



**EXECUTIVE COUNCIL**  
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**Addis Ababa, ETHIOPIA**

**EX.CL/1059(XXXII)**

**ACTIVITY REPORT OF THE AFRICAN UNION ADVISORY  
BOARD ON CORRUPTION (AUABC)**

AFRICAN UNION ADVISORY BOARD ON  
CORRUPTION

المجلس الاستشاري للإتحاد الإفريقي  
لمحاربة الفساد



CONSEIL CONSULTATIF DE L'UNION  
AFICAINE SUR LA CORRUPTION

CONSELHO CONSULTIVO DA UNIÃO  
AFRICANA SOBRE CORRUPÇÃO

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## 9<sup>TH</sup> ACTIVITY REPORT OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION TO THE EXECUTIVE COUNCIL (January 2018)

Submitted in Accordance with  
Article 22 of the African Union Convention on Preventing and  
Combating Corruption

## 9<sup>TH</sup> ACTIVITY REPORT OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION TO THE EXECUTIVE COUNCIL (January 2018)

### I. SUMMARY

1. The African Union Advisory Board on Corruption (AUABC) was established in accordance with the provisions of article 22(5)(a) of the African Union Convention on Preventing and Combating Corruption (AUCPCC). The Convention was adopted at the second ordinary session of the Assembly of the Union in Maputo, Mozambique, on 11 July 2003, and entered into force on 5 August 2006, 30 (thirty) days after the deposit of the fifteenth instrument of ratification. As at 30 November 2017, the Convention had been signed by 49 States and ratified or acceded to by 38 States.

2. According to article 22(5) of the Convention, the functions of the Board are, among others: “to promote and encourage the adoption and application of anti-corruption measures” by States Parties to prevent, detect, punish and eradicate corruption and related offences in Africa” and “to submit a report to the Executive Council on a regular basis on the progress made by each State Party in complying with the provisions of this Convention.

3. This is the 9<sup>th</sup> report of the Advisory Board on Corruption to the Executive Council. The report contains details of the activities of the Advisory Board covering the period January to December, 2017 including an assessment of the implementation of the AUCPCC.

### II. BACKGROUND

4. The Board is composed of 11 (eleven) members, nominated by States Parties and elected by the Assembly through the Executive Council from a list of experts. The Board is currently composed of 10 (ten) members with the vacancy for female member from the Northern Africa region to be filled at the 30<sup>th</sup> Ordinary Session of the Assembly in January 2018. The mandate of the Board Members will run from January 2017 to January 2020 as a result of their staggered election. The Board comprises of the following members:

- **Mr. Begoto MIAROM (Chad)** – Chairperson, elected in January 2017 serving a first term;
- **Mr. Hocine AÏT CHALAL (Algeria)** – Vice-chairperson, elected in July 2017 serving a first term;
- **Ms. Elisabeth Afiavi GNANSOUNOU FOURN (Benin)** – Rapporteur; elected in January 2017 serving a first term;
- **Mr. Daniel BATIDAM (Ghana)** - elected in January 2017 serving a second term;
- **Ms. Florence ZIYAMBI (Zimbabwe)** - elected in January 2017 serving a second term;

- **Mr. John Kithome TUTA (Kenya)** - elected in January 2017, serving a second term;
- **Mr. Bamouni PASCAL (Burkina Faso)** - elected in January 2017, serving a first term;
- **Ms. Sabina SEJA (Tanzania)** - elected in July 2017, serving a first term;
- **Mr Paulus Kalonho NOA (Namibia)** - elected in January 2017, serving a second term; and
- **Ms. Anne-Marie Mougemba KIBONGUI SAMINOU (Congo)** - elected in July 2017, serving a first term.

#### **a. The Bureau**

**5.** Comprising of the Chairperson, the Vice Chairperson and the Rapporteur, the Bureau ensures the planning and coordination of activities of the Board that are essential in the fulfilment of its functions in accordance with article 22(5) of the Convention. The Members of the Bureau do not work from the headquarters of the Advisory Board, but they fulfil their functions from their countries of residence and only come to the headquarters during scheduled meetings.

#### **b. The Secretariat of the Board**

**6.** Under the overall and direct supervision of the Executive Secretary and the Rapporteur respectively, the Secretariat provides technical, professional, administrative and logistical support to the Advisory Board. Its organizational structure, which is based on African Union (AU) policies, is designed to integrate professional, technical and administrative staff.

#### **➤ The Staff of the Secretariat**

**7.** As at 15 November 2017, the Secretariat had the full staff complement under the approved structure with 7 (seven) staff members as follows:

- An Executive Secretary
- A Senior Policy Officer for Political and Legal Matters
- A Senior Policy Officer for Economic and Statistical Matters
- A Finance and Administration Officer
- A Documentalist
- A Bilingual Secretary
- A Driver/ Messenger

### **III. ACTIVITIES OF THE BOARD**

#### **A. Statutory meetings**

**8.** As at 15 November 2017, two statutory meetings were held during the period under review namely (i) the 23<sup>rd</sup> Ordinary and Inaugural Session held from 24 to 28 July

2017 and (ii) the 24<sup>th</sup> Ordinary Session held from 2 - 7 October 2017. The Board shall also hold two additional Sessions in the course of the year namely (i) the 1<sup>st</sup> Extraordinary Session to be held on 18 November and (ii) the 25<sup>th</sup> Ordinary Session to be held from 11 to 16 December 2017.

9. It should be noted that the Board held an open session from 15 to 17 November 2017, a session extended to all stakeholders involved in the fight against corruption (national anti-corruption agencies, civil society organisations and technical and financial partners).

