

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	351
Land:	Bangladesh
Kilde:	Danish National ID Centre
Titel:	Corruption and trustworthiness of documents in selected countries
Udgivet:	13. december 2019
Optaget på baggrundsmaterialet:	17. december 2019



13 December 2019

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Corruption and trustworthiness of documents in selected countries

Introduction

The following note features a scrutiny of the levels of corruption in selected countries. The purpose is to present reliable information on the level and type of corruption, primarily in the state administration, as well as reliable information on the trustworthiness of the ID- and civil documents from the country in question.

For some of the countries included in the note, it has been deemed necessary to include a brief description of the capabilities of the state administration as a whole to the extent this is relevant for assessing the trustworthiness of that country's documents.

The note is based on open sources exclusively.

Afghanistan

Capabilities of the state administration

According to the Fund for Peace's Fragile State Index 2019, Afghanistan is in the top 10 of the most fragile states in the world. According to OECD, Afghanistan is one of the poorest countries in the world and is off-track on progress towards all the Millennium Development Goals.¹ According to Freedom House, an insurgency waged by Islamist militants has undermined the writ of the state in much of the rural hinterland. Political rights and civil liberties are curtailed in practice by violence, corruption and patronage.²

Corruption

The Afghan governance culture is strongly characterised by bribery, corruption and nepotism.³ According to Transparency International's Corruption Perceptions

¹ Fragile States Index, 2019, p. 7; OECD, May 2009.

² Freedom House – Afghanistan, 28 May 2018.

³ Landinfo 20 February 2018, p. 20.

Index, Afghanistan scores 16 out of 100 with 100 representing the lowest level of corruption.⁴

Corruption is an enormous problem within the Afghan public administration.⁵ According to Landinfo, the head of the Public Registration Department in Afghanistan acknowledges the problem with corruption in his department and adds that it belongs to one of the most corrupt entities of the public administration sector. It is common that public officials receive bribes for issuing documents based on incorrect procedures, i.e. if the applicant does not present the required breeder documents.⁶

According to Freedom House, there have been periodic arrests, prosecutions, and dismissals of civilian and military officials accused of corruption, and the Anti-Corruption Justice Centre was established in 2016, bringing together specialised police, prosecutors, and courts to focus on high-level malfeasance. Nevertheless, corruption remains an endemic problem, law enforcement agencies and the judiciary are themselves compromised by graft and political pressure, and the most powerful officials and politicians effectively enjoy impunity. An October 2018 report from the US Special Inspector General for Afghanistan Reconstruction confirmed that the Anti-Corruption Justice Centre was failing to prosecute senior officials accused of corruption.⁷

Furthermore, corruption in the judiciary is extensive, with judges and lawyers often subject to threats and bribes from local leaders or armed groups. Informal justice systems, employing variants of both customary law and Sharia, are widely used to arbitrate disputes, especially in rural areas. The Taliban have installed their own judiciary in areas they control, but many Taliban commanders impose arbitrary punishments without reference to this system.⁸

Trustworthiness of Afghan documents

According to the US Department of State's Visa Reciprocity and Country Documents Finder report on Afghanistan dated 3 April 2003, the availability and reliability of Afghan identity documents is "very uncertain" because of wartime conditions and a lack of a central authority. Moreover, during the 1990s, Afghan refugees who fled to Pakistan were generally not registered or issued with identity documents.⁹

The Danish Committee for Aid to Afghan Refugees stated that there is widespread circulation of false documentation in Afghanistan, including university examina-

⁴ Transparency International, 2018.

⁵ BTI – Afghanistan, 2018, p. 10; Landinfo, 20 February 2018, p. 20.

⁶ Landinfo, 20 February 2018, p. 20.

⁷ Freedom House – Afghanistan, 28 May 2018.

⁸ Freedom House – Afghanistan, 28 May 2018.

⁹ Immigration and Refugee Board of Canada, 1 October 2003.

tion certificates. According to the United Nations High Commissioner for Refugees office in Kabul this also includes false Afghan passports.¹⁰

Legalisation of Afghan documents

To have an Afghan document legalised it has to go through three ministries: The Ministry of Interior Affairs, the Central Census Independent Organisation, which has records of issued tazkera; the Ministry of Justice, and the Ministry of Foreign Affairs. Throughout this process it is confirmed, that the stamp and signature are genuine and that the document is signed by an official with the right authorisation. However, this legalisation process does not include an assessment of whether the content of the document is genuine.¹¹

Bangladesh

Corruption

Corruption is pervasive at all levels of society including the public sector and anti-corruption legislation is inadequately enforced.¹² Bangladesh is ranked among the countries where informal payments and bribes in connection with public utilities are most frequent.¹³

