



experts in
counter-corruption and
the law of armed conflict

THE
PAVOCAT
STELLENBOSCH
ACADEMY



Stellenbosch

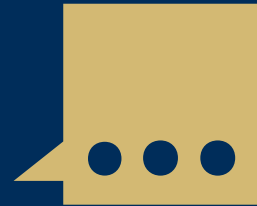
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forward together
sonke siya phambili
saam vorentoe



THE AFRICA
REGIONAL CENTRE
OF EXCELLENCE
IN INTEGRITY (AFCOE)

THE
AFRICA
COUNTER-CORRUPTION
DIALOGUE



The Solution to Corruption in Africa



Hon Ronald Lamola MP
Minister of Justice and
Correctional Services
Patron of the AFCOE

“I have no doubt of the absolute need for the AFCOE, as well as the tangible benefits it will bring to our collective campaign to eradicate corruption, and I and those within my Ministry are committed to ensuring its success. To begin the process of offering valuable training courses to professional students across Africa and convening next year the Pan-African Counter Corruption Assembly, as a condition precedent to the holding in 2024 of the first Africa Counter-Corruption Dialogue, the AFCOE needs to receive enhanced financing in order to operate and to fulfil its aims and objectives.

The AFCOE is undoubtedly a pioneering force for good in our fight against corruption in Africa and I commend it wholeheartedly to any individual, entity or organisation that shares my firm view that defeating corruption is the key to unlocking greater prosperity in South Africa and across our continent. If you have the ability to contribute funds to the AFCOE then I would entreat you to do so without delay.”



Professor Thuli Madonsela
Law Faculty Trust Chair
in Social Justice (SU)
Public Protector of South Africa
(2009-2016)
Patron of the AFCOE

“My role these past few years has given me a sharp understanding of what corruption can do to a country and how it can weaken, impair and cause long-lasting damage to institutions of governance and the social fabric even in the strongest of societies. But to me the one thing that is a constant, the one thing that is an undeniable and indisputable fact, is that it is the people, particularly the most vulnerable, who suffer as victims of the impact of corruption. The people invariably pay in various ways for the avarice of corrupt public officials and private individuals involved in bribes and other forms abuse of entrusted power for private gain. Democracy also becomes fragile, which may be exacerbated by state and policy capture by a handful.

I wholeheartedly support and commend the establishment of the AFCOE and the convening of the Africa Counter-Corruption Dialogue, because these are initiatives that I believe can and will over time make a significant contribution to defeating corruption, and to unshackling those presently constrained by its limiting and corrosive effects.”



Professor Wim de Villiers
Rector and Vice Chancellor
Stellenbosch University

As South Africans, we cannot escape the harsh and, indeed, sad reality that our country has become afflicted these past years by the disease of corruption and, moreover, that this disease blights our entire continent. The question of how to cure this harmful infection, which destabilises and subverts the development of so many African countries, is in truth (to quote the words of Winston Churchill) ‘a riddle, wrapped in a mystery, inside an enigma; but perhaps there is a key’. For me, the key that may unlock the answer to that complex and challenging question is the AFCOE and the Africa Counter-Corruption Dialogue that flows from it.

The AFCOE will help address one of the most pressing concerns of our time. That is why I fully support this initiative, and that is why Stellenbosch University is proud to be a partner.

THE AFCOE* achievements to date

FUNDING

Has received Ministerial Authority to allow the Pavocat-Stellenbosch Academy (the PSA) to seek funding for the AFCOE from national and international sources (Pages 18-19).

REPRESENTATION

Has South African representation at the highest level to ensure governmental, institutional and societal support. Patrons of the AFCOE already include South Africa’s Minister of Justice & Correctional Services, South Africa’s National Director of Public Prosecutions, a former Public Protector of South Africa, and the Chancellor of Stellenbosch University (Page 20).

SUPPORT

Has the pledged commitment and support, following strategic level meetings in Washington DC and in Africa, of the International Monetary Fund, the World Bank Group, the African Development Bank, the African Union and more. All these multilateral entities will be attending and presenting at the **Pan-African Counter-Corruption Assembly** in November (Page 15).

COMMITMENTS

Has already signed a formal Memorandum of Understanding with the National Prosecuting Authority to provide training courses, and has commitments from entities including the Justice College, etc.

EXPANSION

Nigeria and Kenya have signalled they wish to host AFCOE centres (‘AFCOE-West’ and ‘AFCOE-East’). AFCOE’s headquarters will be in Stellenbosch and the AFCOE remains a proud South African initiative.

ESTABLISHED Q3 2022



Africa (AFCOE)

PROPOSED Q4 2023



Caribbean (CARRICA)

PROPOSED Q2 2024



Asia (ASCOE)

We have also received new enquiries to establish Centres in the Middle East and Latin America in 2025.

*RENAMING

The AFCOE was originally named the South Africa Regional Centre of Excellence in Integrity (‘the SARCOE’) and the annual counter-corruption dialogue was called the South Africa Dialogue. In light of Nigeria’s and Kenya’s interest, the Pavocat-Stellenbosch Academy decided, as the entity charged with managing the SARCOE, to rename the Centre as the **Africa Centre of Excellence in Integrity** (‘the AFCOE’) and the Dialogue as the **African Counter-Corruption Dialogue**.

THE AFCOE

Is a dual pan-African counter-corruption think tank and training establishment. It provides throughout Africa ('the Continent'), highly practical Stellenbosch University-accredited courses to professionals in how to **combat** corruption, **advance** human rights, and **improve** compliance with the law of armed conflict.

(See Section 2 for details)

OUTCOMES

1. **Enhances** South Africa's position as a continental hub and thought leader;
2. **Promotes** the counter-corruption agenda of Governments in the Continent;
3. **Increases** institutional counter-corruption capacity and capability of African States;
4. **Contributes** to steps necessary to address and remove (or prevent) FATF 'grey listing';
5. **Encourages** Foreign Direct Investment in South Africa and across the Continent;
6. **Provides** a world-class training centre of excellence within and for the Continent;
7. **Supports** the 17 Sustainable Development Goals of the United Nations Department of Economic and Social Affairs (Page 6);
8. **Addresses** national development goals for participating countries, such as, for example, 4 of the 10 Critical Actions of South Africa's National Development Plan 2030 (Page 7);
9. **Establishes** satellite and indivisible Centres sitting in strategic regions of Africa (e.g., North, East and West Africa) and collaborates closely with leading universities in those jurisdictions;
10. **Holds** in November 2023 the Pan-African Counter-Corruption Assembly (Page 15);
11. **Hosts** thereafter the Africa Counter-Corruption Dialogue for global leaders (Section 3);
12. **Confers** the Annual Counter-Corruption Awards for Africa; and
13. **Provides** training in Human Rights and the Law of Armed Conflict to support and protect the Continent's armed forces and law enforcement agencies (Page 9).

1999

"Our hope for the future depends also on our resolution as a nation in dealing with the scourge of corruption."

President Nelson Mandela
State of the Nation Address, 5th February 1999

2022

"None of our efforts to revive our economy will succeed if we do not tackle the scourge of corruption once and for all."

