

SCOPING STUDY ON OPEN CONTRACTING IN WEST AFRICA



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Report on British interests and priorities in relation
to Open Contracting Principles

Scoping Study on Open Contracting in West Africa

REPORT ON BRITISH INTERESTS AND PRIORITIES IN RELATION TO OPEN CONTRACTING PRINCIPLES

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EXECUTIVE SUMMARY

The purpose of this consultancy is to support scoping studies on open contracting in West Africa and to identify potential British interests and priorities in the region.

The goal for this project is to gauge the state of openness of public procurement processes in five West African countries (Ghana, Nigeria, Senegal, Liberia and Guinea) and to identify opportunities for procurement reform and the adoption of Open Contracting Principles (see Appendix I – Open Contracting Principles).

Through this consultancy, the project seeks to understand prospects for increasing the prosperity of West African nations and the UK through collaboration on implementation of Open Contracting principles. It will do this through the provision of recommendations to the FCO on potential British interests and priorities that would benefit with the implementation of Open Contracting reforms.

This paper looks specifically at international (and especially British) company interests in these five markets. We have analysed third party surveys and indices of the corruption environment, especially around public procurement, and have conducted our own interviews of 17 companies with a long-term commitment to, and knowledge of, these markets.

Building on these sources, we have identified 10 recommendations for the British Government about possible approaches to supporting British business in these markets through technical assistance, capacity building and stronger coordination of development aid, trade promotion, and anti-corruption policies:

- 1) Work with host governments to strengthen governance and law enforcement
- 2) Support anti-corruption training and support for specific audiences
- 3) Build capacity and share public procurement best practices from other countries
- 4) Support host government programs in promoting beneficial ownership transparency
- 5) Invest in e-procurement development and capacity
- 6) Link anti-corruption, trade and development portfolios in select developing countries
- 7) Leverage the power of the private sector in development projects through greater engagement and finding solutions
- 8) Support British companies directly and in alliance with G20 emerging countries
- 9) Support British companies in dealing with corruption risk in developing markets
- 10) Build capacity of SMEs in West African countries to resist corruption

METHODOLOGY

We have used a mix of third party research and our own primary research.

The most directly relevant third party research is that of the World Bank's Benchmarking Public Procurement (BPP) project¹. BPP has been running for 3 years, and now covers 180 countries. For the first time this year, all five countries which are part of this study are covered. We have examined their findings in full and included a section analyzing the main differences and similarities between the countries.

BPP covers some important areas of the public procurement process which all have a bearing on the extent that Open Contracting (OC) Principles are being followed. The data highlights such areas as publication of tender notices and documents, the accessibility of tenders for small and medium sized companies, and the digitalization of the procurement process. The findings go some way to comparing the level of "disclosure and participation" (a key tenet of the OC Principles) in public contracting at least as embodied in the legal and regulatory context. On a number of areas which are not explicitly covered by OC Principles such as complaints procedure, they go into detail on process which will meet the important output of the OC Principles "of making contracting more competitive and fair".

BPP does not deal with the supervisory role of civil society, which is an important part of the OC Principles. And it does not reflect the level of corruption and abuses of public procurement on the ground. It deals with the legal and regulatory framework. In countries - and the five countries of this study are good examples - where there is predominantly weak rule of law and institutions, combined with poor governance and enforcement, the gap between the rules and regulations and what actual happens in public tenders will be particularly wide. The interviews picked up on this. The World Bank argues that a legal and regulatory framework that clearly establishes the ground rules, constitutes a good start for building a system which achieves free and open contracting.

In this study, we analyze the BPP results for the five countries and show their comparative advantages and disadvantages in various parts of the procurement process. At the same time, to give a taste of the realities of the ground we have conducted a number of interviews of our own. Apart from highlighting the discrepancy between the law and the practice on the ground, they also demonstrate the extent to which corruption in public procurement, or at the very least, the absence of open contracting, is stopping or discouraging British and other international companies from competing.

From our own interviews, we quickly established that it was impossible to isolate difficulties in public procurement as the main reason for British and other international companies' reluctance to do business in one or other country. There were many other factors at play in influencing their decision including the economy, business opportunities, political stability and of course, corruption risk in areas other than

¹ Benchmarking Public Procurement 2017, World Bank Group. <http://bpp.worldbank.org/reports>

procurement (for example facilitating payments for customs or other public officials). However, without a doubt, public procurement is a high risk area for British companies.

For the sake of completeness, and for our readers' future reference, we have reproduced some key indices which reflect the realities of corruption in these countries. Indeed, when companies make a decision to invest or divest in a country, as a starting point, they often refer to indices such as Transparency International's Corruption Perceptions Index, the World Bank's Ease of Doing Business Index, the World Bank's World Governance Indices, Ibrahim Index of African Governance, the Bertelsmann Transformation Index and the Trace Matrix. Whatever the methodologies used by these indices, the fact remains that they are influential in guiding companies that are deciding about their trade and investment strategies. For this reason, we have extracted a selection of the data about the five countries and have included them in Appendix II - Corruption Perceptions in Five Countries.

Our own interviews were with representatives of 17 British and other nations' companies with many years of experience of doing business in these five countries.

Country	Industry				
	Telecoms	Extractives	Infrastructure	Agriculture	Professional services
West Africa		Anglo-American	AECOM		PwC
Ghana		Newmont Mining			CSS Law, Ghana Chamber of Commerce
Nigeria	Vodacom Group	Mace Management Services	GE	Booker Tate	PwC, EY
Liberia				Golden Veroleum	
Guinea			Henderson Risk		Ghana Chamber of Commerce
Senegal		Stratex			DIT

In practice it was very difficult to get interviews with specifically British companies – many companies are in any case multinational in nature. There are also very few British companies represented in Liberia, Guinea and Senegal with whom we could establish communications. So some of the companies were US-based, or local companies run by British nationals. The corruption challenges they encountered were in any case similar to those any British company would encounter.

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The people we interviewed were mostly CEOs, Heads of public affairs, or in the professional services sector, senior or managing partners. We found very few people who had had direct experience of bidding in local tenders. However, they either worked with, or for, people who had.

The industries selected were those where we expected there to be the highest chance of public tenders issued by the local authorities.

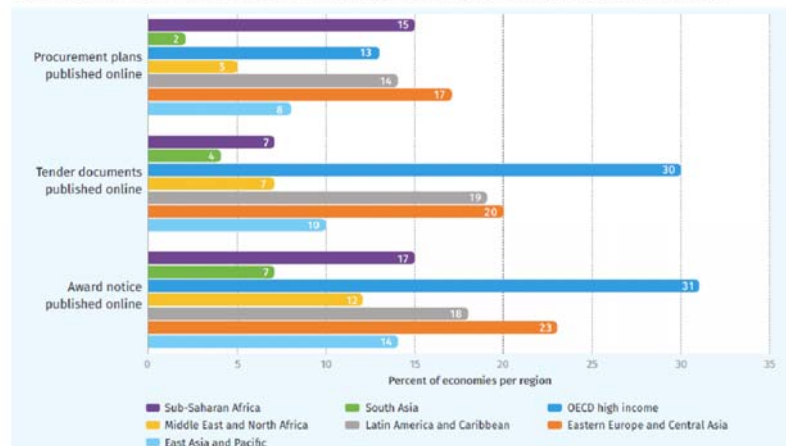
The interviews were conducted over the course of 3 weeks by phone. Each interview lasted between 40 and 50 minutes and was conducted as an interactive discussion rather than Q&A. However, each participant had seen a list of topics in advance. We agreed with the participants not to publish their names.

LEGAL AND REGULATORY FRAMEWORKS IN THE FIVE COUNTRIES

The World Bank’s analysis of different groups of countries according to income level is revealing. All five countries of this study relate to the categories “Sub-Saharan Africa.” Liberia, Senegal and Guinea are “low income” economies, Ghana and Nigeria are “low-middle income” economies. We start by looking at the broad trends in the regions, according to the World Bank research, then we will look at the five countries in more detail. The BPP results for the five countries can be found in Appendix II.

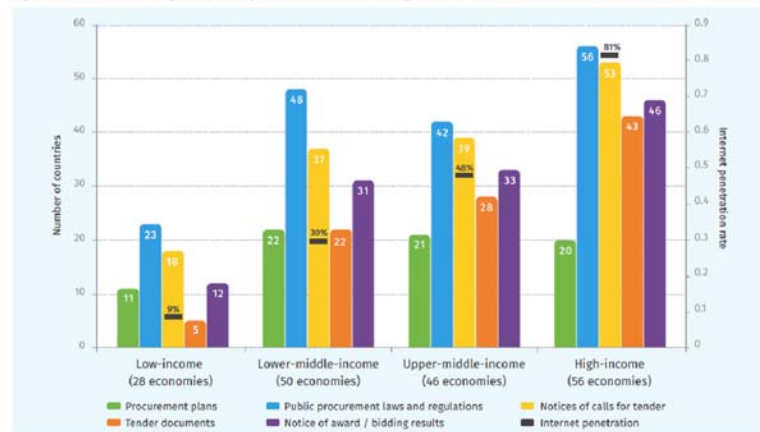
Sub-Saharan countries had a good record of publishing procurement plans and notices before the tender takes place, and they publish award notices after the tender, this group of countries is weakest than most at publishing the actual tender documents. It means that there is a heightened risk of changing terms and conditions perhaps through a “negotiation” between one of the suppliers and a public official responsible for the tender. Furthermore, the tender documents may have to be paid for – illegally -, thus curtailing access for companies.