According to Transparency International's Corruption Perceptions Index, Bangladesh scores 26 out of 100 with 100 representing the lowest level of corruption.¹⁴ In the five-year period from 2001 to 2005, Bangladesh was ranked as the most corrupt country in the world.¹⁵

The Bangladeshi Anti-Corruption Commission remains the most ineffective body and is not seen as an independent institution that can investigate corruption cases, which is pervasive at all levels of society. According to the Anti-Corruption Commission 2015 annual report, poor conviction rates due to shoddy investigations led to the acquittal of 207 out of 306 corruption convicts. Though the government pushed the Anti-Corruption Commission (Amendment) Bill of 2016 in parliament to provide more teeth to the Anti-Corruption Commission by allowing the police to investigate graft charges, judicial magistrates to hold trials and placing crimes related to bribery and corruption under the anti-money laundering act of 2012, the situation on ground remained unchanged.¹⁶

¹⁰ Immigration and Refugee Board of Canada, 1 October 2003.

¹¹ Landinfo 20 February 2018, p. 17.

¹² GAN Integrity – Bangladesh, May 2018; BTI – Bangladesh, 2018.

¹³ GAN Integrity – Bangladesh, May 2018.

¹⁴ Transparency International, 2018.

¹⁵ Landinfo, 4 July 2013, p. 6.

¹⁶ BTI – Bangladesh, 2018.

Trustworthiness of Bangladeshi documents

According to several international sources, there is a comprehensive prevalence of counterfeit, forged and illegitimate documents in Bangladesh as well as genuine documents issued by legitimate government authorities containing fraudulent information. The quoted sources all indicated that it is not difficult to obtain any form of fraudulent documentation. This includes central identity and travel documents, such as passports, as well as important breeder documents, such as birth certificates and marriage certificates.¹⁷

The sources further indicated that the risk related to the issuance of genuine Bangladeshi documents containing fraudulent information is exacerbated by the lack of a functioning central archive or database for the registration of vital events, as it is not possible to verify the personal information in Bangladeshi documents.¹⁸

According to Lifos, both fraudulent and genuine documents containing fraudulent information are widely available and it is easy to obtain a genuine certificate containing the personal information of the applicant's choice.¹⁹

Cameroon

Corruption

Corruption is endemic in Cameroon.²⁰ Bribery, nepotism, and corruption are rife in almost all sectors of the Cameroonian government, public administration, judiciary and economy; but it is particularly prevalent in the judiciary, public services and customs. The legal and regulatory systems are non-transparent and there exists a lack of effective regulations, insufficient law enforcement and significant delays in courts. Cameroon does not effectively implement anti-corruption legislation and high-level officials often act with impunity.²¹

According to Bertelsmann Stiftung, all levels of government are eroded by corruption and according to a 2015 public opinion poll, corruption is increasing. Cases of high-level corruption are frequently prosecuted, but public opinion tends to regard these cases as a smokescreen to undermine political rivals of President Biya.²²

¹⁷ Immigration and Refugee Board of Canada, 20 September 2010, p. 1; Immigration and Refugee Board of Canada, 20 August 2015; Landinfo, 4 July 2013, p. 7; Lifos, 7 May 2018, p. 6.

¹⁸ Immigration and Refugee Board of Canada, 20 August 2015; Landinfo, 4 July 2013, p. 7; Lifos, 7 May 2018, p. 6.

¹⁹ Lifos, 5 July 2018, p. 7.

²⁰ GAN Integrity – Cameroon, May 2017; BTI – Cameroon, 2018.

²¹ GAN Integrity – Cameroon, May 2017.

²² BTI – Cameroon, 2018.

According to Transparency International's Corruption Perceptions Index, Cameroon scores 25 with 100 representing the lowest level of corruption.²³

Iraq

Capabilities of the state administration

According to Freedom House, Iraq holds regular, competitive elections, and the country's various partisan, religious, and ethnic groups enjoy some representation in the political system. However, democratic governance is impeded in practice by corruption and security threats.²⁴

Corruption

The public administration in Iraq is notorious for its high level of corruption.²⁵ According to Transparency International's Corruption Perceptions Index 2018, Iraq scores 18 with 100 representing the lowest level of corruption.²⁶ According to Landinfo, the level of corruption is widespread in the public sector and it is not uncommon for government employees to take bribery in order to issue documents. It also appears that it is possible to have documents fraudulently issued by proxy by bribing the public official.²⁷

According to Freedom House, political parties, which siphon funds from the ministries they control and take kickbacks for government contracts, resist anticorruption efforts, while whistle-blowers and investigators are subject to intimidation and violence. The judicial system, itself hampered by politicisation and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission, one of three governmental anticorruption bodies.²⁸

Trustworthiness of Iraqi documents

Since 2003, Iraq has undergone a series of upheavals, which is also why it has been difficult at times to obtain essential documents. A lack of access to vital identity documents has created the conditions for buying and selling forged documents.²⁹ Furthermore, many choose to buy fraudulent documents to avoid the lengthy and time-consuming process of obtaining certain documents legally.³⁰

²³ Transparency International, 2018.