President Cyril Ramaphosa
State of the Nation Address, 10th February 2022

THE AFRICA COUNTER-CORRUPTION DIALOGUE

Will be hosted annually from 2024, rotating between Stellenbosch, Nairobi and Abuja. The determination, vision and long-term commitment of the AFCOE to tackle and resolve the scourge of corruption will make the Dialogue a thought leadership hub to help all African countries address corruption across the Continent in an integrated and coherent manner.

(See Section 3 for details)

SITUATION

"Corruption in African countries is hindering economic, political and social development."
(Transparency International)

"The 2021 CPI shows that 80 per cent of countries across the region have stagnated in the last 10 years." (Transparency International)

"Every year approx \$88.6 billion – equivalent to 3.7 percent of Africa's GDP – leaves the continent in the form of illicit capital flight." (United Nations)

RECOMMENDATIONS

1. Recognise and accept the benefits of identifying and adopting **integrated and coordinated pan-African strategies for combatting corruption** on the continent ('stronger together').
2. Preserve, improve and strengthen the multilateral counter-corruption architecture across the Continent.
3. Build and enhance institutional counter-corruption capacity, capability and experience.

SOLUTIONS

The Africa Regional Centre Of Excellence in Integrity (see Section 2) is convening the Pan-African Counter-Corruption Assembly in November 2023 at STIAS, leading thereafter to the annual Africa Counter-Corruption Dialogue (commencing 2024), the geostrategic aim of which is to enhance development across Africa with the resulting effect of reducing poverty through combatting corruption efficiently and effectively.

"As a fundamental threat to the rule of law, corruption hollows out institutions, corrodes public trust, and fuels popular cynicism towards effective, accountable governance."

United States Strategy on Countering Corruption (SCC)
The White House, December 2021

THE AF COE supports the UN DESA's 17 SDGs (Sustainable Development Goals)

According to the United Nations Department of Economic and Social Affairs ('DESA'):

"The 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals (SDGs), which are an urgent call for action by all countries – developed and developing – in a global partnership. They recognize that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests."



Corruption poses the most significant threat to Africa's ability to alleviate poverty, to improve healthcare, to enhance education, to defeat inequalities and to achieve sustainable economic development. It is the Continent's material disruptor, in that corruption sows injustice, reaps misery and perpetuates avoidable decline to the detriment of the poor within African societies. A coordinated pan-African strategy to attack corruption in all of its forms and effective plans to implement that campaign of action, of the type offered by the AF COE, inclusive of the South African Dialogue, removes an obstacle that is presently blocking the path along which the SDGs must travel in order to be realised in Africa.

EXAMPLE: GOAL 16

Goal 16 of the SDGs is to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and to build effective, accountable and inclusive institutions at all levels. Goal 16 has four targets, two of which are to reduce (1) corruption and bribery in all its forms; and (2) illicit financial and arms flows, to strengthen the recovery and return of stolen assets and to combat all forms of organised crime. These aims lie at the very core of what the AF COE does and what it seeks to achieve throughout Africa.

Corruption undermines peace and prosperity in Africa. In stark contrast, the AF COE serves to reinforce those two essential concepts.

THE AF COE addresses at least 4 of the 10 Critical Actions (using South Africa as an example)

COUNTER-CORRUPTION

Critical Action 3

"Steps by the State to professionalise the public service, strengthen accountability, improve coordination and prosecute corruption."

"We are prepared to hang out our linen in the open and now having drawn a line in the sand we are going to be very serious in dealing with corruption. You may say, 'Why didn't you do so over a period of so many years?' But it's better late than never."

President Cyril Ramaphosa
Zondo Commission, 12th August 2021

ECONOMIC GROWTH

Critical Action 4

"Boost private investment in labour-intensive areas, competitiveness and exports, with adjustments to lower the risk of hiring younger workers."

"We have to build further on the collaboration with business and labour to restore confidence and prevent an investment downgrade."

President Cyril Ramaphosa
State of the Nation Address
Parliament, Cape Town, 16th February 2018



NATIONAL
DEVELOPMENT PLAN
2030

EDUCATION

Critical Action 5

"An education accountability chain, with lines of responsibility from State to classroom."

"Together, we have a responsibility to develop a new generation of patriotic citizens, young people who are conscious of their responsibility to build a better society. This is a new generation that refuses to engage in crime, corruption or gender-based violence, that is dedicated to the values of democracy, non-racialism, non-sexism, freedom, equality and human dignity,"

President Cyril Ramaphosa
21st Reimagined National Teacher Awards Ceremony
Ekurhuleni, 6th October 2021

CRIME REDUCTION

Critical Action 10

"Reduce crime by strengthening criminal justice and improving community environments."

"We are determined to build a society defined by decency and integrity that does not tolerate the plunder of public resources nor the theft by corporate criminals of the hard-earned savings of ordinary people."

President Cyril Ramaphosa
State of the Nation Address
Parliament, Cape Town, 16th February 2018

"We must deal decisively with the rot of corruption that is robbing our people of the opportunities and services that are their right."

President Cyril Ramaphosa
75th UNGA Debate, 22nd September 2020

THE AFCOE helps to

1. **DISTANCE** governments from the taint of corruption.

“We are determined that those found guilty of corruption or involvement in state capture will not be allowed to occupy positions of responsibility, either in the ANC, in parliament or in government. The era of impunity is over. We are now entering the era of accountability.”

President Cyril Ramaphosa

2. **TACKLE** various well-known schemes for corruption including ‘BEE fronting’ and ‘Tenderpreneurship’.

“We need to address the problem of fronting, which is a gross betrayal of our collective responsibility to transform our economy.”

President Cyril Ramaphosa

3. **OVERCOME** scandals, such as those in South Africa, for example, linked to:

- COVID-19 procurement abuses;
- State Capture;
- VBS Mutual Bank collapse;
- Travelgate; and
- The 2010 World Cup.

“The country is yearning to put behind all these horrible things that have to do with corruption and state capture behind us. The sooner these are all done, the better, because we want to move on; we want to move on to a better life.”

President Cyril Ramaphosa

4. **SUPPORT** agencies of the State, including, for example, in South Africa:

- Special Investigating Unit (SIU);
- Directorate for Priority Crime Investigations (‘Hawks’);
- National Prosecuting Authority (NPA);
- Auditor-General of South Africa; and
- Office of the Public Protector.

5. **ADDRESS** the concerns of Africans, foreign governments, IGOs and NGOs, foreign investors, transparency and corruption perception indices.

“We must listen to the concerns of our people without dismissing them. When people see something wrong, there is something wrong. When our people see that their resources are being stolen by certain people, it means this is happening, and we should listen.”

President Cyril Ramaphosa

6. **PROTECT** a country’s reputation and improve the conduct of its law enforcement authorities and its armed forces.

“It is a good time for President Cyril Ramaphosa to press the reset button on South Africa’s domestic and international relations and return the country to the moral high ground that Nelson Mandela set for it as a global leader and beacon for human rights in Africa. He should make a public pledge to set out an action plan to protect and promote human rights to address current human rights issues plaguing the country.”

