Report Prepared by the International Police Executive Symposium (NGO) to the
Office of the United Nations High Commissioner for Human Rights

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**Linking Anti-Corruption Efforts with the Realization and Protection of Human Rights**

The International Police Executive Symposium, established as an NGO in 2011, is committed to assist the Office of the United Nations High Commissioner for Human Rights in establishing protocol and best practices in the areas of policing and human rights. As a professional group of academics and police practitioners around the globe, we would be honored to establish an overall framework from which we will offer our guidance. We will conclude our contribution with a case study in Ghana.

At the outset, it is vital to preliminarily distinguish between corruption and misuse of powers. Albrecht (2013) identified five types of deviance in the context of policing include: police corruption; police criminality; excessive use of force; abuse of authority, and police misconduct. Although they tend to overlap in real life, all are violations of norms, regulations, and laws. Our focus here is corruption.

On corruption, there is a basic distinction between lower-level corruption and higher- lever corruption and their consequences. Low level corruption (e.g., 'fees' at police roadblock, cash or services to obtain a needed paper from a government bureaucrat or grade from a teacher, a small government contract in return for 10-20% of the contract to the signer; a tout intervening to 'assist' one in getting a desired outcome) is pervasive. With lower-level corruption, each transaction tends to be small; people tend to understand and almost accept having to contribute for they would most likely act the same way, if in the bribe receivers' position. This type of corruption is pervasive; it is part of living in a poor country where incomes are insufficient and the in formal economy is major part of economic activity and output.  The consequences of low corruption are a basic loss of trust and legitimacy in the government and economic corporations and their employees; an almost frantic effort to get in on the revenue streams by people with little income and even small economic expenses (e.g., school fees, food, travel); and the distortions of service distribution by identity networks. Policies must be targeted at the economic conditions of lower income populations and the working cultures of low level bureaucrats.

High-level corruption is another problem altogether. High level corruption syphons off extraordinary economic resources into private pockets, mainly housed in banks and investments in developed countries; weakens a country of capacities for economic development; creates political instability; attracts transnational organized crime; and increases the level of distrust and cynicism about government among the population, and presents a sure obstacle to political democratic development. The public and the media know it is there, but there is little they can do about it. Policies regarding higher levels of corruption must be targeted on preventing the corrupt from enjoying the material benefits of their corruption. It is difficult to envision how to prevent high level corruption as long as the corrupters (e.g., corporations seeking an import license; armament dealers; local entrepreneurs wanting contracts; or seeking high-level and well-paying positions in government or corporations) are willing to offer large material benefits. (For example, the French government has occasionally confiscated investments and bank accounts by corrupt officials unless they could provide evidence that those accounts and investment were acquired by legitimate legal means, therefore saying, *goodbye to the apartment in the 9th arondissment that you planned to live well in)*. Some local government have set up anti-corruption commission which indeed have caught and convicted someone, but generally without getting the money stolen back or sending the convicted to long sentences.

 Our main point is that policies work if targeted properly at the type of corruption addressed, but won't make a difference if unsuited for dealing with another type of corruption. Even with the general categories of low and high level corruption, one needs to pursue different policies. E.g., one of the most common forms of corruption experienced by the public are police enforced 'tolls' at roadblocks. These cannot be prevented, eliminated or reduced by asking the public not to pay the 'tolls'. The kind of corruption can only be effectively addressed by management who has the power and authority, unless they partake in dividing the rewards of corruption among ranks.

Recommendations for Curbing the Menace of Corruption

Anti-Corruption efforts occur within the context of norms, values, culture and law and a framework of national, regional, state, provincial and local government structures. Anti-corruption efforts typically involve a combination of preventative or enforcement oriented measures. Preventative efforts include the role of leadership at all levels to inspire, promote and reward ethical behavior coupled with education and training. The also include educational efforts. Enforcement mechanisms follow a variety of accountability mechanisms dictated by government structures and statutory frameworks.

Even though corruption is a global phenomenon, its impact is greatly felt in under/developing countries. Some of the factors accounting for the corrupt practices is lack of accountability and transparency of people entrusted with the authority, resources, and power to rule. Leadership of a nation plays crucial roles in fighting corruption. Measures to enforce accountability in a system where the institutions of state mandated to fight corruption are well-resourced and allowed to operate without any political interference contribute to reduce the corrupt practices facing the under-developed/developing world. Raising the awareness about anti-corruption issues through public education and demonstration of integrity instead of paying lip-services just for political gains can also serve the public good.

Upholding strict principles of transparency and accountability of public funds entrusted to leaders of the people and demonstrating commitment are some of the measures to combat corrupt practices. The key for combating corruption is leadership and integrity. Strengthening the anti-corruption institutions of a nation and putting leaders with the ability and motivation to perform without strings from the political arm in a democratic system safeguards anti-corruption efforts.

Police Misconduct and Corruption

Police misconduct and corruption are world-wide issues. Orces (2008), established a negative correlation between police corruption and citizen trust in the police world-wide. Police corruption refers to police personnel who use their position and authority for personal, rather than public benefit. More broadly, corruption refers to any violation of rules even when there is no personal gain, as in perjury, physical abuse of prisoners, sexual misconduct, robbery and racial profiling (Bayley & Perito, 2011). The relationship between police officers’ higher educational background and their respective job performance is mixed in the literature. However, in general, a college degree is associated with higher levels of tolerance, civility, responsibility, dependability and maturity. As Plato demonstrated—

*The function of education itself is to produce a character of best-suited to the organization of society, that is, best able to carry out the injuctions of law. Education molds the inner life of the members of society to conform with their legally imposed outer life* (Gould, 1955, p. 111).