²⁴ Freedom House – Iraq, 5 April 2018.

²⁵ Landinfo, 11 April 2018, p. 27; Freedom House – Iraq, 5 April 2018; GAN Integrity – Iraq, June 2017.

²⁶ Transparency International, 2018.

²⁷ Landinfo, 11 April 2018, p. 27.

²⁸ Freedom House – Iraq, 5 April 2018.

²⁹ Landinfo, 11 April 2018, p. 7.

³⁰ Landinfo, 11 April 2018, p. 26.

According to Landinfo, a diplomatic source in Amman has stated that Iraqi ID documents must be regarded to have low trustworthiness, as a significant amount is detected as forged or counterfeited.³¹

According to Landinfo, both fraudulent and genuine documents containing fraudulent information are widely available and it is easy to obtain for example a genuine ID card containing the personal information that the holder needs for a relatively small amount of money. Birth certificates are the most frequently forged document followed by the Iraqi ID card.³²

Nigeria

Corruption

Corruption and white-collar crime are endemic and the public administration is in general characterised by nepotism and corruption.³³ Corruption risks are pervasive throughout all institutions but the oil sector is particularly corrupt. Corruption is criminalised and accepting or giving gifts as well as facilitation payments are illegal, and individuals can be penalised with up to 7 years' imprisonment. Despite a strong legal framework, enforcement of anti-corruption legislation in Nigeria remains weak. In practice, gifts, bribery and facilitation payments are the norm.³⁴

According to Landinfo, Nigeria has a complex and opaque legal framework which is easy to exploit for corrupt public officials because the population, in general, is unaware of the law and the correct administrative procedures.³⁵ The use of bribery of public officials is widespread, it takes place in the open and it rarely has any consequences.³⁶

Government efforts to master the problem have public support. The current government under President Buhari has vowed to focus on the fight against corruption, which reached an unprecedented level under the previous government.³⁷

According to Transparency International's Corruption Perceptions Index 2018, Nigeria scores of 27 out of 100 with 100 representing the lowest level of corruption.³⁸

Trustworthiness of Nigerian documents

Due to among other things poor working conditions and poor salaries, there is a high tolerance for negligence which affects the quality of the registered personal

³¹ Landinfo, 11 April 2018, p. 13.

³² Landinfo, 11 April 2018, pp. 26-27.

³³ Landinfo, 19 October 2012, pp. 25-26; BTI – Nigeria, 2018.

³⁴ GAN Integrity – Nigeria, May 2017.

³⁵ Landinfo, 19 October 2012, p. 25.

³⁶ Landinfo, 19 October 2012, p. 25.

³⁷ BTI – Nigeria, 2018.

³⁸ Transparency International, 2018.

data.³⁹ Quality assurance and supervision of registration authorities is close to non-existent and registration of e.g. birth and death are based solely on oral testimony by a relative.⁴⁰ Furthermore, stories about false birth and marriage registrations and false certificates are recurrent.⁴¹ In a declaration from June 2019, the National Population Commission stated, that from now on birth and death registration should be digital.⁴²

Forgeries of a wide range of documents are fairly common in Nigeria. Ironically, some forgeries contain genuine information and are only acquired in order to avoid the interaction with the legitimate issuing authorities, e.g. in order to avoid bribery and lengthy casework time.⁴³

Based on the weak control routines for personal data, high tolerance for negligence, the prevalence of nepotism and corruption, Landinfo's assessment is that the general trustworthiness of Nigerian documents is extremely low.⁴⁴

Pakistan

Corruption

Corruption is rampant in all sectors and institutions of Pakistan and district governments have a very poor service delivery.⁴⁵ Pakistan is unable to guarantee integrity in state bodies and is unable to prevent corruption despite a sound legal framework. The government did not implement anti-corruption laws effectively and officials engaged in corruption with impunity.⁴⁶

According to Transparency International's Corruption Perceptions Index, Pakistan scores 33 with 100 representing the lowest level of corruption.⁴⁷

Trustworthiness of Pakistani documents

According to the US embassy in Islamabad, the availability of fraudulent documents in Pakistan is widespread and the quality of local documents is inconsistent.⁴⁸

³⁹ Landinfo, 19 October 2012, p. 25.