Figure 2.2 Availability of documents online varies across regions and depends on the type of information



Source: Benchmarking Public Procurement 2017 database.

Figure 2.3 In all income regions, public procurement laws and regulations are the most readily available documents online



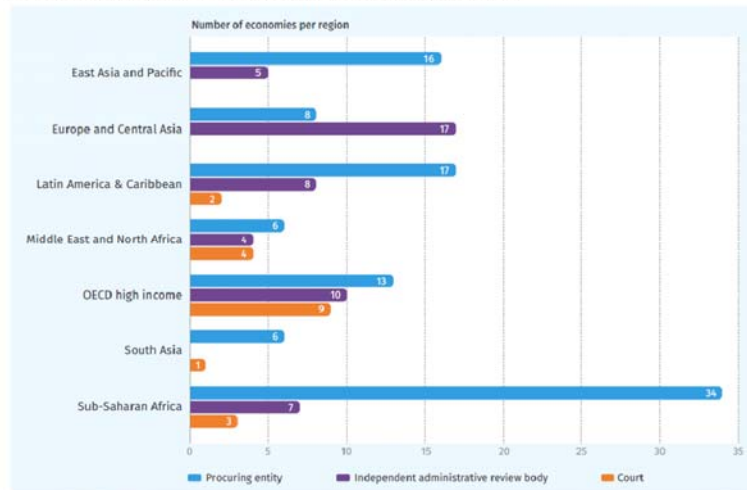
Source: Benchmarking Public Procurement 2017 database.

The second table shows the rather low level of online availability of public procurement documents in the low income countries in comparison with higher income economies. It points to an important but not surprising fact: the level of electronic procurement is low in the five countries. Although e-procurement provides no guarantee that tenders will be conducted openly and fairly, by taking out the “human element” from the process, it makes it a lot harder for corrupt practices to take place. E-procurement also has other advantages such as ensuring bids do not get lost, lowering transportation costs of bidding documents. Although OC Principles does not stipulate that e-procurement is the method that has to be shown, it is generally accepted that this is the best way of achieving OC Principle 4: “Governments shall develop systems to collect, manage, simplify and publish contracting data regarding the formation, award, execution, performance and completion of public contracts in an open and structured format, in accordance with the Open Contracting Data Standard as they are developed, in a user-friendly and searchable manner.”

It is worth mentioning the accessibility of public procurement for small and medium sized enterprises (SMEs). This is not necessarily an issue of corruption, but of open access and higher competition which are both important criteria underpinning OC Principles. SMEs can be discouraged from participating in public tenders in a number of ways. For example, the amount of the bid security which is required in all 45 Sub-Saharan economies and of the performance guarantee which is required in 27 of the 28 economies, can be placed at a high enough level to make participation prohibitively costly. Another area of possible exclusion of SMEs is the punctuality of payment to suppliers. In the low income economies, payment for products and services is 31-90 days which may create serious cash flow problems. Although this would not hurt a large multinational bidding for business, a UK new entrant exporter or their local distributor to one of these countries would certainly think twice before submitting a bid under these conditions.

BPP analyses in some detail the complaints procedure. Although complaints procedure is not mentioned specifically in the OC Principles, there is an important section on “participation, monitoring and oversight.” Although the OC Principles focuses most on citizen activism to expose malfeasance in public procurement, there is no doubt that in the first instance the bidders themselves need to have recourse to some kind of review process. The transparency of that process will also lead to greater access to data for the public and other players – not necessarily just the bidders. Interestingly, the five study countries, the complaints procedure, most often is handled by the procuring entity itself, and not an independent review body or the courts. This can of course lead to a conflict of interest where the procuring body will not wish to incriminate itself and will reject such appeals. Not all countries’ legislations mandate that the results of the review decisions should be published – for example in our five countries, Guinea and Liberia fall into this category. Finally, where independent auditing is an option, these oversight bodies are typically under-resourced and in need of training, leading to limited or no action.

Figure 2.10 Procuring entities are the most common review fora in most regions



Source: Benchmarking Public Procurement 2017 database.

The five countries are fairly representative of their respective groupings in the analysis above. Turning to a comparison of the five countries, we see that in terms of call for tender and pre-tender documentation, the five countries score relatively low compared to other countries in the world. The lack of electronic systems, absence of obligations to post tender documents online are all areas for improvement. Guinea fares slightly worse than the others – the rules do not stipulate for internal market analysis guidelines during the market research phase, and there is no stated time frame for addressing bidders’ questions. Nigeria fares slightly better because it is the only country of the five which allows for - although does not require - consultation between the procuring entity and the private sector and other stakeholders for needs assessment. This does not mean that in the other country, there is no pre-tender contact between bidders and issuers, but it does mean that there is more chance that this contact could be unofficial in nature and therefore could provide a space for uncompetitive practices.

In terms of accessibility for SMEs, Ghana scores lowest of the five for bid submission processes. While bid security is expressed as a maximum percentage in the other countries, Ghana allows the amount of the bid security instrument to be established at the discretion of the bidding authority – thus giving opportunities for officials to set it at a level that could disenfranchise or discourage certain companies from bidding. Liberia scores best in this section because it uses different forms of bid security, albeit at the choice of the issuing authority, and it specifies a time frame for the return of the bid security.

While Liberia is incentivizing SMEs to bid, it scores poorly on performance guarantee and payment of suppliers, which will act as a disincentive to SMEs. Unlike the other four countries, it has no timeframe for return of performance guarantee. While it guarantees payment of suppliers within the 31 to 90-day timeframe, it has no legal obligation over when to begin processing payment. In this category, Ghana, Nigeria and Senegal perform better. On the performance guarantee, Senegal is one of the few countries in the

world that has a separate entity to oversee the decision to withhold the performance guarantee. All three countries are able to pay penalties or interest in case of payment delays.

The complaints regime varies from country to country. In Guinea, Senegal and Nigeria, the rules stipulate a relatively short lead time for decisions from the first-tier review, compared to Ghana. Guinea is the only country where the complaint could conceivably be reviewed by someone else other than the people against whom the complaint is being brought, thus avoiding potential conflicts of interest. However, in Guinea, our country study revealed only 5 instances of cancellations due to complaints and zero audits have occurred. Ghana is the only country of the five with mandatory training for the people undertaking the review process. The World Bank analysis refrains from putting a score on the complaints procedures, but each of these variations will have an impact on the effectiveness of the complaints procedure in ensuring an open, competitive process which in turn will lead to value for money for the state.

In the next section, we turn from the comparative assessment of the laws and regulations to the practical challenges which companies bidding for business in the five countries have to face.

WHAT THE COMPANIES TOLD US

How bad is corruption in the five economies?

All the indicators and indices show that Ghana and Senegal are amongst the least corrupt in Sub-Saharan Africa, and Nigeria and Guinea are amongst the most corrupt. Liberia is in-between, although closer to the more corrupt end of the scale.

The companies we interviewed confirmed this, noting that the surprising difference between Ghana and Nigeria – two neighboring countries which were both part of the British Empire, which gained independence within three years of each other, and inherited legal systems based on the British system.

Some respondents felt that the level of corruption was in some ways dependent on the political stability and institutional development of a country. So for example, Liberia, emerging from a Civil War, had simply not had the time to rebuild and stabilize its institutions. On the other hand, it was pointed out that Nigeria has quite developed institutions and a full body of anti-corruption laws including the draconian Economic and Financial Crimes Commission (Establishment) Act of 2002 – but it also has the highest level of corruption.

Another view was that more wealthy countries such as Nigeria had a more serious corruption problem precisely because it is a mineral and extractive industry-rich country and that there was much more “corrupt money” to go around. However, Liberia and Guinea, with GNI of \$400 and \$460 per capita are amongst the poorest (though admittedly resource rich) countries in the world, but also the highest level of corruption. By chance, as this report, was being written, this was illustrated by news of the major scandal of an alleged \$10.5 MM commission paid by Rio Tinto to a consultant in connection with the acquisition of mining rights in the Simandou iron ore project in Guinea.

In discussing how corruption manifests itself in business transactions, the difference between a country where corruption is “endemic” and where it is being brought under control was in the kind of corruption. In less corrupt countries, it would manifest itself in facilitating payments for services, education, healthcare. In the more corrupt countries, it was a constant in business transactions between companies and between companies and the government including in public tenders, purchase of concession licenses and major infrastructure projects.

Throughout all the countries, interviewees noted that gift giving is fairly standard practice – even though disproportionate gifts are illegal according to the UK Bribery Act, and even some domestic legislations. In Nigeria gifts for a minister’s daughter’s wedding is so widely practiced as to be almost impossible to circumvent. Internships in companies’ headquarters are also standard practice (the popularity of this practice may begin to wane following the high profile penalty imposed on JP Morgan by the US Department of Justice following similar practices in China).

Does corruption prevent international companies from investing in a market?

The general consensus from the companies we interviewed was that corruption does not prevent them from doing business in a market. All the companies we interviewed had worked for many years in these countries

and were familiar with the corruption risks, and the legal consequences of getting it wrong. In terms of risk management, they were very experienced, and as long as they followed certain guidelines, they would be able to do business.

