

U4 Expert Answer



Sudan: Overview of corruption and anti-corruption

Query

Please provide an overview of the nature and impact of corruption in Sudan including extent, nature, sectors most affected (extractive industries, public financial management, police and security), anti-corruption efforts, and legal and institutional framework (including judiciary). We are also interested in the following areas: public administration at national, regional and local levels, health, agriculture, natural resources and the environment.

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Caveat

Due to a lack of information, not all the sectors requested by the enquirer could be included in the answer. Providing policy advice is beyond the scope of the Helpdesk, for that reason, the last section of this document simply summarizes scholarly advice on how to fight corruption in developing countries and fragile states.

Sudan is, without a doubt, one of the most challenging environments for anti-corruption in the world. Corruption is present in all sectors and across all branches and levels of government: public servants are known to demand bribes for services that individuals or companies are legally entitled to; government officials hold direct and indirect stakes in many enterprises, which distorts the market through patronage and cronyism; and the head of state and government is believed to have embezzled up to US\$9 billion from oil revenues.

This U4 Expert Answer provides a general overview of the nature and extent of corruption in the country, the state of its legal and institutional framework to prevent it, as well as its presence across different sectors of the economy.

Summary

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U4 is a resource centre for development practitioners who wish to effectively address corruption challenges in their work. Expert Answers are produced by the U4 Helpdesk – operated by Transparency International – as quick responses to operational and policy questions from U4 Partner Agency staff.

1. Overview of corruption in Sudan

Sudan gained independence on 1 January 1956. Since then the country has experienced alternating forms of democratic and authoritarian government and an on/off 50-year civil war between the Islamist government in Khartoum and secessionist Christians and animists in the south. The armed conflict, which ended in 2005, left two million dead, and six million refugees and internally displaced people. Despite the prolonged involvement of almost every major country and humanitarian agency in the world, other regional conflicts persist in Sudan (Cockett 2016).

Given the complicated humanitarian situation in the country, Sudan has received extraordinary military and financial resources in attempts to help stabilise the country. Towards the end of the 2000s, for example, the country was the largest recipient of humanitarian aid (Global Humanitarian Assistance 2011). The United Nations' World Food Programme (WFP) ran its largest emergency project in the world there, while two of the UN's biggest-ever peacekeeping missions were running simultaneously in the country: one in Darfur with 26,000 soldiers and security forces, and another in the south with a staff of 10,000 people. The UN mission in Darfur was costing almost US\$1.5 billion a year, and the one in the south another US\$1 billion (Cockett 2016).

Since 1989, and for almost 28 years now, President Omar al-Bashir has ruled Sudan with an iron fist after taking power in a bloodless coup. While claiming he would address corruption, financial mismanagement and nepotism, the new government quickly established the most repressive rule the country had known since independence (Martini 2012). As part of this process, the government dissolved parliament and trade unions, banned political parties, gagged independent newspapers and introduced a nationwide Islamic legal code. As a result of these policies, the country has been dramatically transformed into an authoritarian Islamic single-party state under the rule of al-Bashir's party: the National Congress Party (NCP).

Al-Bashir's government is notorious for its repressive tactics and legislation to silence the media, control political opposition and clamp down on civil society. The 2010 National Security Act, for example, grants the National Intelligence and Security Services (NISS) extensive powers to arrest and detain people for up to four and a half

months without judicial review. Detained opponents and activists are often held in NISS cells where they suffer ill treatment and torture.

As an illustration of the brutality of the regime, the International Criminal Court (ICC) has, since 2009, been pursuing the Sudanese president on five counts of crimes against humanity (murder, extermination, forcible transfer, torture and rape), two counts of war crimes (intentionally directing attacks against a civilian population or against individual civilians not taking part in hostilities, and pillaging) and three counts of genocide (by killing, by causing serious bodily or mental harm and by deliberately inflicting on each target group conditions of life calculated to bring about the group's physical destruction) (ICC 2009; ICC 2010). The human rights situation in the country continues to deteriorate. In 2011, Freedom House ranked Sudan as one of the nine countries judged to have the worst human rights record, with its inhabitants suffering from intense repression (Martini 2012).

The first section of this U4 Expert Answer gives an overview of the nature and extent of corruption in the Republic of Sudan by looking at different measurements of corruption and using academic insights to illuminate how corruption operates in a context as complex as this one. After that is an explanation of the main drivers of corruption in the country. This includes the absence of checks and balances to hold the government accountable, the systematic violations of human rights which make it difficult for a strong media and civil society to flourish, and the close ties between business and politics, among others. The second section of this answer looks at a variety of sectors and institutions to illustrate how different types of corruption affect them. The third part reviews Sudan's legal and institutional anti-corruption frameworks, and the final section examines possible strategies to help curb corruption in the country.

Nature and extent of corruption in Sudan

Corruption in Sudan is a systemic issue. The country is perceived as one of the most corrupt in the world: Transparency International's 2016 Corruption Perceptions Index (CPI), for example, gives the country a score of 14, ahead only of North Korea, Somalia, South Sudan and Syria (Transparency International 2017). The World Bank's Control of Corruption indicator also places the country among the 10 most corrupt countries on the planet.

These results are hardly surprising given that, Sudan is also considered a fragile state under “very high alert” by the Fund for Peace (2016) and as noted by Transparency International (2011) “fragile, unstable states ... linger at the bottom of the index ... demonstrate[ing] that countries which are perceived to have the highest levels of public-sector corruption are also those plagued by long-standing conflicts which have torn apart their governance infrastructure”.

This also has consequences for the way in which corruption works in a country: to understand corruption in a country like Sudan, it is necessary to let go of the notion that corruption is a deviant and exceptional behaviour in which only “rotten apples” participate when the likelihood of being caught is low.

As explained by Persson, Rothstein and Teorell (2013), endemic corruption, like that found in Sudan, is not a flaw that can be corrected with a technical fix or a political push. It is the way the system works, and it is deeply embedded in the norms and expectations of political and social life. Corruption in this case is a feature of the country’s governance regime, and it does not constitute an exception to the rule, but the rule itself (Mungiu-Pippidi 2015); in a thoroughly corrupt setting like Sudan, the short-term costs of being honest are comparatively high since this will change little in the overall picture (Della Porta and Vannucci 1999). Hence, unwilling or incapable of bearing the costs, people will instead continue to choose corrupt alternatives before non-corrupt ones (Persson, Rothstein and Teorell 2013).

Consequently, in a context in which corruption is the expected behaviour, monitoring devices and punishment regimes would be largely ineffective since there will simply be no actors with an incentive to hold corrupt officials accountable. Moreover, there is an absence of stakeholders willing to enforce existing laws and policies (Persson, Rothstein and Teorell 2013).

Moreover, when violent conflict is present in a country and the law is used as a means of oppression, corruption becomes a means for the victims to evade oppression. For this reason, in countries where factional violence is raging, anti-corruption interventions are not particularly well suited (Mungiu-Pippidi 2016).