### **Ordinary sessions**

- (a) 23<sup>rd</sup> Ordinary and Inaugural Session held from 24 - 28 July 2017 – During this session the newly elected members were sworn in and a new bureau elected. An orientation session on an overview of the African Union, its various organs and its methods of operating, was also organised during this session;
- (b) 24<sup>th</sup> Ordinary Session held from 2 to 7 October 2017- During the Session, the Board adopted its Revised Rules of Procedure as a means to enhance the impact and efficiency of the operations of the Board. The Board also formulated various Working Groups namely Monitoring Mechanism Review Working Group, the Project 2018 Working Group and Partnerships and Resource Mobilization as a mechanism to focus and enhance its operations;
- (c) 1<sup>st</sup> Extraordinary Session to be held on 18 November 2017 – The session is organised with a view to looking at the modalities for inputting into the Executive Council Extraordinary Session that was called to consider the AUABC Draft 2017-2021 Project and the Concept Note for Project 2018; and
- (d) 25<sup>th</sup> Ordinary Session to be held from 11 - 16 December 2017- The last Session of the year is aimed at finalising the action plan for Project 2018.

### **Open sessions**

- (e) From 15 to 17 November 2017, the Board also held an open session by organising a Continental Consultative Workshop during which the Concept Note for Project 2018 was widely discussed, as well as related activities in view of enriching it and drumming support for Project 2018. The workshop also validated the AUABC Strategic Plan for the period 2017-2021 and brainstormed on corruption measurement in Africa. The session brought together more than 100 participants from the anti-corruption agencies of the 32 Member States, development partners and civil society organisations.

**B. ASSESSMENT OF THE STATUS OF RATIFICATION OF THE AFRICAN UNION CONVENTION ON PREVENTING AND COMBATING CORRUPTION**

**10.** To date, out of 55 AU Member States, there are 49 (forty-nine) signatures and 38 (thirty-eight) ratifications. Seventeen (17) States have not yet ratified the Convention.

**11.** Below is the list of signatures and ratifications:

**No Signature/Signatures only**

<b>No.</b>	<b>COUNTRY</b>	<b>DATE OF SIGNATURE</b>	<b>DATE OF/ RATIFICATION/ ACCESSION</b>	<b>DATE DEPOSITED</b>
1	Angola	22/01/2007	-	-
2	Cameroon	30/06/2008	-	-
3	Central African Republic	-	-	-
4	Cape Verde	-	-	-
5	Djibouti	15/11/2005	-	-
6	Democratic Republic of Congo	05/12/2003	-	-
7	Equatorial Guinea	30/01/2005	-	-
8	Eritrea	25/04/2012	-	-
9	Mauritania	30/12/2005	-	-
10	Mauritius	06/07/2004	-	-
11	Morocco	06/07/2004	-	-
12	Somalia	23/02/2006	-	-
13	Sao Tome & Principe	01/02/2010	-	-
14	South Sudan	24/01/2013	-	-
15	Sudan	30/06/2008	-	-
16	Swaziland	07/12/2004	-	-
17	Tunisia	27/01/2013	-	-

**Ratifications (38)**

<b>No.</b>	<b>COUNTRY/PAYS</b>	<b>DATE OF SIGNATURE</b>	<b>DATE OF RATIFICATION/ ACCESSION</b>	<b>DATE DEPOSITED</b>
1	Algeria	29/12/2003	23/05/2006	06/07/2006
2	Benin	11/02/2004	20/09/2007	07/11/2007
3	Botswana	-	14/05/2014	19/08/2014
4	Burkina Faso	26/02/2004	29/11/2005	15/02/2006
5	Burundi	03/12/2003	18/01/2005	10/03/2005
6	Chad	06/12/2004	03/03/2015	27/04/2015
7	Côte d'Ivoire	27/02/2004	14/02/2012	05/11/2012

8	<b>Comoros</b>	26/02/2004	02/04/2004	16/04/2004
9	<b>Congo</b>	27/02/2004	31/01/2006	24/04/2006
10	<b>Egypt</b>	30/01/2017	01/01/2017	25/08/2017
11	<b>Ethiopia</b>	01/06/2004	18/09/2007	16/10/2007
12	<b>Gabon</b>	29/06/2004	02/03/2009	08/04/2009
13	<b>Gambia</b>	24/12/2003	30/04/2009	09/07/2009
14	<b>Ghana</b>	31/10/2003	13/06/2007	20/07/2007
15	<b>Guinea-Bissau</b>	21/01/2006	23/12/2011	04/01/2012
16	<b>Guinea</b>	16/12/2003	05/03/2012	12/04/2012
17	<b>Kenya</b>	17/12/2003	03/02/2007	07/03/2007
18	<b>Libya</b>	05/11/2003	23/05/2004	30/06/2004
19	<b>Lesotho</b>	27/02/2004	26/10/2004	05/11/2004
20	<b>Liberia</b>	16/12/2003	20/06/2007	20/07/2007
21	<b>Madagascar</b>	28/02/2004	06/10/2004	09/02/2005
22	<b>Mali</b>	09/12/2003	17/12/2004	14/01/2005
23	<b>Malawi</b>	-	26/11/2007	27/12/2007
24	<b>Mozambique</b>	15/12/2003	02/08/2006	24/10/2006
25	<b>Namibia</b>	09/12/2003	05/08/2004	26/08/2004
26	<b>Nigeria</b>	16/12/2003	26/09/2006	29/12/2006
27	<b>Niger</b>	06/07/2004	15/02/2006	10/05/2006
28	<b>Rwanda</b>	19/12/2003	25/06/2004	01/07/2004
29	<b>South Africa</b>	16/03/2004	11/11/2005	07/12/2005
30	<b>Sahrawi Arab Democratic Rep.</b>	25/07/2010	27/11/2013	27/01/2014
31	<b>Senegal</b>	26/12/2003	12/04/2007	15/05/2007
32	<b>Seychelles</b>	-	01/06/2008	17/06/2008
33	<b>Sierra Leone</b>	09/12/2003	03/12/2008	11/12/2008
34	<b>Tanzania</b>	05/11/2003	22/02/2005	12/04/2005
35	<b>Togo</b>	30/12/2003	14/09/2009	22/10/2009
36	<b>Uganda</b>	18/12/2003	30/08/2004	29/10/2004
37	<b>Zambia</b>	03/08/2003	30/03/2007	26/04/2007
38	<b>Zimbabwe</b>	18/11/2003	17/12/2006	28/02/2007

12. The Board continues to engage and sensitize Member states on the need to accede to the Convention through appeals and high level advocacy missions.