⁴⁰ Landinfo, 19 October 2012, p. 25.

⁴¹ Hanafi, 3 November 2019; UNSD, 2 October 2011; Immigration and Refugee Board of Canada, 16 February 2001; Azubuike, 15 August 2019; All Africa, 28 July 2005.

⁴² Awofadeji, 25 June 2019.

⁴³ Landinfo, 19 October 2012, p. 28.

⁴⁴ Landinfo, 19 October 2012, p. 27.

⁴⁵ GAN Integrity – Pakistan, December 2017; Landinfo, 4 July 2013, p. 6; BTI – Pakistan, 2018.

⁴⁶ GAN Integrity – Pakistan, December 2017; Landinfo, 4 July 2013, p. 6.

⁴⁷ Transparency International, 2018.

⁴⁸ Immigration and Refugee Board of Canada, 14 January 2015.

According to the British High Commissioner in 2012, Pakistan is a world leader regarding visa fraud. Consequently, the British High Commission scrutinise every single application, every single passport and every single document.⁴⁹

Somalia

Capabilities of the state administration

According to the Fund for Peace's Fragile State Index 2019, Somalia is the second most fragile state in the world.⁵⁰

According to a number of academic sources, the political landscape in Somalia is characterised by widespread autonomy to regions and significant areas under rebel control.⁵¹ Somalia is de facto governed/controlled by different political entities including but not limited to the unrecognised self-proclaimed independent republic of Somaliland, the self-proclaimed autonomous regional state of Puntland, the militant Islamist movement al-Shabaab and the internationally recognised Federal Government of Somalia.⁵² The various political entities have different governance structures, judicial status and administrative strength.⁵³

As for the Federal Government of Somalia, it has weak administrative strength and its existence is upheld by the presence of AMISOM troops and international donors.⁵⁴

Corruption

According to Transparency International's Corruption Perceptions Index, Somalia ranks as the most corrupt country in the world and has done so for the past several years.⁵⁵

The ordinary justice system was dissolved in 1991 and for the following years Somalia had no functioning central government.⁵⁶

According to Freedom House, corruption is rampant in Somalia and impunity is the norm for public officials accused of malfeasance. Furthermore, the judicial system in Somalia is fractured, understaffed, and rife with corruption. Its authority is not widely respected, with state officials ignoring court rulings and citizens often turning to customary law or interpretations of Sharia as alternatives.⁵⁷

⁴⁹ Immigration and Refugee Board of Canada, 14 January 2015.

⁵⁰ Fragile States Index, 2019.

⁵¹ Hagmann & Hoehne, 2009; Menkhaus, 2014, Hoehne, 2015, UNMG, 2015.

⁵² Hagmann & Hoehne, 2009; Menkhaus, 2014, Hoehne, 2015, UNMG, 2015; Landinfo, 2019, 2.

⁵³ Hagmann & Hoehne, 2009; Menkhaus, 2014, Hoehne, 2015, UNMG, 2015.

⁵⁴ Hagmann & Hoehne, 2009; Menkhaus, 2014, Hoehne, 2015, UNMG, 2015.

⁵⁵ Transparency International, 2018.

⁵⁶ Landinfo, 14 June 2018, pp. 7 & 16.

⁵⁷ Freedom House – Somalia, 1 August 2018.

In regards to Somaliland, Freedom House states that there are almost no institutional safeguards against corruption and nepotism. Former president Silanyo took some measures to combat corruption earlier in his tenure, but the anti-corruption commission he created in 2010 has been largely ineffective in recent years, and prosecutions of officials for malfeasance are rare.⁵⁸

Trustworthiness of Somali documents

Although today's federal government has deprived the Islamist movement al-Shabaab of its hegemony in the vast majority of cities and towns, these areas still lack actual central and local governance and administration. Only in recent years, the inhabitants of South and Central Somalia have had the opportunity to receive, for example, ID cards and passports. However, there are still no national or local registers with an overview of the citizens. The issuance of passports, ID cards and other certificates by different agencies is therefore based on the information provided by the person him/herself.⁵⁹

