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REPUBLIC OF KENYA



KENYA NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT THIRD SESSION

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REPORT OF THE APNAC BIENNIAL GENERAL MEETING HELD
IN N'DJAMENA, TCHAD
ON

24TH TO 26TH APRIL 2015



Clerk's Chambers
National Assembly
Parliament Buildings
NAIROBI

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Abbreviations and Acronyms

APNAC	–	African Parliamentarians Network Against Corruption
MP	-	Member of Parliament
GOPAC	-	Global Organization of Parliamentarians Against Corruption
TI	-	Transparency International
NGO	-	Non-Governmental Organization
ABUCO	-	Association Burundaise des Consommateurs
OLUCOME	-	Observatoire de la lutte la corruption et les malversations économiques
NPSC	-`	National Police Service Commission
IPOA	-	Independent Policing Oversight Authority
CSO	-	Community Based organization

PREFACE

The African Parliamentarians Network Against Corruption (APNAC) is an organization whose aim is to coordinate, involve and strengthen the capacities of African Parliamentarians to fight corruption and promote good governance.

APNAC was founded in 1999 in Kampala, Uganda and registered in Kenya as a Non-Governmental Organization (NGO) in the year 2002. Some notable Kenyan founder members include the Speaker of the National Assembly, Hon. Justin B. Muturi, Hon. Musikari Kombo and Hon. Njoki Ndungu.

APNAC has promoted accountability, transparency, and public participation in the processes of government as a way of controlling corruption.

APNAC membership comprise of Parliamentarians from the following parliaments also referred to as National APNAC Chapters: Benin, Burkina Faso, Chad, Cameroon, Democratic Republic of Congo, Gambia, Ghana, Kenya, Liberia, Malawi, Mali, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Tanzania, Uganda, Zambia and Zimbabwe.

The main objective of APNAC is to:

- Build the capacity of parliamentarians to exercise oversight roles, especially on financial matters
- Share information on best anti-corruption strategies and practices
- Promote projects to control corruption based on best practices
- Cooperate with other organizations and civil society members with shared objectives

As the elected representatives of the people, MPs play an essential leadership role in combating corruption throughout the legislative process, and in their oversight and representative functions.

APNAC Mandate

APNAC's mandate is promoted by its presence throughout the Eastern, Southern, and Western regions of Africa, through the National Chapters, and working with other anti-corruption bodies in Africa and around the world.

APNAC endeavors to find ways to address global corruption challenges by using the collective strength and ability of its members in Parliaments across the Africa. The organization's purpose is to see zero corruption practices in the public sector by influencing legislative issues with regard to eradication of corruption.

The African Parliamentarians Network Against Corruption (Kenya Chapter) was established in February 2001 as a bi-partisan informal parliamentary caucus against corruption. The main objective of APNAC-Kenya being: -

- a) To build the commitment and capacity of Parliament to play an accountability role particularly pertaining to matters of government spending;
- b) To undertake specific projects to help curb corruption;
- c) To cooperate with organisations in civil society with shared objectives;
- d) To network amongst APNAC Chapters and the Global Organization of Parliamentarians against Corruption (GOPAC); and
- e) To develop links with all other oversight committees of parliament and parliamentarians across Africa.

The African Parliamentarians Network Against Corrupt Biennial General Meeting 2015 was held in Ndjamen, Chad, from 24th to 26th April, 2015 at the National Assembly of Chad, Parliament House.

The theme of the meeting was *'The deficit in Parliamentary oversight in the fight against corruption in Africa'*. Participants were drawn from the following National Chapters; Chad, Democratic Republic of Congo, Gambia, Ghana, Kenya, Mali, Niger, Uganda, Rwanda, Senegal.

1.1. Composition of the Delegation

The Kenyan delegation to the APNAC 2015 Biennial General Meeting comprised:

1. Hon. Priscilla Nyokabi, MP – Leader of Delegation
2. Hon. James Opiyo Wandayi, MP
3. Hon. Musikari Kombo – Honorary Member of APNAC

Hon. Speaker,

On behalf of the delegation, it is my pleasant duty and privilege, to present the delegation's report on the African Parliamentarians Network Against Corruption 2015 Biennial Meeting, held in Ndjamena, from the 25th to 26th April, 2015.

DATE.....20/8/15.....

SIGN..........