There were many other factors, in addition to corruption risk, that could discourage foreign companies from investing in or trading with a particular country. These include the state of the economy or economic policies (e.g. Nigeria's foreign exchange restrictions and artificially high exchange rate), political instability and security risks (e.g. Liberia during or post-civil-war), health risks (e.g. Liberia and Guinea's outbreaks of Ebola), relative GNI (e.g. Nigeria's GNI per capita of \$2950 compared to Liberia's \$400) and population size (e.g. Nigeria's 179 million compared to Liberia's 4 million). Our respondents also cited a number of other factors such as language barriers (British business peoples' poor knowledge of French in francophone countries), the level of their government's support for trade and investment promotion, and the prevalence of local content requirements in the host country.

What can be concluded is that while corruption in itself will rarely drive companies out of a country or prevent them from entering, the combination of a high level of corruption with any number of the above other factors will have a detrimental effect on a company's appetite for investment. In the end it is a matter of other markets appearing to be more attractive. At the current time, it is not surprising that Nigeria, with its on-going economic crisis and poor record on corruption, is reportedly losing many foreign companies, while smaller, more stable and less corrupt countries like Senegal and Guinea are attracting them.

Does corruption prevent international companies from participating in public tenders?

While corruption would not stop companies from investing, it does act as a strong disincentive to participation in public tenders.

The entire approach of a British company that is managing its corruption risk is to avoid placing itself in a high risk situation. A public tender – the place where business and government do business together – is potentially a high risk situation.

There are very many forms of corruption in public procurement. It depends largely on the kind of contractual and tendering arrangements, the amount of money, and the strategic importance of a particular project. The tenders which we discussed with the companies included bidding for a service contract and bidding for land or production concessions. In terms of size and strategic importance and therefore the potential for corruption, they are quite different.

Here are some of the areas in public procurement which the companies mentioned as making public tenders an unattractive form of doing business:

- 1) Announcement of public tenders: Risk of unfair competitive practices in public procurement begins with the announcement of public tenders. The announcement may be "open" but in fact distributed to a very small selection of potential competitors. Another form of exclusion is timing: the "least

favoured competitors” get to hear about the bid very late in the day, this putting them at a disadvantage. The form of announcement (traditional paper based publication vs electronic means such as email or web-site) is also a form of discrimination.

- 2) Pre-bidding procedure and specification: Whilst the World Bank Group encourages an open needs assessment and the opportunity for the government to test the suppliers to ensure that they are really purchasing the right material or services for the task, pre-bidding procedures are often murky. They present an opportunity for bidders and issuers to agree on a narrow specification of a project to the exclusion of other bidders. So pre-bid consultation may be a very good thing, since it increases the chances of a high value-for-money tender, but as long as all competitors have an equal opportunity to gain access to the government decision-makers.
- 3) Formal tendering procedure: The companies we interviewed distinguished between the formal tendering procedure and the behind-closed-doors negotiations which often undermine the formal process. Even a bid which has all the elements of fair play, transparency and open competition as stated under the law, can be abused by these informal processes. The lack of electronic procurement systems, including announcements of the bid and the decision, all serve to provide windows of opportunity for uncompetitive practices.
- 4) Announcement of results: A number of companies told us that they had experienced cases when the procurement authority had not informed them about the final decision. Indeed they had only known that the project was actually going ahead when they heard that works had started under the management of a rival company (usually the bid by then had undergone several alterations). Companies invest substantial time and resource in putting a bid together, and this lack of discipline in seeing through the process to the end – whether deliberate or not – simply undermines the credibility of the government officials overseeing the process.

The respondents gave a number of examples of corrupt practices (sometimes under the guise of “incompetence” or “bureaucracy”) that at least discouraged, if not prevented, foreign companies from participating in public tenders. At the specification stage of the tender, the public officials deliberately placed a ceiling for bids at such a low level that international companies could simply not compete. A bribe would help to “lift” the ceiling to a level which enabled the international company to compete.

The high amount of the bid guarantee – in some case 15% of the contract value payable in advance could act as a disincentive. Additionally, interviewees reported a number of cases of the bribes being solicited – and sometimes paid – for the contract payment process to be initiated. In other words, you have to pay to get paid. One major infrastructure company had divested from Nigeria completely after it had not been paid a large sum from a government project.

Cases of go-slow bureaucracy abound. It is a favorite procedure to extract funds from bidders – from the tender documents that have not been made publicly available to the timing and publication of the final decision. All these are open for “negotiation”.

Broadly speaking our respondents relayed a picture of officials “trying it on”, sometimes with great creativity and imagination. While official business is standardized, corrupt business is highly individualized. Respondents felt that corrupt officials were always trying new techniques according to the companies and individuals at the table.

Overall, it appeared from our survey that not many foreign companies participated directly in public tenders. So while a company might be willing to participate in a market through other forms of investment and trade such as single source contracts and company-to-company transactions, it was less willing to participate in a public tender where the chances of losing or facing other barriers to success are higher.

We heard from several respondents that when a bid looked particularly opaque or uncompetitive, they would withdraw completely. This is not because of an ethical position or even concern about the UK bribery act – it’s a simple economic calculation. Participating in a public tender is often a time consuming and costly process. There is no incentive to participate if it looks likely that the tender has been tied up in advance.

If companies did decide to participate in a public tender, they could find ways of doing so, while minimizing the risk. For example, they could use local companies to bid for them as proxies. Local companies will have closer relations (sometimes even family ties) with government decision-makers. The UK Bribery Act makes the use of agents as a way of avoiding responsibility for bribery illegal. However, in practice, companies can protect themselves from frontline risk by using agents, and by training the agents and ensuring that the agents have signed up to anti-corruption compliance principles (what is known in the legislation as “adequate measures”). One specific example was the insistence of the issuing authority to deal with a local company. The local company would create an alliance with an international company and would be the direct bidder, doubling its bid in order to pay necessary “costs”. When one international company refused to participate in the scam, it was blacklisted for corrupt activities!

Another tactic of companies is to be absolutely clear - even vocal - about their commitment to international compliance principles, and to flatly refuse giving any kind of bribe. Several respondents confirmed that this was the most practical and effective way of resisting solicitation. After a few attempts, word would get out on the market that a particular British company would never pay a bribe and the people soliciting would desist.

We learnt of one case where a British company bid for a project knowing full well that a competitor would win it. After a few months of the project implementation phase, the winning bidder (from China) failed to deliver according to contract, and the issuing authority concluded a single source contract with the British company to complete the project on time.

These examples illustrate that it is not impossible for companies to participate in public tenders in the five countries, but the risks are amongst the highest that companies will face and therefore it is not surprising that companies concentrate on other kinds of business.

Are international companies at a competitive disadvantage in public tenders?

There was a consensus that foreign companies are at a disadvantage compared to local companies. Local companies have local ties with government officials, and may be able to reach agreement “off the record” during the pre-tender stage. One company mentioned a case where they bid for a contract only to find that the bidding documents had changed. They had not been informed. When they lost the bid, they were not informed on that either. Clearly it was a case where the bid had been wrapped up in advance behind closed doors.

Our respondents felt that British companies were not discriminated against in public tenders compared to companies from other countries. There was no more or less solicitation for bribes towards British companies than towards companies of other nationalities.

Many respondents felt that British companies did not perform as well as companies from other countries, but that this was not because of bribery solicitation or the unwillingness of British companies to pay bribes. Rather, it was because of companies from other countries bidding with a high level of state support. France and Germany were mentioned as examples where the governments were particularly supportive of their companies’ trade and investment in Sub-Saharan Africa. Another positive example was the Canadian Embassy in Senegal which has helped to set up an Association of Mines in the country. Cultural activities were also mentioned as a positive way of supporting a country’s trade – a good example was the French Institute in several countries. There was a good understanding of the British posts’ and British Council’s role and efforts, but there was also a feeling that more could be done to by these organizations to support British commercial interests. This could take the form of trade delegations to and from the West African countries, a more relaxed visa regime, positive press and a pragmatic approach to business without a tendency to “lecture” on how to do business – including lecturing about corruption! Capacity building and training of public officials and technical assistance programs which included British companies in their design and implementation was mentioned several times as a top priority.

Chinese companies were mentioned as major competitor in West Africa able to place British companies at a competitive disadvantage. Apart from undercutting by a large amount, Chinese companies also came in with large funding and export guarantee packages, a long-term commitment to infrastructure development, very high level political representation even to the level of Heads of State. Whatever the nature of Chinese companies’ behavior, the reality is that British companies are placed at a competitive disadvantage.

Some of the British companies we spoke to felt that there was no point in competing head-to-head with the Chinese. They preferred to wait out a bid until the Chinese had failed to deliver that they promised and then pick up the project through a direct award by the contracting authority. Another company suggested that they could play a role as a project manager on Chinese-led projects. On behalf of the local government they could oversee the bidding and the performance of the supplier.

RECOMMENDATIONS FOR THE BRITISH GOVERNMENT

British Government leadership in anti-corruption is well recognized and appreciated. There was also an awareness that DFID and the FCO are already doing a lot on anti-corruption in these markets, although the respondents were not aware of precisely what was being done or what had been achieved. It is therefore possible that some of the recommendations already match policies and aid programs that the British Government is already funding. In that case there may be a case for stronger public information and communication about existing aid programs that touch upon anti-corruption and OC Principles.

There was some doubt as to British anti-corruption programs effectiveness in these countries. A short comparison of DFID's 28 priority countries anti-corruption plans of 2011 and their relative position on TI's Corruption Perceptions Index in 2011 and 2015 shows very little demonstrable progress.

The respondents felt that a focus on some particular areas of the anti-corruption agenda which could also help British companies have a better chance of competing, would be a useful contribution to economic and social development. There was a strong consensus that a sensible place to focus would be on improving public procurement. Any program that "put the Open Contracting Principles into practice" in these markets was seen as a good idea.