Human Rights Watch website, 17th March 2020

“Progress in the anti-corruption fight will require political will, more assertive independent oversight, and safe reporting channels for both whistle-blowers and ordinary citizens. Without these, it appears that South Africans will remain unconvinced that change has come.”

Afrobarometer Dispatch No. 476, 15th September 2021

THE AFCOE provides South Africa and the continent with

A COUNTER-CORRUPTION RESOURCE

For example, in South Africa the AFCOE trains and provides independent practical counter-corruption assistance to bodies including:

- Public Administration Ethics, Integrity and Disciplinary Technical Assistance Unit;
- Auditor-General of South Africa;
- Special Investigating Unit (SIU);
- Directorate for Priority Crime Investigation (‘Hawks’);
- Financial Sector Conduct Authority (FSCA);
- National Prosecuting Authority;
- Office of the Public Protector;
- South African Reserve Bank;
- The Courts and Judiciary; and
- Foreign direct investors and local companies of all sizes.

A HUMAN RIGHTS AND ‘LOAC’ RESOURCE

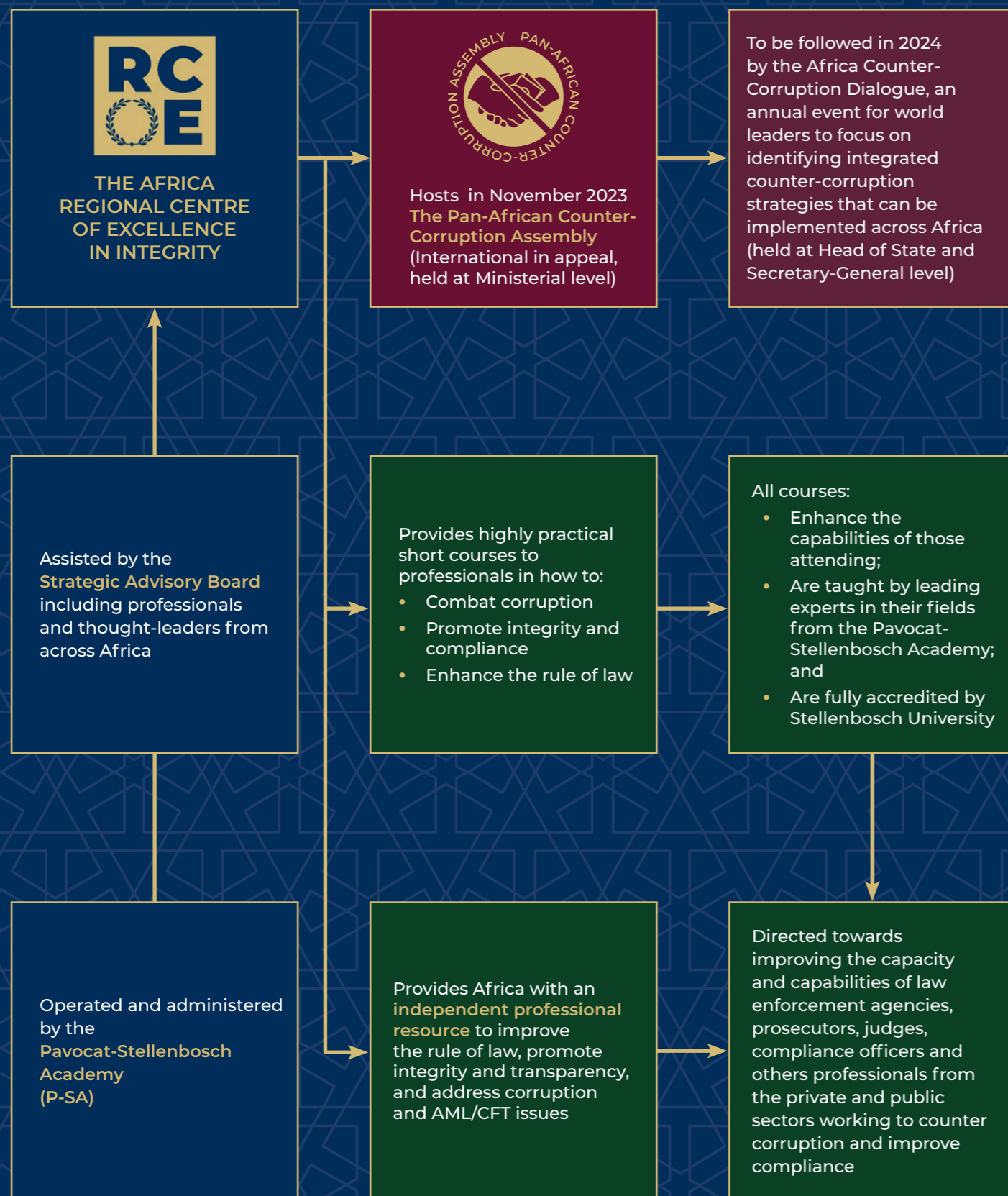
For governments, the AFCOE will:

- (1) Train, advise, support and provide independent practical human rights and Law of Armed Conflict (‘LOAC’) assistance to bodies such as, for example, in South Africa :
 - South African National Defence Force (SANDF);
 - South African Police Service (SAPS);
 - State Security Agency (SSA);
 - Municipal Police and other law enforcement agencies;
 - South African Human Rights Commission (SAHRC);
 - Department of Defence;
 - Private Military Contractors (foreign and domestic); and
 - Private Security Companies (foreign and domestic).
- (2) Enhance Defence Sector sales internationally
(Pavocat South Africa’s presentation for the Defence Sector: ‘How to Access New Markets’).

“The use by security forces of excessive and lethal force increased during the COVID-19 lockdown. At least 115 people died in police custody. Incidents of gender-based violence soared. The asylum system failed those most in need; immigrants and other non-nationals were subjected to xenophobic social media campaigns.”

SOUTH AFRICA - Amnesty International Report 2020/21, p325

THE AFCEE flow chart



THE AFCEE provides the following benefits:

THE TRAINING

- Improves integrity, good governance and rule of law;
- Enhances human rights within the context of domestic law and international standards;
- Increases Foreign Direct Investment;
- Promotes compliance in Business and Finance; and
- Advances the understanding of the law of armed conflict during times of war and internal strife to ensure compliance and reduce the suffering of civilians and combatants alike.

THE CENTRE

- Provides highly practical short courses of varying duration in how to counter and defeat corruption, advance Human Rights and improve compliance with the Laws of Conflict;
- Provides the Continent with a Professional Cadre to assist the State in resolving any corruption and related problems; and
- Will become the Continent's hub for advancing knowledge and training in combatting corruption and advancing human rights and the laws of conflict.

THE COURSES

- Enhance the capabilities and effectiveness of those attending;
- Are taught by The Pavocat-Stellenbosch Academy's leading and world class experts;
- Are fully accredited by Stellenbosch University; and
- Could lead to admittance to undergraduate and post-graduate taught and research programmes at Stellenbosch University and elsewhere.