.....
THE HON. SHAKEEL SHABBIR, MP
CHAIR, APNAC KENYA CHAPTER

EXECUTIVE SUMMARY

Hon. Speaker,

Members of the African Parliamentarians Network Against Corruption convened for the 2015 Biennial General Meeting (BGM) on 24th to 26th April, 2015 in the N'Djamena, at the Chamber of the National Assembly of Chad. The meeting was hosted by the Parliament of Chad.

The 2015 APNAC Biennial General Meeting was attended by various dignitaries amongst the Members of Parliament drawn from the following National Chapters: Ghana, Rwanda, Mali, Senegal, Chad, Uganda, Cote d'ivoire, Kenya, Gambia, Niger and Cameroon, the Speaker of the National Assembly of Chad, Minister of Education in Chad, Members of APNAC Chad Chapter, representative from Transparency International, Representative from Global Organization of Parliamentarians Against Corruption, APNAC Honorary Members and other renown experts in political and governance field.

The agenda of the 2015 APNAC Biennial General Meeting was:

- a) The deficit in oversight system in the fight against corruption in Africa;
- b) The sustainability and the future of African Parliamentarians Network Against Corruption
- c) Consideration of statutory and critical issues in Article 18 of the APNAC Constitution amongst the issues;

You may also note that during the Biennial Meeting, election of Executive Board was conducted and amongst the Members who were elected included Hon. Priscilla Nyokabi, MP, who as elected as a Member of the Board representing the Eastern African Block. Further, two founder members were recognized and awarded with Honorary Certificate for their effort in the fight against corruption. This were; Hon. Musikari Kombo from Kenya and Hon. Augustine Ruzindana from Uganda.

About Chad

By way of a brief profile, Chad is a landlocked country in Central Africa. It is bordered by Libya to the north, Sudan to the east, the Central African Republic to the south, Cameroon and Nigeria to the southwest and Niger to the west. It is the fifth largest country in Africa in terms of area. Chad is divided into multiple regions: a desert zone in the north, an arid Sahelian belt in the centre and a more fertile Sudanese savanna zone in the south.

Lake Chad, after which the country is named, is the largest wetland in Chad and the second-largest in Africa. N'Djamena, the capital, is the largest city. Chad is home to over 200 different ethnic and linguistic groups. Arabic and French are the official languages. In 1960, Chad obtained independence under the leadership of François Tombalbaye.

Parliament of Chad

The Parliament of Chad is a unicameral, i.e. National Assembly. The National Assembly consists of one hundred and fifty five (155) members elected for four-year terms who meet three times per year. The Assembly holds regular sessions twice a year, starting in March and October, and can hold special sessions when called by the prime minister. Deputies elect a National Assembly president every two years.

Distinctively, the President must sign or reject newly passed laws within 15 days. The National Assembly must approve the Prime Minister's plan of government and may force the Prime Minister to resign through a majority vote of no confidence. However, if the National Assembly rejects the executive branch's programme twice in one year, the President may disband the Assembly and call for new legislative elections. In practice, the president exercises considerable influence over the National Assembly.

ACKNOWLEDGEMENT

The 2015 APNAC Biennial Meeting Kenyan delegation wishes to thank the office of the Speaker of the National Assembly and the Clerk of the National Assembly for the support extended to it in the conduct of this event.

The delegation further extends its appreciation to the African Parliamentarians Network Against Corruption Board and the Parliament of the Republic of Chad for organizing the forum and putting together an insightful programme that recognized Kenya's position in the fight against corruption following His Excellency the President of Kenya's declaration war against corruption and subsequent tabling the *"List of Shame"* during the Special Sitting on 26th March 2015 in the Presidential Address to the Parliament of Kenya.

From the Biennial Meeting, the delegation was able to learn best practices in effort to eradicate corruption in the region and the objective of the meeting was achieved.

Many thanks go to the individual Members of the delegation and the Interim Chairperson of the Kenyan Chapter. Your committed participation and contribution before and during the meeting was invaluable to its success.

Finally, the delegation further thanks the delegation secretary for her input and valuable contributions during and after the visit and for the compilation of this report.

1.0 CHAPTER ONE – OFFICIAL OPENING AND REMARKS FROM STAKEHOLDERS

Honourable Speaker,

In the framework of APNAC 2015 Biennial General Meeting Plenary Debates brought together 3-6 panelists, who are renowned experts or practitioners in their respective fields of politics, society, business and academia from the host country and internationally. Introductory remarks by panelists were limited to thirty minutes. A short panel discussion followed, after which the floor was opened to all participants. Plenary Debates were chaired by a member of the APNAC Board and moderated by an independent moderator.