Here are some of the recommendations they shared with the author:

- 1) **Strengthen governance and law enforcement:** From the beginning of the complaints procedure to a suspension, penalty or punishment, it takes years for a case to move through to completion (if the complaint is followed up on at all). Capacity-building and training of prosecutors and judges as well as internal auditors and investigators could be useful contribution to speeding up the process. One respondent suggested prioritizing the use of Prosperity Funds on a) public procurement processes; b) national budget formation process; and c) accountability framework. Another suggested enhancement of whistleblower protection.
- 2) **Anti-corruption training and support for specific audiences:** Several respondents felt that the training and capacity building needed to target other audiences – public officials should be taught the concept of public service in connection with their chosen career path rather than self-enrichment. The anti-corruption capacity building program should start with children: They would like to see some inclusion of ethical behavior in the school curriculum.
- 3) **Build capacity and share public procurement best practices from other countries:** The World Bank's BPP reveals which countries have strong public procurement practices which can be shared. Indeed this can be shared on a regional and an international basis. International financial institutions such as the World Bank, EBRD or African Development Bank, international development organizations such DFID and USAID, and global multinationals have rigorous procurement processes which could be shared with the procurement agencies of these countries as part of a technical assistance program.

- 4) **Understanding the ownership structure of local companies:** By all accounts, conflicts of interest are very frequent. The beneficial ownership register being set up in the UK is a model for other countries. The UK Government could actively promote policies to accelerate the adoption of beneficial ownership principles and could fund projects to build capacity of local organizations to set up appropriate systems. During the recent Open Government Partnership summit in France, Nigeria committed to establishing a Beneficial Ownership registry. FCO should consider providing support to such efforts.
- 5) **Invest in e-procurement:** It is clear that all five countries need further investment and technical assistance in setting up fully electronic procurement systems. Again there could be exchanges on a regional basis. It was pointed out that this does not need necessarily to be a national level program. There are good reasons to start in one or two municipalities and then spread the experience locally through professional channels. For our respondents, a particularly important area connected with e-procurement was transparency and openness of the entire procurement process – they would like to see a real effort by the British and host governments to build transparency into the system and to design corruption out of it. The British Government, in their opinion, could play an instrumental role by supporting a rapid transition towards e-procurement and procurement transparency.
- 6) **Link anti-corruption, trade and development and engage business in aid:** Many respondents felt that coordination between FCO, DFID and DIT around the issue of corruption was quite weak. They strongly recommended a new approach, with companies directly engaged in the process. Many respondents felt that any development assistance going into a country should have an anti-corruption capacity building component. They also felt that future development assistance could somehow be made conditional on demonstrable progress on tackling corruption.
- 7) **Leverage the power of the private sector in development projects:** Companies do not expect the British Government to go it alone, and are more than willing to make their own contribution of time “pro-bono” as their own CSR contribution to the development of local markets, a level playing field and rule of law. In fact, there was a general sentiment that, despite all the recent talk in DFID of connecting trade and aid, there was very little engagement of British companies in finding solutions to corruption in developing markets. Certainly the UK companies we spoke with felt quite disengaged and felt that sometimes the British Government was expending a lot of energy, resource and funds in this area with little beneficial result. Examples of where companies could support government efforts included:
 - a. A professional service firms offered to conduct public tender reviews as a third-party independent organization.
 - b. A project management firm offered to act on behalf of the host government as a supervisor of the supplier’s compliance
 - c. A number of companies offered to share their rigorous procurement processes with governments

- d. Experienced British companies could share their experience of corruption risk management with new entrants into these markets.

These could be treated as pilot projects which could be given some modest seed funding by DFID or the Prosperity Fund.

- 8) **Support promotion of British companies in West African markets:** One approach - the “direct approach” is to replicate the more forceful trade promotion of the French and Germans. It is possible that as the UK departs from the EU, there will be less constraints on the government to supporting its companies in these countries (although EU membership never seems to have constrained French and German competitive energies). Another approach – the “indirect approach” – would be to assist British firms in developing consortia with Chinese, Indian and South Korea construction and infrastructure companies to compete together in West Africa projects. Given that UK companies are unlikely to be able to compete directly in public tenders in these markets in the foreseeable future, a better strategy might be to develop a more strategic approach by partnering with companies from the emerging G20 countries which are active in low income and low-middle income economies.
- 9) **Support British companies in dealing with corruption risk:** While the companies we interviewed were all experienced in these markets, new entrants will find it difficult to manage corruption risk, especially if they are inexperienced in developing countries. Respondents recommended stronger anti-corruption support service. One idea is to create a network of Anti-Corruption Experts in British Embassies, Chambers of Commerce and local pro-business anti-corruption NGOs to offer advice to British companies.
- 10) **Build capacity of SMEs in West African countries:** SMEs are very vulnerable to corruption and uncompetitive practices. Development or Prosperity projects could focus on helping the host governments to open public procurement to participation by more SMEs, build capacity of SMEs to participate in public tenders, and generally to provide training for SMEs in basic compliance and responsible business techniques, including how to resist corruption. This would enhance competition and drive growth, as well as improve the risk profile of international companies’ supply chains.

APPENDIX I – OPEN CONTRACTING PRINCIPLES

Open Contracting Global Principles²

Preamble

These Principles reflect the belief that increased disclosure and participation in public contracting will have the effects of making contracting more competitive and fair, improving contract performance, and securing development outcomes. While recognizing that legitimate needs for confidentiality may justify exemptions in exceptional circumstances, these Principles are intended to guide governments and other stakeholders to affirmatively disclose documents and information related to public contracting in a manner that enables meaningful understanding, effective monitoring, efficient performance, and accountability for outcomes. These Principles are to be adapted to sector-specific and local contexts and are complementary to sector-based transparency initiatives and global open government movements.

Affirmative Disclosure

1. Governments shall recognize the right of the public to access information related to the formation, award, execution, performance, and completion of public contracts.
2. Public contracting shall be conducted in a transparent and equitable manner, in accordance with publicly disclosed rules that explain the functioning of the process, including policies regarding disclosure.
3. Governments shall require the timely, current, and routine publication of enough information about the formation, award, execution, performance, and completion of public contracts to enable the public, including media and civil society, to understand and monitor as a safeguard against inefficient, ineffective, or corrupt use of public resources. This would require affirmative disclosure of:
 1. Contracts, including licenses, concessions, permits, grants or any other document exchanging public goods, assets, or resources (including all annexes, schedules and documents incorporated by reference) and any amendments thereto;
 2. Related pre-studies, bid documents, performance evaluations, guarantees, and auditing reports.
 3. Information concerning contract formation, including:
 1. The planning process of the procurement;
 2. The method of procurement or award and the justification thereof;
 3. The scope and specifications for each contract;
 4. The criteria for evaluation and selection;
 5. The bidders or participants in the process, their validation documents, and any procedural exemptions for which they qualify;
 6. Any conflicts of interest uncovered or debarments issued;
 7. The results of the evaluation, including the justification for the award; and

² Open Contracting Global Principles on website of Open Contracting Partnership. <http://www.open-contracting.org/get-started/global-principles/>

8. The identity of the contract recipient and any statements of beneficial ownership provided;
4. Information related to performance and completion of public contracts, including information regarding subcontracting arrangements, such as:
 1. General schedules, including major milestones in execution, and any changes thereto;
 2. Status of implementation against milestones;
 3. Dates and amounts of stage payments made or received (against total amount) and the source of those payments;
 4. Service delivery and pricing;
 5. Arrangements for ending contracts;
 6. Final settlements and responsibilities;
 7. Risk assessments, including environmental and social impact assessments;
 8. Assessments of assets and liabilities of government related to the contract;
 9. Provisions in place to ensure appropriate management of ongoing risks and liabilities; and
 10. Appropriate financial information regarding revenues and expenditures, such as time and cost overruns, if any.
4. Governments shall develop systems to collect, manage, simplify and publish contracting data regarding the formation, award, execution, performance and completion of public contracts in an open and structured format, in accordance with the Open Contracting Data Standards as they are developed, in a user-friendly and searchable manner.
5. Contracting information made available to the public shall be as complete as possible, with any exceptions or limitations narrowly defined by law, ensuring that citizens have effective access to recourse in instances where access to this information is in dispute.
6. Contracting parties, including international financial institutions, shall support disclosure in future contracting by precluding confidentiality clauses, drafting confidentiality narrowly to cover only permissible limited exemptions, or including provisions within the contractual terms and conditions to allow for the contract and related information to be published.

Participation, Monitoring, and Oversight

1. Governments shall recognize the right of the public to participate in the oversight of the formation, award, execution, performance, and completion of public contracts.
2. Governments shall foster an enabling environment, which may include legislation, that recognizes, promotes, protects, and creates opportunities for public consultation and monitoring of public contracting, from the planning stage to the completion of contractual obligations.
3. Governments shall work together with the private sector, donors, and civil society to build the capacities of all relevant stakeholders to understand, monitor and improve public contracting and to create sustainable funding mechanisms to support participatory public contracting.
4. Governments have a duty to ensure oversight authorities, including parliaments, audit institutions, and implementing agencies, to access and utilize disclosed information, acknowledge and act upon citizen feedback, and encourage dialogue and consultations between contracting parties and civil society organizations in order to improve the quality of contracting outcomes.
5. With regard to individual contracts of significant impact, contracting parties should craft strategies for citizen consultation and engagement in the management of the contract.