We, the International Police Executive Symposium, believe overall higher education for police officers inhibits police misbehavior, as the intended goals of higher education include broadening perspective; increasing levels of reliability from an organizational perspective, utilizing better judgment and being more humanistic (Carlan & Byxbe, 2000) Morgan, Morgan, Foster & Kolbery (2000) further stipulate that higher educational attainment promotes critical thinking, conceptual development and moral reasoning. Overall, higher education and policing collaboratively improve police professionalism, accountability and legitimacy on an international level (Paterson, 2011). With the paradigm shift in society, technology and organizational design, the policing field needs higher educated officers to be able to understand the new global environment. The skills necessary for this new and complex world of policing and protecting human rights can only be enhanced through a college education. Furthermore, the recruitment, selection and training are the foundations of a professional policing organization. They are the building blocks for any corruption-free department. World-wide anti-corruption programs must be merged with identified efforts to professionalize police forces (Orces, 2008).

Case Study Example: Ghana

In Ghana, corruption perception is widespread because of abuse of power entrusted to the institutions of state including the judiciary, the police, and the presidency due to egoistic behavior and ethnocentric epistemology. Ghana has many anti-corruption laws and agencies for the protection of human rights including Procurement Act 663 (2003), Whistle Blower’s Act 720 (2006) and anti-corruption institutions such as Ghana Police Service, the Judicial Service, Controller and Accountant-General’s Department, Commission on Human Rights and Administrative Justice (CHRAG), Bureau of National Investigations (BNI), Economic and Organized Crime Office (EOCO), the Attorney General’s Office, the Auditor General’s Office, Financial Intelligence Centre, and Ghana Anti-Corruption Coalition (GACC). Ghana also subscribes to many international conventions on corruption including UN Convention against Corruption (UNCAC), the African Union Convention on Preventing and Combating Corruption (AUCPCC). In 2014, the Parliament of Ghana adopted the National Anti-Corruption Action Plan (NACAP), a ten-year strategy with the motive of tackling corruption through prevention, education, and enforcement.

Despite the numerous anti-corruption measures put in place, Ghana was ranked 61st on Corruption Perception Index in 2014. The Constitution of Ghana (1992) has given so much power to the Executive Arm of Government to the extent that the President of Ghana can decide to set up Presidential Commissions involving some alleged corrupt practices against the state and decides on which aspects of the commissions’ findings to prosecute with a White Paper instead of allowing the national agencies to take the necessary actions against corruption. It is alleged that there is discrimination when the findings of the Commissions are to be published and implemented. The institutions of State mandated to fight corruption are not well resourced. It is perceived that corruption in Ghana is affecting every facet of the life of the nation.

In Ghana, corruption is manifested in diverse forms including bribery, fraud, embezzlement, misappropriations, stealing, and under and over invoicing. The Criminal Code of Ghana (Act 29) 1960 section 239, states, “Every public officer or juror who commits corruption or willful oppressions, or extortion, in respect of the duties of his office, shall be guilty of a misdemeanor.”

In a recent expose (in September, 2015) on corruption in Ghana’s Judiciary, a famous investigative journalist in Ghana, Anas Aremeyaw Anas, published a secret recording of judicial scandal involving 34 judges of Ghana’s High Court, Circuit Court, and District Courts, alleged to have collected various sums of money to compromise cases before them. In the video recording, over 120 members of the judicial service were caught engaging in various criminal infractions injurious to justice delivery in Ghana. At an annual conference of the Ghana Bar Association in Kumasi on Monday, September 14, 2015, the Chief Justice, at the opening ceremony, declared that the Judicial Council of Ghana would apply the appropriate sanctions against any of the 34 judges found to be culpable. The Chief Justice, Mrs. Justice Theodora Wood, stated. “The

*administration of justice is facing a difficult period and our time-tested institutions are in danger of losing face, public confidence, and legitimacy.” At the conference, a former president of Ghana, Mr. John Agyekum Kuffour, also indicated, “The recent expose of the Judiciary being perverse and corrupt is abominable and shameful and it should cause all in the legal and the judiciary profession to hang their heads in shame.”*

The perception of corruption in Ghana and the sub-region is so heinous, that often people in Ghana and the sub-region could swallow narcotic substances intended to smuggle to other countries for money. On Thursday, September 10, 2015, for instance, a Nigerian died in Accra, after confessing to the officials of Ghana’s Narcotic Control Board during interrogation that he swallowed 46 pellets of a narcotic substance to be delivered to somebody in Hong Kong for a fee of $6,000.00. Sometimes these corrupt practices are done in connivance with some government officials at the ports. Recently, a women was caught on board a KLM flight to UK with parcels of narcotic drugs, which were believed to be cocaine. Upon interrogations, when caught by the security agencies in UK, it was realized that in connivance with some government officials at Ghana’s airport, that woman smuggled the drug into the plane through the VVIP passage at Ghana’s Kotoka International Airport. She is now imprisoned in UK and the accomplices are being interrogated in Ghana.

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