1.1. Day One of the 2015 Biennial General Meeting

The Biennial General Meeting was meant to give participants first hand insights into various initiatives taken by APNAC in the fight against corruption. Participants held meetings with Speaker of the National Assembly of Chad, Minister for Education, APNAC Board Members, Parliamentarians, and representatives of international organizations, societal leaders and academics.

On Friday, April 24th, 2015 participants met in the Parliament of Chad to:-

- a) consider and adopt the Report of the 2013 Biennial General Meeting held in Kampala, Uganda;
- b) consider and adopt the Activity Report of the APNAC Secretariat; and
- c) consider and adopt the APNAC Africa Executive Board Activity Report for the period April 2013 to April 2014); and receive briefs from Regions and National Chapters.

1.2 Opening Ceremony

The Meeting was officially opened by the Rt. Hon. Speaker of the Parliament of Chad, Dr. Haroun Kabadi. Brief opening remarks were made by Chairman of Biennial Planning Committee, Hon. Madi Maïna Tchari, MP, the Chair APNAC(Chad Chapter), Hon. Ouchar Tourgoudi, MP and APNAC Africa President, Hon. Osei Kyer Mensah Bonsu. Introductory remarks were also made by Heads of Delegations from various participating National Chapters.

The Chairman of the Biennial Planning Committee in his remarks pointed out that corruption is an impediment to economic development of any nation. He noted that the fight against corruption should be intensified at all levels of governance. Further, the speaker regretted that African countries are the most corrupt in the world according to research conducted by Transparency International.

The Chairperson, APNAC Chad Chapter defined corruption as dishonest or fraudulent conduct by those in power. He observed that corrupt dealing discourages private investment in the region by international investors and is also the number one killer in Africa, giving an example of the corrupt government officials and authority allowing importation of substandard drug and narcotics and squandering of moneys allocated for establishment and equipping of health facilities.

He noted that in an effort to eradicate corruption, the Chadian government has set up a Ministry whose main mandate is to eradicate corruption; referred to as Anti-Corruption Ministry and that the Chadian President is keen to eradicate the vice.

In his remarks, the Chairman APNAC Africa/Chair of the APNAC Board emphasized the need to strengthen the APNAC Chapters. He informed the meeting that the Board had held five (5) meeting since the last BGM held in Kampala, Uganda, in April 2013.

The Keynote address was given by the His Excellency Dr. Haroun Kabadi, the Speaker of the National Assembly of Chad.

1.3 Adoption of The Agenda of The BGM

The Chairman of the APNAC Board presented the Agenda to the Meeting through a Motion as follows:-

1. Remarks/goodwill messages from development Partners
2. Consideration of the reports on:
 - a. 2013 Biennial General Meeting;
 - b. APNAC – Africa Executive Board; and
 - c. APNAC Activities (APNAC Secretariat).
3. Presentation of reports/briefing from Regions, National Chapters/Countries on activities, initiatives, information sharing
4. Inaugural presentation on the BGM theme “*The deficit in Parliamentary oversight in the fight against Corruption in Africa*”
5. Election of the members of the Executive Board of APNAC
6. Presentation of the newly elected Executive Board Members
7. Closing ceremony
8. Strategic planning meeting of the Executive Board to define the action plan
9. Excursion and courtesy call to Senior Authorities.

The question was put and agreed to by the Members present.

1.4 Messages of Goodwill

Hon. Augustine Razindana, a founder member of APNAC, was invited to address the meeting, given his familiarity with the history of APNAC and his experience. In his remarks, he congratulated the Chad Government for the progress it has made in the fight against corruption. He gave a brief history of the APNAC forum. Hon. Razindana challenged the forum to be proactive and recruit more members/chapters in order to enhance the success of the fight against corruption in Africa.

He further noted that APNAC led to the formation of the Global Organization of Parliamentarians Against Corruption. He highlighted the aim of APNAC as *“to develop, maintain and promote a network of Parliaments and Parliamentarians in Africa to fight against, and effectively address, corruption in order to ensure high standards of integrity in their respective countries and on the continent.”*

The second speaker, a renowned advocate of Anti-corruption and Honorary Member of the Kenyan Chapter, Hon. Musikari Kombo, addressed the participants. In his speech he reiterated that Members of Parliament and in particular APNAC members should be above reproach and of high integrity. He informed the participants that the President of the Republic of Kenya was proactive and this was displayed by his action in March 2015 during his address to Parliament, where he tabled a list of corrupt government and state officials among them Cabinet Secretaries and Members of Parliament.