### **C. ASSESSMENT OF THE IMPLEMENTATION**

#### **(a) Report on the implementation of the Convention by States Parties**

13. During the reporting period, the Board received a baseline report from Zimbabwe. The Board shall review the report in accordance with its Rules of Procedure.

#### **(b) Evaluation Missions**

14. In September 2017, the Board undertook an evaluation mission to Uganda to engage with the State on its report on the Convention. The delegation held meetings with various authorities including the Inspectorate of Government, Accountant General, Ministry of Finance, Planning and Economic Development and Criminal Intelligence and Investigation Directorate of the Police. The Board also met with over 15 national Civil Society Organizations working on corruption issues in Uganda.

**(c) Collaboration with Stakeholders**

15. As part of its mandate pursuant to Article 22(5)(g) of the Convention to build partnerships with a broad range of stakeholders involved in the fight against corruption, the Board held a number of engagements with anti-corruption stakeholders.

16. The Board in conjunction with Open Society Foundations' Africa Regional Office, the Pan African Lawyers Union, and the Multi-Sectoral Working Group on Combating Corruption- East Africa co-organised and hosted on the 24<sup>th</sup> of July 2017 in Arusha, Tanzania a meeting to review the Concept Note on the African Anti-Corruption Year. The recommendations from the meeting included enhancing the role of the media, national anti-corruption agencies, parliamentarians and civil society through targeted engagements.

17. The Board also took part in the 1<sup>st</sup> Arusha Symposium on the quality of public institutions in Africa, organised by the Pan-African Centre for Policy Studies (PACPS) and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), from 1 to 3 November 2017.

**(d) Collaboration with African Union organs and other institutions**

18. During the year, the Board was engaged in a number of activities organised by organs of the Union.

19. The Board was represented at the 61<sup>st</sup> Ordinary Session of the African Commission on Human and People's Rights which also marked the 30<sup>th</sup> Anniversary of the establishment of the African Commission on Human and Peoples' Rights.

20. The Board also participated the opening ceremony of the 3<sup>rd</sup> African Judicial Dialogue on the theme "Improving Judicial Efficiency in Africa" held from 9 to 11 November, 2017 in Arusha, Tanzania. The Dialogue discussed ways of enhancing judicial efficiency in Africa through information, communication and technology systems. The Dialogue was organised by the African Court on Human and Peoples' Rights (AfCHPR), under the auspices of the African Union (AU), in collaboration with the World Bank, the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and the European Union (EU).



**(e) Development of the 2017-2021 Strategic Plan**

21. The review of the 2011-2015 Strategic Plan which started in October 2015 culminated in the development of the 2017-2021 Strategic Plan. The draft plan was subjected to a validation workshop of key stakeholders and has been placed before the Executive Council for approval.

**(f) Review of a tool/ mechanism to produce country reports**

22. The Board started the process of reviewing its mechanism of producing country reports in order to adapt same to its functions. Until now, the report on the implementation of the Convention is developed through the use of questionnaires sent to States Parties. After a few years, these questionnaires will become ineffective as a means of measuring the level of domestication and the implementation of the Convention by States Parties. The Board will be looking at mechanisms employed by other anti-corruption bodies, with a view to adopting a mechanism which suits the African context.

**(g) Partnerships and funding**

23. The Board, in its' tenure has engaged several potential partners to finance its programme of activities or to collaborate with the Board through joint activities. The African Development Bank (AfDB) supported the hosting of the open session financially and technically.

**(h) Preparations for the African Anti-Corruption Year (Project 2018)**

24. Following Decision EX.CL/Dec.978(XXXI) of the Executive Council to recommend the appointment of H.E Mr. Muhammadu Buhari, President of the Federal Republic of Nigeria as the Champion of the theme for 2018, the Board together with the Commission held a series of engagements with the Presidency and with Nigerian authorities on 26 October 2017. During the discussions, feedback was provided which enriched the Concept Note on Project 2018. Discussions also focused planning and strategies for execution of activities under the theme of the year.

**IV. RECOMMENDATIONS**

**(a) Ratification of the Convention by all Member States**

25. The ratification of the Convention by all the Member States is one of the priorities of the Board. During the reporting period, Egypt ratified the Convention and the Board wishes to formally congratulate Egypt for its decision. The Board notes that while ratification of legal instruments relates to the sovereignty of States, the Board would like to encourage all States that have not ratified the Convention, to proceed to accede to the same especially in light of the theme of the year, which was recalled and wished by the Executive Council through Decision EX.CL/925(XXVII).

**26.** The Board looks forward to strong mobilisation by Member States in favour of universal ratification of the Convention.

**(b) Reports on the implementation of the Convention by States Parties**

**27.** The Board wishes to encourage States Parties to submit their reports on the implementation of the Convention pursuant to their obligations under Article 22(7), as recalled by Executive Council Decision EX.CL/Dec.651(XXVIII). The Board further recommends that States Parties designate national focal points to facilitate easy communication between the Board and States Parties.

