



Corruption in Egypt 2019

Combat & Challenges

Report Summary of Forum for Development and Human Rights Dialogue

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About

Corruption in Egypt

Introduction: *undoubtedly, corruption is one of the main causes behind absence and decline of development in Egypt. In addition, it is a critical and serious feature of instability, spread of chaos and class struggle in addition to being an obstacle in front of any serious step of economic and social reform. Corruption is also one of the most serious 'sparks' of influential political crisis.*

The United Nations have attempted to put a particular legal framework for corruption combat processes within the mechanisms of aiding developing countries in their way to eliminate this 'evil'. This was reflected in the United Nations Convention against Corruption which was adopted by the General Assembly in October 2003 and signed and ratified by 119 countries till 18th June 2008 among them 14 Arab countries. Egypt was among the first forty countries which signed and ratified the United Nations Convention against Corruption. Egypt signed this convention on 9th December 2003.

The preamble of UN Convention against Corruption states that the illicit acquisition of personal wealth can be particularly damaging to democratic institutions, national economies and the rule of law. The convention also presents preventive measures which are group of the general policies aiming at preventing corruption, the most important of which are:

- 1- Establishing independent bodies carrying out the responsibility of combating corruption in cooperation with the state parties of the convention.*
- 2- Raise awareness in regard to combating corruption.*
- 3- Putting codes of conduct for public officials and private sectors employees to enhance impartiality and responsibility.*
- 4- Establishing regulations and systems that oblige public officials to disclose their acquisitions from work and any other external activities.*
- 5- Organizing general purchases in addition to enhancing cooperation among law enforcement agencies and private sector entities.*
- 6- Measures regarding the super and sudden richness of public official and taking all necessary procedures about this matter so that the public official can prove the*



source and legitimacy of these revenues or to be frozen or confiscated depending the circumstances after taking all necessary legal measures.

7- Measures of trials and protecting witnesses, reporters and experts.

Weak International Cooperation

In accordance with chapter 4 of the convention, states parties shall help each other in combating corruption. Also this chapter states the mutual legal assistance and their cooperation in extradition and criminal procedures in addition to cooperating in law enforcement and transfer of sentenced persons. In addition, in accordance with this chapter, state parties should take necessary measures in regard to pursue, freeze, seize and confiscate corruption's proceeds. Chapter 5 of this convention is one of the fundamental principles of the convention since the return recovering of assets obtained by corruption is a very important matter especially in developing countries where there are increasing corruption rates.

It is worth mentioning that Egypt is one of the countries which suffer from legal difficulties put by European countries such as Switzerland to where wealth of previous governmental officials (accused of corruption) was escaped. So Egypt could not recover its money because of the legal complications and the Swiss argument in regard to political instability despite they admitted the existence of these funds.

Corruption Combating Efforts

We should admit that the Egyptian government has taken many procedures during the recent years to implement its international commitments in the field of corruption combating after its signature and ratification on the UN Convention against Corruption and after joining the Arab Convention against Corruption and the African Convention against Corruption.

Egypt depends on the principle of direct application of international conventions in accordance with article no. 151 of the constitution states that “treaties shall acquire the force of law upon promulgation in accordance with the provisions of the Constitution”. Egypt's anti-corruption procedures are as follows:

- 1- *Egypt approved a national strategy for combating corruption for the period from 2014 to 2018. This strategy includes a detailed implementation plan along with a framework for monitoring, evaluation and reporting.*
- 2- *After the end of phase one, Egypt approved another strategy for the period from 2019 to 2022 based on what has been achieved during the first strategy. The*



strategy is implemented, supervised and developed by the national coordinating committee for combating and preventing corruption headed by the prime minister's office under the supervision of the Administrative Control Authority.