APPENDIX II - CORRUPTION PERCEPTIONS IN FIVE COUNTRIES

Benchmarking Public Procurement 2017

Benchmarking Public Procurement 2017³

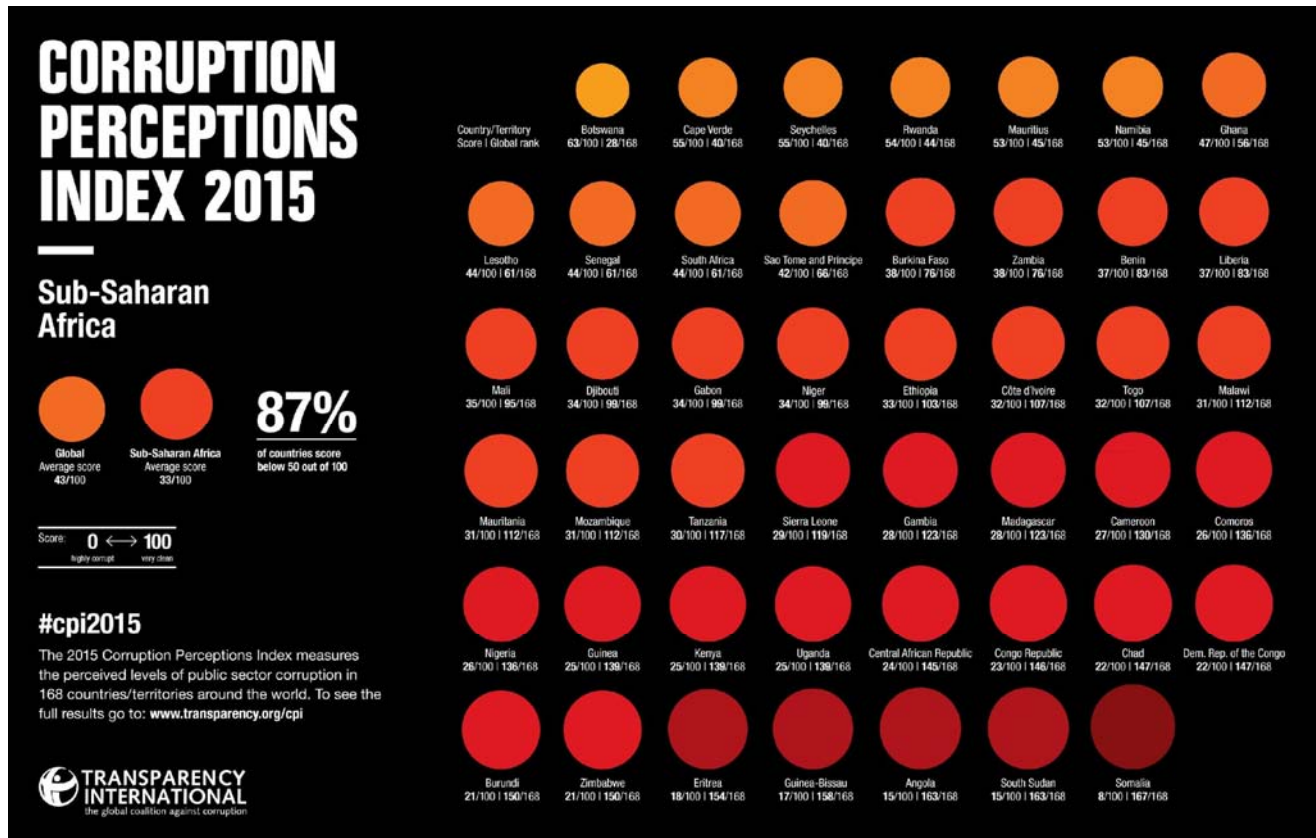
³ Benchmarking Public Procurement 2017, World Bank Group. <http://bpp.worldbank.org/reports>

QUESTION	GHANA		GUINEA		LIBERIA		NIGERIA		SENEGAL	
	Answers	Score	Answers	Score	Answers	Score	Answers	Score	Answers	Score
Performance guarantee score										
Supplier required to provide performance guarantee deposit	Yes	62	Yes	54	Yes	38	Yes	74	Yes	94
Amount of performance guarantee is percentage of the contract value:	Yes		Yes		Yes		Yes		Yes	
Choice for suppliers on form of the performance guarantee	No		No		No		Yes		Yes	
Forms of performance guarantee	Performance bond, Insurance guarantee, Letter of credit		Performance bond		Performance bond, Insurance guarantee		Performance bond		Performance bond	
Timeframe for purchasing entity to return performance guarantee	Yes		Yes		No		Yes		Yes	
Circumstances where purchasing entity can collect performance guarantee	Yes	57	Yes	30	Yes	15	Yes	57	Yes	48
Separate entity to oversee decision to withhold the performance guarantee	No		No		No		No		Yes	
Payment of suppliers score										
Supplier can request a payment online through an online platform	No		No	30	No	15	No	57	No	48
Legal timeframe for the purchasing entity to process payment	56		30		No timeframe		60		45	
Time to process payment starts from supplier's submission of invoice	Yes		No		N/A		Yes		No	
Time for supplier to actually receive payment (calendar days)	Between 31 and 90		Between 31 and 90		Between 31 and 90		Between 31 and 90		Between 31 and 90	
Interests and/or penalties payable in case of payment delays*	Yes		No		No		Yes		Yes	
Interests and/or penalties automatically paid without a supplier's request	No		N/A		N/A		No		Yes	

COMPLAINTS										
QUESTION	Answers		Answers		Answers		Answers		Answers	
Structure of the complaints mechanism										
Legal framework on complaints mechanism	Yes		Yes		Yes		Yes		Yes	
Description of complaints mechanism	Other		Other		Other		Other		Other	
Choice of the authority before which filing a complaint	Yes		Yes		No		No		No	
First-tier review										
During pre-award stage, only actual bidders have standing to complaint	No		No		No		No		No	
Process to complain same for actual and prospective bidders	Yes		Yes		Yes		No		No	
Complaining party has to prove damage in order to file a complaint	No		No		No		No		No	
Cost to file a complaint before the first-tier review body	No cost		67		No cost		No cost		No cost	
Notification of the procuring if complaint filed before a court or an independent review body	N/A		No		N/A		N/A		N/A	
If yes, timeframe (calendar days)	N/A		N/A		N/A		N/A		N/A	
Filing of complaint leads to suspension	Upon request		Yes		Upon request		No		No	
If the procurement process is suspended, bidders are notified	Yes		No		No		N/A		N/A	
Complaint reviewed by same people whose action is challenged (at procuring entity)	Yes		N/A		Yes		Yes		Yes	
Mandatory training programs on complaints resolution for agents reviewing complaints	Yes		No		No		No		No	
Procuring entity required to provide first-tier review body with:	N/A		No		N/A		N/A		N/A	
Time for first-tier review body to render a decision (calendar days)	21		9		15		5		5	
Legal time limit for first-tier review body to render decision	Yes		Yes		Yes		Yes		Yes	
Remedies legally granted by the first-tier review body:	Modification; compensation; overturn		-		Modification; overturn		Modification; overturn		Modification; overturn	
First-tier review body decisions are published:	No		Online and on the official gazette		No		No		No	
Second-tier review										
Legal framework stipulates conditions to appeal first-tier review body's decisions	Yes		Yes		Yes		Yes		Yes	
Time limit to appeal (calendar days)	21		7		10		5		5	
Cost to appeal the decision before the second-tier review body	No cost		No cost		No cost		100		100	
Step(s) that could trigger suspension of the procurement process	Upon request		No		Upon request		Yes		Yes	
Time for the second-tier review body to render a decision (calendar days)	35		9		53		9		9	
Legal time limit for second-tier review body to render decision	Yes		Yes		Yes		Yes		Yes	
Remedies legally granted by the second-tier review body:	Modification; compensation; overturn		-		Modification; overturn		Modification		Modification	
Second-tier review body decisions are published:	Online		No		No		Online		Online	
Post-award complaints										
Process to complain same than for pre-award complaints	No		Yes		Yes		No		No	
Standstill period after contract award to allow filing of complaints	No		Yes		Yes		Yes		Yes	
Standstill time period (calendar days)	N/A		21		10		10		10	
Standstill period mandated in the legal framework	N/A		Yes		Yes		Yes		Yes	
Standstill period set out in the notice of intention to award	N/A		No		Yes		No		No	

Transparency International Corruption Perceptions Index 2015

TI CPI 2015⁴



Ghana: 56

Senegal: 61

Liberia: 83

Nigeria: 136

Guinea: 139

⁴ Transparency International Corruption Perceptions Index 2015, <http://www.transparency.org/cpi2015#downloads>

Ibrahim Index of African Governance 2011-2015

Ibrahim Index of African Governance⁵

Business Environment

	2011	2012	2013	2014	2015	Trend
Ghana	57.2	54.9	57.5	52.9	52.1	-5.1
Guinea	31.3	31.8	32.8	28.7	31.3	0.0
Liberia	37.0	37.2	36.0	39.4	38.2	+1.2
Nigeria	31.8	33.0	32.3	34.2	35.3	+3.5
Senegal	49.5	52.7	52.9	51.1	51.3	+1.8

Overall Governance

	2011	2012	2013	2014	2015	Trend
Ghana	68.0	67.5	67.0	64.7	63.9	-4.1
Guinea	43.7	44.1	44.0	43.7	43.3	-0.4
Liberia	49.3	50.0	49.0	49.3	50.0	+0.7
Nigeria	44.2	44.2	44.7	43.5	46.5	+2.3
Senegal	56.4	58.3	60.3	61.0	60.8	+4.