	MAIN ACTIVITY	SUPPORTING ACTIVITIES	MAIN TASKS	EXPECTED RESULTS /OUTPUTS	INDICATOR / DELIVERABLES	METHODOLOGY/ STRATEGIES	RESPONSIBLE ORGAN	BUDGET/ PARTNER
<b>JANUARY</b>								
1	30 <sup>th</sup> AU Summit Addis Ababa, Ethiopia	Gender Pre-Summit Activities	Participation in various activities	Increased awareness of effects of corruption on women	Pre-summit report	Board member to be panellist in the discussion on corruption and women	•AUABC •Gender Directorate	Member States
		Partners Roundtable	Preparing presentation Inviting partners  Delivery of presentation	Commitments for financial and technical support to Project 2018	Increased support for Project 2018	Share concept paper and implementation plan on project 2018	•Office of the Deputy Chairperson •AUABC •DPA •Department of Strategic Planning	Member States
		Launch the African Anti-Corruption Year	Preparation of speech for the champion Preparation of press release Participation at the Summit	Official launch of the Project	Summit decision on the launch of the Project Summit participation report	Coordinate with Embassy of Nigeria on Champions speech	•Champion •AUABC •DPA	Member States
		Promotional Video on Project 2018	Prepare video concept Review draft video	African citizens sensitized on Project 2018 and on the effects of corruption in Africa	Short video on Project 2018	Work with DIC/MSWG to produce the video	•AUABC •DIC	• Member States • MSWG
		Press Conference	Organize press conference and media interviews	Increased publicity	Press reports		•Champion •AUABC •AGA •DPA •DIC	Member States
2	Meeting of the AGA Platform Addis Ababa, Ethiopia		Coordinate with AGA Secretariat	To enhance institutional synergy and cooperation in the delivery of Project 2018	Enhanced coordination by AU organs in the delivery of Project 2018 Project 2018 Communication Plan	To provide technical support Engage participation of applicable AUC departments	•AU – ABC •AGA Secretariat •All AGA Platform Organs	Member States
<b>FEBRUARY</b>								
3	Studies Arusha, Tanzania	Commissioning of the study on the State of the AUCPCC	Prepare terms of reference  Issue consultancy for a study on the State of the AUCPCC	Documentation of state of implementation of the AUCPCC noting key successes and challenges	Report State of the AUCPCC		AUABC	• European Union • MSWG
		Commissioning of the study on the review	Prepare terms of reference				AUABC	• European Union • MSWG

		of the AUCPCC Questionnaire	Issue consultancy for a study on the State of the AUCPCC					
		Commissioning of the study on the development of a Common African Position on Asset Recovery	Prepare terms of reference  Issue consultancy for a study on the development of a Common African Position on Asset Recovery	Analysis the challenges and opportunities in recovery of stolen assets in African and develop a draft Common African Position on Asset Recovery	Common African Position on Asset Recovery		AUABC	<ul style="list-style-type: none"> <li>• AfDB</li> <li>• UNECA</li> </ul>
		Regional Studies on Anti-Corruption Good Practises	Prepare terms of reference for Regional Studies on Anti-Corruption Good Practises  Issue consultancies Regional Studies on Anti-Corruption Good Practises	Identification of good practises in anti-corruption	5 regional studies		<ul style="list-style-type: none"> <li>• AUABC</li> <li>• RECs</li> </ul>	<ul style="list-style-type: none"> <li>• European Union</li> <li>• AfDB</li> </ul>
4	Follow up to design of a methodology for analysing corruption in Africa <b>Arusha, Tanzania</b>		Prepare terms of reference  Issue consultancy for the design of a methodology for analyzing corruption in Africa	African Corruption Measurement	An African Corruption Measurement tool		AUABC	<ul style="list-style-type: none"> <li>• UNECA</li> <li>• European Union</li> </ul>
5	Sensitization Mission on the Ratification of AUCPCC <b>Venue TBC</b>		Send Note Verbale Organize meetings Facilitate logistical arrangements	To encourage ratification and domestication of the AUCPCC	Increase in the number of ratifications	Conduct a country analysis on state of anticorruption efforts before each mission	<ul style="list-style-type: none"> <li>• AUABC</li> <li>• DPA</li> <li>• PAP</li> <li>• OLC</li> <li>• ECOSOCC</li> </ul>	Member States
<b>MARCH</b>								
6	Continental Youth and Gender Congress on Corruption in Africa <b>Abuja, Nigeria</b>		Support development of concept note  Engage with Government of the Federal Republic of Nigeria	Increased awareness of effects of corruption youth and gender	Continental Youth and Gender Congress		<ul style="list-style-type: none"> <li>• Champion</li> <li>• AUABC</li> <li>• DPA</li> <li>• Department of Social Affairs</li> <li>• Gender Directorate</li> <li>• HRST</li> <li>• ACHPR</li> <li>• ACERWC</li> <li>• ECOSOCC</li> </ul>	<ul style="list-style-type: none"> <li>• Champion</li> <li>• Member States</li> </ul>
7	Preparatory Meeting for the		Prepare Concept note Prepare	To develop strategies for strengthening	Strategies for engagement		<ul style="list-style-type: none"> <li>• PAP</li> <li>• AUABC</li> </ul>	Member States

	Parliamentary Dialogue on Corruption in Africa <b>Midrand, South Africa</b>		presentation to PAP Committee on Justice and Human Rights	the role of PAP in combatting corruption	developed			
8	Launch of Essay Competition for Youth <b>Arusha, Tanzania</b>		Develop essay questions Disseminate essay questions	Increased awareness of effects of corruption in Africa among young people	Essay competition winners	Develop a criteria for the competition	<ul style="list-style-type: none"> <li>• AUABC</li> <li>• HRST</li> <li>• NACA's</li> <li>• ECOSOCC</li> </ul>	Member States
<b>APRIL</b>								
9	Launch of lectures in schools and academic institutions on the effects of corruption <b>Arusha, Tanzania</b>		Organize lectures in collaboration with NACAs in selected countries	Increased awareness of effects of corruption	Report on lectures organized	Prepare sample curriculum for use in the lectures Engage former Board Members	<ul style="list-style-type: none"> <li>• AUABC</li> <li>• HRST</li> <li>• Pan African University</li> <li>• NACA</li> </ul>	Member States
10	Sensitization Mission on the Ratification of AUCPCC <b>Venue TBC</b>		Send Note Verbale Organize meetings Facilitate logistical arrangements	To encourage ratification and domestication of the AUCPCC	Increase in the number of ratifications	Conduct a country analysis on state of anticorruption efforts before each mission	<ul style="list-style-type: none"> <li>• AUABC</li> <li>• DPA</li> <li>• PAP</li> <li>• OLC</li> <li>• ECOSOCC</li> </ul>	Member States
<b>MAY</b>								
11	Parliamentary Dialogue on Corruption in Africa <b>Midrand, South Africa</b>		A discussion between anti-corruption stakeholders and PAP MPs on the challenges of combatting corruption in Africa and the Africa Anticorruption Model law	To develop a shared understanding on the role of PAP and national legislatures have in combatting corruption and adopt Africa anti-corruption law	Declaration of African Parliamentarians on Anti-Corruption Strategies and adopted Africa Anti-corruption law	Prepare a presentation on the model law and discussion document on corruption Engage APNAC and GOPAC	<ul style="list-style-type: none"> <li>• PAP</li> <li>• AUABC</li> <li>• REC Parliaments / Advisory Forums</li> </ul>	Member States
<b>JUNE</b>								
12	Participation at the 31 <sup>st</sup> AU Summit <b>Venue TBC</b>		Prepare interim report on the status of Project 2018  Organize anti-corruption debates	To review progress made on implementation of activities of project 2018	Policy guidance on delivery of Project 2018		<ul style="list-style-type: none"> <li>• Champion</li> <li>• AUABC</li> <li>• DPA</li> <li>• AGA Secretariat</li> </ul>	Member States