Corruption takes a variety of forms in Sudan, ranging from petty forms of corruption, such as bribery, to grand corruption (e.g. embezzlement and theft of public funds involving high-level officials) and political corruption, i.e. “the manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth” (Transparency International 2009). Under such circumstances, the formal institutional framework often corresponds to what Acemoglu and Robinson (2012) call ‘extractive institutions’ or what Kaufman and Vicente (2011) define as ‘legal corruption’.

As a result, corruption in Sudan is present across all levels of government and there have even been allegations of corruption and money laundering against President al-Bashir (Lindner 2014). Moreover, trying to understand this phenomenon based on the standard definition of corruption, i.e. the abuse of entrusted power/authority for private gain, may be harmful in such a context, as it might help protect the legal forms of corruption that have been enshrined in the law.

The next section describes some of the main drivers of corruption in Sudan.

Drivers of corruption in Sudan

Absence of checks and balances

The principle of separation of powers, where the legislative, executive and judicial functions of government are divided among independent bodies, is the foundation of governance in democratic nations. Separation of powers implies the need for multiple actors to propose, initiate or manage the agenda, and is considered a necessary safeguard against tyranny and abuse of power (Alt and Lassen 2008).

This requires procedures known as checks and balances, which empower separate actors to prevent actions by other actors, for example through vetoes, judicial review or regulatory oversight, with the aim of ensuring policy moderation and preventing misuse of political power.

The constitution of Sudan structures the government according to the principle of separation of powers between the executive, legislature and the judiciary. The regime of president al-Bashir,

however, has blurred the lines between the three branches of government. The lack of checks and balances has granted him a monopoly of power and turned the system into an autocracy despite the efforts of pro-democracy movements (Mukum Mbaku 2015).

Al-Bashir weakened the judiciary with the introduction of a new Islamic constitution and legal codes based on its interpretation of Shariah. As a result, the executive oversees the training and appointment of new judges, thus undermining the autonomy of the judicial branch (Bertelsmann Stiftung 2016). At the same time, the legislature, widely controlled by the governing party, has failed to express any opposition to the executive, not least because of crackdowns on the very few members of the opposition (Bertelsmann Stiftung 2016).

Systematic violations of human rights

According to the anti-corruption literature, the right to freedom of expression, assembly and association are fundamental to anti-corruption efforts (see, for example, Mungiu-Pippidi 2015). Where governments permit information to flow freely, it becomes easier to identify and denounce cases of corruption. This requires, however, access to multiple sources of information because a single source can be easily corrupted thus compromising the free flow of information (Dahl 2000). Protection of the freedom to form and affiliate with formal and informal associations, such as human rights organisations, is also a vital element of anti-corruption efforts (International Council for Human Rights 2009).

Violations of these basic rights, however, are an everyday occurrence in al-Bashir's Sudan. Even though the 2005 constitution recognises the freedom of the press, the authorities censor the media by confiscating newspapers and targeting journalists. Following the approval of the 2009 Press and Publication Act, the government appointed a press council to oversee the overall performance of the journalistic institutions and companies, effectively limiting freedom of expression and the press (Cairo Institute for Human Rights Studies 2016).

Raids on printing facilities and confiscated print runs of newspapers considered to be in violation of the Press and Publication Act are also common, and the government has instructed editors not to cross certain "red lines" in their coverage, which implies not publishing articles which portray the

elections negatively, criticise the armed forces or the government's economic policy, report low voter turnout, mention the situation in Darfur or the armed conflicts in Southern Kordofan and Blue Nile (Cairo Institute for Human Rights Studies 2016). In the absence of a tradition of respect for freedom of expression, weak media are unable to expose corruption without exposing themselves to defamation lawsuits or risks to their personal security; it is common, for example, for journalists to be arrested (Freedom House 2016).

The government has also imposed severe restrictions on the operation and mandates of civil society organisations, and a number have been forcibly closed.

Lack of political opposition

The existence of political opposition is often considered key to anti-corruption too. In combination with democratic (free and fair) electoral processes, voters can punish corrupt incumbents by voting them out of office. Incumbents therefore have incentives to behave responsibly if they intend to stay in office (see Ferraz and Finan 2011). In Sudan, however, elections are not free and political opposition is not tolerated.

The first multi-party election since 1986 was held in 2010. The strict limits on freedom of the press, of assembly and of expression, however, made it impossible to guarantee the fairness of the process. The elections were plagued by irregularities and failed to meet international standards, according to local and international monitors (see Freedom House 2016; International Crisis Group 2011).

In June 2014, the electoral system was amended to enhance the electoral prospects of small parties, notably by increasing the number of seats determined by proportional representation from 40% to 50% and eliminating the 4% threshold for representation. Nevertheless, the political arena remains heavily favourable to the NCP.

The regime keeps imposing heavy restrictions on political parties and their members. In April 2015, for example, al-Bashir issued a decree (no. 158) forbidding political parties from organising meetings in their own venues without previous approval from the government and requiring them to ask for authorisation for public meetings 48 hours in advance (Cairo Institute for Human Rights Studies 2016). Some parties have also been

denied registration. The Sudanese Republican Party (SCP), for example, was denied recognition by the Sudanese Political Parties Affairs Council in 2014 because it refused to endorse a system of Shariah (Freedom House 2016).

The overall dominance of the NCP over the country's political system has also allowed the party to use the state security apparatus to intimidate and arbitrarily arrest members of the opposition to prevent other parties from operating freely. Opposition leaders and activists are routinely arrested and held without charge, often for extended periods. In 2014, the head of the National Umma Party, his deputy and the head of the Sudanese Congress Party were all detained in separate cases and held for several weeks before being released without charge. In the lead-up to the April 2015 elections, opposition figures also faced harassment, arrest and detention. On several occasions, authorities denied opposition parties permits for rallies and forums, including at the parties' own headquarters (Freedom House 2016).

Absence of rule of law

Since independence in 1956, Sudan has not been able to create an institutional arrangement and a governing process that guarantees the rule of law (Mukum Mbaku 2015). In other words, the country has not yet transitioned from a personal-based regime into an impersonal one. This means that the country's laws and institutions have failed to adequately constrain civil servants and political elites, who often behave with impunity and engage in corrupt activities. Moreover, "law has been used as an instrument for ideological or political purposes, as a means of control and repression" and as an instrument to legitimise and entrench (Oette and Abdel-Salam Babiker 2016).

In addition, many government policies during most of the post-independence period have been viewed by several groups as repressive and discriminatory and interpreted as attempts to push these groups to the economic and political periphery. This, in turn, has helped fuel armed conflict against the national government (Mukum Mbaku 2015).

Close ties between business and politics

In countries where patronage and cronyism are defining features of the governance regime, government officials often hold stakes in private enterprises. This can distort market competition to the advantage of politically connected firms (Faccio 2006). In Sudan, politics and business go hand in hand. According to the US Department of State's

2016 Investment Climate Statement, major government contracts are often awarded to a firm controlled by a government official. But the links between business and politics in the country run much deeper than that. Members of the NCP, particularly those from favoured ethnic groups, effectively control the economy and use the wealth they amass in banking and business to buy political support (Freedom House 2015).

According to the International Crisis Group (2011), money for the NCP comes not only from the state but also from foreign investment and development assistance. Most Sudanese businesses sub-contracted for major construction projects are linked to the Islamists' companies, and at least 164 companies, operating in a range of services and industries are owned or controlled by NCP military, police and NISS officials. One example is Sudatel, the national cell phone carrier.