- 3- Amending group of legislations to go along with the provisions of international conventions and national efforts of combating corruption such as the laws of public service no. 81 of 2016, law of contracts concluded by public bodies, penal code, law of criminal procedures, law of illicit gain and law of combating money laundering.
- 4- Egypt has many agencies and bodies which concern with preventing and combating corruption like the Administrative Control Authority, General Prosecution, the Administrative Prosecution Authority (along with its affiliated specialized prosecutions), Central Agency for Accounting, the administration of illegal earnings affiliated to the Ministry of Justice, the general administration for combating public funds crimes affiliated to the Ministry of Interior, the unit for Combating Money Laundering and the National Council for Payments.
- 5- The law of the Administrative Control Authority was amended to be the responsible body for combating all forms of corruption and taking all necessary procedures and measures to prevent it in accordance with the provisions of the UN Conventions against Corruption, establishing the National Committee to Return Funds and Assets abroad in addition to establishing the National Committee to Recover the Plundered Lands of State.
- 6- Egypt has supported the partnership between public and private sectors and issuing guiding manual to apply the charter of impartiality in the private sector in partnership with civil society organizations working in that field in addition to involving the private sector and civil society organizations in the membership of the national coordinating committee for preventing and combatting corruption.
- 7- Putting and implementing the mechanism of reviewing the implementation of the UN Convention against Corruption approved by the Conference of State Parties in its 3rd session in 2009.
- 8- Within promoting the culture of impartiality, transparency, accountability and combating prevention stated in Marrakesh Declaration in 2011, many procedures have been taken to go along with the Plan of Sustainable Development 2030 among which are raising awareness in regard to corruption risks through media campaigns and encouraging civil society organizations to participate in preventing and combating corruption.



- 9- *Preparing and issuing a regular national indicator that measures corruption perceptions in units of administrative state body since 2015 giving some agencies and bodies to amend their regulations as a priority.*
- 10- *Preparing and issuing many code of conducts for employees in the administrative state body, members of general prosecution, employees in the diplomatic and consulate body, members of Administrative Control Body and university society in addition to approving mandatory curriculum to be studied in all universities entitled “Human Rights & Corruption Combating”.*
- 11- *Activating the national academy for corruption combating which trained more than 9.000 employees in the units of the administrative state body, bodies of law enforcement, private sector during 2019 in order to spread values of impartiality and transparency.*
- 12- *Regarding the enhancement of independence of corruption combating bodies stated in Jakarta Declaration in 2012, the law of the Administrative Control Authority was amended in 2017 so that it enjoy technical, financial and administrative independence along with the legal personality in order to prevent and combat all forms of corruption.*
- 13- *As for criminalizing bribes obtained by foreign public officials, Egypt has put effective and coordinated policies to combat corruption and promote for transparency and competition in public procurement systems stated in Panama and Kuala Lumpur Declarations in 2013.*
- 14- *The team of country visit concerned with reviewing self-assessment checklist was received: the self-assessment checklist of Egypt was reviewed. The conclusion of the UN report monitors four successful practices achieved by Egypt which are the issuing of phase 2 of the national strategy of corruption combating, preparing a national indicator to measure corruption perceptions, law no. 40 of 1977 regulating political parties’ establishment, effective participation on international level in combating money laundering and terrorism funding).*

Using Digitalization as an Important Procedure for Corruption Combating

The government has started in using digitalization and lessened dependence on humans in direct financial transactions to reduce small corruption processes. Some ministries, such as the Ministry of Communications, have established online platforms for clients to publish information related to its online processes and functions. The Ministry of Planning, Follow-up and Administrative Reform, in coordination with other ministries, simplified the digitalization of administrative procedures to allow the electronic usage of various public services in addition to



activating the automated system for arithmetic units in all Administrative State Body units according to GFMIS. Also the government launches the website www.rateyouservices.gov.eg to evaluate services to be as an indicator that helps government to guide development activities in more developed way to increase the citizen's ability to effective participation in evaluating services provided by the state.

