

African Union, African Regional Bodies

Resolution on winning the fight against corruption: A sustainable path to Africa's transformation

Legislation as at 17 May 2018

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Resolution on winning the fight against corruption: A sustainable path to Africa's transformation
Contents

Paragraph 1. 2

Paragraph 2. 2

 Subparagraph i. 2

 Subparagraph ii. 2

 Subparagraph iii. 2

 Subparagraph iv. 2

Paragraph 3. 2

Paragraph 4. 2

Paragraph 5. 2

Paragraph 6. 2

Paragraph 7. 2

African Union

Resolution on winning the fight against corruption: A sustainable path to Africa's transformation

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Commenced

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THE PAN-AFRICAN PARLIAMENT,

CONSIDERING Article 17 of the Constitutive Act of the African Union on the establishment of the Pan-African Parliament to ensure the full participation of African peoples in the development and economic integration of the continent;

CONSIDERING also Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4 (a) of the Rules of Procedure of the Pan-African Parliament, which empower the PAP to facilitate the implementation of policies, objectives and programmes of the African Union and to oversee their effective implementation;

CONCERNED with the fact that corruption and illicit financial flows threaten our goals to end poverty and hunger in Africa and to achieve sustainable development in its three dimensions through promoting inclusive economic growth, protecting the environment and promoting social inclusion, strong political commitment to address the challenge posed by corruption and illicit financial flows out of Africa must be enhanced;

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; elevating a culture of accountability and citizen participation;

APPLAUD the AU Assembly of Heads of State for acknowledging the corruption Africa faces and supporting the call to declare 2018 as a Year to combat corruption and the efforts taken by H.E. President Buhari of Nigeria for accepting to Champion the theme;

RECALLING Executive Council Decision EX.CL/1000(XXX) of the Permanent Representatives' Committee at its Thirty Third Ordinary Session on the Report of the activities of the African Union Advisory Board on Corruption (AUABC) and the declaration that 2018 is the Year of Combating Corruption in Africa;

FURTHER RECALLING the AU Assembly Special Declaration on Illicit Financial Flows on Twenty Fourth Ordinary Session of the AU Assembly in Addis Ababa, Ethiopia, January 2015

RECALLING the decision on the Activity Report of the AUABC on corruption Doc. EX.CL/860(XXV) and the need for the AU Commission and Secretariat to carry out the decisions made by the Executive Council for Member States to provide the necessary support to the AUABC through voluntary contributions and providing the requisite resources from the AU budget on the urgent reforms needed at the AUABC

COMMITTING to support the AUABC by embarking on strategic legislative reforms to enable African Union Member States combat corruption, prevent illicit financial flows and recover illegally acquired assets from criminals;

IN ACCORDANCE WITH Rule 5 (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. Encourage the African Union Member States to amend the AUCPCC into a living document whose relevance is felt by the African citizenry;
2. Deploy its mandate to ensure universal ratification of the following AU legal instruments:
 - i. African Union Convention on Preventing & Combating Corruption (2003);
 - ii. African Charter on Democracy, Elections and Governance, Addis Ababa (2007);
 - iii. Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament (2014) (PAP Protocol)
 - iv. Protocol on Amendments to the Protocol on the Statute of the African Court of Justice and Human Rights, Malabo (2014)
3. Request from the African Union additional financial and technical support to ensure that campaigns for fast track the ratification and domestication of the abovementioned treaties;
4. Support the AUABC to deploy its mandate in combating corruption in Africa and continue to advocate for the mandate of the board to be strengthened, as stipulated in the various AU decisions;
5. Encourage National Parliaments to effectively monitor the nomination process of the AUABC members by ensuring that nominees fulfill requirements of integrity, credibility and competent in the subject matter of combating corruption in Africa;
6. Continue to advocate for the strengthening of the mandate of the AUABC, as stipulated in the various AU decisions and to strengthen collaboration with the AUABC for an effective exercise of its mandate in combating corruption in Africa;
7. Support the role of African Parliamentary Network Against Corruption-APNAC in elevating and promoting the culture of transparency, probity and accountability by engaging with the Multi-Sectoral Working Group on Combating Corruption at national, regional and continental levels;

Midrand, South Africa

17 May 2018