		Press Conference and Media interviews	Organize press conference and media interviews	Increased publicity	Press reports		<ul style="list-style-type: none"> <li>• Champion</li> <li>• AUABC</li> <li>• AGA</li> <li>• DPA</li> <li>• DIC</li> </ul>	Member States
<b>JULY</b>								
13	Celebration of Africa Anti-Corruption Day (11 July 2018) <b>Venue TBC</b>		Organise activities on the African anticorruption week to be concluded on the 11 <sup>th</sup> July	To promote the African Anti-corruption day	Event Report	To coordinate a key stakeholders and the AU champion in development of strategies to promote the African anticorruption day activity	<ul style="list-style-type: none"> <li>• Champion</li> <li>• AUABC</li> <li>• AGA</li> <li>• NACA's</li> </ul>	<ul style="list-style-type: none"> <li>• Member States</li> <li>• Open Society Foundations</li> <li>• SIDA</li> </ul>
		Press Conference and Media interviews	Organize press conference and media interviews	Increased publicity	Press reports		<ul style="list-style-type: none"> <li>• AUABC</li> <li>• AGA</li> <li>• DPA</li> <li>• DIC</li> </ul>	Member States
<b>AUGUST</b>								
15	African Speakers Conference on Corruption <b>Midrand, South Africa</b>		Organise panel discussion around legislation of corruption and related offences	To adopt a resolution on anticorruption in Africa	Conference Report	Coordinate with the PAP Bureau on develop the agenda for the Speaker's conference	<ul style="list-style-type: none"> <li>• AUABC</li> <li>• PAP</li> <li>• AGA</li> <li>• APRM</li> </ul>	Member States
<b>SEPTEMBER</b>								
16	Sensitization Mission on the Ratification of AUCPCC <b>Venue TBC</b>		Send Note Verbale Organize meetings Facilitate logistical arrangements	To encourage ratification and domestication of the AUCPCC	Increase in the number of ratifications	Conduct a country analysis on state of anticorruption efforts before each mission	<ul style="list-style-type: none"> <li>• AUABC</li> <li>• DPA</li> <li>• PAP</li> <li>• OLC</li> <li>• ECOSOCC</li> </ul>	Member States
<b>OCTOBER</b>								
17	Side Event at the International Anti-Corruption Conference <b>22 – 24 Copenhagen, Denmark</b>		Organise side event on Africa anticorruption year and conduct press conference.	Increased awareness of anticorruption efforts in Africa	Conference Report	Liaise with the International Anti-Corruption Conference Secretariat	AUABC	<ul style="list-style-type: none"> <li>• Member States</li> <li>• Transparency International</li> </ul>
18	Annual Dialogue of National Anticorruption Agencies <b>Venue TBC</b>		Prepare concept note Make administrative and logistical arrangements	To galvanize support of NACA's and review progress of Project 2018	Dialogue report and recommendations		<ul style="list-style-type: none"> <li>• AUABC</li> <li>• DPA</li> <li>• AGA Platform Members</li> <li>• NACA's</li> <li>• RECs</li> </ul>	AfDB
<b>NOVEMBER</b>								
19	Dialogue and Arts for		Organize a <b>dialogue</b> and	Increased awareness of	Event Report	Liaise with the AUC Youth	<ul style="list-style-type: none"> <li>• AUABC</li> <li>• HRST</li> <li>• DPA</li> </ul>	<ul style="list-style-type: none"> <li>• Member States</li> <li>• AfDB</li> </ul>

	Transparency activities with Youth on African Youth Day (1 November 2018) <b>Venue TBC</b>		Arts for transparency activities with selected stakeholders	anticorruption efforts in Africa		Division and the Department of Human Resources, Science and Technology	<ul style="list-style-type: none"><li>• ECOSOCC</li></ul>	
20	7 <sup>th</sup> Annual High Level Dialogue <b>Venue TBC</b>		Prepare concept note Make administrative and logistical arrangements	To galvanize support across the continent and in the Diaspora	Launch of reports and studies on anti-corruption efforts	Coordinate the development of the concept note with the AGA Secretariat and the Government of the Federal Republic of Nigeria	<ul style="list-style-type: none"><li>• Champion</li><li>• AUABC</li><li>• AGA Secretariat</li><li>• DPA</li><li>• AGA Platform</li></ul>	<ul style="list-style-type: none"><li>• Member States</li><li>• GiZ</li><li>• UNDP</li><li>• Kingdom of Norway</li></ul>
		Press Conference and Media interviews	Organize press conference and media interviews	Increased publicity	Press reports		<ul style="list-style-type: none"><li>• AUABC</li><li>• DPA</li><li>• DIC</li></ul>	Member States
DECEMBER								
21	Celebration of International Anti-Corruption Day <b>Venue TBC</b>		Organise activities on 9 <sup>th</sup> December	To promote African Union anticorruption efforts at international level	Event report	This shall be a week-long activity	<ul style="list-style-type: none"><li>• Champion</li><li>• AUABC</li></ul>	<ul style="list-style-type: none"><li>• Member States</li><li>• MSWG</li></ul>