Egypt is at the head of the International Transparency Indicators

One of the direct results of Egypt's serious steps towards combating corruption was that Egypt leaped 12 grades in the measurement of corruption perception in 2018 whose results announced by Transparency International when Egypt occupied the 105 grade among 180 countries after occupying 117 grade last year.

Monitored Typical Cases

A table demonstrates the most prominent cases during 2019

<i>Month</i>	<i>Cases #</i>
<i>January 2019</i>	<i>18</i>
<i>February 2019</i>	<i>12</i>
<i>March</i>	<i>4</i>
<i>April 2019</i>	<i>1</i>
<i>May 2019</i>	<i>19</i>
<i>June 2019</i>	<i>13</i>
<i>July 2019</i>	<i>8</i>
<i>August 2019</i>	<i>7</i>
<i>September 2019</i>	<i>2</i>
<i>October 2019</i>	<i>19</i>
<i>November 2019</i>	<i>12</i>
<i>December 2019</i>	<i>6</i>
<i>Total</i>	<i>121</i>

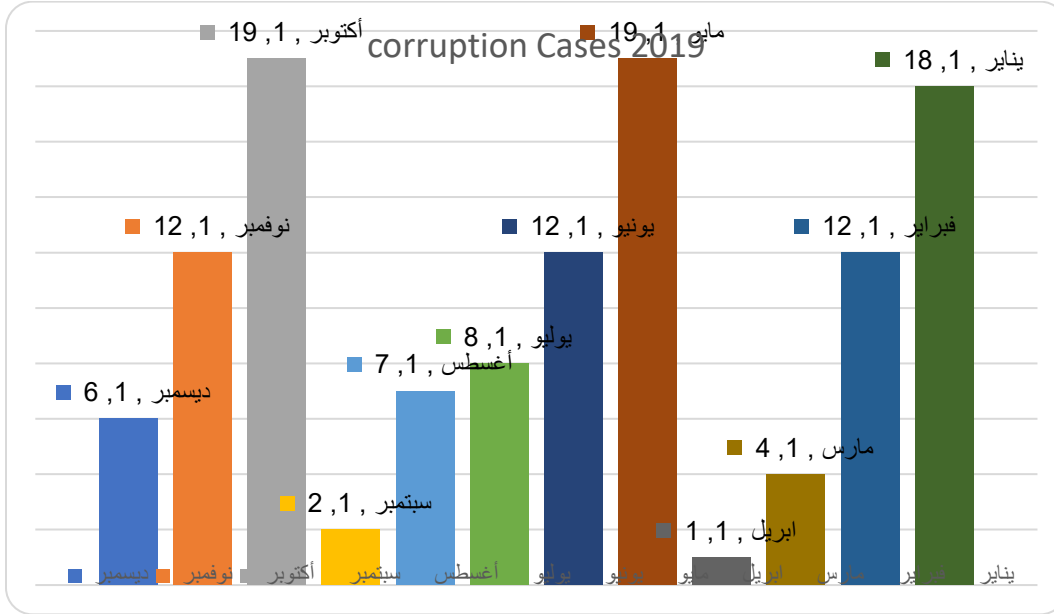


Table demonstrates corruption cases in each sector during 2019

Serial	Ministry	Cases #
1	Ministry of Electricity	7
2	Ministry of Education and Higher Education	9
3	Ministry of Local Development	15
4	Ministry of Health	9
5	Ministry of Finance	14
6	Ministry of Justice	13
7	Ministry of Housing	9
8	Ministry of Petroleum	5
9	Ministry of Supply	8
10	Ministry of Solidarity	4
11	Ministry of Environment	1
12	Ministry of Agriculture	9
13	Ministry of Communication	1
14	Ministry of Endowments	4
15	Press institutions and satellite channels	2
16	Banks	2
17	Ministry of Investment	2
18	Public security sector	2
19	Man Power	1

