

Lesotho "Will Continue to Fight Graft"
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Business Day

LESOTHO is continuing to pursue bribery cases against multinationals working on one of the world's biggest dam projects, the Lesotho Highlands Water project, despite the lack of foreign support, writes Business Report, Johannesburg.

But the country's persistent will to eliminate corruption in the tiny mountain kingdom has shown the rest of the world that even poor nations can take large international companies to court if they are found to be acting outside the law.

Pambazuka News, writes that this sets a good example for the rest of the continent.

EDITORIALS

WHILE the corruption trials against big multinational companies have earned Lesotho a unique place in legal history, it has been an expensive business, writes the website, Pambazuka News.

"At an international level, many have expressed their admiration for the determination which the country's attorney-general has shown in proceeding with these difficult cases, and for the tenacity of purpose in the prosecutors, without whose sustained efforts the trials would simply not have been possible."

The website adds that no financial support has been forthcoming from outside the country, even though many institutions and governments promised support. Even so, many of the legal aspects of corruption have not been thoroughly and recently tested in the Lesotho courts.

In particular, there is now clear, developed common law jurisprudence on the questions of jurisdiction (where the matters can be tried) and citation (with regards whether a company has a legal personality). In addition, the definition of bribery has been further refined to ensure that equal resonance accrues to the two parts of the offence -- netting both the bribee and the briber, writes Pambazuka.

"From the perspective of the international community, these trials pose challenges to parties to the OECD convention against bribery of foreign public officials in international business transactions, about the ways in which corruption is detected and punished.

COMMENTATORS

BUSINESS Report, Johannesburg, writes that according to the attorney-general, Lebohang Maema, prosecutors will continue working on fighting against corruption.

"Five years ago any mention of prosecution of multinational corporations, especially in the so-called Third World, was a pipe dream," Maema said, describing the cases as a David and Goliath battle.

He said the perception that graft was solely an African problem was not true, noting that western contractors often "greased the wheels for corruption" in Africa.

"It will become clear to those proposing to do business in the country that there is a good chance that corrupt conduct will be detected."

Maema said that even though the lawsuits are a huge financial drain on the impoverished country with only 2-million people, it will not let a lack of finances stop its drive to eliminate corruption.

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