**EX.CL/1059(XXXII)**  
**Annex 2**

**CONCEPT NOTE ON THE AFRICAN ANTI-CORRUPTION YEAR**  
**(PROJECT 2018)**



**AFRICAN UNION**

**الاتحاد الأفريقي**



**UNION AFRICAINE**

**UNIÃO AFRICANA**

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Addis Ababa, ETHIOPIA P. O. Box 3243 Telephone: +251 11 551 7700 Fax: +251 115182072

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**CONCEPT NOTE ON THE AFRICAN ANTI-CORRUPTION YEAR  
(PROJECT 2018)**

**On the Theme:**

**“WINNING THE FIGHT AGAINST CORRUPTION: A SUSTAINABLE  
PATH TO AFRICA’S TRANSFORMATION”**

## **Foreword**

Aspiration 3 of Agenda 2063 for Africa's Transformation seeks to instill a universal culture of good governance, democratic values, gender equality, respect for human rights, justice and the rule of law. Aspiration 4 recognizes that the above values / principles are necessary pre-conditions for a peaceful and conflict-free continent.

By declaring 2018 the African Anti-Corruption Year, the African Union (AU) policy making organs have given a strong push forward in our collective efforts towards a peaceful and secure Africa. Indeed Corruption kills.

Corruption affects people's daily lives, from roads built poorly, to unequal access to healthcare and medicine, to crime and violence in our communities and across borders, to political choices distorted by money and greed.

A lot has been done over the last 15 years since the adoption of the African Union Convention on Preventing and Combating Corruption (AUCPCC). Government and non-state actors have raised awareness of the devastating effects of corruption on human rights, civil and political rights and social, economic and political rights alike. They have mounted advocacy campaigns to influence national, regional, continental and global agendas demanding for systemic change. Working with a wide range of partners, they have adhered to globally accepted anti-corruption standards, developed innovative tools /approaches and carried out research to deepen our collective understanding of corruption and its many ugly faces.

It is my hope that Member States, regional economic communities, civil society organizations together with citizens (women, men and young people alike), AU organs and all other stakeholders will work together, in 2018 and beyond, to lift the burden of corruption out of the lives of the millions Africans affected, particularly the poor and marginalized in our societies.

**Signed by AUC Chairperson**

**H.E Mr. Moussa Faki Mahamat**

## Introduction

The adoption of the African Union Convention on Preventing and Combating Corruption (AUCPCC) in 2003 and its rapid entry into force in 2006 gave hope to many in Africa that governments across the continent were determined to fight corruption. Fifteen (15) years, corruption retains its grip on the continent and has taken so many facets. It undermines Africa's security, generates huge economic damage and violates human rights.

Agenda 2063 recognises that good governance is one of the necessary pre-conditions for a prosperous and peaceful Africa. This gives a sense of urgency to the fight against corruption if Africa is to silence the guns by 2020, just two years from now.

Failing to address corruption inhibits sustainable long term growth and undermines human development. It is the poor who suffer the most from corruption. Unequal power and gender dynamics make women and girls more vulnerable to corruption's impact.

The Mbeki report on Illicit Financial Flows highlights how corruption and weak transparency mechanisms allow tax avoidance, trade mis-invoicing, abusive transfer pricing, and many other ways used to deny Africa to reap its resources dividend. The 50 billion dollars Africa loses annually through IFFs are resources that could be used to create jobs for the youth who are now forced into illegal migration seeking for greener pastures.

This Concept Note provides the rationale for declaring 2018 the African Anti-Corruption Year. It further identifies interventions that, under the leadership of the African Union Advisory Board on Corruption (AUABC), the African Union, its organs, Member States, Regional Economic Communities (RECs), Civil Society Organizations together with citizens (women, men and young people alike) will embark upon during the course of the year and beyond.

The AUABC hopes to partner with Member States and supporters of the continent in the implementation of the activities identified which focus on the following:

- Deepen the resolve, focus and expertise for addressing the many facets of corruption facing Africa;
- Scale up and increase effectiveness of advocacy efforts; and
- Enhance and broaden partnerships with all stakeholders through strategic collaboration aimed at fighting corruption on the continent.

**Signed by AU-ABC Chairperson**

**Hon. Begoto Miarom**

## Context and Justification

1. The adoption of the AUCPCC on July 11, 2003 was a clear recognition of the negative effects of corruption and its devastating effects on the socio, economic and political transformation of the continent. Article 4(m) of the Constitutive Act of the African Union and Aspiration number three<sup>1</sup> (3) of Agenda 2063 illustrate the firm commitment of African leaders to entrench a culture of the rule of law and good governance. Aspiration 3 of Agenda 2063 even goes to state that by 2063 corruption and impunity will be a thing of the past.

2. The rapid entry into force of the AUCPCC is a testimony to the determination by African leaders to act as a matter of priority in order to fight the scourge of corruption.<sup>2</sup>

3. Article 22 of the AUCPCC institutes the AUABC within the African Union. The AUABC was established and became operational in 2009 with the following functions:

- Promote and encourage adoption and application of anti-corruption measures on the continent;
- Collect and document information on the nature and scope of corruption and related offences 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 offences;
- Advise governments on how to deal with the scourge of corruption and related offences in their domestic jurisdictions;
- Collect information and analyze the conduct and behavior of multi-national corruption corporations operating in Africa and disseminate such information to national authorities designed in Article 18(1) of the AUCPCC;
- Develop and promote the adoption of harmonized codes of conduct of public officials;
- Build partnerships with the African Commission on Human and People's Rights, African Civil Society, governmental, intergovernmental and non-

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<sup>1</sup> Aspiration 3: An Africa of good governance, democracy, respect for human rights, justice and the rule of law

<sup>2</sup> The AU Convention on Preventing and Combating Corruption (AU CPCC) entered into force on August 5 2006, only three years after its adoption

governmental organisations to facilitate dialogue in the fight against corruption and related offences;

- Submit a report to the Executive Council on a regular basis on the progress made by each State Party in complying with the provisions of the AUCPCC; and
- Perform any other task relating to corruption and related offences that may be assigned to it by the policy organs of the African Union.