The government recently introduced a policy to privatise state-owned companies, but only a few privatisations have occurred thus far, and the companies were often given to those close to the government, further reinforcing the existing crony capitalist system (Bertelsmann Stiftung 2016). Freedom House (2015) also reports that the president's brothers, Ali and Abdallah Hassan al-Bashir, are major shareholders of High Tech, a business group with shares in 23 companies working in such sectors as petroleum, petrochemicals, engineering, cement, railways and telecommunications.

Excessive administrative burden

Several studies have shown that there is a strong association between bureaucracy and corruption. This is mostly attributed to the fact that excessive regulation increases administrative discretion thus generating opportunities for corruption (Mungiu-Pippidi 2013).

According to figures provided by the World Bank's Ease of Doing Business Survey, administrative burden in Sudan ranks among the worst in the world and has worsened over the years. Starting a business, for example, takes 36 days and 10 procedures, and can cost around 25% of the business owner's income. Paying taxes is another complicated process which requires making 42 payments per year and an investment of 180 hours. While these figures are not uncommon in sub-Saharan African countries, they still lag international best practices and provide incentives to pay bribes to "speed up" processes.

2. Corruption by sector

This section illustrates how corruption, in its different forms and shapes, is present across many sectors of the economy and can be considered a normal occurrence.

Extractive industries

The lack of transparency and accountability in the extractive sector generates a very high risk of corruption and political interference (GAN Integrity 2016), and corruption has been reported all along the production chain, including volume, reporting, reserves, entitlements of foreign companies, as well as allocations to producing states and distribution companies (Sudan Democracy First 2016).

In 2009, for example, Global Witness, published an analysis of Sudan's oil figures and showed discrepancies between the figures of the Sudanese government and those released by the Chinese National Petroleum Corporation (Global Witness 2009). The report said there were discrepancies ranging from 9% to 26% between 2005 and 2007.

Even after losing around two-thirds of its known oil reserves and three-quarters of its oil revenues in 2011, following the secession of South Sudan, the allegations of corruption in the sector continue. In 2014, for example, the auditor general accused the Ministry of Finance and the Sudanese Oil Foundation of spending raw oil revenues to repay a Chinese loan for the Khartoum refinery without keeping accounts. Furthermore, he revealed "a mismatch in the oil accounts in the period 1996-2012, pointing to an amount of US\$628 billion that was classified as 'operating expenses'" (Dabanga 2014).

There have also been reports stating that more than 60% of oil companies operating in Sudan engage in tax evasion and that less than a quarter of the total oil revenues get deposited in the public treasury (Dabanga 2014). The ICC has also confirmed that President al-Bashir has a fortune of up to US\$9 billion kept in foreign accounts, which he has skimmed from his country's oil income (Simons 2011).

Public financial management

The lack of access to budgetary data perfectly exemplifies the opacity under which the government of Sudan often operates. According to the International Budget Partnership, only one of eight key budget documents are made available

online within a timeframe consistent with international standards.

As a result, the country only scores 10 points out of a possible 100 in the latest edition of the Open Budget Index, a decrease from the 2015 survey. Since that assessment, Sudan has published the pre-budget statement in a timely manner, but produced the enacted budget and the year-end report for internal use only (International Budget Partnership 2016).

This lack of transparency and information allows for a discretionary administration of the public finances and makes it difficult for anti-corruption watchdogs and for other branches of government, such as the legislature of the auditor general, to scrutinise how money is spent. A high proportion of the national budget is spent on unspecified national security priorities (Freedom House 2016), and rather than using public money to provide public services, the state treasury has become a tool for the executive to remain in power. Most of the spending is used to pay relatively good wages to state-level bureaucrats to keep them onside or is transferred to the local governments of areas where al-Bashir's regime needs the most support, i.e. Khartoum and Gezira state (Cockett 2016).

After the secession of South Sudan and despite the resulting economic shocks, such as the dramatic fall in oil revenues, central government transfers to these states increased by 8%. Despite the IMF's advice to cut such transfers, Bashir's government refused to do so as these allocations had become part of the economic and social policies designed to keep the regime in place and guarantee the loyalty of the armed forces (Cockett 2016). Against this background, the relatively frequent news on leakages and embezzlement of public funds should come as no surprise.

Courts and the judicial system

While the judiciary is institutionally differentiated, it is largely controlled by the executive, thus compromising its independence. Recruitment processes are determined by acceptability to the regime and at times by systems of nepotism (GAN Integrity 2016). Court rulings are unlikely to be objective, especially when it comes to politically sensitive or high-level cases (US Department of State 2015a).

With the introduction of Shariah law, Islamic institutions partly replaced universities and colleges in the provision of legal training, which

resulted in new judges who are less well-trained and often accused of hurried, corrupt and arbitrary justice (Bertelsmann Stiftung 2016).

Inefficiency in the courts is a challenge for foreign investors. Enforcing a contract takes an average of 810 days, which is more than the sub-Saharan African average of 653 days (World Bank 2016). In Darfur, judges are reportedly often absent, thereby delaying trials, and in rural areas judicial institutions are less accessible (US Department of State 2015c). Judgements of foreign courts are not always respected (US Department of State 2015a).

In general, while lower courts provide some due process safeguards, the higher courts are subject to political control, and special security and military courts do not apply accepted legal standards. As an example of the political nature of the courts, Farouk Abu Issa, head of the opposition alliance National Consensus Forces (NCF), and Amin Mekki Medani, President of the Confederation of Civil Society, were arrested on 6 December 2014 after returning from Ethiopia and charged with terrorism, undermining the constitutional system and waging war against the state, all punishable by death. On 9 April 2015, they were released after a decision by the justice minister under Article 58/1 of the criminal code, which gives him the right to freeze the lawsuit against defendants.

Given the level of state capture, judges' autonomy to interpret the law is occasionally restricted, especially when the issue involves certain powerful people. Further, the judicial system is biased against the opposition. In many cases, members of opposition parties are detained and arrested simply for expressing their political views and participating in public forums. In other words, sentences are inappropriate and based on politics, with judges routinely subject to political incentives.

Police and security forces

Corruption is widespread in the police and security forces in the country. Petty bribery is perhaps its most frequent form. According to Transparency International's 2016 Global Corruption Barometer (GCB), 42% of surveyed citizens perceive the police to be corrupt, and more than one in three respondents (37%) who had contact with the police had to pay a bribe (Transparency International 2016).

Police bribery is a well-known issue in the country, and it has been attributed to the combination of low

salaries and a lack of strong disciplinary and monitoring mechanisms (Sudan Democracy First Group 2016d). One of the most common ways for the traffic police to extort bribes, for example, is the abuse of the on-the-spot fines. These fines allow officers to issue fines for traffic violations ranging between US\$8 and US\$16 dollars. The practice was supposed to help relieve the number of cases that end up in court, thus relieving the courts from an additional burden. However, police officers often use the fines for their personal benefit and ask violators for bribes to forgo such fines (GAN Integrity 2016).

