of rules and regulation, single power which leads there is no check and balance institutions in the administration. Lack of civic education is another challenge in delivering public services. The other challenge is possessive of impunity which is to be violated the rules. The right civil society organizations are not in place.

Question Three: What are the structuring factors that present constrains or opportunities related to issues at hand in transparency, accountability and the fight against corruption?

The main constraints that lie ahead of the anti-corruption bodies are tribalism, financial constraints, and threats; misinterpretation of laws which causes lack of rule implementation. The opportunities that we see is there is a new administration in Puntland which is plain paper at this moment so it is an opportunity to be utilized in strengthening the anti-corruption bodies to combat and detect corruption and enforce integrity, accountability an transparency in the financial system.

Question Four: From your experience, what are the human rights that are most affected by corruption?

Most of the respondents experienced a corruption in the public sector in the previous administration in many different kinds such as recruitment process, salary exploitation and etc. Every action of corruption always violates the human rights. And if it is not detected by the government there is human right violation occurred due to detect, due to respect and due to fulfill all are violated. The most important thing is to give the anti-corruption bodies enabling the environment to play for. The human right organization in Puntland is not effective and there is no strong and coordinated relations among anti-corruption bodies, human right organizations and society at large and even if there is a relation, it is not quite effective. Some of the respondents said

we do not have any ideas about human right organizations in Puntland and I only attended one meeting for corruption awareness campaigns.

Question Five: What are the priorities for change as a theme: for “Fighting Corruption?”

There are variety of themes used by the Puntland Good Governance and Anti-Corruption Bureau (PGGACB). The priorities of declaring a war against corruption may sensitize to avoid the corruption and its practices in Puntland. But the first and foremost is to be enforced the office to the law enforcement mechanisms to fully function and fight corruption.

Question Six: Is there a demand of forming National Anti-corruption Commission?

Most of the respondents answered, yes, obviously there is a high need and demand for that body to strengthen the federal member state bodies but now the locals are aware of that there is no national anti-corruption body functioning, so they will not obey the rules and regulations of the locals. Some of the respondents suggest that no need to rash of forming institutions which are not functioning properly because the good governance and anti-corruption office its responsibilities and duties are overlapping the responsibilities of the Auditor General. So what he suggests is that there should be differentiation of roles and responsibilities of ant-corruption bodies and Auditor General.

Question Seven: How is the access to public services and assessment of their ethics, quality and integrity?

The access of people to the public service is not quite difficult in Puntland but the trust they can have the services is questionable. Some of the respondents said there is no accessibility by the people in the government offices and the trust they can feel is very low. While some others claim that there is no limitation of accessing public in the offices of the government.

Overall conclusions and recommendations

The study tour conducted by the National Integrity Coordination Unit in Garowe city was a beneficiary for the newly established unit which provided it an insight to the integrity environment, a clue understanding and local know-how experience on how to fight and detect corruption. And building a tight network relationship among intra-government relations over detecting corruption. The most experience I gained from the trip was the dissemination and spread of awareness among society by using various channels such as civil society organizations, intellectuals, uluma (religious people); and using billboards, launching debates and conferences on the television.

Despite the financial constraints, weak of administration and lack of implementing rules over corruption users in Puntland, but the first established Puntland Good Governance and Anti-Corruption Bureau (PGGACB) tremendously achieved a high degree of awareness raising by sensitizing the consequences of corruption among society. The other achievements they have is the experience of a decade and half of working in this area, therefore, they are fully aware all the corruption causes and types in their local context.

UNDP is the only main one among a large number of international development organizations in Somali, which supports the integrity bodies and builds their capacities by giving them a chance to visit counterpart institutions in the neighboring countries.

The coordinator felt that there might be a need to focus further on these and other areas of other federal member states in awareness raising. Because the perception of society to detect corruption is gradually increasing, though there are behavioral and corruption attitudes across laymen. Focusing on huge campaign of awareness raising may further deplete corruption completely or partially in the country which will lead to lower the ranks issued by the Transparency International Index “Somalia as having one of highest levels of corruption worldwide”.

The following recommendations are worth mentioning:

1. To enforce the rules and regulations of the country, locally and nationally.
2. To accelerate the completion of anti-corruption law which lies ahead of the Parliament.
3. To foster the forming of National Anti-Corruption Commission to properly function in all Somali territories.
4. To differentiate the duties and responsibilities of Anti-Corruption bodies and General Auditor.
5. To support morally and financially the Puntland Good Governance and Anti-Corruption Bureau (PGGACB) to be a role model to all other Federal Member States’ anti-corruption bodies.
6. To encourage the National Integrity Coordination Unit, build their capacities and facilitate to them regional and global relations of counterpart bodies.
7. To increase the salary of judiciaries, military, police and all other loopholes of corruption.
8. UNDP and any other International Organizations should continue its support the anti-corruption bodies till the ripe is near and the fruitful of good governance, democracy, integrity and accountability is prevailed in Somalia.

END

Photos Annexed