WORLD-CLASS INSTRUCTORS

- Establish a highly effective independent Professional Cadre within the Continent, which could be engaged, as necessary, to assist government entities, the private sector and foreign investors to resolve relevant problems that they may encounter.

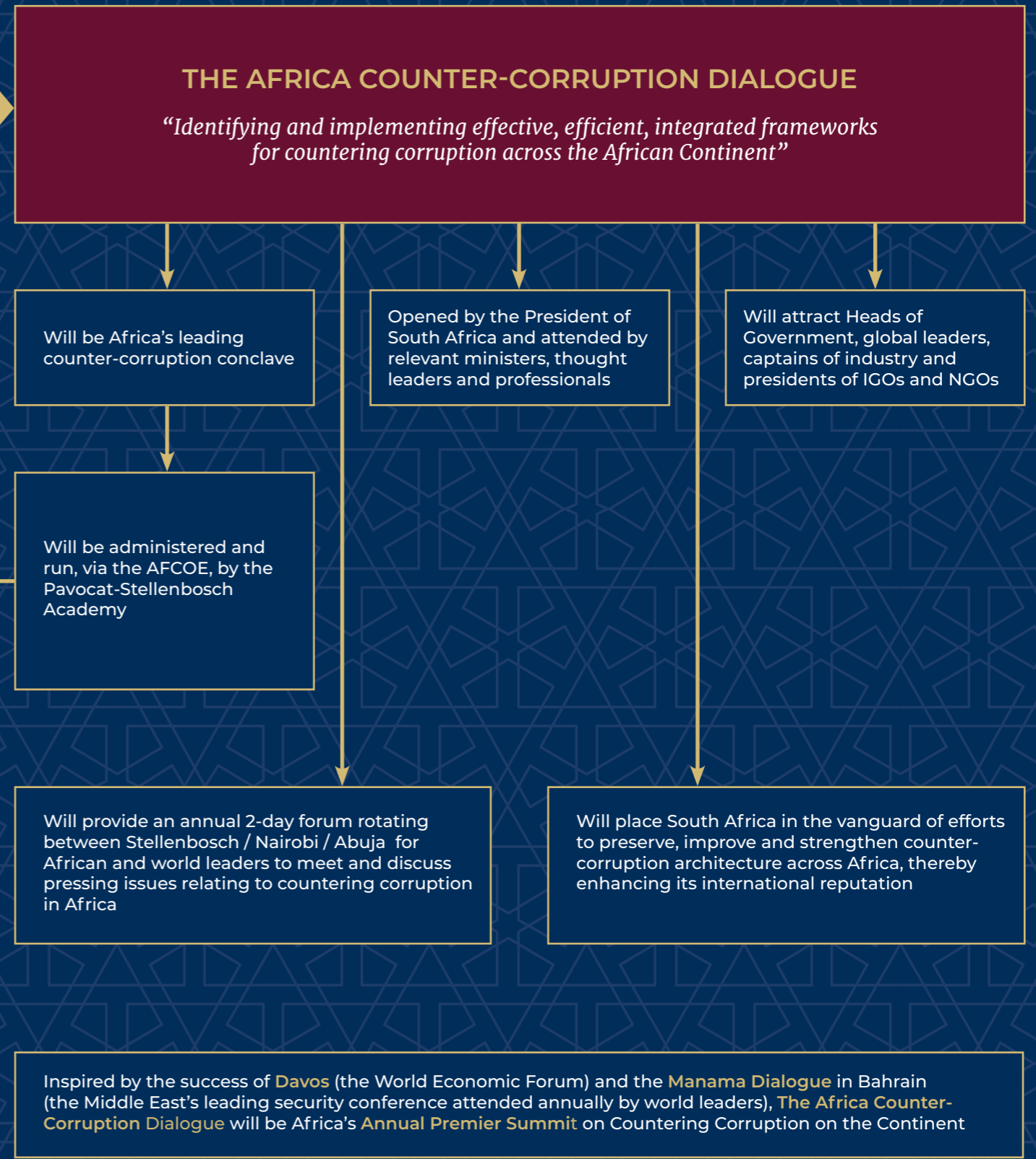
HIGH RANKING COURSE PARTICIPANTS

- Course participants will be drawn from throughout the Continent;
- Course participants include members of the Law Enforcement Community (e.g., police officers, prosecutors and judges), civil servants, compliance officers and those seeking knowledge and a professional qualification in countering corruption; and
- Human Rights and Laws of Conflict course participants include those working to improve human rights within the Region (e.g., members of national human rights commissions), law enforcement officers, members of the gendarmeries and armed services, defence contractors and those seeking knowledge and a professional qualification in Human Rights and/or the Laws of Conflict.

THE AFRICA COUNTER-CORRUPTION DIALOGUE flow chart



THE AFRICA COUNTER-CORRUPTION DIALOGUE flow chart



THE AFRICA COUNTER-CORRUPTION DIALOGUE

outline

1. THE PAVOCAT-STELLENBOSCH ACADEMY

established with the South African Government, and runs

2. THE AFRICA REGIONAL CENTRE OF EXCELLENCE IN INTEGRITY

organises

3. THE PAN-AFRICAN COUNTER-CORRUPTION ASSEMBLY

convenes

4. THE AFRICA COUNTER-CORRUPTION DIALOGUE

Pan-African Counter-Corruption Framework

delivers

5. NATIONAL CONVERSATIONS

feedback

THE AFRICA COUNTER-CORRUPTION DIALOGUE

detail

1. THE PAVOCAT-STELLENBOSCH ACADEMY (P-SA)

- The P-SA is a joint venture between Stellenbosch University and Pavocat South Africa (Pty) Ltd (see Section 4).
- The P-SA provides practical, university-accredited training courses on campus, online and on site across Africa to professionals (e.g., judiciary, prosecutors, public officials, law enforcement agencies, the public and private sector, etc.) on how to combat corruption and advance integrity, compliance and the rule of law.
- The P-SA also provides 'gold standard' university-accredited training to uniformed personnel (e.g., armed forces, law enforcement, police, etc.) to advance human rights and improve compliance with the law of armed conflict.
- On 27th July 2022, the P-SA held the **2022 Counter-Corruption Summit** at STIAS in Stellenbosch. The delegates - including ministers, members of parliament, IGOs, NGOs and leaders from the public and private sector unanimously supported the **Summit Declaration** (see Page 26) supporting the establishment of the **Africa Regional Centre of Excellence in Integrity**.
- The P-SA is working on a programme to establish Regional Centres of Excellence in Integrity ('RCOE) around the world. The first RCOE was established in South Africa in August 2022 (see Page 16) and covers the African continent. In addition to the AFCOE, the P-SA is currently working with partners and States to establish RCOEs in (i) the Caribbean, (ii) the Far East, and (iii) Latin America.

2. THE AFRICA REGIONAL CENTRE OF EXCELLENCE IN INTEGRITY (AFCOE)

- A dual think-tank and training establishment, with the Africa Counter-Corruption Dialogue emanating from the think-tank.
- Is supported and endorsed by the South African Government and leading institutional bodies including the NPA.
- Established and operated by the P-SA. Focused on combatting corruption, advancing human rights and improving compliance with the law of armed conflict ('LOAC') throughout Africa.

