



SECTION 7

PLENARY SESSION:

- (1) CLOSURE**
- (2) RESOLUTIONS ADOPTED BY
THE SECOND NATIONAL ANTI-
CORRUPTION SUMMIT**

INTRODUCTION

This section contains the closing remarks of the Chairperson of the NACF, Minister Geraldine Fraser-Moleketi and the resolutions adopted by the Second National Anti-Corruption Summit. These resolutions will become the basis for anti-corruption work by the NACF as a whole (joint projects) and respectively by the various sectors.

19. CLOSING ADDRESS BY MINISTER G J FRASER-MOLEKETI

In bringing this event to a close, I would like to thank the delegates and office bearers at this particular Summit for the good spirit which has prevailed throughout. I would especially like to thank John Ernstzen for chairing the plenary sessions so efficiently. The co-operative atmosphere of this gathering has ensured that the discussion and in-depth debates have been fruitful and that a set of resolutions, capturing the mood of the various commissions, will come out of it. Representatives from Government, civil society and the private sector have successfully joined together at this Summit in an effort to fight corruption as a shared responsibility. The Summit has been an opportunity for us to expand co-operative efforts in a national anti-corruption programme that can be implemented by all sectors with tangible outcomes (with emphasis on “tangible” outcomes).

We have reiterated over the past day-and-a-half that the National Anti-Corruption Summit provides a platform for Government and its partners to build on progress. It is important that we are critical over our progress at fighting corruption - but we also need to acknowledge our successes. We need to be critical in order to deepen the delivery of the challenge before us, so let us do it with enthusiasm. Let us do it with a commitment to co-operation and let us do it with an understanding that sometimes we will differ. I think it is always important for us to understand our commitment to the larger agenda than about what we consider in terms of our own ego and our own selves.

As chairperson of this Summit, I would also like to take this opportunity to thank our partners who not only contributed to the cost of this Summit, but also assisted the various sectors to organize and prepare for what I believe has been quite a historic Summit. In this respect, my sincere thanks go to the:

- United Nations Office on Drugs & Crime (UNODC). A special word of thanks goes to Jonathan Lucas of the UN Regional Office for Southern Africa, we have really appreciated the input you've made and we look forward to a long working relationship into the future;

- the Department for International Development (DFID) of the United Kingdom – for their co-operation and collaboration with us;
- the Government of France through the auspices of the French Embassy; and
- GTZ - our German partner.

Above all, I want to thank you, the delegates. You have all seen the centrality of this focus on dealing with the challenge of corruption in an appropriate way. We will walk this path together – and it won't be an easy one. In due course, we must ensure that preventative measures are put into place as we build a society that has no tolerance for corruption and that says resources must be utilized for the public, and by the public, and should be done so appropriately.

20. RESOLUTIONS ADOPTED BY DELEGATES AT THE SECOND NATIONAL ANTI-CORRUPTION SUMMIT

We, the delegates drawn from various sectors in South African society, do acknowledge that corruption is an obstacle to development and that all sectors represented here should unite in preventing and combating corruption. We recognize that during the years of struggle against apartheid, South Africa was a fragmented country and the majority of its people were subjected to a politically, socially, economically, and morally corrupt regime. In 1994 the Government that was elected democratically by the majority of people embarked upon a programme to reconstruct and develop South Africa to the benefit of all its people. The programme of growth, reconstruction and development was fraught with obstacles and legacies created by the apartheid regime such as the prevalence of corruption and poor service delivery.

We heed the President's call to unite in the fight against corruption and recommit ourselves to this cause. We commend the positive progress that has been made in implementing the resolutions made in the first anti-corruption Summit. However, we recognize that there are still a number of outstanding challenges, which we need to tackle together.

In the fight against corruption we commit ourselves to ensure that the South African legal framework fully complies with international conventions of the UN, AU, and SADC in respect of corruption.

We therefore, as the basis of a national strategy to fight corruption, resolve to implement the following resolutions:

A. Ethics, Awareness and Prevention

1. To promote leadership in all sectors of society that is committed to the creation of a culture of integrity and to restore confidence in the fight against corruption.
2. To foster a greater culture of transparency and accountability in all sectors.
3. To encourage whistle blowing and reporting in all sectors, and strengthen measures to protect all persons from victimization where they expose corrupt and unethical practices.
4. Ethics training must form a critical part of the ethics and awareness programme of all sectors, including incorporation in the school curricula.

5. Values and principles of Codes of conducts of the various sectors must be established, promoted and enforced through a defined programme.
6. To conduct a joint research programme to audit the state of professional ethics in each sector.

B. Combating

1. To promote, support and strengthen co-operation and co-ordination between and within the different sectors.
2. To ensure better co-ordination among the different agencies responsible for combating corruption.
3. To acknowledge the role-played by government in the establishment of a database for blacklisting, and to further support this initiative by the creation of a common database for blacklisting across all sectors. A mechanism for information sharing across all sectors should be developed.
4. To strengthen capacity for the implementation of anti-corruption legislation, at institutions of service delivery especially at Provincial and Local government.
5. Where corruption is endemic, initiatives such as the Joint Anti-corruption Task Team should be instituted to combat corruption, particularly at Provincial and Local government.
6. The shortcomings of the Protected Disclosure Act should be addressed and resolved by the Law Commission and a report to be provided to the Parliamentary Committees on Justice by the end of 2005.
7. To encourage regulation of post public sector employment to ensure a "cooling off" period to avoid conflict of interest.
8. To strengthen the capacity of the law enforcement agencies to identify and recover assets obtained through illicit or corrupt means in line with Chapter 5 of the UN Convention Against Corruption.

C. Oversight, Transparency and Accountability

1. All oversight structures at Provincial and National levels should be strengthened.
2. Establish a joint research initiative to evaluate the implementation by the Executive of resolutions made by Parliament and its committees pertaining to corruption.

3. To review the Financial Disclosure Framework of public representatives, and senior public managers and where necessary to ensure better management through greater compliance, timeous submission, improved procedures and the enforcement of penalties/sanctions in the absence of compliance.
4. The Financial Disclosure framework should be extended to include senior management in Local Government, parastatals and other public officials with designated responsibilities in procurement.
5. Encourage Business and Civil Society to apply financial disclosure provisions to senior people at director level in their sectors.

D. National Anti-corruption Forum (NACF)

We recommit our support to the NACF as an appropriate multi-sectoral structure to drive a joint national anti-corruption strategy.

1. We support the initiatives taken to strengthen the secretariat but more resources are needed to implement the programme of action of the NACF.
2. The relevant resolutions of this Summit should be translated into a programme of action of the NACF within 3 months.
3. The NACF must establish tasks teams to implement the action plan.
4. The NACF will coordinate a national cross-sectoral educational campaign to promote whistle blowing and the reporting of corruption in all sectors.
5. The Executive of the NACF should meet quarterly and the forum as a whole should meet annually between bi-annual Summits.
6. Each sector should have a plan of action with regard to representation of the NACF within 3 months of the Summit. The NACF will strive to ensure participation of the professions.
7. Civil Society will prepare a research report on crimes of corruption under Apartheid and present these to the NACF for consideration within 6 months.
8. The NACF will encourage the participation of all National and Provincial constitutional and oversight bodies in appropriate events.