Corruption among the police and other security forces, however, goes beyond bribery. Sudanese government officials and high-ranking police officials often have vested interests in state-owned enterprises, making them susceptible to corrupt practices (US Department of State 2015a). Moreover, officials in the police, military or the NISS often have their own private enterprises, which receive favourable treatment from the government (US Department of State 2015a).

It is worth mentioning that the 2010 National Security Act gave the NISS sweeping authority to seize property, conduct surveillance, search premises, and detain suspects for up to four and a half months without judicial review. The police and security forces, however, routinely exceed these broad powers, carrying out arbitrary arrests and holding people at secret locations without access to lawyers or family members. Human rights groups accuse the NISS of systematically detaining and torturing government opponents (Freedom House 2016).

Health

A third of the GCB respondents who claimed having had contact with public hospitals also had to pay a bribe (Transparency International 2016). According to a report from Sudan Democracy First Group (2016c), people are required to pay bribes to get on to a waiting list for surgery. Given the high number of patients, the waiting period can take months, hence patients' families can seek backdoor openings to move their family members to the top of the list. The most common technique is to bribe the medical staff in charge of the surgery waiting list.

Hospital staff members also require additional pay to perform their tasks, and if no payment is offered, the patient will not only get bad and slow medical

services but will also have to put up with the employee's negative attitude while interacting with that patient and the members of his/her family. A well-known example is when midwives demand the *Bushara*, a fee required to inform the family of the gender and health of their newborn. Cleaning staff can also demand a tip to keep a patient's room clean, and wards request *Ikramiya* (a gratuity) to allow visitors to visit their sick relatives, especially after the set visiting hours (Sudan Democracy First Group 2016c). Senior medical specialists often also refrain from seeing patients and have them referred to their private clinics where they can charge considerable consultation fees.

Because of the widespread practice of bribery and other corrupt dealings, the access to the public healthcare system does not live up to the standards of justice, fairness and equality. Instead nepotism, bribes and favouritism prevail and access to healthcare is a luxury for those who can afford it.

Land use and agriculture

Sudan's land holds great agricultural potential, but the accelerated land acquisition by foreign investors is problematic for local farmers who find their land rights disregarded (Bertelsmann Stiftung 2016). In recent years, corruption in land governance in the country has come under greater scrutiny due to the increased commercial value of agricultural and urban land.

There are concerns that corruption plays a role in facilitating large-scale land acquisition by investors. In 2014, allegations of illegal land sales effected an investigation to determine whether public land was sold at a comparatively cheap price to ineligible owners with government connections, but the investigative committee was accused of being biased and of failing to suggest legal recourse to hold those responsible in the illegal sales (GAN Integrity 2016).

According to a report by Sudan Democracy First Group (2016b), enablers of corruption in the land and agricultural sector include:

- the prevalence of discretionary power within land administration
- the role of parallel institutions for land management
- the overlapping formal and customary institutions and the partial or non-recognition in law of established customary rights

- extensive state powers and non-transparent procedures for the allocation and privatisation of public land

The prime motivation to engage in corrupt practices in the land governance sector at a national level is profit and personal gain through the extraction of bribes and access to profits from land sales. Land is also often used as an asset for patronage to consolidate political power and influence (Sudan Democracy First Group 2016b).

Of particular concern is the risk of corruption associated with larger-scale investments, agricultural development corridors and their supply chains, whereby investors, including national and local elites, can override the rights and interests of less powerful land users.

Corruption has been shown to be extensive in: processes of delivery and development of urban land for commercial and residential purposes; in processes of land acquisition from customary authorities; use of land revenues by customary authorities; and in the capture of land titling programmes by national and local elites (Sudan Democracy First Group 2016b).

The main actors in land corruption are public officials and, in some cases, customary leaders, often operating together with land professionals and commercial developers. Politicians and high-ranking public officials are key actors in cases of grand, systematic and political corruption.

Although allegations of corruption are extremely sensitive and hard to prove, the principal conclusion is that corruption is most evident at the higher level of the investment chain, associated with deal-making in establishing partnerships, joint ventures, land acquisition and project planning with concession holders and project managers. This is supported by investment finance originating higher up the chain, with a governance system that favours those belonging or connected with the political establishment as a prime enabler of corrupt practice (Sudan Democracy First Group 2016b).

Local governments

Power structures officially function on a federal basis, but the national government is clearly the centre of power while states are often inadequately resourced and perform limited functions (Bertelsmann Stiftung 2016). This does not mean,

however, that corruption does not happen at the state or local level.

In 2015, for example, the auditor general released a report revealing a series of embezzlements and financial irregularities regarding public funds in El Gedaref state. The report states that US\$4.5 million had been embezzled, and that there are further financial irregularities surrounding the use of another US\$1.7 million (Dabanga 2017). Most of the money embezzled was taken from the ministries of finance and health.

3. Legal and institutional anti-corruption frameworks

Even though Sudan ratified the United Nations Convention against Corruption (UNCAC) and signed the African Union Convention on Preventing and Combating Corruption, its legislative anti-corruption framework is not very comprehensive (GAN Integrity 2016). and shows major gaps in terms of sanctions. The US State Department also reports a lack of criminal penalties aggravated by weak enforcement.

When discussing the legal framework of a country like Sudan, however, it is important to keep in mind that a legal approach to fight corruption is unlikely to deliver results. As mentioned before, corruption in Sudan is a defining feature of the country's governance regime: the country has not managed to transition from what Mungiu-Pippidi (2015a) calls particularism (a system where the treatment of citizens depends on some particular relationship and is based on favouritism) to universalism (a system where everyone is treated equally on the basis of public integrity and impersonal administrative behaviour).

With these limitations in mind, the following sections outline the most relevant pieces of anti-corruption legislation in the country as well as the main institutions empowered to keep corruption in check.

Legal framework

The *Sudanese Criminal Act* (1991) criminalises a number of corruption-related offences such as active and passive bribery (Art. 88), extortion (Art. 176) and "criminal breach of trust" (Art. 177), which covers embezzlement and other wrongdoings for personal enrichment regarding any public property. Officials suspected of corruption, however, are

usually not investigated and go unpunished (Global Integrity 2016).

There are also some mechanisms in place to try and prevent conflict of interest. The *Interim National Constitution of the Republic of Sudan* (2005) prohibits the president, vice-presidents, ministers and "other constitutional office holders" to "practice any private profession, transact commercial business, receive compensation or accept employment of any kind other than ... the Government" (Art. 75-2). All executive and legislative constitutional office holders, justices, and senior civil service officials are also required by the constitution to present declarations of their "assets and liabilities including those of their spouses and children" (Art. 75-1). This obligation is also incorporated in the Sudanese Anti-unlawful Enrichment and Suspect Act (Art. 9). Financial asset disclosures, however, are not public and there are no mechanisms in place to force senior members of the civil service to comply with this obligation (Global Integrity 2016).