The two speakers made the following recommendations to APNAC: -

- i. Mobilization of resources for the Chapters and the Secretariat to support their activities;
- ii. Recruitment and Chapter and Members; and
- iii. APNAC members to take initiative in the fight against corruption.

2.0 CHAPTER TWO: CONSIDERATION OF REPORTS

2.1 Report of 2013 APNAC Biennial Meeting

The Report of the 2013 APNAC Biennial Meeting, held on 24th to 28th of April, 2013 in Kampala, Uganda, was presented to the participants by Hon Beatrice Byenkya. The theme of the 2013 BGM was “*Integrity and Credibility as pillars of good governance – the role of the Member of Parliament*”

The key highlights were: -

- i. Amendment of the APNAC Constitution, Code of Conduct and development of a five year Strategic Plan (2012 – 2016);
- ii. Function and operations of APNAC;
- iii. Future of APNAC after the exit of Parliamentary Centre (PC) - Africa Parliamentary Strengthening Programme; and
- iv. Communique emphasizing need for change of strategy in the fight against corruption.

Most noteworthy in the presentation, the meeting observed that the Constitution was amended and adopted, Code of Conduct and Strategic Plan were in place; ten Members of the Executive Board coordinated the activities of the Board and the secretariat; and that the financial support to the Secretariat had declined since the exit of Parliamentary Centre (PC) - Africa Parliamentary Strengthening Programme.

The report was considered and adopted.

2.2 APNAC – Africa Executive Board Activities

The Report of Activities by APNAC Africa Executive Board was presented by Hon. Marie Claire Mukasine, (Annex II), the meeting observed that:

- i. The Executive Board held four meetings during the period April 2013 to April 2015;

- ii. In an attempt to mobilize resources, the Executive Board nominated Speakers of Parliaments among them the Speakers of the Parliament of Kenya, with a view to incorporating the Speakers as Ambassadors to APNAC, to guarantee continued support from administrations of the Parliaments;
- iii. The Board appointed Mr. Fabrice Fifonsi as the Executive Director; he was charged with the responsibility of day to day running of APNAC Secretariat.
- iv. The Parliament of Ghana provided office space for the APNAC Secretariat.
- v. The Chapters were reminded to pay the annual subscription fee of USD500 per year with effect from 2015.

The meeting considered and adopted the report.

2.3 APNAC Activities (APNAC Secretariat)

The report of activities conducted by the APNAC Secretariat during the period May 2013 to April 2015 was also presented (see annex III). It was noted that the Secretariat facilitated and participated in a number of meetings/conferences locally and internationally on parliamentary oversight, establishment of anti-corruption agencies etc.

2.4 Country Briefs – Steps undertaken by the Chapters in the fight against Corruption

Highlights of the presentation included:-

Presentations were made on Country Briefs. These included briefs from Uganda, Burundi, Kenya, Rwanda, Ghana, Chad, and Tanzania. It was noted that most governments had developed appropriate strategies to fight corruption. The challenge however lies in their implementation.

Key Ugandan public sectors and institutions such as Lands, Police and Judiciary continue to be ranked among the most affected by bribery in the East African Bribery Index. The President of Uganda has undertaken to improve police welfare as a way of minimizing corruption in the police force which is ranked as the most corrupt sector in Uganda.

The Judiciary in Uganda has not been spared either. There have been incidents in which judges have been caught receiving bribes at the lower courts, to settle a case out of court or to rule in favour of a particular party. For instance a chief magistrate was caught red-handed receiving a bribe in Kyazanga-Masaka in 2014 was arrested and prosecuted. Court clerks are also bribed to direct cases to 'more favourable' judges.

The leadership of the Uganda police has however undertaken to strengthen the Police Professional Standard Unit that was established and mandated to handle cases of indiscipline in the part of officers, including corruption. The Government of Uganda had instituted other reforms in the Ministry of Lands, Housing and Urban Development which is aimed at digitizing all land titles as a way of minimizing corruption and addressing land grabbing.

Some of the political, social and economic trends and events in the country that have had a positive impact on corruption in the past year were increased media coverage of corruption related cases.

In Chad, the Ministry of Morals and Good Governance has been conducting regular public awareness activities against corruption in conjunction with civil society organizations and other organizations.