⁵ Ibrahim Index of African Governance. <http://iiag.online/>

Public sector Accountability and Transparency

	2011	2012	2013	2014	2015	Trend
Ghana	86.6	86.6	86.6	79.5	79.5	-7.1
Guinea	39.3	39.3	46.4	46.4	46.4	+7.1
Liberia	72.3	70.2	64.0	64.0	64.0	-8.3
Nigeria	53.6	59.8	57.7	55.7	57.7	+4.1
Senegal	67.0	71.1	71.1	71.1	73.2	+6.2

Corruption in Government and Public Officials

	2011	2012	2013	2014	2015	Trend
Ghana	60.0	60.0	60.0	60.0	60.0	0.0
Guinea	0.0	0.0	0.0	0.0	0.0	0.0
Liberia	40.0	40.0	20.0	20.0	20.0	-20.0
Nigeria	0.0	0.0	0.0	0.0	10.0	+10.0
Senegal	40.0	40.0	40.0	55.0	60.0	+20.0

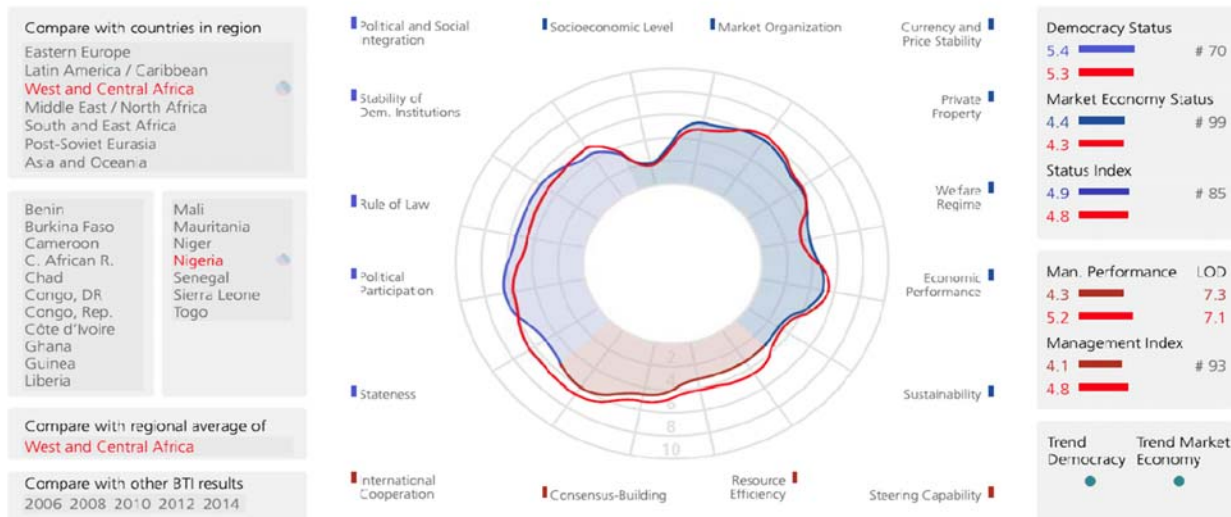
Corruption and Bureaucracy

	2011	2012	2013	2014	2015	Trend
Ghana	71.4	71.4	71.4	38.1	38.1	-33.3
Guinea	28.6	28.6	28.6	19.0	19.0	-9.6
Liberia	42.9	42.9	42.9	19.0	19.0	-23.9
Nigeria	28.6	28.6	28.6	19.0	19.0	-9.6
Senegal	42.9	42.9	42.9	57.1	57.1	+14.2