3. THE PAN-AFRICAN COUNTER-CORRUPTION ASSEMBLY (PACCA)

- A two-day, high-level, intensive international conference at STIAS in Stellenbosch focusing exclusively on identifying integrated and coordinated strategies for effectively and efficiently countering corruption throughout Africa.
- PACCA is the precursor to the annual Africa Counter-Corruption Dialogue (i.e., the Dialogue flows from the Assembly).



THE AFRICA COUNTER-CORRUPTION DIALOGUE

overview

4. THE AFRICA COUNTER-CORRUPTION DIALOGUE

- Inspired by the success of the Manama Dialogue (security in the Middle East) and Davos (the World Economic Forum).
- An annual two-day 'grand strategic' conclave, held in Stellenbosch and attended by world leaders and experts (e.g., Presidents, Prime Ministers, Ministers, IGOs, NGOs, academic leaders, and experts within the private sector).
- The objective is to (1) build on and develop the work started at PACCA; and (2) identify and help implement effective, efficient and deliverable national and regional strategies for combatting corruption.
- The product is the **Pan-African Strategic Counter-Corruption Framework** – which is a grand strategic living document.
- The Dialogue is presented as a pan-African strategic response primarily (but not exclusively) by African governments to the undoubted problem of corruption on the African continent. This dialogue benefits from high-level insight from the international community, including governments from outside Africa, the IGO/NGO community, the public and private sectors, etc.
- The Dialogue is intended to complement, not compete with, the work of the UNODC and its promulgation of the UNCAC. The distinction being that the Dialogue is exclusively focused on identifying the right remedies for Africa: in other words, it will provide African solutions to African problems.
- The Dialogue is intended to be a 'living entity', capable of adapting to confront the changing threats posed to African nations by corruption.
- The Dialogue will be highly flexible and not constrained by conventional thinking.
- AFCE (run by the P-SA) forms the Secretariat of the Africa Counter-Corruption Dialogue.

5. THE NATIONAL CONVERSATIONS

- National Conversations follow on from the Dialogue and focus exclusively on resolving domestic corruption problems within the overarching Pan-African Strategic Counter-Corruption Framework.
- AFCE (run by the P-SA) will work to facilitate and convene National Conversations in the capitals of African states. The objective is to try to resolve national corruption problems at a national level, but within the Pan-African grand strategy emanating from the Dialogue and contained within the Pan-African Counter-Corruption Framework.
- For example, following the Africa Counter-Corruption Dialogue, SA delegates may stay on for a further period of time to concentrate exclusively and at a working level on how to combat corruption in South Africa.
- A National Conversation will be just that: it will involve all elements of society and at all levels. It will be inclusive and it is intended that the strategic level will give way to the discussions at the working level.
- AFCE (run by the P-SA) will work to capture the essence of the National Conversations in an ordered and methodical manner, and it will present its findings to the sponsoring government for wider dissemination and reliance.

THE AFCE's FUNDING

next steps

"The AFCE is undoubtedly a pioneering force for good in our fight against corruption in Africa and I commend it wholeheartedly to any individual, entity or organisation that shares my firm view that defeating corruption is the key to unlocking greater prosperity in South Africa and across our continent. If you have the ability to contribute funds to the AFCE then I would entreat you to do so without delay."

The Hon Ronald Lamola MP - Minister of Justice and Correctional Services
Open Letter of Ministerial Authority, 26th September 2022

FUNDRAISING & FINANCE

For the AFCE to achieve its much-needed objective of countering corruption in South Africa and across the Continent, it must secure long-term sustainable donor funding from various sources, including from:

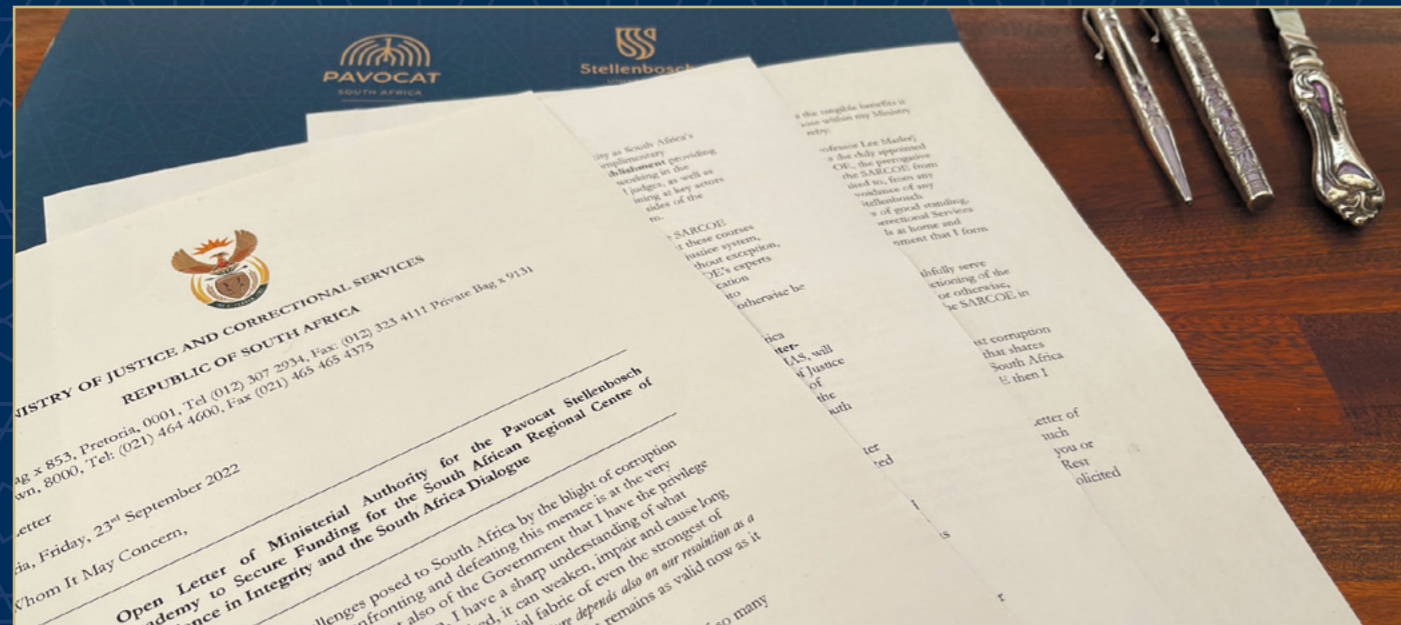
- The public and private sectors within South Africa and across the Continent;
- International Financial Institutions and International Governmental Organisations;
- Philanthropists and philanthropic funds;
- ESG contributions from companies working or investing in Africa; and
- Sponsorship of training courses and the Africa Counter-Corruption Dialogue.

