



Minutes of Commemoration Event of International Anti-Corruption Day (IACD) December 9, 2019

Through Resolution 58/4 of October 31, 2003, the UN General Assembly designated December 9 as an International Anti-Corruption Day (IACD) to raise people's awareness of corruption and governments to renew political commitment to the United Nations Convention against Corruption (UNCAC) in combating and preventing it. The assembly urged all states and competent regional economic integration organizations to sign and ratify it to ensure its rapid effort toward curbing corruption. UNCAC is the first legally binding, international anti-corruption instrument that provides a chance to mount a global response to corruption.

On 9 December 2019, National Integrity Coordination Unit under Ministry of Justice & Judiciary Affairs convened a commemoration event of the 16th global anniversary of International Anti-Corruption Day (IACD) at Aden Abulle International Airport (AAIA Hanger, Mogadishu) with the national and international stakeholders to renew the commitments of the society to improve integrity, accountability, and transparency.

This event highlighted the achievements by the Integrity Coordination Unit, Ministry of Justice over the past year and the strengthening anti-corruption efforts across Somalia at Federal and Federal Member State level and the establishment strong network with civil society, private sector as well as international community to lay the foundations for a long-term approach in Somalia to fight corruption.

Somalia has made significant progress over the past few years in putting together the building blocks for a comprehensive National Integrity System, with the passing of several laws and the establishment of the required institutions. While this progress may not yet be reflected in the international rankings, which takes several years to emerge, the participants in the event unanimously congratulated to the government for this progress and encouraged all stakeholders to remain committed and re-double the efforts to prevent and fight corruption. The (draft) National Anti-Corruption Strategy – which was presented at the event – was seen as a solid approach to bring the various parties together and representing a comprehensive and coherent path to the future. Over the past years a strong '*coalition of the willing*' to prevent and fight corruption has emerged in Somalia, including government, private sector, civil society, academics and the international community. This coalition was called upon to ever closer cooperate and ensure that the National Anti-Corruption Strategy receives the required support and that its different components are implemented.

High Level Participants of the Event

This event was attended by the high ranking officials of the Federal Government of Somalia, Federal Member States and the United Nations, the wider international community, Civil Society Organizations, the National Economic Council and society at large. The officials who have delivered valuable speeches at this event include:

1. H.E. Mr. Ambassador Adam Abdelmoula, Deputy Special Representative of the Secretary General, Resident Coordinator, Humanitarian Coordinator (DSRSG/RC/HC) of the United Nations.
2. H.E. Mr. Safiou Eso Ouro-Doni, Deputy Resident Representative of UNDP Somalia
3. H.E. Dr. Aues Scek, Deputy Executive Director, NEC
4. H.E. Mr. Mohamed M. Ali (Afgooye), the Auditor General of FGS.
5. H.E. Mr. Abdullahi Sh. Ali (Qalocow), Deputy Minister of Finance of FGS.
6. H.E. Avv. Hassan Hussein Hagi, the Minister of Justice & Judicial Affairs of FGS.

Pls find below some of the summaries of the speeches:

Mr. Adam Abdelmoula, Deputy Special Representative of the Secretary General of the United Nations for Somalia

It is an honor for me to be here with you today. I should like to thank the Federal Government of Somalia for inviting the United Nations to join you in marking this important occasion against corruption. Today we join governments, the private sector, NGOs, the media and people around the world to take action against corruption on behalf of the planet, its people, and the cause of peace, which unites us all.

In 2003, then-UN Secretary-General Kofi Annan called Corruption “an insidious plague.” This year is the 16th anniversary of the United Nations Convention against Corruption – the only legally binding, global anti- corruption instrument. In the 16 years since its adoption, 186 nations have ratified the Convention, giving it near-universal status. On behalf of the UN family, I invite Somalia to ratify and become a State party to this Convention.

Corruption undermines public trust and weakens State institutions and their ability to deliver to the Somali people. It leads to violations of human rights, erodes the quality of life, and allows organized crime, terrorism and other threats to human security to flourish.

Corruption stifles economic growth and is a major obstacle to development. It squanders talent and precious resources, and undermines State-building, peace and reconciliation efforts.

Corruption means less prosperity and fewer employment opportunities for all. It hinders the provision of public services and diverts funds intended for social services such as healthcare, education, clean water, sanitation and housing, affecting mostly minorities, people with disabilities and women.

Excellences, Ladies and Gentlemen

Preventing and combating corruption requires a comprehensive and multidisciplinary approach and involves all members of society: government, the private sector, the media, civil society organizations and the general public. I would particularly mention the role of youth — the new generation of change-makers — who must place accountability and integrity at the center of global leadership across business, politics, media and civil society. Mobilizing and empowering “Youth for Justice” is key to ensuring sustainable solutions to end corruption.