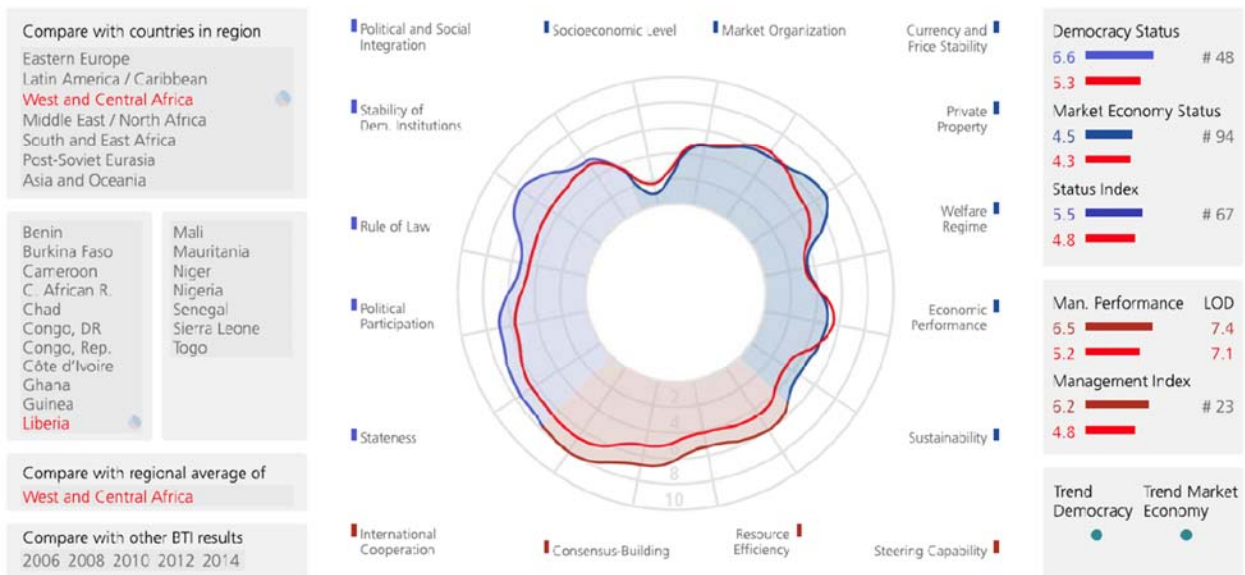
Bertelsmann Transformation Index 2016

Bertelsmann Transformation Index 2016⁶

Nigeria compared with West and Central Africa

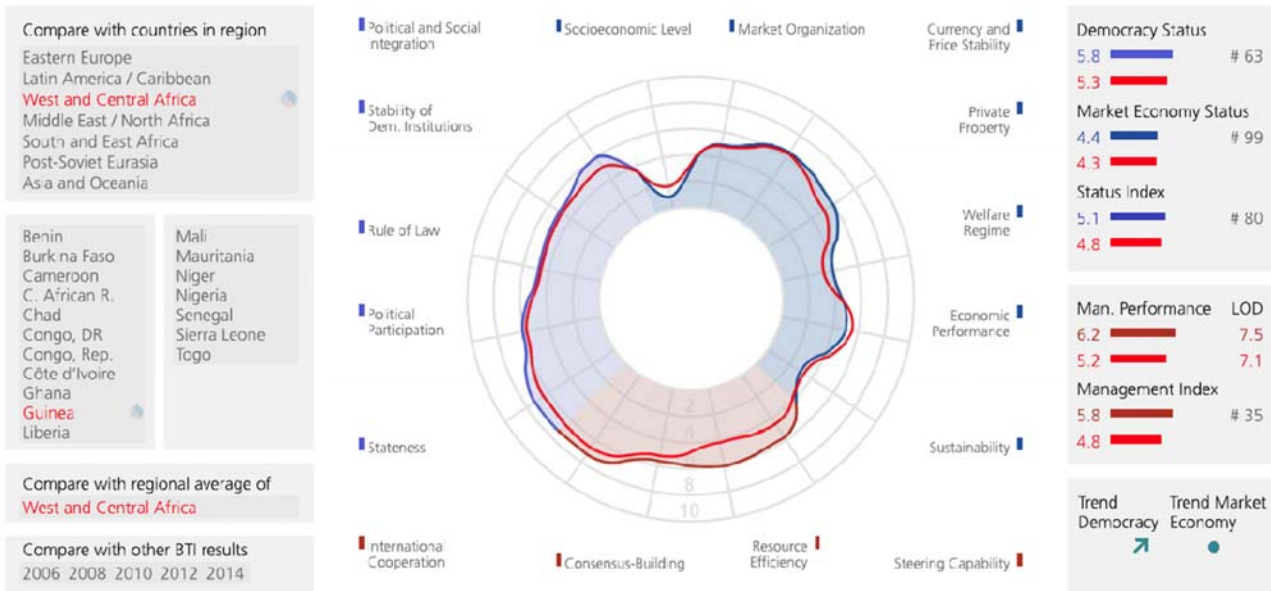


Liberia compared with West and Central Africa

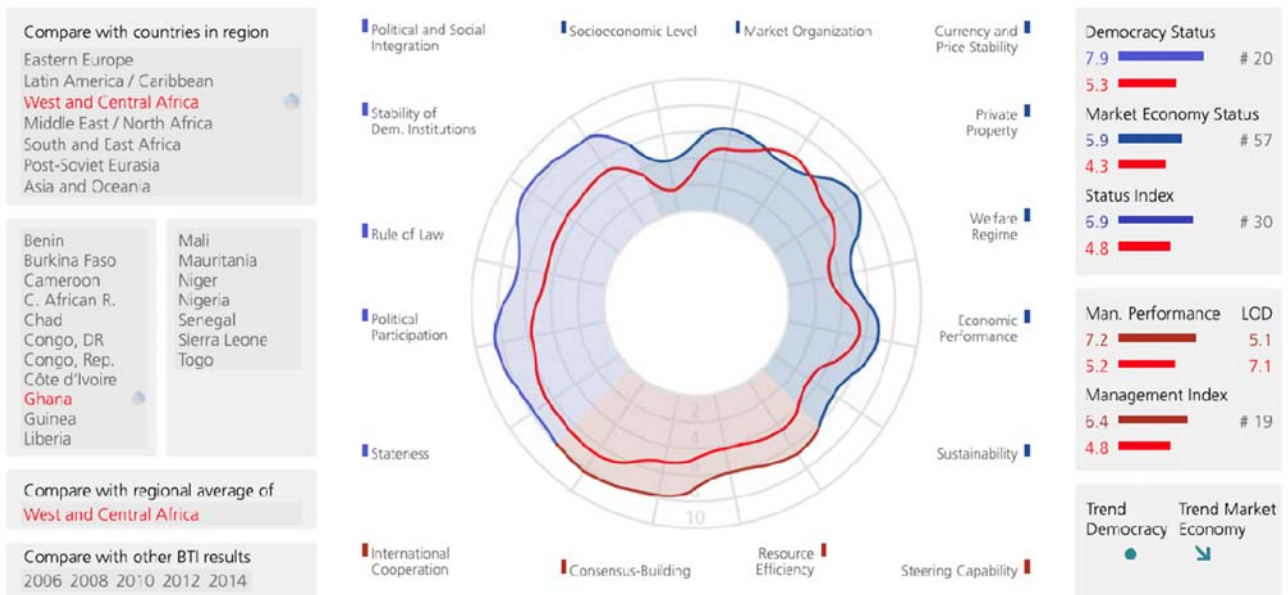


⁶ Bertelsmann Transformation Index 2016, <http://www.bti-project.org/en/home/>

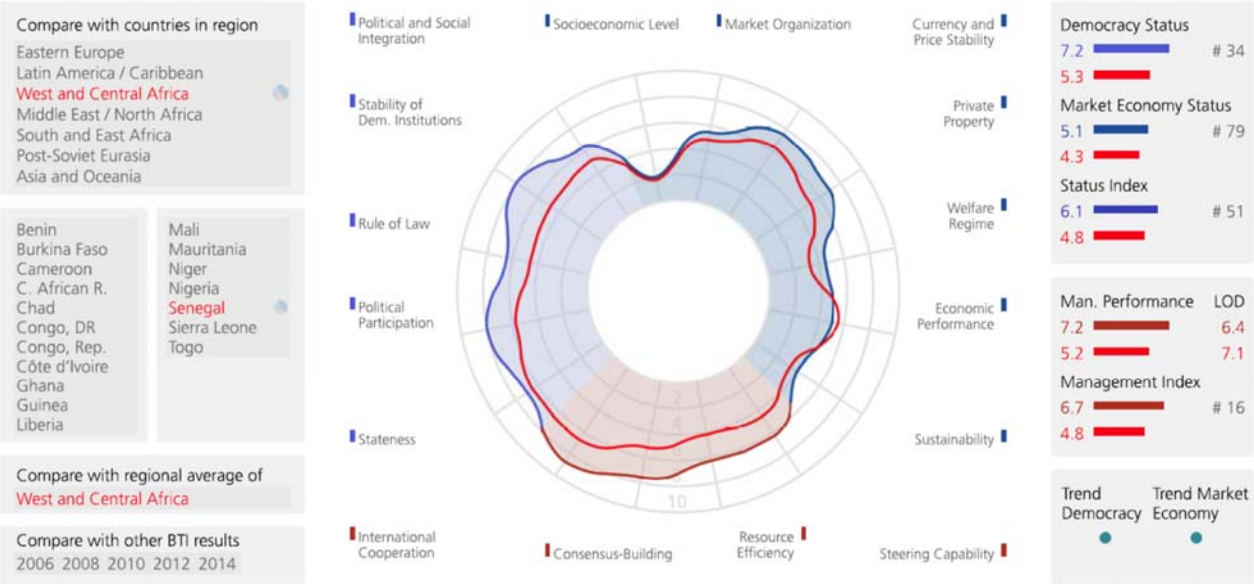
Guinea compared with West and Central Africa



Ghana compared with West and Central Africa



Senegal compared with West and Central Africa



World Bank Enterprise Survey 2008-2016

World Bank Enterprise Survey⁷

⁷ World Bank Enterprise Survey. <https://www.enterprisesurveys.org/>

Economy	Year	Bribery incidence (percent of firms experiencing at least one bribe payment request)	Bribery depth (% of public transactions where a gift or informal payment was requested)	Percent of firms expected to give gifts in meetings with tax officials	Percent of firms expected to give gifts to secure government contract	Value of gift expected to secure a government contract (% of contract value)	Percent of firms expected to give gifts to get an operating license	Percent of firms expected to give gifts to get an import license	Percent of firms expected to give gifts to get a construction permit	Percent of firms expected to give gifts to get an electrical connection	Percent of firms expected to give gifts to get a water connection	Percent of firms expected to give gifts to public officials "to get things done"	Percent of firms identifying corruption as a major constraint	Percent of firms identifying the courts system as a major constraint
All Countries		17.9	13.9	13.0	28.7	1.7	14.4	14.9	23.7	16.7	16.4	21.5	32.0	14.3
Sub-Saharan Africa		24.1	18.3	17.7	32.1	2.2	16.5	18.5	28.2	25.5	25.8	23.9	38.5	16.8
Ghana	2013	18.7	14.7	11.4	35.2	2.2	19.1	23.1	35.1	32.8	18.8	24.3	43.5	9.7
Guinea	2006	60.7	55.4	57.3	74.9	7.9	51.9	34.3	65.5	56.7	38.6	84.8	47.7	2.1
Liberia	2009	70.5	55.3	54.4	51.8	3.5	49.6	46.0	62.9	51.9	54.6	55.4	31.2	18.3
Nigeria	2014	28.9	26.0	25.9	28.6	1.6	24.2	40.7	24.4	32.9	35.7	55.3	44.8	4.0
Senegal	2014	11.1	8.6	7.3	19.4	0.1	9.3	0.0	16.0	8.9	16.7	6.3	26.6	11.5

Trace Matrix 2016

Trace Matrix 2016⁸

⁸ Trace Matrix Report. <http://www.traceinternational.org/trace-matrix>



Senegal

Overall Risk Score: **53**

Level: **moderate**

Snapshot

Size: 192,530 square km

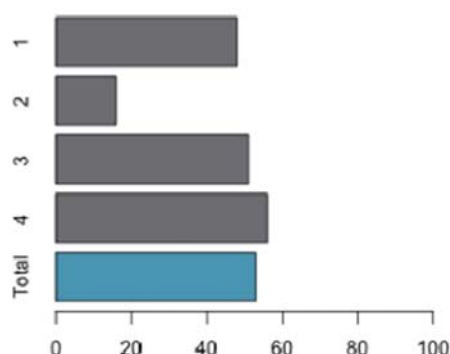
2015 GDP: USD 970 per capita

Population: 14,161,000

This score is a composite of the four domain scores discussed below.

The bar chart below shows Senegal's total risk scores in 4 domains: (1) Business Interactions with Government, (2) Anti-Bribery Laws and Enforcement, (3) Government and Civil Service Transparency and (4) Capacity for Civil Society Oversight. The four domain scores are weighted and combined and a risk penalty is added for individual domain scores that exceed the overall country risk score. Each country is given a score from 1 to 100 for each domain, and for the total bribery risk. A higher score indicates a higher risk of business bribery.

- 1. Business Interactions with Government:** Senegal scores 48 in this domain, based on a low degree of government interaction, moderate regulatory burden, and a moderate expectation of bribes.
- 2. Anti-Bribery Laws and Enforcement:** Senegal scores 16 in this domain, based on a high quality of anti-bribery laws and a very high quality of anti-bribery enforcement.
- 3. Government and Civil Services Transparency:** Senegal scores 51 in this domain, based on moderate governmental transparency and moderate civil-service transparency/health.
- 4. Capacity for Civil Society Oversight:** Senegal scores 56 in this domain, based on a high degree of media freedom/quality and a low degree of social development.



Domain	Risk Score
Overall Bribery Risk to Business	53
1. Business Interactions with Government	48
2. Anti-Bribery Laws and Enforcement	16
3. Government and Civil Service Transparency	51
4. Capacity for Civil Society Oversight	56



Nigeria

Overall Risk Score: **97**

Level: **very high**

Snapshot

Size: 910,771 square km

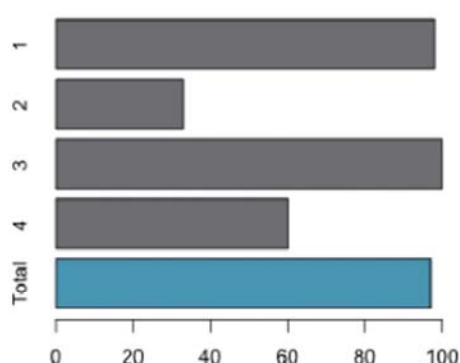
2015 GDP: USD 2,680 per capita

Population: 179,790,800

This score is a composite of the four domain scores discussed below.