4. The AUCPCC is a fundamental instrument with provisions that can resolve the corruption challenge on the continent. This however, will only be feasible if Member States practically commit to its ratification, domestication and implementation. The Convention is one of the world's renowned anti-corruption instruments but it has yielded little result due to poor commitment and implementation by AU Member States. It is ironical that more African countries have ratified the United Nations Convention Against Corruption (UNCAC) instead of the AUCPCC. To date, only thirty-eight (38) Member States have ratified the Convention and are State Parties to the AUCPCC. It is therefore imperative that the AUABC receives adequate resources (financial, human, technological, infrastructural, etc) so that it can effectively perform its functions and boost the fight against corruption.

5. To further a culture of democracy and ensure good governance and the rule of law, the African Union has adopted the following instruments that complement the AUCPCC:

- African Charter on Democracy, Elections and Governance: adopted on January 30, 2007- Article 2 (9);
- African Charter on the Values and Principles of Public Service and Administration: adopted on January 31, 2011- Article 12; and
- African Charter on the Values and Principles of Decentralization, Local Governance and Local Development: adopted on June 27, 2014; Article 14.

6. Article 4(m) of the Constitutive Act of the AU and Aspiration 3<sup>3</sup> of Agenda 2063 illustrate the firm commitment of African leaders to entrench a culture of the rule of law and good governance. Aspiration 3 of Agenda 2063 even goes to state that by 2063 corruption and impunity will be a thing of the past.

7. The AU has a plethora of progressive normative frameworks on elections, democracy, effective and responsive governance on the continent. These frameworks

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<sup>3</sup> Aspiration 3: An Africa of good governance, democracy, respect for human rights, justice and the rule of law

constitute African shared values, including the holding of democratic, credible and peaceful elections, an efficient and effective government that delivers services to its citizens in a manner that is free of corruption, transparent, responsive and accountable government that answers to demands of citizens and deliberately avoids state capture by powerful corporate interests. Closely related to the effectiveness and responsiveness of governance in Africa is the democratic governance of the continent's natural resources.

8. Conservative estimates, by report of the High Level Panel on Illicit Financial Flows from Africa, (The Mbeki Report) indicate that Africa loses fifty (50) billion US dollars every year through illicit financial flows. This amounts to one trillion lost in the last 50 years; 60% of these losses are due to aggressive tax avoidance by multinational corporations.

9. There has been significant progress in the fight against corruption in the last two decades in Africa. AU Member States have been more than willing partners in this endeavour, and they have taken initiatives and measures at their level to give expression to the AUCPCC, particularly through the setting up of national anti-corruption institutions. As a result, while there are continuing corruption challenges on the continent, significant strides have been made and some achievements have been recorded which are worth noting. However, Africa is still faced with numerous corruption challenges, chief amongst them being the state capture by powerful corporate interests.

10. The first interface meeting between the Pan African Parliament, the AU-ABC and Civil Society on August 3 and 4, 2016 highlighted the need to build alliances, exchange ideas and maximise political will as various stakeholders "put their heads together to collectively address corruption. In addition, the High Level Dialogue on political parties and electoral violence in Africa (Praia, Sept 2016) highlighted the fact that political and electoral corruption is one of the major obstacles to the integrity of elections in Africa.

11. Civil society organisations play a key role in addressing the scourge of corruption particularly through advocacy and monitoring the efforts of states (at all levels) and intergovernmental organisations, but there still is a need for a more unified and strategic approach on anti-corruption. The Second Civil Society Forum on the AU-ABC held from 7-9 December 2016 in Arusha, Tanzania concluded that for anti-corruption efforts to be more effective, all stakeholders (including governments, parliamentarians, non-state actors, etc) must take a more holistic, strategic and coordinated approach.

### **Why declare 2018 as the African Anti-Corruption Year?**

12. Corruption continues to hamper negatively efforts aimed at promoting democratic governance, socio-economic transformation, peace and security in Member States. The AU Member States, RECs and the AU have undertaken various commendable regulatory instruments and established different institutions to combat corruption in Africa; the challenge however remains commitment to institutional approach to

combating corruption in one hand and bridging the gap between norm-setting and norm-implementation through appropriate policies at local, national, regional and continental levels at the other hands. If corruption is not dealt with in Africa, the Africa Agenda 2063 and its first ten years action plan, the 2030 global plan for sustainable development, and the Vision 2020 on silencing the Guns may not yield the expected results.

13. Fifteen (15) years after the adoption of the AUCPCC, 2018 provides a good opportunity to take stock on progress made so far, assess what still needs to be done and devise new strategies that appropriately address new corruption challenges.

14. While the continent has seen sustained socio-economic growth over the past two decades, public confidence has been corroded by a concentration on near-term priorities and payoffs, propelled by corruption, election-cycle politics or quarterly results targets that too often leave young people worse off than their parents. Rather than looking towards a sustainable future that works for everyone, many have been left with a sense of desperation about the ideals of progress, technology, trade, and globalization because of the prominence and inequality fostered by Corruption.

15. Through the continuous mobilisation of the African people and the diaspora, there increasingly is people's ownership and mobilisation against corruption. However, social acceptance / tolerance of corruption is still very high. It is for this reason that declaring 2018 the African Anti-corruption Year is an opportunity to inspire everyone to embrace innovative and impactful anti-corruption tools and approaches that are currently in place.

16. The declaration of 2018 as the African Anti-corruption Year, with the theme: Winning the fight against corruption, a sustainable path to Africa's transformation, will provide further opportunity to consolidate the gains already made over the years, ensure better cooperation and mutual legal assistance, and secure stronger international cooperation in dealing with corruption.

## **Objectives of the African Anti-Corruption Year**

### **General Objective**

17. The general objective of the African Anti-corruption Year is to promote the fight against corruption and impunity on the continent as a sustainable path to a prosperous and peaceful Africa.