In Kenya, the President of the Republic of Kenya has been very proactive in the fight against corruption. It was noted that on 26th March 2015, H.E. the President during in his State of the National Address in the Parliament of Kenya undertook to fight corruption and further tabled a list of corrupt public officers. It was noted that corruption continues to stalk key sectors including those that have received considerable attention in the reform process since the enactment of the Constitution of Kenya (2010). Reforms in the Police service have seen the establishment of the National Police Service Commission (NPSC), responsible for recruiting and management of personnel, as well the establishment of the Independent Policing Oversight Authority (IPOA). There has also been vetting of senior Police officers,

which began in 2013. Reforms have also been undertaken in the Lands sector, albeit with teething problems.

In Rwanda, the Country enjoys a unique status as the least corrupt country among the East African Community member states. However, there are still teething problems in areas such as procurement, traffic police, justice sector, land services, customs, licensing and issuance of construction permits. Noteworthy though is the fact that Rwanda continues to make progress in the fight against graft as it has adopted encouraging laws and specific rules to reduce corruption.

The following were highlighted as Way forward in fighting Corruption -

- ✓ Building partnership between the government and CSOs is paramount in the fight against corruption. This can only be achieved by appreciating each other's role towards transforming the country. Implementation of the existing anti—corruption policies and legislation, and undertaking reviews on the implementation process.
- ✓ Civic engagement to increase the public's appreciation on its role in the fight against corruption.
- ✓ Public institutions should dispense their mandate without political interference.
- ✓ Continuous anti—corruption research to inform stakeholders is key.

CHAPTER 3: PRESENTATION/PLENARY DEBATES

3.1 DEFICIT IN PARLIAMENT OVERSIGHT IN THE FIGHT AGAINST CORRUPTION

Presentation by Hon. Osei Kyei-Mensah-Bonsu (APNAC President)

Hon. Osei Kyei-Mensah-Bonsu's part on inaugural presentation on the theme: The deficit in parliament oversight in the fight against corruption in Africa by the president and local experts highlighted the following:-

Oversight through Committees

He noted that the sharpest tool for oversight of the Executive is by Parliamentary Committees. This was because the sheer volume of business in Parliament makes it impossible to transact every business in plenary and hence the committee system. The committees track the work of ministries, departments, agencies and bodies and conduct special investigations into particular salient aspects of their policy and administration.

The committee system offers Parliament one good remedy to the defects in the democratic process. It offers a way to meet public demands for Parliaments to be less adversarial and more constructive in developing solutions for societal problems. The cooperative approach to politics (at the committee level) enhances public confidence in the ability of Parliament to resolve problems facing the common man. If members quibble and take partisan and entrenched positions at Committees as was witnessed at the Public Accounts Committee sittings last year, this represents a disservice to democracy and inflicts a severe wound on Parliament's oversight strength.

Effective Committees

It is important to state that certain conditions precedent must exist to render parliamentary committees and indeed parliaments effective, responsible or relevant:-

1. Committees must operate independently from party discipline. Functioning as autonomous, specialized investigators, MPs in Committees should be liberated from the clutches of party lines so that points of agreement can be identified and legitimate points of opinion can be expressed in less point-scoring or provocative terms. By working together, individual members could examine issues and alternatives more rationally if both government and opposition parties were not whipping their party members towards preconceived positions.

Political parties have many informal means of keeping their parliamentarians in line, through the party's whip: with the assurance of appointment to high-profile committees; the prospect of future preferment; membership of overseas delegations; the favourable recommendation of parliamentary leadership to the national party or the President, or conversely, the threat or loss of favour in the party's scheme of operation.

The party leadership can command much loyalty from its members and impose firm discipline because, ultimately, members rely on their parties for their seats in Parliament. This can also be an impediment to a committee's ability to exercise its oversight functions effectively.

2. The non-partisan nature of committee work could be re-enforced by spreading chairmanship among the various parties represented in Parliament rather than allowing government party members to dominate these crucial positions, much less in situations where ministers are picked from parliament and the ruling party is thus manifestly weakened in terms of quality materials. The chairs of committee help to set the agenda for committee business and preside over and determine the course of proceedings and, hence, significantly influence outcomes. If such members are patently incompetent, parliament is significantly weakened.

The Standing Orders of Parliament enables a Committee of Parliament to summon any Minister through the clerk of the committee at the instance of the Chairman. If a chairman is unenthusiastic or refuses to summon any Minister, or

is himself an embodiment of crass incompetence there will be a problem and the committee could be rendered toothless.