20	Unknown	4
	Total	121

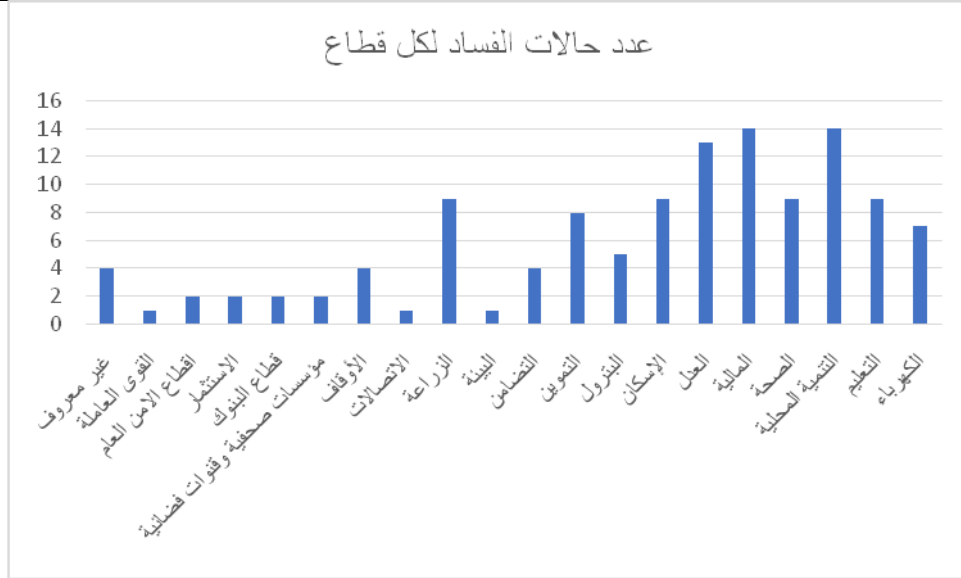


Table shows corruption cases per governorates

Serial	Governorate	Cases #
1	Cairo	41
2	Giza	6
3	Al Qalubia	3
4	Alexandria	6
5	The Red Sea	5
6	Qina	2
7	Suez	6
8	Marsa Matroh	1
9	Kafr El Sheikh	5
10	Al Sharkia	5
11	Sohag	2
12	Ismailia	1
13	Damietta	4
14	Al Monofia	2
15	Assuit	1
16	Port Said	1
17	Bani Souif	1
18	Al Bihara	1
19	Unknown	28

	<i>Total</i>	<i>121</i>
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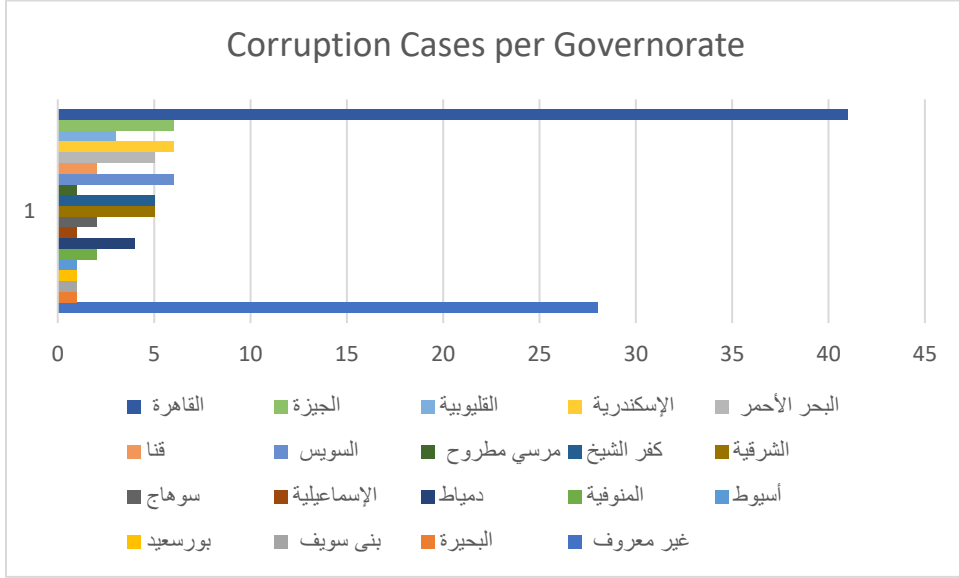
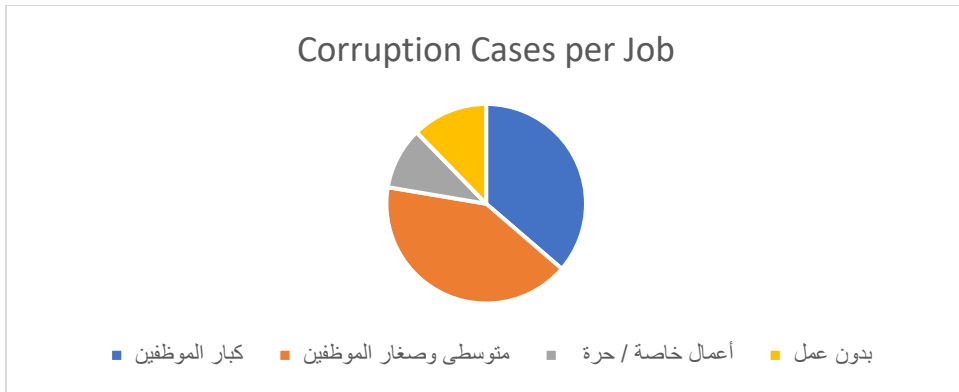