To this end, in September 2022, the South African Government mandated the Pavocat-Stellenbosch Academy by issuing an Open Letter of Ministerial Authority to seek and secure funding of the AFCE, inclusive of the Africa Counter-Corruption Dialogue, both nationally and internationally. All funding secured in this regard by the P-SA will be held and used exclusively for the benefit of the AFCE and the Africa Counter-Corruption Dialogue.

"The specialist training courses to be provided by the AFCE amount to much needed capacity building and I have no hesitation in saying that these courses will serve over time to strengthen the integrity and effectiveness of our criminal justice system, and that of other countries that participate in the initiative."

The Hon Ronald Lamola MP | Minister of Justice and Correctional Services
Open Letter of Ministerial Authority, 26th September 2022

OPEN LETTER OF MINISTERIAL AUTHORITY (note that the SARCOE has since been renamed the AF COE)



MINISTRY OF JUSTICE AND CORRECTIONAL SERVICES REPUBLIC OF SOUTH AFRICA

Open Letter

Pretoria, Friday 23rd September 2022

To Whom It May Concern

Subject: Open Letter of Ministerial Authority for the Pavocat Stellenbosch Academy to Secure Funding for the [Africa] Regional Centre of Excellence in Integrity and the [Africa] Counter-Corruption Dialogue

The numerous and varied challenges posed to South Africa by the blight of corruption have been well documented of late and confronting and defeating this menace is at the very forefront not only of my Ministry's agenda, but also of the Government that I have the privilege of serving. As a South African lawyer and politician, I have a sharp understanding of what corruption can do to a country and how, if left unchecked, it can weaken, impair and cause long lasting damage to the institutions of governance and the social fabric of even the strongest of societies. President Mandela said in 1999 that "our hope for the future depends also on our resolution as a nation in dealing with the scourge of corruption" and as ever Madiba's insight remains as valid now as it was then, and arguably even more so.

Corruption is not merely a plague upon our house but upon the houses of so many countries within Africa, and as a continent we must come together without delay to do something meaningful to disrupt and defeat its harmful trajectory. We have in my view a collective responsibility to the people that we serve to find a cure to this invidious infection, for it is well understood that corruption in all of its various guises is a disease that destabilises and subverts the development of African countries that would otherwise flourish. We must in my view be innovative in the manner of our response to this existential threat and we must act now, of this I am in no doubt.

It is for this reason and more that I accepted an opportunity to attend and to speak at the Pavocat Stellenbosch Academy's ("the PSA's") Counter Corruption Summit held within the renowned Stellenbosch Institute for Advanced Study ("STIAS") on 27th July 2022. This ground breaking one day conclave brought together a number of counter corruption thought leaders from across our nation and internationally, and its outcome was a formal Declaration, unanimously advanced and adopted by all delegates, that there was a compelling and pressing need to establish now the [Africa] Regional Centre of Excellence in Integrity ("AF COE").

[AF COE], which I have agreed to become a patron of in my capacity as South Africa's Minister of Justice and Correctional Services, is to have two distinct but complimentary functions. On the one hand, it will operate as a pan-African training establishment providing highly practical short courses of up to three weeks to African professionals working in the counter corruption space, such as law enforcement officers, prosecutors and judges, as well as providing integrity compliance

training to the private sector. By targeting training at key actors in both the public and private sectors, the [AF COE] is directly engaging both sides of the corruption coin – those who traditionally solicit bribes and those who pay them.

The specialist counter corruption training courses to be provided by the [AF COE] amount to much needed capacity building and I have no hesitation in saying that these courses will serve over time to strengthen the integrity and effectiveness of our criminal justice system, and that of other countries that participate in the initiative. What is more and without exception, all of the real world and hands on short courses designed and delivered by [AF COE's] experts will be accredited by Stellenbosch University in terms of South Africa's higher education qualification framework, and this accreditation will in due course form a pathway into undergraduate or even postgraduate courses offered by the University that may not otherwise be open to some less fortunate students.

On the other hand, the [AF COE] will act as the Secretariate for the [Africa] Counter-Corruption Dialogue, which I am confident will emerge rapidly to become Africa's leading counter-corruption conclave. The Dialogue, which will be held annually over two days at STIAS, will primarily bring together African Heads of Government and their respective Ministers of Justice or equivalent together with other global leaders, captains of industry and the presidents of international governmental and non-governmental organisations. The Dialogue will be the standout event in the African counter corruption calendar and it will in my view place South Africa in the vanguard of the fight against corruption on our continent.

The objective of the Dialogue will be to formulate an enduring but evolving Counter Corruption Framework for Africa, which through consensus will identify effective, integrated and co-ordinated pan-African strategies for confronting and defeating corruption on our continent. That Framework will then be taken and implemented in a coherent and efficient manner in countries across Africa through a process of National Conversations administered throughout by the [AF COE]. To achieve this principled aim, the plan is for the AF COE to convene in the spring of 2023 the Pan-African Counter Corruption Assembly that will serve as the precursor to and which will trigger the first of the annual Dialogues in 2024.

At its Summit on 27th July, the PSA gave me and other distinguished delegates an undertaking that it would implement the Declaration and establish the [AF COE] without further delay. I am delighted to be able to report that the PSA has been true to its word and that at the time of writing the [AF COE] has now been established, as evidenced by its website at www.rcoe-sa.org. But to begin the process of offering valuable training courses to professional students across Africa and convening next year the Pan-African Counter Corruption Assembly, as a condition precedent to the holding in 2024 of the first Africa Counter-Corruption Dialogue, the [AF COE] needs to receive enhanced financing in order to operate and to fulfil its meritorious aims and objectives.

I have no doubt of the absolute need for the [AF COE], as well as the tangible benefits it will bring to our collective campaign to eradicate corruption, and I and those within my Ministry are committed to ensuring its success. To this end and by this letter, I hereby:

1. confer without reservation or limitation upon the Chair (Professor Lee Marler) and Vice-Chair (Professor Geo Quinot) of the Board of the PSA, as the duly appointed representatives of the entity managing and administering the [AF COE], the prerogative of this Ministry to seek funding for the functioning of all aspects of the [AF COE] from any source within and outside of South Africa, including, but not limited to, from any multilateral organisation that South Africa is a member of. For the avoidance of any doubt, Professors Marler and Quinot, both of the Faculty of Law at Stellenbosch University and of the PSA, and both established lawyers and advocates of good standing, have my direct mandate and consent, as the Minister of Justice and Correctional Services of the Republic of South Africa, as well as my confidence, to seek funds at home and abroad to support the [AF COE], which I, this Ministry and the Government that I form an integral part of support and endorse; and
2. give the assurance of this Ministry and the Government that I faithfully serve that any and all funds raised by the PSA to support the operation and functioning of the [AF COE], by means of the execution of the prerogative conferred above or otherwise, will go directly and only to the [AF COE], with such funds being held by the [AF COE] in a manner that satisfies the needs and requirements of the donor.

The [AF COE] is undoubtedly a pioneering force for good in our fight against corruption in Africa and I commend it wholeheartedly to any individual, entity or organisation that shares my firm view that defeating corruption is the key to unlocking greater prosperity in South Africa and across our continent. If you have the ability to contribute funds to the [AF COE] then I would entreat you to do so without delay.