Citing example of other Parliamentary jurisdiction, in the Philippines House of Representatives, relevant government issues are investigated and decided by the majority of the committee members, not the Chairman. In Ghana's Parliament where the ruling party has always had majority of seats in Parliament and hence have their members chair all but two of the committees in Parliament and have majority of members on all committees, this arrangement may not alter the status quo, if the MPs decide to play to the dictates of the Executive.

The Norwegian Parliament has since ten years ago decided that "a minority of Members of the Standing Committee on Security and Constitutional Affairs (one-third of the members) may initiate proceedings of the committee. This rule is essential for the protection of the minority factions in Parliament". Far crucial to the effectiveness of a committee's investigative authority is the power to require Ministers and Civil/public servants to appear to answer questions and to produce relevant documents, including access to sensitive information which may be circumvented by a resort to close sittings at the committee level.

3. Committees are an ideal vehicle for public participation in policy making. Instead of excluding the electorate after voting, continuing public involvement in parliamentary process could be directed through the less formal and less forbidding atmosphere of committee hearings. The public could only be in the public gallery as spectators when Parliament is sitting in plenary. The people, paradoxically, are strangers in the peoples' or National Assembly as Parliament is otherwise called. The Committees provide for them a window of opportunity. Parliaments should open their Committees to public participation.
4. Committee hearings should be done in public unless otherwise decided by the Chair.

5. Committees must be armed with facilities and services to conduct their enquiries by provision of support staff-competent, neutral and impartial in their own right, the right to summon witnesses and the funds to hire external advisers and experts are vital for effectiveness. Most MPs on Committees are not experts. Committees must be sufficiently resourced to engage experts and professionals to conduct due diligence on various matters to enable MPs probe for relevant answers from the MDAs in pursuit of transparency and accountability. If Committees cannot have resources to do this that is a veritable deficit. The MPs themselves must be resourced adequately.
6. Public and media opinion must be mobilized behind a committee and parliamentary business could be disrupted until a proper response emanates from a reluctant Executive.
7. Greater scrutiny and analysis in committees leads to purer legislation, to less debate on the floor; to a more rational perspective of the scope of an issue and meaning and a broader basis for acceptance and legislation.

He concluded by noting that the political parties have seriously introspection as this practice of opening the sluice gates at the end of every four years is not advancing our democracy in any way. That whilst we are at this it is important for us to acknowledge that the prevention, detection and fight against corruption and healing, reviving and uplifting the instruments for good democratic governance is a responsibility of all stakeholders including groups outside the public sector such as CSOs, NGOs and community-based organizations.

Many people recognize the deficit in the oversight responsibilities of Parliament. Notwithstanding, correcting the deficiencies in the system should be a collective responsibility even though, admittedly, the role of Parliament in this is very huge. The Parliaments in Africa are capable of elevating their performance since, as we have seen, a lot of the problems are self-inflicted

3.2 CORRUPTION IN THE CHADIAN SOCIETY: WHAT ROLE CAN PARLIAMENT PLAY?

Presented by Dr. Hassan Ahmat Mahamat

The presenter defined corruption as act of soliciting or accept offers or promises or receive gifts or presents or other undue advantage for himself or for another person or entity, in part to do or against s refrain from doing an act of his duties or employment, for which no compensation is legally due. He further defined corruption as an acts of offering or giving to a public official, without right, at any time, directly or indirectly, promise, gift, present or undue advantage, for himself or for another person or entity, that he should perform or refrain from performing an act of his duties or employment, fair or not, but not subject to remuneration.

Corruption is an offense provided for and punishable under Chadian law. The author of corruption is punishable by imprisonment from five to year came and confiscation of proceeds of corruption. Despite these stringent provisions the phenomenon is alarming proportions.

Transparency International defines corruption as the abuse of power for purposes other than those for which it was conferred. In its international definition of corruption takes many forms including embezzlement of public funds by corrupt leaders and other public officials.

Corruption is a global problem whose political, social, economic, health and environmental cost is considerable. He noted that corruption:

- violates human rights and the foundations of democracy;
- Undermines the civic spirit and leads to loss of public confidence in the institutions and leaders;

- Fuels political and social unrest and in the most affected countries, demotivation and the flight of young talent
- Makes possible serious destruction to the environment and safety of people by bribing authorities to enforce regulations;
- