



Anti-Corruption Trust of Southern Africa (ACT-Southern Africa)

Press Release

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RE: Report on the Status of Signature and Ratification of Anti-Corruption Treaties by SADC Member States.

The Anti-Corruption Trust of Southern Africa (ACT-Southern Africa) has released a Report on the status of Signature and Ratification of anti-corruption treaties¹ by the SADC member states. The following are the major findings and recommendations.

The enquiry found out that the Southern African Development Community (SADC) Protocol against Corruption was signed by fourteen (14) SADC member states² and ratified by nine (9)³ of them. Six (6) member states that have not ratified are Angola, the Democratic Republic of Congo, Madagascar, Mozambique, Seychelles and Swaziland.

The African Union (AU) Convention on Preventing and Combating Corruption was signed by twelve (12)⁴ SADC member states and ratified by eight (8)⁵. Seven (7) countries have not ratified and these are Angola, Botswana, the Democratic Republic of Congo, Malawi, Mauritius, Seychelles and Swaziland.

The United Nations (UN) Convention against Corruption was signed by thirteen (13)⁶ SADC member states and ratified by ten (10) of them. Botswana and the Democratic Republic of Congo have not signed the convention. In terms of ratification Botswana, Malawi, Mozambique Swaziland and Zambia have not ratified whilst the rest have ratified.

ACT-Southern Africa makes the following recommendations:

1. Signing and Ratification of anti-corruption instruments.

SADC member states are urged to sign and ratify the three anti-corruption treaties. The following is specifically recommended under the three instruments;

a. SADC Protocol against Corruption

Angola, the Democratic Republic of Congo, Mozambique, Seychelles and Swaziland are urged to ratify the Protocol.

b. AU Convention on Preventing and Combating Corruption

Botswana, Malawi, Seychelles are recommended to sign the Convention whilst Angola, Botswana, the Democratic Republic of Congo, Malawi, Mauritius, Seychelles and Swaziland should ratify.

c. UN Convention against Corruption

¹ SADC Protocol against Corruption, the AU Convention on Preventing and Combating Corruption and the UN Convention against Corruption

² Angola, Botswana, the Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, South Africa, Seychelles, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe

³ Botswana, Lesotho, Malawi, Mauritius, Namibia, South Africa, United Republic of Tanzania, Zambia and Zimbabwe

⁴ Angola, the Democratic Republic of Congo, Lesotho, Madagascar, Mauritius, Mozambique, Namibia, South Africa, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe

⁵ Lesotho, Madagascar, Mozambique, Namibia, South Africa, Tanzania, Zambia and Zimbabwe.

⁶ Angola, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe

Botswana and the Democratic Republic of Congo have not signed the Convention and are therefore called upon to do so whilst Botswana, Malawi, Mozambique, Swaziland and Zambia should ratify.

2. Implementation of the anti-corruption treaties

- The countries that have ratified the instruments are recommended to take the necessary measures⁷, including legislative and administrative measures to ensure the implementation of their obligations under the treaties. Signing and ratifying treaties without implementation does not help at all.
- If the countries have no or little capacity to operationalise the treaties, it is important that they say so, so that assistance could be given by the different stakeholders.
- The SADC Committee⁸, the Advisory Board on Corruption within the African Union and the Conference of the States Parties to the Convention⁹ should be supported by the treaty bodies, States Parties and other stakeholders to effectively execute their mandates.

3. Reporting on Progress made and sharing best practices

Countries that are doing well in combating corruption should write reports, document the best practices and share them with other countries and stakeholders. Sharing information will facilitate learning. Civil society should also be allowed to produce shadow reports for submission to the treaty bodies. Independent reports from diverse sources are needed to enrich the information base.


4. Technical assistance

Assistance should be provided to national governments to strengthen their capacity to comply with the requirements of the treaties. CSOs and development partners should also support the efforts by countries to implement the treaties. The same support should be extended to the SADC Committee, the Advisory Board on Corruption within the African Union and the Conference of the States Parties to the Convention

5. Monitoring the implementation of the treaties

National, regional and international review processes should be carried out to assess whether national governments have taken adequate action to implement the provisions of the treaties.

For any further enquiries about the study and getting a copy of the report contact;

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⁷ Some of the measures recommended include:- Corruption preventive measures, criminalization and law enforcement, International cooperation, Asset Recovery, Technical assistance and information exchange, actively participating in implementation mechanisms etc

⁸ Established through Article 11 of the SADC Protocol against Corruption

⁹ Established through Chapter VII Article 63 of the UN Convention against Corruption