I have directed that Professors Marler and Quinot present this unambiguous Letter of Authority to those of you who the PSA believes might be in a position to assist with much needed financing of the [AF COE] and that both men should stand ready to liaise with you or your respective staff, and duly answer any questions that you may and likely will have. Rest assured that both Professors are under a remit to report back to me on who they have solicited for funds and the outcome of that solicitation.

Yours faithfully,

Mr Ronald Lamola
Minister of Justice and Correctional Services

AFCEE PATRONS INCLUDE



Adv Shamila Batohi
National Director of Public Prosecutions



Justice Edwin Cameron
Chancellor of Stellenbosch University



Hon Ronald Lamola MP
Minister of Justice & Correctional Services



Prof Thuli Madonsela
Law Trust Chair in Social Justice
Public Protector (2009-2016)



Prof Bonang Mohale
Chancellor of the University of the Free State

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Stellenbosch University

AFCEE CO-FOUNDERS & DIRECTORS INCLUDE



Prof Lee Marler
Co-Founder of the Pavocat Group
(Experts in Counter-Corruption and the Law of Armed Conflict)
Professor of Law (SU)



Prof Geo Quinot
Founder, African Procurement Law Unit
Professor of Law (SU)

PAVOCAT SOUTH AFRICA
what we do

We undertake complex projects globally



INTERNATIONAL INVESTIGATIONS



ASSET TRACING & RECOVERY



IMPROVING FOREIGN DIRECT INVESTMENT



REPUTATION & AWARENESS CAMPAIGNS



RESOLVING CURRENT & HISTORIC PROBLEMS



LITIGATION SUPPORT



LAW REFORM & LEGISLATIVE DRAFTING



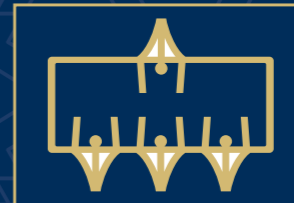
MONITOR & VERIFY LAWS OF CONFLICT & HR



MONITOR & VERIFY MDB SANCTION PROGS



INTEGRITY & COMPLIANCE PROGRAMS



MEDIATION & DISPUTE RESOLUTION



CRISIS CONTROL & C-SUITE SUPPORT

PAVOCAT ACADEMY
we train* professionals

Government

- Ministers
- Regulatory Authorities
- Public Officials

Judiciary

- Judges and Prosecutors

Law Enforcement

- Specialist Fraud Units
- Counter-Corruption Units
- Police Officers and Investigators

Financial Sector and Professional Services

- Regulatory oversight bodies
- Company officers and employees
- Compliance officers

Uniformed Forces (LOAC and Human Rights)

- Senior Military Officers from all Armed Services
- Senior Law Enforcement Officers (Gendarmeries & Police)
- Private Military Contractors
- Private Security Companies

***Training**

Our practical, university-accredited training courses are provided globally by world-class instructors from the Pavocat-Stellenbosch Academy.

All courses are accredited by Stellenbosch University.

THE AFCE

is relevant because the Continent is challenged by corruption

“The journey to harness corruption in SADC states remains a challenge even after decades of preaching about the effects of corruption.”

Almost all nations in the SADC have a CPI of less than 50, implying high levels of corruption.

Millions of dollars are lost each day through corrupt activities, yet such amounts if channelled to productive use could yield a lot for the betterment of respective states.

Corruption is an impediment to doing business in the SADC bloc, and corruption repels foreign direct investment.

Corruption derails success and development, and its costs are borne by the citizens.

Political will is required to harness corruption in the regional bloc, together with strong institutions for the enforcement of the law.

The government should be in the lead in addressing corruption. Political discipline is of great importance because leaders should lead by example.”

Wellington Garikai Bonga
Dept. of Banking & Finance, Great Zimbabwe University, Zimbabwe. “Corruption Prevalence in SADC Regional Bloc”. Research Paper, January 2021 (Quest Journal)

“It is imperative that every company, executive and employee understands and implements a culture of good corporate governance – this has to be driven from the top and embedded at every level in business.”

BUSA ‘Approach to Integrity in Business’, 1st September 2017

“I ask every South African to rally together in our fight against corruption, in our fight to create jobs, in our fight to achieve a more just and equal society.”

President Cyril Ramaphosa
State of the Nation Address - 10th February 2022

“Corruption is a problem that all countries have to deal with. Let’s not mince words: we need to deal with the cancer of corruption.”

James Wolfensohn, 9th President of the World Bank Group,
Address to the Board of Governors Annual Meetings of the WBG and the IMF - 1st Oct 1996

“Almost two-thirds of South Africans say that corruption increased in the past year (2020-21), including half who believe it increased ‘a lot’.

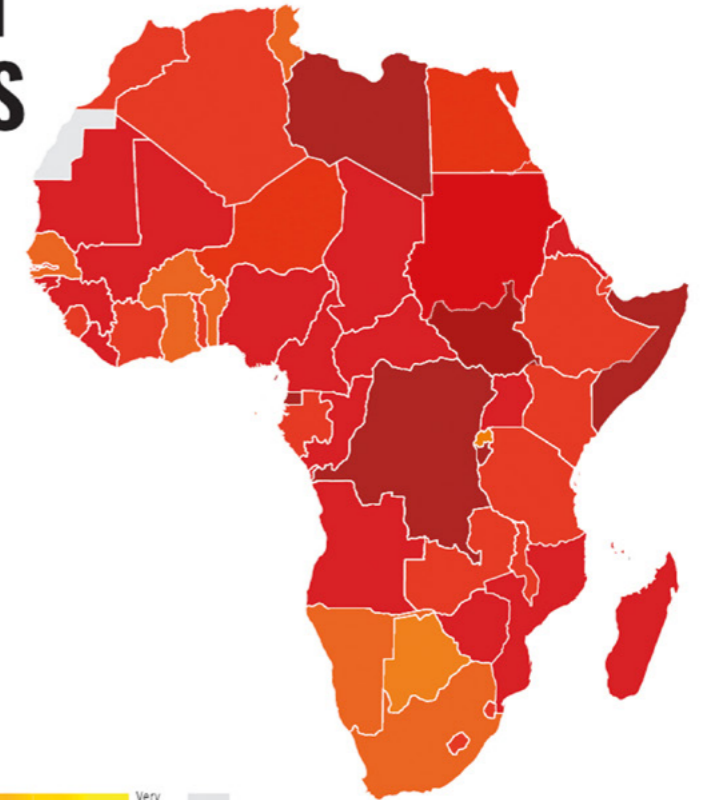
State institutions are widely seen as corrupt. Half or more of citizens say “most” or “all” officials are involved in corruption in the police, the president’s office, local government councils, and Parliament. Equally worrying are the growing number of people who fear retaliation if they report corruption to the authorities and the widespread belief that people who break the law – and especially officials who break the law – often go unpunished.

Three-quarters of South Africans say the government is performing “fairly badly” or “very badly” in the fight against corruption.