The government passed a freedom of information law in January 2015 to promote greater transparency. However, the law is not publicly available and its content was only outlined during a parliamentary hearing (Baitarian 2015). It is known that the law has 12 exceptions under which information will remain classified. These include personal records and information on national security, foreign policy and criminal procedures, but it remains unclear how the information will be categorised. Moreover, the executive branch of government will be able to control access to information as the president will have the right to appoint a minister to oversee access to information requests (Baitarian 2015). The government will also be allowed to impose fees for each inquiry and individuals will be subject to penalties under other laws if they request certain types of classified information, such as information that the government could decide is a threat to national security (Global Integrity 2016). For these reasons, local and international human rights observers and journalists remain sceptical that the law will significantly improve access to information.

According to the Financial Action Task Force (FATF), Sudan has made significant progress addressing strategic deficiencies identified in its legal framework against money laundering and terrorism financing (AML/CFT) (FATF 2015). In June 2014, the country adopted the *Money Laundering and Terrorism Financing Act* (MLFTA),

which criminalises AML/CFT and also establishes (see US Department of State 2015):

- adequate procedures for identifying and freezing terrorist assets
- a fully operational and effectively functioning financial intelligence unit
- an effective supervisory programme for AML/CFT compliance
- customer due diligence measures
- laws and procedures regarding international cooperation and mutual legal assistance

There is a public procurement law, which demands that major public procurement projects go through a competitive bidding process and covers conflicts of interest for procurement officials. However, it is frequently disregarded in practice (GAM Integrity 2016). There is also no protection for whistle-blowers in Sudan. Journalists and citizens who report corruption cases can face arrest. For this reason, many of them refrain from doing so.

Institutional framework

Anti-corruption agency

In January 2012, Sudanese President Omar Hassan al-Bashir ordered the establishment of an anti-corruption commission to “monitor and follow what is being published in the media about corruption and to coordinate with the presidency of the Republic and other competent authorities in the ministry of justice and the national assembly to complete information on what is being raised about corruption at the state level” (Sudan Tribune 2015). The head of the agency was removed by the president only a year after his appointment for not finding evidence of corruption and no replacement was appointed. Since then, the agency remains non-functional and, as a result, there is no official, independent body to fight corruption (Global Integrity 2016).

Auditor general

Although the auditor general chamber’s independence is guaranteed by law, in practice it is subject to political interference and lacks the resources to fulfil its mandate. While the auditor general is expected to make reports publicly available, the government usually does not act on its findings and recommendations. In 2014, for example, Auditor General El Tahir Abdel, the Sudanese auditor general, reported that US\$58.4 million had been stolen from the Ministry of Budget in the 2013-2014 period and that US\$3.8 million

were spent by diplomatic missions abroad and were not accounted for (Dabanga 2014). The discovery of the embezzlement, however, did not lead to any action taken against the ministries (Global integrity 2016). The auditor general’s chamber has issued reports on embezzlement by other public officials, but little or no action has been taken (Bertelsmann Stiftung 2016).

The judiciary

An independent and well-functioning judiciary is essential to good governance and anti-corruption efforts (Gloppen 2014; ACJP 2012). For this reason, the judiciary must be granted sufficient funds to properly perform its functions and keep it from becoming vulnerable to outside pressures and corruption. The Sudanese Constitution states in Article 123(2) that “the National Judiciary shall be independent of the legislature and the Executive, with the necessary financial and administrative independence.” In practice, however, only the lower courts provide some due process safeguards as the higher courts are often subject to political control (Freedom House 2016). Moreover, executive power prevails over judicial power (Global Integrity 2016). The executive has, for example, the right to appoint justices and dismiss justices, and Article 129(1) of the constitution states that the president “shall establish a commission to be known as the National Judicial Service Commission to undertake the overall management of the National Judiciary”.

Since the introduction of Islamic law post-1989, government management of the legal system as a whole has increased. Islamic institutions took over from existing universities and colleges in the provision of legal training along the lines of Islamic law, and older judges were retired or not replaced (Bertelsmann Stiftung 2016). The result was a shift in the court system as many of the new judges were less well-trained and were often accused of hurried, corrupt and arbitrary justice. They were almost always loyal to the NCP. Appointment and promotion in the judicial system is widely seen as reflecting political acceptability to the regime, as well as on occasion being the result of kinship and ethnic links (Bertelsmann Stiftung 2016).

Ombudsman

The Public Grievances Chamber of the Republic of Sudan is the country’s equivalent to an ombudsman. This office was set up as an independent body mandated to consider complaints related to grievances suffered by citizens in relation to state institutions after all other

means of litigation had been exhausted (International Monetary Fund 2013). There is little information available on the funding and structure of this office, and its main website was unavailable at the time of the research, which made it impossible to look into its latest reports and activities. Older reports by Global Integrity and other sources, however, point out that the ombudsman office was poorly staffed and underfunded and that its reports were often outdated or unavailable to the public.

Other anti-corruption watchdogs

Many anti-corruption scholars have recognised that the civil associations, political participation and the media all serve to empower collective action on behalf of society, thus rendering it better equipped to solve common problems such as corruption. Moreover, both press freedom and the strength of civil society in a country have been proven to have a positive statistical relationship with the control of corruption (Mungiu-Pippidi 2015). This section considers the state of these two variables in Sudan.

Civil society

The interim national constitution and law provide for freedom of association, but the government has severely restricted this right over the past years and, as a result, the space for civil society is shrinking. According to the US Department of State (2015c), the government has closed civil society organisations (CSOs) or refused to register them on several occasions. Government and security forces continued arbitrarily to enforce provisions of the NGO law, including measures that strictly regulate an organisation's ability to receive foreign financing and register public activities. (US Department of State 2015c). Some of the measures include:

- a requirement to register annually
- advanced approval before receiving any foreign funding
- obstruction of permits for public assembly, especially following the demonstrations of 2013
- penalties and fines if actions are judged as showing opposition to the government

Under the government's "Sudanization" policy, many organisations reported they faced administrative difficulties if they refused to have pro-government groups implement their programmes at state level. In Blue Nile, for example, state authorities prevented one humanitarian organisation from implementing a

food security programme for several months until it agreed to collaborate with a local organisation selected by the state government (US Department of State 2015c).

Moreover, CSOs are frequently harassed if they are not openly "Islamic" and approved by the government (Bertelsmann Stiftung 2016). Student protest movements have been broken up on several occasions, while the most widespread urban unrest in over 50 years of independence was violently repressed in 2013 with an estimated 200 deaths.

Independent organisations with a political agenda face increasing difficulties: As mentioned earlier, in December 2014, NISS arrested members of the opposition following their return from Addis Ababa where they had been invited by the African Union's High-level Implementation Panel (AUHIP). The government has also established its own "civil society groups", which are essentially government organised non-governmental organisations. Independent groups, such as human rights organisations, have often been harassed. Cooperation is difficult among groups that are in any way critical of government, though some have increasingly tried to make a common cause.

The media

As mentioned previously, the government has increasingly attempted to control and interfere with the media's work: editions have been seized before publication (security officials regularly monitor the presses), papers have been temporarily closed or fined when they are too critical of the government.

Defamation in Sudan can also be prosecuted as either a criminal offence or a civil matter, and even though there have been few high-profile criminal defamation cases against journalists in recent years, this is mostly because authorities more often respond to critical reporting with other measures, including arbitrary detention and suspension of outlets. Journalists are also being frequently arrested and held in prison without sound reason and, as a result, many engage in self-censorship (Freedom House 2016).

