

African Union, African Regional Bodies

Resolution on the dialogue on combatting corruption: sharing knowledge, deepening understanding and transforming policy to practice

Legislation as at 18 October 2016

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African Union

Resolution on the dialogue on combatting corruption: sharing knowledge, deepening understanding and transforming policy to practice

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Commenced

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ACKNOWLEDGING that this is the first interface meeting between PAP, AUABC and Civil Society;

CONSCIOUS that efforts to combat corruption by AU member states have been embarked upon over the years;

ACKNOWLEDGING that the African Union has elevated the importance of combatting corruption, and promoting a culture of transparency and good governance by demonstrating its resolve through its declarations, treaties, policy formulations and establishment of policy organs mandated to assist in combating graft;

RECALLING the Africa Mining Vision, which was adopted by Heads of State at Twelfth Ordinary Session of the Assembly of the Union, February 2009;

FURTHER RECALLING the African Union Convention on Preventing and Combating Corruption in Africa (AUCPCC) adopted by Heads of State at the Second Ordinary Session of the Union, July 2003;

NOTING that 37 AU members are state parties to the Convention;

FURTHER NOTING that the AUABC has been the body mandated to spearhead the battle against corruption at the continental level;

RECOGNIZING that the efforts being made to combat graft are inadequate, and more needs to be done to stem corruption;

CONCERNED that Africa is haemorrhaging astronomical amounts of money to rampant corruption amounting to between fifty to ninety billion US dollars annually;

CALLING on the AU Assembly to extend and streamline the AUABC board members' tenure and term of office from two years to four so as to ensure greater sustainability and continuation in respective roles and responsibilities of board members.

FURTHER CALLING on the AUC to endorse and support the AUABC's proposal to the Executive Council to declare 2018 the Year of Combating Corruption in Africa;

REGRETTING that universal ratification of the AUCPCC has not been attained - countries such as: Angola; Cameroon; Central African Republic; Cape Verde; Djibouti; DRC; Egypt; Equatorial Guinea; Eritrea; Mauritania; Mauritius; Somalia; South Sudan; Sao Tome & Principe; Sudan; Swaziland; Tunisia.

URGING AU member states to urgently ratify and deposit their instruments of ratification with the AUC;

ENCOURAGING state parties to honour their reporting obligations to the AUABC, and create necessary avenues for regular country missions by the AUABC, as prescribed in the AUCPCC;

URGING state parties to the AUCPCC to implement the Cardinal Principles of the AUCPCC namely:

- i. Article 5(3) Establish, maintain and strengthen independent national anticorruption authorities or agencies. 5(5) Adopt legislative and other measures to protect informants and witnesses in corruption and related offences, including protection of their identities.
- ii. Article 7(1) Require all or designated public officials to declare their assets at the time of assumption of office during and after their term of office in the public service.

- iii. Article 9 Access to Information - Each State Party shall adopt such legislative and other measures to give effect to the right of access to any information that is required to assist in the fight against corruption and related offences.
- iii. Article 10 Funding of Political Parties - Each State Party shall adopt legislative and other measures to proscribe the use of funds acquired through illegal and corrupt practices to finance political parties; and (b) Incorporate the principle of transparency into funding of political parties.
- iv. Article 11(1) Adopt legislative and other measures to prevent and combat acts of corruption and related offences committed in and by agents of the private sector.

RECOGNIZING the important oversight role of Parliament in ensuring transparency and accountability principles that can enable our people to benefit from their mineral resources.

The Pan-African Parliament resolves to:

- (i) support the AUABC to deploy its mandate in combatting corruption in Africa;
- (ii) prioritize support to the Advisory Board on Corruption members by ensuring that nominations at country level for the members are individuals of impeccable character who are credible, competent in the subject matter of combating corruption in Africa;
- (iii) support the role of APNAC in elevating and promoting the culture of transparency, probity and accountability;
- (iv) liaise with the Multi Sectoral Working Group on Combating Corruption to further advance the aims and objectives of the group at national, regional and continental levels;
- (v) request financial and technical support to ensure that campaigns for Treaty ratifications and domestication thereof are prioritized, particularly the African Charter on Democracy Elections and Governance; African Union Convention on Preventing and Combating Corruption;
- (vi) undertake to examine, debate and adopt the African Model Law on Combatting Corruption by the end of 2018;
- (vii) Request the African Union Commission, the African Minerals Development Center and key regional CSOs to support efforts towards strengthening the capacity of PAP and its committee structures and all internal processes in ways to effectively and coherently play its oversight role in the implementation and domestication of the African Mining Vision and its instruments at the continental, regional and national level;
- (viii) Undertake to pass a Parliamentary resolution that clearly introduces a new legislative regime on the role of Parliament in relation to the AMV and the management of mineral resources in Africa

Adopted in Sharm El Sheikh, Egypt, 18 October 2016.