Despite a particular emphasis on anti-corruption efforts focusing on the Presidency, more than half of South Africans believe that “most” or “all” officials in the Presidency are involved in corruption. Among 10 other institutions that Afrobarometer asked about, only the South African Police Services (SAPS) are more widely seen as corrupt.”

Afrobarometer Dispatch No. 476
15th September 2021

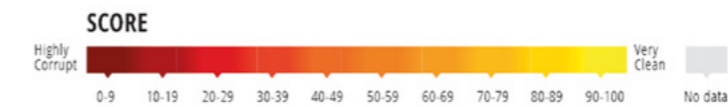
CORRUPTION PERCEPTIONS INDEX 2021



AFRICAN UNION

33/100

AVERAGE SCORE



SCORE	COUNTRY/TERRITORY
70	Seychelles
58	Cabo Verde
55	Botswana
54	Mauritius
53	Rwanda
49	Namibia
45	Sao Tome and Principe
44	South Africa
44	Tunisia
43	Ghana
43	Senegal
42	Benin
42	Burkina Faso
39	Ethiopia
39	Morocco
39	Tanzania
38	Lesotho
37	Gambia
36	Cote d'Ivoire
35	Malawi
34	Sierra Leone
33	Egypt
33	Zambia
33	Algeria
32	Eswatini
31	Gabon
31	Niger
30	Djibouti
30	Togo
30	Kenya
29	Angola
29	Liberia
29	Mali
28	Mauritania
27	Cameroon
27	Uganda
26	Madagascar
26	Mozambique
25	Guinea
24	Nigeria
24	Central African Republic
23	Zimbabwe
22	Eritrea
21	Congo
21	Guinea Bissau
20	Chad
20	Comoros
20	Sudan
19	Burundi
19	Democratic Republic of the Congo
17	Equatorial Guinea
17	Libya
13	Somalia
11	South Sudan

STELLENBOSCH UNIVERSITY

about us



Photo: Anton Jordaan / SCPS

STELLENBOSCH UNIVERSITY IS:

- one of Africa's leading tertiary institutions based on research output, student pass rates and rated scientists, and is recognised internationally as an academic institution of excellence;
- cementing its reputation as a world-class institution; and
- is one of the top 300 universities in the world, and amongst the top 20 in BRICS countries (according to the Times Higher Education World University Rankings).

STELLENBOSCH UNIVERSITY HAS:

- more than a century of experience in providing world-class teaching;
- a student community of 32,000, including more than 4,000 international students from over 100 countries;
- 3,000 permanent staff members including more than 1,000 academics;
- state-of-the-art facilities to present training in-person, online and in hybrid modes; and
- more than 500 short courses presented annually.

STELLENBOSCH UNIVERSITY

about us



OUR GRADUATES

- Stellenbosch University's graduates are highly sought-after in the workplace. However, the University also aims to deliver engaged citizens and responsible leaders, who are willing to use their expertise and skills to serve society.
- Students are encouraged to engage with the community through MAD² (Making A Decision 2 Make A Difference) and Matie Community Service as well as service learning and community interaction within their respective disciplines.



Stellenbosch

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UNIVERSITEIT

forward together
sonke siya phambili
saam vorentoe

“If we work together in a focused, collaborative and decisive manner we will overcome the scourge of corruption in South Africa. We are fully committed to our international obligations that seek to mobilise the global community to fight corruption on all fronts.”

President Cyril Ramaphosa, National Anti-Corruption Strategy 2020-2030

2022 COUNTER CORRUPTION SUMMIT DECLARATION

On 27th July 2022 at STIAS, Stellenbosch

RECOGNISE that corruption undermines and damages integrity, good governance and the rule of law in South Africa, across Africa, and globally; and that it challenges progress, inclusivity and respect within our society, throughout the continent, and around the world;

ACKNOWLEDGE that corruption hampers sustainable development and prosperity for the people of South Africa and Africa, and serves only to erode their rights, freedoms and legitimate aspirations;

APPRECIATE that corruption on the part of elected officials destabilises the electorate's faith and confidence in them personally, and more widely undercuts respect for politics and political institutions, which is detrimental to the belief in and sustainability of democracy across Africa;

COMPREHEND that corruption on the part of business operators undermines economic development and the conditions required to improve living conditions for all;

UNDERSTAND that, for all these reasons and more, corruption is a blight upon South Africa that needs to be checked and remediated effectively and efficiently for our Republic to progress in the manner that its people rightly deserve and expect;

REALISE that counter-corruption efforts to date have not adequately addressed the cancer of corruption within our society and beyond, and that new, innovative and inclusive approaches to cure it are required;

RESOLVE to come together to collaborate further in defeating corruption conclusively in South Africa, and throughout Africa, through identifying and implementing coherent, coordinated and progressive counter-corruption strategies;

AND TO THIS END WE DECLARE, on this 27th day of July 2022, to support the initiative to create the South African Regional Centre of Excellence and the holding annually of the Africa Counter-Corruption Dialogue as a means of contributing to the demise of corruption in South Africa and the African continent.

LEADING DELEGATES INCLUDED;

Justice Edwin Cameron | Justice Mbuyiseli Madlanga | Hon Mkhuleko Hlengwa MP | Hon Ronald Lamola MP
Prof Thuli Madonsela | Prof Lee Marler | Prof Geo Quinot



experts in
counter-corruption and
the law of armed conflict

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The Minister of Justice & Correctional Services of South Africa
The Hon Ronald Lamola MP
requests the pleasure of your company at the
**Africa Regional Centre of Excellence in Integrity's
PAN-AFRICAN COUNTER-CORRUPTION ASSEMBLY**

at

The Stellenbosch Institute of Advanced Studies

on

Thursday 2nd and Friday 3rd November 2023

to which the Ministers of Justice of all African states are being invited together with
leaders from IGOs, NGOs, MDBs, the public sector, finance, law and business

Please reply to:
pacca@rcoe-sa.org
+27 (0) 21 808 1657

STIAS
Marais Road
Stellenbosch, South Africa

The Pan-African Counter-Corruption Assembly ('PACCA') will be a two-day, high-level, intensive international conference focusing exclusively on identifying integrated and coordinated strategies for effectively and efficiently countering corruption throughout Africa. The PACCA will be the forerunner for the annual Africa Counter-Corruption Dialogue.



CONTACT: pacca@rcoe-sa.org | **TEL:** +27 21 808 1657
INFO: www.rcoe-sa.org | **MEDIA:** media@rcoe-sa.org



experts in
counter-corruption and
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PAVOCAT SOUTH AFRICA (PTY) LTD

Office 301, 3rd Floor,
43 Andringa Street
Stellenbosch 7599,
South Africa

office@pavocat.co.za
+27 (0) 21 808 1657

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Office 2029, Ou Hoofgebou
Ryneveld Street
Stellenbosch 7600
South Africa

office@rcoe-sa.org
+27 (0) 21 808 1657

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STELLENBOSCH UNIVERSITY

Private Bag X1
Matieland, 7602
Stellenbosch
South Africa

info@sun.ac.za
+27 (0) 21 808 9111

www.sun.ac.za