As mentioned earlier, the 2009 Press and Publications Act allows for restrictions to the press in the interests of national security and public order, contains loosely defined provisions related to bans on the encouragement of ethnic and religious disturbances and the incitement of violence, and

holds editors in chief criminally liable for all content published in their newspapers. There are also other laws that are commonly used against the press, including elements of the 1991 penal code, the 2010 National Security Forces Act, and emergency measures that have been enacted in the restive regions of Darfur and Kordofan (Freedom House 2016).

The National Telecommunications Corporation (NTC) closely monitors the internet (Global Integrity 2016) and blocks websites that are deemed to violate the norms of public morality. The NISS is reportedly capable of blocking websites on national security grounds and has a “cyber-jihadist” unit proactively monitoring social media and other online platforms to spread misinformation, manipulate discussions and collect information on critical writers (Freedom House 2016). News websites also suffer persistent cyberattacks that activists attribute to the authorities. In 2015, for example, at least three news outlets reported cyberattacks ahead of national elections (Freedom House 2016).

4. Anti-corruption entry points for highly corrupt environments

As portrayed in the previous sections, corruption is a widespread issue in Sudan and has clear effects on the country’s economy and politics, but also on its citizens’ every-day lives. The academic literature shows, however, that despite big amounts of money being invested into anti-corruption programmes by aid agencies and international organizations, progress in the fight against corruption is often negligible (see Johnson 2016 and Mungiu-Pippidi et al. 2011). Mungiu-Pippidi (2016), for example, manages to identify only six countries that around the world that have managed to overcome systemic corruption and successfully establish a regime characterized by good governance over the past 30 years. This group of “achievers” includes Estonia and Georgia in Eastern Europe; Chile, Costa Rica, and Uruguay in Latin America; Botswana in Africa; and South Korea and Taiwan in East Asia. This lack of progress has been attributed to a number of factors, including:

- ***Misconceptions of how corruption operates in developing countries and fragile states:*** aid agencies are often ill-equipped to combat corruption in an environment such as Sudan’s, where corruption is a defining feature of the governance context rather than an exceptional behaviour (see Johnson 2016a, Mungiu-Pippidi et al. 2011). Scholars agree that improving the legal framework, increasing sanctions or creating new specialized anti-corruption institutions in a highly corrupt environment, is unlikely to generate the desired results because these strategies focus only on one side of the drivers of corruption and are often inspired in strategies taken from found in economically developed and stable environments (Mungiu-Pippidi 2015).
- ***Use of inappropriate anti-corruption strategies for fragile states:*** Closely related to the previous point, different contexts require different anti-corruption strategies. Policy frameworks cannot be simply transposed from non-corrupt, stable environments to corrupt and fragile states, but aid agencies often promote the same good-governance reforms in fragile states that they use elsewhere. They continue, for example, to focus on petty and bureaucratic corruption and working with governments when they should be focusing on political corruption and supporting civil society (Johnson 2016) and the media (Mungiu-Pippidi 2011).
- ***Fighting corruption is not only a technical challenge:*** As illustrated throughout this document, politics and corruption in Sudan are deeply entangled. For this reason, politics should not be considered as an exogenous variable by aid agencies and international organisations willing to engage in developing countries or fragile states (Marquette 2011). A successful anti-corruption programme in such a context needs to consider politics to identify potential entry points and local partners, i.e. the groups that are expected to win/lose from fighting against corruption. Fighting systemic corruption requires a broad basis of participation to succeed and it is highly unrealistic to expect this to happen over a short interval of time and with non-political instruments. Broad national coalitions are thus necessary and the main role of the international community is to support them to grow and become powerful (Mungiu-Pippidi et al. 2011). Good governance programmes could, for example, entrust audits, controls and reviews to those groups who are losing from the existing corrupt arrangements and so draw on natural competition to fight favouritism and undue privilege (Mungiu-Pippidi et al. 2011).

- **Organizational barriers:** Several scholars have pointed out that anti-corruption and good governance programmes are often ineffective because of the ways in which aid agencies operate (see Johnson 2016 and Marquette 2011). Some of the main obstacles include: inadequate human and financial resources, rigid procedures, disbursement pressures, risk aversion, and perverse organizational incentives for prioritizing programs with high spending-to-staff ratios (Johnson 2016).
- **Lack of donor coordination:** To maximize impact, donors need to join forces for an anticorruption long-term strategy which covers all the elements of a balance and avoid both overlaps and oversights. Coordination is needed to allow specialization, with some donors taking over digitalization, others civil society development, others freedom of the press, rule of law or simplification of trade rules. The simple adoption of indispensable transparency tools- fiscal transparency, financial disclosures, property transparency and registration require alignment and local coalitions cutting across state and society to cooperate with donors (Mungiu-Pippidi et al. 2017 forthcoming).

Given the challenges outlined above, fighting corruption in fragile environments might seem like an impossible task. There is, however, academic work pointing at strategies that could help improve the current efforts. Huther and Shah (2000: 12), for example, recommend to start fighting corruption in highly corrupt environments with weak governance by focusing on “establishing the Rule of Law, strengthen institutions of participation and accountability and limit government interventions to focus on core mandate”.

Establishing Rule of Law, however, is not an easy task and scholars have only recently started to explore this issue. In their paper “Microfoundations of the Rule of Law”, Hadfield and Weingast (2014) claim that introducing rule of law into an existing society requires the transition from one coordination equilibrium to another.

Since the existing system provides certain benefits, however, people may resist change, especially if they are uncertain about either the behaviour of others or whether the new system will work as promised. This uncertainty reduces the benefits of behaving according to the new rules and therefore

reduces the likelihood that the transition will succeed.

There is also growing consensus among scholars that development programming has to change to obtain better results in anti-corruption. A growing body of evidence suggests that “development programming that is politically savvy, ‘works with the grain’ of local political economy conditions and is led locally (rather than led by donors) is more likely to be effective than its opposite: aid that is insensitive or ignorant of the local political context; that imposes an external model, whether it fits or not; and that fights against the grain of the local political economy, whatever the motivation for doing so” (Marquette 2016 and Khan 2010).

As a result, over the past 20 years, the governance agenda has actively attempted to integrate what the OECD (2009) defines as political economy analysis (PEA), i.e. the study of “political and economic processes in a society: the distribution of power and wealth between different groups and individuals, and the processes that create, sustain and transform these relationships over time.”

However, despite the fact that nearly all donor agencies now have dedicated staff working on PEA, efforts to mainstream such approaches have encountered several obstacles, including “stiff opposition” within donor agencies, as well as administrative hurdles, institutional constraints and cultural inertia (Jenkins 2016). Evaluations of DFID and World Bank programmes have argued that the use of political economy analysis remains a “largely intellectual agenda rooted in the governance silo” (Yanguas & Hulme 2014).

Critics also allege that PEA is too often a one-off exercise and its findings and recommendations become subordinated to the broader programmatic logic (Yanguas & Hulme 2014; Halloran 2014). They further contend that existing ways of working, such as the widespread employment of logical frameworks, generally foster rigid and linear programme structures unsuited to the changing environment which a programme invariably experiences over its lifecycle (Algozo & Hudson 2016). In this view, the failure of PEA to overcome existing working practices typical of major donor agencies has hamstrung PEA’s potential to improve programme success rates (Carothers and de Gramont 2013).

