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**EXECUTIVE COUNCIL**

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**REQUEST BY THE UNITED REPUBLIC OF TANZANIA TO HOST THE  
SECRETARIAT OF THE AFRICAN UNION ADVISORY BOARD ON  
CORRUPTION IN ARUSHA, TANZANIA**

*(Item proposed by the United Republic of Tanzania)*

## **INTRODUCTION**

1. The African Union Advisory Board on Corruption is established within the African Union by Article 22 of the African Union Convention on Preventing and Combating Corruption which was adopted by the Second Ordinary Session of the Assembly of the African Union in Maputo, Mozambique in July 2003. Article 22 of the Convention stipulates, inter alia that 'There shall be an Advisory Board on Corruption within the African Union.'

2. The African Union Convention on Preventing and Combating Corruption entered into force on 5 August 2006, thirty (30) days after the deposit of the fifteenth (15<sup>th</sup>) instrument of ratification. To date Thirty-one (31) member States have ratified and are States Parties to the Convention. The Advisory Board started work in 2009 following the election of the eleven (11) members by the 16<sup>th</sup> Ordinary Session of the Executive Council held in Addis Ababa Ethiopia from 29 to 30 January 2009 through Executive Council Decision EX.CL/Dec. 485(XVI).

## **MANDATE OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION**

3. In accordance with Article 22 (5) of the African Union Convention on Preventing and Combating Corruption, the main mandate of the Board is to promote and encourage the adoption and application of anti corruption measures on the continent; collect and document information on the nature and scope of corruption in Africa; develop methodologies for analyzing the nature and extent of corruption in Africa, and disseminate information and sensitize the public on the negative effects of corruption and related offenses; and advise governments on how to deal with the scourge of corruption in their domestic jurisdictions. In short the African Union Advisory Board on Corruption is charged with advising AU Member States on measures and actions to prevent, detect, punish and eradicate corruption and related offences in Africa as well as to follow-up on the application of those measures.

## **ACTIVITIES OF THE ADVISORY BOARD**

4. To-date the African Union Advisory Board on Corruption has held ten ordinary sessions aimed at fulfilling its mandate. The Advisory Board held its first meeting in May 2009 in Addis Ababa, Ethiopia, and elected the members of its first Bureau led by Dr. Frene N. Ginwala, former Speaker of the South African Parliament, and discussed among other things its mandate and responsibilities as spelled out in the Convention and identified a number of priorities in order to develop its initial work programme for 2010. At that stage, the Board placed emphasis on advocacy and raising awareness of its work as well as the importance in establishing contacts with national anti-corruption bodies as well as anti corruption mechanisms at regional and sub-regional levels.

5. A second Board has since been elected in January 2011 chaired by Mrs Julie Onum-Nwariaku of Nigeria. The Board has dwelt extensively with a number of issues including; the comprehensive nature of the AU Convention on Preventing and Combating Corruption; the uniqueness of the Convention that contains mandatory provisions with regard to the establishment of certain offences which are not regarded as such in other anti-corruption instruments such as the United Nations Convention. Such offences include; private-to-private corruption and requirement for transparency in funding political parties.

6. The Advisory Board in implementing its mandate as stipulated in the AU Convention seeks to harmonize legislation among State Parties and anti-corruption initiatives on the continent and draws on the provisions of the Regional Economic Communities, particularly the Southern African Development Community (SADC) and the Economic Community of West African States (ECOWAS) protocols. Moreover, the Board is required to assist State Parties to meet their initial and annual reporting obligations. In that regard, it is imperative for States to assess their policies and legislation in the context of the Convention requirements and domesticate its provision into their national legislation.

7. During its 17th Ordinary Session held in Kampala, Uganda in July 2010, the Executive Council took decision no. EX.CL/603(XVII) which requested the Commission to fully operationalize the Secretariat for the Advisory Board on Corruption as soon as possible and during its 18th Ordinary Session held in Malabo, Equatorial Guinea in June 2011, the Council took another decision, no. EX.CL/680(XIX) in which it reiterated its request to the Commission to fully operationalize the Secretariat for the Advisory Board on Corruption.

8. The structure of the Secretariat of the Board has already been adopted by the PRC Sub- Committee on structures and it is awaiting the approval of the higher Policy Organs after which follow-up actions on the establishment of the Secretariat will follow.

9. In this regard, Tanzania is proposing to Host the Secretariat of the African Union Advisory Board on Corruption in the city of Arusha in line with the relevant decisions of the Policy Organs particularly Executive Council Decisions EX.CL/Dec.98(V), EX.CL/132(V) and Assembly/ AU/Dec.39(111) all of July 2004 regarding the hosting of AU Organs which stipulate inter alia that;

*Member States hosting or proposing to host AU Organs should meet the following minimum basic requirements:*

- i. The host country shall provide, at its expense secure structure with furnished and equipped office premises for the seat of the organ on the basis of the objective requirements of office space;

- ii. The premises offered by the host country should be such that the organ shall be easily accessible;
- iii. The host country shall meet the requirement of conducive political atmosphere and adequate logistical facilities;
- iv. There should be appropriate and efficient modern infrastructure especially telecommunications facilities to enable the office to function efficiently ;and
- v. There shall be available housing, hotel accommodation and health infrastructure to meet the functional needs of the organ.

10. Apart from meeting the criteria to host the African Union Board on Corruption, it is clear that the work of the Board will be greatly enhanced particularly its capacity and efficiency to deliver if its secretariat is situated in Arusha which is the Seat of the African Court of Justice and Human rights and the East African Court. as well as the East African Legislative Assembly whose proximity will greatly compliment the work of the Board.

11. Finally, the hosting of the African Union Advisory Board of Corruption in Arusha Tanzania will not entail additional financial commitments to the Member States of the African Union.

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# Request by the United Republic of Tanzania to host the secretariat of the African Union advisory board on corruption in Arusha, Tanzania (Item proposed by the United Republic of Tanzania)

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