Mr. Safiou Eso Ouro-Doni, Deputy Resident Representative of UNDP Somalia

Excellences, ladies and Gentlemen,

A lot has been said and will be said on how corruption is damaging societies. And while that cannot be repeated enough, I will try to refrain from making the same points.

While we all agree that corruption is not good, and that we need to fight it, in fact we collectively understand only a bit why corruption is occurring and what would be the most effective ways to fight it. Two days ago, at the National Economic Policy Forum, a distinguished speaker referred to the Holy Quran. The Holy Quran contains more than 40 verses indicating that corruption is bad. The Holy Bible equally contains many references to the evils of corruption. In similar terms, Confucianism, Hinduism and Buddhism equally condemn corruption. But does it mean that Muslims, Christians or Buddhists do not practice corruption? We all know the answers.

Every country has laws and regulations that condemn corruption and make it punishable – it is a crime. But does that mean that citizens of a country do not practice corruption? Fathers and mothers teach their children that stealing is not good. But does that mean that there are no children that steal? Again, we all know the answers.

All citizens in the world have a value or belief system that condemns corruption and live in countries where corruption is against the law. But still it occurs. That means that something else is at work. Don't get me wrong; our religions help to guide us to the right moral choices, our laws help to keep us on right legal path, but they are not enough to completely eradicate wrong behavior – and corruption is one of these behaviors that cannot be eradicated only by law and punishing people that are corrupt. That is important though, the bad guys need to feel the heat, but we need more.

The UN Convention against Corruption and also the draft National Anticorruption Strategy of Somalia outline the areas that where we collectively need to pay attention. It is for instance about leadership in the country—the national leaders have to give the right example, for instance by declaring their assets and give evidence that they were not acquired in corrupt ways. It is for instance about transparency – where every citizen can check how the government has procured the services of consulting companies or contracted the construction of a road or building. It is about accountability – where people that do wrong are confronted and if justified are punished. But also where people that do well are recognized duly for their efforts.

H.E. Dr. Aues Scek, Deputy Executive Director, NEC (Written Policy Brief of NEC)

The major causes of the poor ranking for Somalia are to be attributed to the state fragility and weaknesses of public institutions, lack of accountability and dreadful transparency records. Somalia seems to be falling into fragility trap and follows similar partners of war and conflict ravaged nations. In fact, the 2018 Perception Index suggests that countries ravaged by wars and conflict often have high perception levels in their public sectors. In this league of war-ravaged nations, one notes Afghanistan, Syria, South Sudan, among others being ranked as the worst in corruption. Notwithstanding, war and conflict weaken institutions of accountability and, as well erode ethical and moral values that refrain people from committing corruption crimes in the society. Ignorance also contributes significantly to corruption, as many in post-conflict environments tend to not understand what corruption is due to the lack of adequate civic education.

The poor performance in 2018 and the years before for Somalia can be attributed to widespread prevalence of corruption ingredients in public offices. Corruption occurrences worth mentioning

by virtue of being in the public knowledge include: (a) mismanagement of public resources¹ observed on several occasions, including external assistance from the EU, Saudi Arabia and UNPOS that have not been accounted for in accordance with Public Finance Management rules²; (b) non transparent procurement in awarding contracts and licensing's contracts, contributing to losses of millions of dollars.

Corruption in Somalia happens both in small and grand scales and many of the corrupt practices take place through bogus contracts, inflated prices during procurement processing, political patronage hiring clan-members and other forms of abuse.

As underscored by the assessment, several corruption cases have been observed and some investigations initiated. However, the fight on corruption has stopped short of achieving the objective, which is to exhaustively scrutinize, prosecute and penalize those found guilty to eliminate corruption. The most striking weakness in the efforts is so far is the lack of implementation of existing legal frameworks against corruption due to dysfunctional institutions. These shortcomings are to be attributed to weak political will, poor institutional capacity and inadequate resources³. There is an acute need for the country's leadership to double their efforts in fighting corruption, institutional capacity building and the provision of resources to encourage anticorruption efforts.

These require, setting up a system that ensures every official to be accountable and every single allocated and approved resources by the Parliament to be disbursed according to the Appropriation Act and be accounted for. These would imply having strong legal frameworks to support the mechanisms of such a system. In addition, the system requires a strong parliament to carry out its constitutional oversight mandate without interference from the executive branch. This is expected to ensure that those accused of corruption are investigate and tried in a transparent and fair manner and sentenced if found guilty⁴.

