



DIRECTORATE OF INFORMATION AND COMMUNICATION

Press Release

8th FORUM ON INTERNATIONAL LAW and AFRICAN UNION LAW

By AFRICAN UNION COMMISSION ON INTERNATIONAL LAW

(Held at AU Headquarters , Addis Ababa, 2-3 December, 2019)

The African Union Commission on International Law (the AUCIL), an advisory organ of the African Union, held its 8th Forum on International and African Union Law on the theme: **Constitutional Democracy, Rule of Law and the Fight against Corruption**. Delegates from all parts of the continent attended, comprising diplomats, academicians, lawyers, policy makers and special interest entities. A warm welcome was extended for the host country by H.E. Ambassador Tesfaye Yilma, Ambassador of the Federal Democratic Republic of Ethiopia, **whilst reiterating the Country's commitment to the fight against corruption and consequently the Forum**. AUCIL Commissioner, Prof. Hajer Gueldich, who was the Chairperson of the 8th Forum, emphasized that without the Rule of Law, Africa cannot win the fight against corruption. Accordingly, Commissioner Gueldich called for the increased domestication and implementation of key Instruments such as the African Union Convention on Preventing and Combating Crime (Maputo Protocol 2003), and the African Union Charter on Democracy, Elections and Good Governance, 2007. "We must act through protection, detection and punishment", she said.

H.E. Ambassador Cessouma Minate Samate, Commissioner for Political Affairs at the African Union Commission (AUC), on behalf of the Chairperson, opened the Forum. Her Excellency reminded delegates of the two -fold goals of the AU, which are, integration of the continent and implementation of the

Vision of Agenda 2063. She underscored the importance of good governance, justice, security and stability as the pillars on which to build our house. The Commissioner condemned the reported sixty billion dollars in illicit, financial flows from the continent, which were the proceeds from corruption. Accordingly, she had taken note of the cross-section of delegates and stated that it was for a Forum such as this to offer a frank exchange of views and emerge with recommendations which the AUC could be guided by.

The keynote speaker was Professor Charles Manga Fombad, professor of law at the Institute for International and Comparative Law in Africa at the University of Pretoria. He spoke on the subtheme, **the Corruption Pandemic as a Watershed moment for Constitutionalism in Africa**. The speaker noted that although our African Heads of State had put the fight against corruption on the front burner in 2018, he could adduce reliable data to confirm that rather, corruption was on the rise. He called on the African Union to consider a continental accountability and review scheme for assessing corruption in countries. Bodies such as Pan African Parliament, the AUCIL and African Union Advisory Board on Corruption can all be put to greater visibility to identify and report to AUC regarding corruption.

Poignant examples were drawn on by participants from various anticorruption bodies, and varying African state practice informed the content of the deliberations. Representative **selections** of African Constitutions were examined. The People's Republic of China stressed its support for multilateralism and commitment to Africa's peace and good governance. Officials from United Nations Office on Drugs and Crime, and United Nations Development Programme were present to reaffirm their commitment to help African States in their quest for continental prosperity and good governance.

Wrapping up with a twenty-point Forum Outcomes, Rapporteur- General, Commissioner Kathleen Quartey Ayensu, conveyed that delegates had, *inter alia*, called for **grand** corruption to be made an international crime and its perpetrators pursued and prosecuted globally. Funds locked up overseas by

way of demonstrated illicit gains and sanctions should be handed back to originating States, provided safeguards are put in place to ensure that the proceeds will not be recycled into corruption. Furthermore, the African Union should have a continental, oversight body to ensure that such funds do alleviate poverty and enhance development. Awareness throughout the continent regarding corruption and the civic responsibility to expose it, should be stepped up through bodies such as the AUCIL, AUABAC, PAP and the Media. All organs of state established for the purpose of combating corruption, should be well resourced and be allowed to perform professionally, devoid of **witch-hunting**. Private sector also has a part to play as corruption impacts the negatively on the value chain.

The Chairperson of the AUCIL, Prof. Sebastiao da Silva Isata reminded African leaders of their duty even towards unborn Africans. He appealed to the Leaders to take an inter- generational equity approach towards management of natural resources. **Prof. Isata continued that** corruption transcends and retards everything! Even our traditional systems are built on the need to seek the welfare of all its citizens. The AUCIL Chairperson da Silva Isata closed the Forum by commending all staff and participants for the high quality performance, and the Government of Ethiopia and the African Union Commission for their generous support.