The bar chart below shows Nigeria's total risk scores in 4 domains: (1) Business Interactions with Government, (2) Anti-Bribery Laws and Enforcement, (3) Government and Civil Service Transparency and (4) Capacity for Civil Society Oversight. The four domain scores are weighted and combined and a risk penalty is added for individual domain scores that exceed the overall country risk score. Each country is given a score from 1 to 100 for each domain, and for the total bribery risk. A higher score indicates a higher risk of business bribery.

1. **Business Interactions with Government:** Nigeria scores 98 in this domain, based on a high degree of government interaction, high regulatory burden, and a very high expectations of bribes.
2. **Anti-Bribery Laws and Enforcement:** Nigeria scores 33 in this domain, based on a high quality of anti-bribery laws and a moderate quality of anti-bribery enforcement.
3. **Government and Civil Services Transparency:** Nigeria scores 100 in this domain, based on very poor governmental transparency and very poor civil-service transparency/health.
4. **Capacity for Civil Society Oversight:** Nigeria scores 60 in this domain, based on a high degree of media freedom/quality and a low degree of social development.



Domain	Risk Score
Overall Bribery Risk to Business	97
1. Business Interactions with Government	98
2. Anti-Bribery Laws and Enforcement	33
3. Government and Civil Service Transparency	100
4. Capacity for Civil Society Oversight	60



Liberia

Overall Risk Score: **87**

Level: **very high**

Snapshot

Size: 96,320 square km

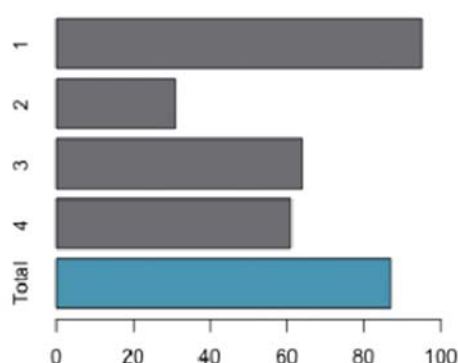
2015 GDP: USD 450 per capita

Population: 4,558,500

This score is a composite of the four domain scores discussed below.

The bar chart below shows Liberia's total risk scores in 4 domains: (1) Business Interactions with Government, (2) Anti-Bribery Laws and Enforcement, (3) Government and Civil Service Transparency and (4) Capacity for Civil Society Oversight. The four domain scores are weighted and combined and a risk penalty is added for individual domain scores that exceed the overall country risk score. Each country is given a score from 1 to 100 for each domain, and for the total bribery risk. A higher score indicates a higher risk of business bribery.

- 1. Business Interactions with Government:** Liberia scores 95 in this domain, based on a very high degree of government interaction, very high regulatory burden, and a moderate expectation of bribes.
- 2. Anti-Bribery Laws and Enforcement:** Liberia scores 31 in this domain, based on a very high quality of anti-bribery laws and a moderate quality of anti-bribery enforcement.
- 3. Government and Civil Services Transparency:** Liberia scores 64 in this domain, based on moderate governmental transparency and poor civil-service transparency/health.
- 4. Capacity for Civil Society Oversight:** Liberia scores 61 in this domain, based on a high degree of media freedom/quality and a very low degree of social development.



Domain	Risk Score
Overall Bribery Risk to Business	87
1. Business Interactions with Government	95
2. Anti-Bribery Laws and Enforcement	31
3. Government and Civil Service Transparency	64
4. Capacity for Civil Society Oversight	61



Guinea

Overall Risk Score: 92

Level: very high

Snapshot

Size: 245,718 square km

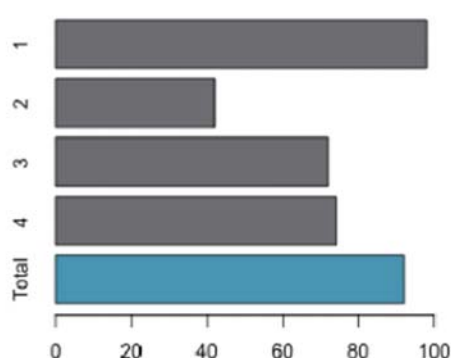
2015 GDP: USD 590 per capita

Population: 11,317,400

This score is a composite of the four domain scores discussed below.

The bar chart below shows Guinea's total risk scores in 4 domains: (1) Business Interactions with Government, (2) Anti-Bribery Laws and Enforcement, (3) Government and Civil Service Transparency and (4) Capacity for Civil Society Oversight. The four domain scores are weighted and combined and a risk penalty is added for individual domain scores that exceed the overall country risk score. Each country is given a score from 1 to 100 for each domain, and for the total bribery risk. A higher score indicates a higher risk of business bribery.

- 1. Business Interactions with Government:** Guinea scores 98 in this domain, based on a high degree of government interaction, very high regulatory burden, and a moderate expectation of bribes.
- 2. Anti-Bribery Laws and Enforcement:** Guinea scores 42 in this domain, based on a moderate quality of anti-bribery laws and a moderate quality of anti-bribery enforcement.
- 3. Government and Civil Services Transparency:** Guinea scores 72 in this domain, based on poor governmental transparency and poor civil-service transparency/health.
- 4. Capacity for Civil Society Oversight:** Guinea scores 74 in this domain, based on a moderate degree of media freedom/quality and a very low degree of social development.



Domain	Risk Score
Overall Bribery Risk to Business	92
1. Business Interactions with Government	98
2. Anti-Bribery Laws and Enforcement	42
3. Government and Civil Service Transparency	72
4. Capacity for Civil Society Oversight	74



Ghana

Overall Risk Score: **70**

Level: **high**

Snapshot

Size: 227,534 square km

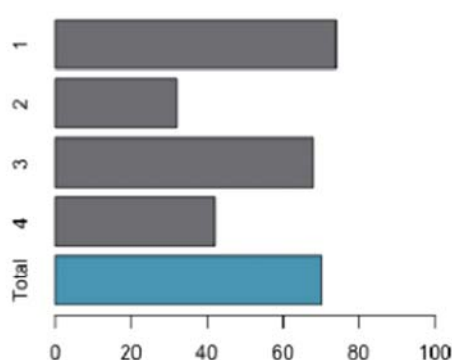
2015 GDP: USD 1,390 per capita

Population: 27,314,600

This score is a composite of the four domain scores discussed below.

The bar chart below shows Ghana's total risk scores in 4 domains: (1) Business Interactions with Government, (2) Anti-Bribery Laws and Enforcement, (3) Government and Civil Service Transparency and (4) Capacity for Civil Society Oversight. The four domain scores are weighted and combined and a risk penalty is added for individual domain scores that exceed the overall country risk score. Each country is given a score from 1 to 100 for each domain, and for the total bribery risk. A higher score indicates a higher risk of business bribery.

- 1. Business Interactions with Government:** Ghana scores 74 in this domain, based on a moderate degree of government interaction, moderate regulatory burden, and a high expectation of bribes.
- 2. Anti-Bribery Laws and Enforcement:** Ghana scores 32 in this domain, based on a high quality of anti-bribery laws and a moderate quality of anti-bribery enforcement.
- 3. Government and Civil Services Transparency:** Ghana scores 68 in this domain, based on moderate governmental transparency and poor civil-service transparency/health.
- 4. Capacity for Civil Society Oversight:** Ghana scores 42 in this domain, based on a very high degree of media freedom/quality and a low degree of social development.



Domain	Risk Score
Overall Bribery Risk to Business	70
1. Business Interactions with Government	74
2. Anti-Bribery Laws and Enforcement	32
3. Government and Civil Service Transparency	68
4. Capacity for Civil Society Oversight	42

World Bank Ease of Doing Business 2017

World Bank Ease of Doing Business 2017⁹

<i>Economy</i>	<i>Ease of Doing Business Rank</i>	<i>Filtered Rank</i>	<i>Starting a Business</i>	<i>Dealing with Construction Permits</i>	<i>Getting Electricity</i>	<i>Registering Property</i>	<i>Getting Credit</i>	<i>Protecting Minority Investors</i>	<i>Paying Taxes</i>	<i>Trading across Borders</i>	<i>Enforcing Contracts</i>	<i>Resolving Insolvency</i>
Ghana	108	9	17	15	9	5	4	7	16	29	17	35
Senegal	147	21	12	23	29	27	32	21	39	19	24	15
Guinea	163	30	23	34	27	26	29	32	43	32	18	19
Nigeria	169	36	27	38	41	46	8	3	40	41	23	28
Liberia	174	40	3	39	38	44	16	44	18	45	41	43

⁹ World Bank, Ease of Doing Business Index 2017, <http://www.doingbusiness.org/rankings>

Worldwide Governance Indicators - Control of Corruption 2010-2015

Worldwide Governance Indicators – Control of Corruption¹⁰

	2011	2011	2013	2013	2015	2015
Country/Territory	Estimate	Rank	Estimate	Rank	Estimate	Rank
GHANA	0.04	59.24	-0.07	56.87	-0.18	53.37
GUINEA	-1.11	11.85	-1.04	14.22	-0.97	15.38
LIBERIA	-0.62	30.33	-0.68	27.01	-0.61	31.25
NIGERIA	-1.13	10.43	-1.21	9.00	-1.10	11.06
SENEGAL	-0.53	36.49	-0.25	50.71	0.03	59.13

Estimate: Estimate of governance (ranges from approximately -2.5 (weak) to 2.5 (strong) governance performance)

Rank: Percentile rank among all countries (ranges from 0 (lowest) to 100 (highest) rank)

¹⁰ World Bank Worldwide Governance Indicators 2017, <http://data.worldbank.org/data-catalog/worldwide-governance-indicators>