Finally, to ensure the objective of fighting and eliminating corruption is achieved a strong and independent Anti-Corruption Commission is enabled to operate and is accorded prosecution power is operational would go a long way. In addition, the government will need to cultivate a culture of integrity that ensures that those holding public office should/would refrain from abusing their positions to plunder public resources for personal gains. This would basically involve: (a) Encourage positive incentives (example: merit-based recruitment); (b) Create transparency by applying checks and balances to reduce opportunities; (c) Increase expected costs by strengthening law enforcement against corruption (accountability); and (d) Take advantage of existing political will by involving government, business, and civil society/citizens processes.

¹ Office of the Auditor General 2018

² The Public Financial Management Act has yet to be passed into law although at the time of writing had just received 3rd reading in the Upper House.

³ Analysis of the Somalia Anticorruption and Government Policy to fight corruption

⁴ Anticorruption Act 2019

This practically means, implementing the draft National Anticorruption Strategy and making the Anticorruption Commission fully operational and independent with adequate resources and staffing.

H.E. Mohamed M. Ali (Afgooye), the Auditor General of FGS

Distinguished Guests, Ladies and Gentlemen

Let me begin by thanking the Ministry of Justice, led by H.E. Hussein Hassan Hagi & UNDP, especially. I am equally humbled and honored to stand before you today as the keynote speaker. Yes, indeed 2019 has been a year marked with great strides in combating corruption in the continent and especially here in Somalia. We all know far too well of the evils of corruption. Corruption is the enemy of the state. Corruption hinders our ability as a government to provide economic, political, and social services. Corruption halts the tides of change and prosperity.

Fighting corruption is the ultimate sign of patriotism. It is instilling good governance practices, it means the government is working for the ordinary citizen, and it restores confidence in the government, but it also requires dynamic solutions. In the past year, the Federal Government of Somalia continued to work tirelessly to revitalize our legal frameworks and catchup to the progress made throughout the continent. Here, I want to commend Parliament on the passage of the revenue law, the customs law, the public financial management law, as well as the Anti-Corruption Bill, which last year at this very celebration was only a goal in the horizon. But I also want to encourage the Senate to pass the Audit Bill, which should meet International Standards of Supreme Audit Institutions and for our President to sign this Bill, so that we may share this progress next year.

In the end, there is no one solution, but rather an array of dynamic solutions. Our fight is an act of human dignity; it is a patriotic act. Therefore, I call upon everyone here today but also others in the Somali State – from Ras Asayr to Ras Kaboni - if you are a journalist, report on the facts as you see it on the ground, every day If you are a sheikh, highlight the injustices faced by the vulnerable people, the women, the children, and the elders. If you are a government official check your integrity and your team. And if you are a stakeholder encourage your colleagues to do the work with us to collaborate where we fall short.

I stand before you and pledge that the Office of the Auditor General will take action to restore faith in the government's ability to promote good governance and transparency in all actions that do not disturb national security efforts.

I stand before you, as a patriot, and pledge to work for the betterment of our common man, our government, and our nation so that we may once again speak of Somalia's exemplary change.

Thank you & God bless!

H.E. Hassan Hussein Hagi, the Minister of Justice & Judicial Affairs of FGS

We have come together to commemorate this most important day: International Anti-Corruption Day. People in every corner of the world today are celebrating in rejection of the global scourge of corruption. We pledge to continue to work with our local, regional and international partners to prevent and combat corruption in all its forms.

Fighting corruption is an integral part of the rule-of-law. As soon as we assumed office, the government placed a high priority on the development of the draft bill for the Establishment of the Independent Anti-Corruption Commission, I'm here to report the bill has been assented into law and we are now in the process of forming the commission members. In close collaboration with key federal institutions – including the Auditor-General, the Attorney General, the Office of the President and the Office of the Prime Minister – we established a Core Group to lay out the foundation for combating corruption.

This past year, remarkable progress has been made by the Federal Government of Somalia towards achieving its milestones in the “Inclusive Politics” and “Security & Justice” roadmaps. A peaceful, stable and democratic state can only be achieved in a transparent and corruption-free Somalia. The progress made on state-building will be undermined unless and until successful strategies are devised and implemented to address corruption

Corruption is the single most important threat to stability, justice and development in Somalia. It exacerbates economic disparities, undermines our reform efforts, diverts aid, discourages foreign direct investment, and limits the confidence and trust of Somalis in their leaders and institutions. Its implications for national security cannot be ignored – corruption plays into the hands of violent extremist groups, legitimizing their agendas and threatening the peace-building gains made over the last few years. It is a systemic disease that urgently requires a systemic response. It is for these reasons that the Federal Government of Somalia has identified the fight against corruption as its top strategic priority.

Thank you!

The commemoration event was adjourned with the speech of the Minister of Justice of FGS.