South Sudan

Capabilities of the state administration

According to the Fund for Peace's Fragile State Index 2019, South Sudan is the third most fragile state in the world and according to Landinfo (2014), South Sudan is the world's poorest and most underdeveloped country.⁶⁰ Since late 2013, the country has been ravaged by civil war.⁶¹ South Sudan's government and legislature are unable to exercise control over the national territory and according to Bertelsmann Stiftung there exists a situation of a near-to-complete breakdown in basic administration and service delivery across many parts of South Sudan, especially in areas directly affected by the civil war.⁶² Furthermore, the collapse in oil production, which comprised 98 percent of the government budget, has led to an almost total collapse of the economy.⁶³

Corruption

According to Transparency International's Corruption Perceptions Index, South Sudan ranks as the second most corrupt country in the world alongside Syria.⁶⁴ Since its independence from Sudan in 2011, the government in Juba has been marked by corruption and incompetency. Freedom House describes corruption as being pervasive among political and military leaders.⁶⁵ According to Bertelsmann

⁵⁸ Freedom House – Somaliland, 5 October 2018.

⁵⁹ Landinfo, 14 June 2018, pp. 16-17.

⁶⁰ Fragile States Index, 2019; Landinfo, 12 February 2014, p. 1.

⁶¹ Freedom House – South Sudan, 2018.

⁶² Freedom House – South Sudan, 2018; BTI – South Sudan, 2018.

⁶³ BTI – South Sudan, 2018.

⁶⁴ Transparency International, 2018.

⁶⁵ Freedom House – South Sudan, 2018.

Stiftung, corruption is rampant and involves high and low ranking officials at different levels of government.⁶⁶

Trustworthiness of South Sudanese documents

Information on South Sudanese ID and civil status documents, their respective issuance procedures as well as their trustworthiness is few.

According to U.S. Department of State's Bureau of Consular Affairs, South Sudan issues its own civil documents and birth, death and marriage certificates are available. However, the legal framework (civil registry act and registrar) has yet to be established.⁶⁷

According to UNICEF, approximately 65 percent of births still go undocumented.⁶⁸

Yemen

Capabilities of the state administration

Yemen is torn apart by the current civil war, which has been ongoing since late 2014, when the Houthis took over the capital, Sana'a, and sent the current president, Abdrabbuh Mansour Hadi, who is in charge of Yemen's internationally recognised government, into exile in Saudi Arabia. The conflict further escalated in March 2015 when a coalition led by Saudi Arabia, also including the United Arab Emirates, intervened in the conflict on behalf of the Hadi government by launching airstrikes.⁶⁹ After the Houthi takeover of Sana'a, the majority of the government fled to Riyadh or to Aden, which was declared the new capital of Yemen.⁷⁰

According to the Fund for Peace's Fragile States Index 2019, Yemen is the most fragile state in the world.⁷¹

The United Nations Office for the Coordination of Humanitarian Affairs has titled Yemen as the world's largest humanitarian crisis and according to the 2019 Humanitarian Needs Overview, 80 percent of the population in Yemen requires some form of humanitarian or protection assistance. Tens of thousands of people have been killed or injured since 2015 and an estimated 3.3 million people remain displaced.⁷²

⁶⁶ BTI – South Sudan, 2018.

⁶⁷ U.S. Department of State, N/A.

⁶⁸ UNICEF, 13 January 2018.

⁶⁹ Lifos, 1 May 2019, p. 4.

⁷⁰ Lifos, 1 May 2019, p. 7.

⁷¹ Fragile States Index, 2019.

⁷² UNOCHA, December 2018.

Freedom House notes that Yemen has no functioning central government, and any state institutions that continue to operate are controlled by unelected officials and armed groups.⁷³

The war has also caused economic disintegration and a collapse of the financial sector. The Hadi government decided in 2016 to move the central bank, but resources necessary to run the bank remained in Sana'a. As a result thereof, public sector salaries have not been paid for more than two years.⁷⁴

Corruption

According to Transparency International's Corruption Perceptions Index 2018, Yemen scores of 14 out of 100 with 100 representing the lowest level of corruption.⁷⁵

According to Lifos, the Hadi government is considered weak, corrupt and ineffective.⁷⁶

Freedom House notes that Yemen's government transparency and accountability were minimal even before the outbreak of war in 2015, as a network of corruption established under the former president Saleh remained deeply rooted in public institutions, and formal anti-corruption mechanisms were largely ineffective.⁷⁷

Trustworthiness of Yemeni documents

Information on Yemeni ID and civil status documents, their respective issuance procedures as well as their trustworthiness is few.

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⁷³ Freedom House – Yemen, 2018.

⁷⁴ Lifos, 1 May 2019, p. 9-10.

⁷⁵ Transparency International, 2018.

⁷⁶ Lifos, 1 May 2019, p. 7.

⁷⁷ Freedom House – Yemen, 2018.

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