5. References

Acemoglu, D. and J.A. Robinson. 2012. *Why Nations Fail: The Origins of Power, Prosperity and Poverty*. New York: Crown Publishers.

African Centre for Justice and Peace. 2012. The Judiciary in Sudan: Its Role in the Protection of Human Rights During the Comprehensive Peace Agreement Interim Period. <http://www.acjps.org/wp-content/uploads/2012/04/The-Judiciary-in-Sudan.pdf>

Algozo, D. and Hudson, A. 2016. Where Have We Got to on Adaptive Learning, Thinking and Working Politically, Doing Development Different Etc.? Getting beyond the People's Front of Judea. Oxfam Blogs.

Alt, J.E and D. Lassen. 2008. "Political and Judicial Checks on Corruption: Evidence from American State Governments". *Economics and Politics* 20.

Baitarian, L. 2015. "Sudan passes freedom of information law, but journalists remain wary", Committee to Protect Journalists, <https://cpj.org/blog/2015/02/sudan-passes-freedom-of-information-law-but-journa.php>

Bertelsmann Stiftung. 2016. "BTI 2016: Sudan Country Report". Gütersloh: Bertelsmann Stiftung. http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Sudan.pdf

Cairo Institute for Human Rights Studies. 2016. "Sudan" in Cairo Institute for Human Rights Studies, *Human Rights Under Siege: Human Rights in the Arab Region Annual Report 2016*. <http://www.cihrs.org/AR6/English/07.pdf>

Carothers, C. & de Gramont, D. 2013. *The Almost Revolution: Development aid confronts politics*, Washington DC, Carnegie Endowment.

Cockett, R. 2016. Sudan: *The Failure and Division of an African State*, New Haven: Yale University Press.

Dabanga. 2014. "Sudan's Auditor General Reports 'Corrupt Figures'", *Dabanga* (17 December 2014). <https://www.dabangasudan.org/en/all-news/article/sudan-s-auditor-general-reports-corrupt-figures>

Dabanga. 2017. "Considerable Embezzlement, Irregularities in Sudan's El Gedaref state': Auditor-General". <https://www.dabangasudan.org/en/all-news/article/considerable-embezzlement-irregularities-in-sudan-s-el-gedaref-state-auditor-general>

Dahl, R.A. 2000. *On Democracy*. New Haven: Yale University Press.

Della Porta, V. and A. Vannucci. 1999. *Corrupt Exchanges: Actors, Resources, and Mechanisms of Political Corruption*. New York: Aldine de Gruyter

Department of State. 2015a. "Sudan Investment Climate Statement 2015" <https://www.state.gov/documents/organization/244666.pdf>

Department of State. 2015b. "Countries/Jurisdictions of primary concern: Sudan", *2015 International Narcotics Control Strategy Report*. <https://www.state.gov/j/inl/rls/nrcrpt/2015/supplemental/239312.htm>

Department of State. 2015c. "Sudan 2015 Human Rights Report". <https://www.state.gov/documents/organization/252945.pdf>

Faccio, M. 2006. "Politically Connected Firms" *The American Economic Review* 96(1).

Financial Action Task Force. 2015. "Improving Global AML/CFT Compliance: on-going process – 26 June 2015". <http://www.fatf-gafi.org/publications/high-riskandnon-cooperativejurisdictions/documents/fatf-compliance-june-2015.html> - Sudan

Ferraz, C. and F. Finan. 2011. "Electoral Accountability and Corruption: Evidence from the audits of local governments," *American Economic Review* 101. http://eml.berkeley.edu/~ffinan/Finan_Termlimits.pdf

Freedom House. 2016. "Freedom in the World: Sudan".

<https://freedomhouse.org/report/freedom-world/2016/sudan>

Freedom House. 2016b. "Freedom of the Press"

<https://freedomhouse.org/report/freedom-press/2016/sudan>

Fund for Peace. 2016. "Fragile State Index 2016" Washington DC: Fund for Peace.

<http://library.fundforpeace.org/library/fragilestatesindex-2016.pdf>

GAN Integrity. 2016. "Sudan Corruption Report", GAN Business Anti-Corruption Portal.

<http://www.business-anti-corruption.com/country-profiles/sudan>

Global Humanitarian Assistance. 2011. "Resource Flows to Sudan", United Kingdom: Global Humanitarian Assistance.

<http://www.globalhumanitarianassistance.org/wp-content/uploads/2011/07/gha-Sudan-aid-factsheet-2011-South-Sudan-focus1.pdf>

Global Witness. 2009. "Fuelling Mistrust: The Need for Transparency in Sudan's Oil Sector". London: Global Witness.

<https://www.globalwitness.org/en/archive/fuelling-mistrust-need-transparency-sudans-oil-industry/>

Global Witness. 2011. "Crude Calculations: The Continued Lack of Transparency over Oil in Sudan". London: Global Witness.

https://www.globalpolicy.org/images/pdfs/Crude20Calculations_0.pdf

Gloppen, S. 2014. "Courts, Corruption and Judicial Independence" in Soreide, T. and A.

Williams. 2014. *Corruption, Grabbing and Development: Real World Challenges*, Northampton: Edward Elgars Publishing. <https://www.cmi.no/publications/file/5091-courts-corruption-and-judicial-independence.pdf>

Hadfield, G.K and B.R. Weingast. 2014. "Microfoundations of the Rule of Law", *Annual Review of Political Science* 17(21),

<http://www.annualreviews.org/doi/pdf/10.1146/annurev-polisci-100711-135226>

Huther, J. and A. Shah. 2000. "Anti-corruption Policies and Programs: A framework for Evaluation" *Policy Research Working Paper* 2501. Washington DC: World Bank.

<http://siteresources.worldbank.org/INTWBIGOVA/NTCOR/Resources/AntiCorruptionPoliciesandPrograms.pdf>

International Budget Partnership. 2016. "Sudan Open Budget Survey".

<http://www.internationalbudget.org/opening-budgets/open-budget-initiative/open-budget-survey/country-info/?country=sd>

International Council on Human Rights. 2009. "Corruption and Human Rights: Making the Connection", Geneva: International Council on Human Rights.

http://www.ichrp.org/files/reports/40/131_web.pdf

International Criminal Court. 2009. "First Warrant of Arrest for Omar Hassan Ahmad Al Bashir".

<https://www.icc-cpi.int/darfur/albashir#>

International Criminal Court. 2010. "Second Warrant of Arrest for Omar Hassan Ahmad Al Bashir".

<https://www.icc-cpi.int/darfur/albashir#>

International Crisis Group. 2011. "Divisions in Sudan's Ruling Party and the Threat to the Country's Future Stability". *Africa Report* 174.

<https://d2071andvip0wj.cloudfront.net/174-divisions-in-sudan-s-ruling-party-and-the-threat-to-the%20country-s-stability.pdf>

International Monetary Fund. 2013. "Sudan: Interim Poverty Reduction Strategy Paper" *IMF Country Report* 13/318.