Table shows corruption cases per job

<i>Senior Staff</i>	<i>Junior & Ordinary Staff</i>	<i>Freelance/ private business</i>	<i>Not working</i>
65	74	18	22





Recommendations

By reviewing these indicators, it is clear that a number of ministries and governorates still are on the top of corruption indicators such as the Ministry of Local Development which comes in the first grade in regard to crimes and confiscated amounts followed by (in order) the Ministry of Health, Ministry of Finance, Ministry of Endowments, Ministry of Agriculture then comes banks sector and the Ministry of Electricity and Ministry of Solidarity. On the other hand, the Ministry of Investments records the least cases regarding crimes and confiscated amounts, the matter which reflects the success of digitalization process in the field of investment.

As for governorates, Cairo comes on the top of governorates which subjected to corruption cases followed by Giza, Alexandria and Suez. On the other hand, Al Wadi El Geded and Dakahlia governorates did not record any cases in 2019.

So the Forum for Development and Human Rights Dialogue demands number of recommendations to support the efforts of combating corruption in the light of the international conventions:

- 1- Calling for immediate issuance of a law to protect reporters and witnesses in corruption cases.
- 2- Issuing law that guarantees citizen's freedom in accessing information.
- 3- Reviewing taken procedures to enhance transparency of bodies which contribute to donate for the candidates for elected positions and political parties.
- 4- Taking necessary procedures to issue necessary executive regulations to guarantee the activation of law no. 106 of 2013 in regard to prevention of conflict of interests.
- 5- Issuing a legislation that regulates mutual legal assistance or recovers assets in detail within rules stated by international conventions or according to the principle of reciprocity to include group of allowed procedures and measures in the internal criminal procedures including these related to pursuing, freezing, seizing and confiscating properties.
- 6- Enhance the measures of financial disclosure of public officials in addition to internal control and reviewing process.
- 7- Review obliging concerned public officials who have an interest in having financial account in foreign country, have signature authority or any other authority to inform the concerned authorities with that.
- 8- Reviewing necessary taken procedures in regard to confiscating properties obtained by committing criminalized act or a related act without a criminal conviction in cases when it is impossible to pursue the criminal because death, escaping, absence...etc.



- 9- *Taking the necessary procedures and measures to allow the concerned authorities to freeze or seize properties based on a foreign order of freezing or seizing that provides a reasonable causes behind taking such measures and that these properties will finally be confiscated.*