

Regional Conference

Combatting Corruption in SADC countries

Luanda, Angola, 29 May to 2 June 2023

Statement

Regional conference entitled “*The Challenges of Regional Cooperation in the Implementation of the United Nations Convention against Corruption (UNCAC)*” gathered high-level officials, technical experts and civil society representatives from Southern African Development Community (SADC) Member States namely, Angola, Botswana, Democratic Republic of Congo, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, United Republic of Tanzania, Zambia and Zimbabwe in Luanda, Angola, from 29 May to 2 June 2023.

Based on the UNODC regional platform approach to fast-track the Implementation of UNCAC that has been successfully implemented in seven regions and that has received international recognition with the adoption of the resolution 9/4 by the Conference of States Parties to UNCAC in December 2021¹, SADC Member States discussed ways to promote regional approach to anti-corruption matters and strengthen partnerships in the region.

The Conference focused on two thematic areas: national and regional coordination and public procurement. The following commitments are the result of unanimous agreement between all participants of the Conference and outline the roadmap for those anti-corruption priority areas to be collectively advanced by the SADC Member States.

The Conference underlined the importance for this roadmap to be integrated in the SADC Strategic Anti-Corruption Plan 2023-2027 which is coordinated by the SADC Anti-Corruption Committee. In this regard, its implementation is expected to be monitored by the SADC Anti-Corruption Committee, including through the organization of meetings on a regular basis to report on the implementation of the roadmap. The Conference also stressed the importance of supporting the achievement of the Sustainable Development Goals (SDGs), in particular SDG 16, in line with the 2030 Agenda for Sustainable Development as well as Agenda 2063: The Africa We Want.

Finally, the conference has highlighted the importance of promoting the culture of honesty, integrity, sincerity and accountability in the Member States of SADC

¹ The resolution was tabled by Angola and sponsored by Egypt, Portugal and Switzerland

General Commitment

The Conference recognized the establishment of effective whistle-blower reporting and protection systems as an essential cross-cutting commitment for the implementation of the roadmap.

Thematic 1. National and Regional Coordination

Objective 1: Promote and facilitate regional cooperation to ensure effective and efficient handling of mutual legal assistance (MLA) and extradition requests

Activity 1.1: Encourage SADC Member States to establish dedicated institutional capacity to expeditiously handle and process MLA and other requests to facilitate criminal and civil litigation;

Activity 1.2: Annually update the details of focal points for MLA contained in the SADC directory and make information available to member states;

Activity 1.3: Provide periodic capacity building to focal points on how to handle MLA requests;

Activity 1.4: Develop a regional policy and framework for cooperation;

Activity 1.5: Develop a guidance tool on MLA and extradition to inform standardization of processes, forms and templates for MLA and extradition requests, including specific timelines for compliance, informed by global standards; and

Activity 1.6: Further encourage Member States to continuously strengthen bilateral cooperation using relevant legal instruments as basis.

Objective 2: Enhance the capacity of the SADC Anti-Corruption Committee (SACC) to oversee the effective implementation of the SADC Protocol against Corruption

Activity 2.1: Establish ad-hoc regional taskforces for joint investigations, actions or operations;

Activity 2.2: Establish thematic working groups to support the work of the Committee; and

Activity 2.3: Operationalize the monitoring and evaluation framework of the SADC Protocol against Corruption, and conduct impact assessments of anti-corruption initiatives in SADC countries.

Objective 3: Increase efforts on information sharing between Member States

Activity 3.1: Encourage relevant anti-corruption bodies to join the GlobE Network and other relevant information sharing platforms;

Activity 3.2: Create and implement a regional digital platform to encourage more informal cooperation (e.g., GlobE digital platform customized for the region);

Activity 3.4: Develop standard operating procedures on the sharing and handling of information;

Activity 3.5: Encourage cooperation, where applicable, to use information collected informally to build a court case; and

Activity 3.6: Promote cooperation and proactive information sharing between anti-corruption bodies.

Objective 4: Strengthen the capacity of anti-corruption agencies and other related bodies

Activity 4.1: Map key areas where capacity building is required;

Activity 4.2: Identify institutions that can provide training or mentorships on key areas;

Activity 4.3: Conduct joint training programmes based on the needs identified;

Activity 4.4: Encourage benchmarking visits to exchange experiences and best practices;

Activity 4.5: Ensure that SADC Anti-Corruption Committee implements the existing training programme, including by mobilizing technical support where required; and

Activity 4.6: Collect information and create a compendium of best practices related to anti-corruption efforts in sectors vulnerable to corruption (such as environment, public health, and others).

Objective 5: Intensify efforts to promote coordination and cooperation at national level

Activity 5.1: Promote coordination and cooperation between anti-corruption bodies and other relevant bodies, including those responsible for collection of data and statistics;

Activity 5.2: Involve supreme audit institutions in anti-corruption efforts;

Activity 5.3: Promote interaction between anti-corruption bodies and sectors vulnerable to corruption.

Activity 5.4: Create or strengthen a platform for interaction between state and non-state actors, in the prevention and combatting of corruption; and

Activity 5.5: Increase coordination among different stakeholders on the prevention and reporting of corruption and the protection of whistle-blowers.

Thematic 2: Public Procurement

Objective 1: Increase transparency in public procurement systems

Activity 1.1: Encourage Member States to establish mechanisms to conduct periodic studies on vulnerabilities in public procurement systems;

Activity 1.2: Encourage the use of E-Government Procurement systems;

Activity 1.3: Adopt open contracting data standards and implement the open contracting principles;

Activity 1.4: Launch public awareness initiatives to improve public perception of the integrity of the public procurement systems; and

Activity 1.5: Make beneficial ownership information accessible.

Objective 2: Increase citizens demand for accountability in public procurement

Activity 2.1: Establish effective whistle-blower reporting and protection mechanisms in public procurement;

Activity 2.2: Include non-state actors and private sector in public contract monitoring;

Activity 2.3: Establish an electronic portal of public contractors for due diligence reference checks; and

Activity 2.4: Educate citizens on their rights to demand accountability.

Objective 3: Strengthen institutional mechanisms for public procurement oversight

Activity 3.1: Monitor and enforce audit recommendations on public procurement;

Activity 3.2: Strengthen intergovernmental coordination between procurement and anti-corruption agencies;

Activity 3.3: Strengthen partnerships between state and non-state actors in capacity building; and

Activity 3.4: Conduct Methodology for Assessment of Procurement Systems (MAPS) for procurement reform.

Objective 4: Increase professional standards for public procurement officials

Activity 4.1. Enact legislation or other measures as relevant to provide for declaration of assets and interests for public officials involved in public procurement;

Activity 4.2. Introduce professional certification for public procurement officials and a requirement to subscribe to a professional body, when applicable;

Activity 4.3. Develop a Code of Conduct and Ethics for public procurement officials that includes a policy on conflict of interests;

Activity 4.4 Criminalize abuse of duty and conflict of interests by public procurement officials; and

Activity 4.5 Conduct periodic training of public procurement officers.

Objective 5: Enhance regional cooperation in public procurement management

Activity 5.1: Publish information on public contractors who are blacklisted;

Activity 5.2: Provide regional standards for blacklisting contractors and develop mechanisms for cross debarment in the region;

Activity 5.3: Publish international tenders on the SADC website;

Activity 5.4: Conduct regional benchmarking visits and exchange programmes for public procurement oversight bodies; and

Activity 5.5: Encourage SADC Member States to establish an online registry for beneficial ownership.