<https://www.imf.org/external/pubs/ft/scr/2013/cr13318.pdf>

Jenkins, M. 2016. "Thinking and working politically in donor-funded anti-corruption programmes" *U4 Expert Answer*. Bergen: Chr. Michelsen Institute.

Johnson, J. 2016. *Anti-Corruption Strategies in Fragile States*. Cheltenham, UK: Edward Elgar Publishing.

Kaufmann, D. and P.C. Vicente. 2011. "Legal Corruption" *Economics and Politics* 23(2).

- Khan, M.H. 2010. "Political Settlements and the Governance of Growth- Enhancing Institutions". http://eprints.soas.ac.uk/9968/1/Political_Settlements_internet.pdf
- Lindner, S.. 2014. "Resources on Money Laundering in Sudan and on the BNP Paribas Case" *Anti-Corruption Helpdesk*. Berlin: Transparency International.
- Marquette, H. 2011. "Donors, State Building and Corruption: lessons from Afghanistan and the implications for aid policy" *Third World Quarterly* 32(10).
- Marquette, H. 2016. "Tackling corruption: Why we need to do things differently" <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/international-development-committee/tackling-corruption-overseas/written/30710.html>
- Martini, M. 2012. "Corruption and Anticorruption in Sudan". *U4 Expert Answer* 342. Bergen: Chr. Michelsen Institute. http://www.transparency.org/files/content/corruptionqas/342_Corruption_and_anti-corruption_in_Sudan.pdf
- Mdulu, N. and M. Grieco (ed.) 2010. *Failed and Failing States: The Challenges to African Reconstruction*. Newcastle: Cambridge Scholars Publishing.
- Mukum Mbaku. 2015. Sudan: Elections 2015, *Brookings*. <https://www.brookings.edu/blog/africa-in-focus/2015/04/01/sudan-election-2015/>
- Mungiu-Pippidi, A. 2006. "Corruption: Diagnosis and Treatment", *Journal of Democracy* 17(3). <http://www.journalofdemocracy.org/article/corruption-diagnosis-and-treatment>
- Mungiu-Pippidi, A., M. Loncaric, B. Vaz Mondo, et al. 2011. *Contextual Choices in Fighting Corruption: Lessons Learned*. Oslo: NORAD. <https://www.norad.no/en/toolspublications/publications/2011/contextual-choices-in-fighting-corruption-lessons-learned/>
- Mungiu-Pippidi, A. and R. Martinez B. Kukutschka. 2013. "European Union Member States" in *The Anti-Corruption Report vol. I: Controlling Corruption in Europe*. Opladen: Barbara Budrich. <http://anticorpp.eu/wp-content/uploads/2013/09/EU-Member-States-Chapter-21.pdf>
- Mungiu-Pippidi, A. 2015. *The Quest for Good Governance: How Societies Develop Control of Corruption*. Cambridge: Cambridge University Press.
- Mungiu-Pippidi, A. 2015a. "Public Integrity and Trust in Europe". Berlin: European Research Centre for Anti-Corruption and State-Building. http://www.eupan.eu/files/repository/20160202135959_2016-01-21_-_Public_integrity_and_trust_in_Europe_-_final.pdf
- Mungiu-Pippidi, A. 2016. "Learning from Virtuous Circles" *Journal of Democracy* 27(1). <http://www.journalofdemocracy.org/sites/default/files/Mungiu-pippidi-27-1.pdf>
- Mungiu-Pippidi, A., R. Dadasov and S.N Alrado. 2017 forthcoming. "Fixing the Balance: The Roadmap to evidence-based control of corruption" Berlin: European Research Centre for Anti-Corruption and State-Building.
- OECD. 2009. *Donor Approaches to Governance Assessments: 2009 Sourcebook*. Paris: OECD
- Oette, L. and M. Abdel-Salam Babiker. 2014. "The Rule of Law and Human Rights in Sudan: Challenges and Prospects for Reforms". Sudan *Democracy First Group Institutional Reform Series* 2. http://www.democracyfirstgroup.org/News/Rule%20of%20Law%20and%20Human%20Rights%20ENGLISH_FINAL.pdf
- Persson, A., B. Rothstein and J. Teorell. 2013. "Why Anticorruption Reforms Fail – Systemic Corruption as a Collective Action Problem" *Governance* 26(3). <http://onlinelibrary.wiley.com/doi/10.1111/j.1468-0491.2012.01604.x/epdf>

Sidon, B. 2016. "Sudan: A country report based on data 1900-2014" *V-Dem Country Report Series* 10.

https://www.v-dem.net/media/filer_public/5f/53/5f530c38-7043-4e69-9ae0-327606f0a03b/cr010_sudan.pdf

Simons, M. 2011. "Prosecutor Confirms Accusation Against Sudan Leader" *The New York Times*.

<http://www.nytimes.com/2011/01/02/world/africa/02wikisudan.html>

Sudan Democracy First Group. 2016a. "Pursuing Transparency in Sudan's Oil Industry", *Sudan Transparency Initiative Series*.

<http://www.democracyfirstgroup.org/wp-content/uploads/2016/01/Pursuing-Transparency-in-Sudan-Oil-Industry.pdf>

Sudan Democracy First Group. 2016b. "Land Use, Ownership and Allocation in Sudan: The Challenge of Corruption and Lack of Transparency". *Sudan Transparency Initiative Series*.

<http://www.democracyfirstgroup.org/wp-content/uploads/2016/10/Land-Use-Ownership-and-Allocation-in-Sudan.pdf>

Sudan Democracy First Group. 2016c. "Corruption in the Health Sector: The Public Hospitals".

<http://us7.campaign-archive1.com/?u=7acabab6ae470b89628f88514&id=238268a745&e=85719085e5>

Sudan Democracy First Group. 2016d. "Traffic Police Corruption: The On-the-Spot Fines".

<http://us7.campaign-archive2.com/?u=7acabab6ae470b89628f88514&id=4421a27666>

Sudan Tribune. 2015. "Sudanese Transparency Organization calls for taking action to combat corruption", *Sudan Tribune* (November 2015).

<http://www.sudantribune.com/spip.php?article56063>

Transparency International. 2009. "The Anti-Corruption Plain Language Guide" Berlin: Transparency International.

Transparency International. 2016. "People and Corruption: Middle East and North Africa Survey 2016". Berlin: Transparency International.

http://www.transparency.org/whatwedo/publication/people_and_corruption_mena_survey_2016

Transparency International. 2017. "Corruption Perceptions Index 2016" Berlin: Transparency International.

http://www.transparency.org/whatwedo/publication/corruption_perceptions_index_2016

World Bank. 2016. *Doing Business 2017: Equal Opportunity for All*. Washington DC: The World Bank.

<http://www.doingbusiness.org/~media/WBG/DoingBusiness/Documents/Annual-Reports/English/DB17-Report.pdf>

Yanguas, P. and Hulme, D. 2014. Can Aid Bureaucracies Think Politically? the Administrative Challenges of Political Economy Analysis (PEA) in DFID and the World Bank, ESIF Working Paper 33.

<http://www.effective-states.org/working-paper-33/>