### **Specific Objectives**

18. The specific objectives for the celebration include:

- i) To evaluate the progress made in fighting corruption; and adopt best practices since the coming into force of the AUCPCC;

- ii) Increased space, leveraging on ICT and new forms of communications, for civil society and private sector participation in the fight against corruption in Africa;
- iii) To evaluate the level of ratification, domestication and implementation of regional, continental and relevant international instruments that have direct bearing on the fight against corruption at the national level. Encourage Member State to develop policies, plans of actions and programs so as to boost the fight against corruption in Africa;
- iv) Develop an Africa Common Position on the recovery of African assets hosted in foreign jurisdictions;
- v) Provide technical support to Member States in the fight against corruption; particularly those seeking to develop policies, plans of actions and programs; and
- vi) Contribute to the strengthening of the implementation of anti-corruption policies.

19. It is hoped that coordinated awareness, advocacy and monitoring campaigns will be initiated by stakeholders and partners at all levels (political, institutional, civil society organizations, national and community levels), and increase ownership by all key stakeholders.

### **Expected Outcomes of the African Anti-Corruption Year**

20. At the end of the African Anti–Corruption Year , it is expected that:

- i) The number of citizen led and AU backed initiative on anti-corruption across Africa will double, with a correlated increased in knowledge across the continent on the dangers of corruption on socio, economic and political transformation of Africa;
- ii) There will be an increased number of citizen and state based participation in the regional and relevant international anti – corruption instruments and measures;
- iii) There will be increased domestication and implementation of all AU and RECs<sup>4</sup> instruments that have bearings on anti – corruption at the local, national and continental levels; and

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<sup>4</sup> Particular attention shall be given to the Central Africa region which is lagging behind other RECs in terms of anti-corruption and good governance instruments.



- iv) The fight against corruption will have contributed significantly to the realization of the Agenda 2063; and implementation of other relevant development agenda aimed towards Sustainable Development of the continent;

### **Activities Earmarked for the African Anti-Corruption Year**

21. To ensure that the objectives set out above are achieved, a series of activities have been planned to commence in 2017, spread across the entire year of 2018, to assess anti-corruption gains made so far, review the corruption situation on the continent, take stock of what still needs to be done to create a culture of integrity on the continent, and explore how best to address the remaining challenges.

22. The activities are organized into 4 clusters namely preparatory and consultative activities; knowledge generation and management; advocacy and outreach and multi-sectoral dialogue.

23. As part of the activities, a Communication Plan is proposed that involves partners and African celebrities as endorsers to advocate for anti-corruption in Africa. The Plan proposes a clear message that links to Agenda 2063. There is need in particular, to build a brand by engaging the media and using modern tools of communication, such as television and online tools to really relay the message of the African Anti-corruption Year.

### **Proposed Activities and Timelines**

24. Please see attached Annex.

### **Funding**

25. While it is expected that the bulk of the funding will come from the African Union, support will also be solicited from partners around the world. Potential partners will include, but not be limited to:

- i) Individual AU Member States (to be identified)
- ii) African Development Bank
- iii) UN ECA
- iv) The United Nations (UNDP, UNODC)
- v) The European Union (EU)
- vi) World Bank,
- vii) The German International Cooperation (GIZ)
- viii) *Organisation Internationale de la Francophonie*
- ix) The Commonwealth Secretariat
- x) Foreign governments (such as Australia, Canada, China, Denmark, India, New Zealand, Norway, Sweden, United Kingdom, United States of America)

- xi) African private businesses (to be identified)
- xii) African private foundations (i.e. Trust Africa)
- xiii) African High Net Worth Individuals (to be identified)

### **Monitoring, Evaluation, Accountability and Learning**

26. While all the AU organs and other relevant stakeholders, including RECs and civil society organizations will be involved, the main coordinating organs will be the AU-ABC, the African Governance Architecture Platform and Commission through the Department of Political Affairs.

27. Overall political direction will be given by the champion, H.E Muhammadu Buhari, President of the Federal Republic of Nigeria.

28. A Steering Committee composed of the AGA Secretariat, AGA Platform Members and a representative of the Federal Republic of Nigeria would steer the Project at the technical and operational level.

29. The Steering Committee would provide periodic reports to the Chairperson of the Commission, the requisite policy organs and the champion. The Steering Committee would also be responsible for monitoring and evaluation of the project.

**DRAFT**  
**DECISION ON THE REPORT OF THE**  
**AFRICAN UNION ADVISORY BOARD ON CORRUPTION**  
Doc. EX.CL/1059(XXXII)

**The Executive Council,**

1. **TAKES NOTE** of the ninth report of the African Union Advisory Board on Corruption and the recommendation contained therein;
2. **RECALLS** the Assembly Decision Assembly/AU/Dec.14(XXIX) Rev.1 to declare 2018 “African Anti-Corruption Year” (Project 2018) on the theme “Winning the Fight against Corruption: A Sustainable Path to Africa’s Transformation”;
3. **TAKES NOTE** of the adoption of the reviewed Rules of Procedure of the Advisory Board adopted during the 24<sup>th</sup> ordinary session of the Board;
4. **EXHORTS** Member States which have not yet adhered to the Convention to do so in order to achieve a universal ratification of the Convention in 2018;
5. **EXHORTS** States Parties to the Convention which have not yet submitted to the Executive Council their baseline report on the implementation of provisions of the Convention in accordance with article 22(7) of the Convention to do so;
6. **EXHORTS** States Parties to conform to article 4(1) and article 20(1) of AUCPCC and provide the necessary information within 60 (sixty) days of adoption of this decision;
7. **PAYS TRIBUTE** to His Excellency Muhammadu Buhari, President of the Federal Republic of Nigeria, for his management of Project 2018 and invites Member States to support him as well as the African Union Advisory Board on Corruption in the implementation of the Project;
8. **INSTRUCTS** the Advisory Board on Corruption to combat the scourge of corruption and its facilitation corollary of illicit financial flows from Africa and recalls the need to work with the United Nations Economic Commission for Africa, the African Development Bank and other stakeholders to implement the recommendations of the High-Level Group on illicit financial flows from Africa and report to the Executive Council in 2019.

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2018-01-26

# Activity Report of the African Union Advisory Board on Corruption (AUABC)

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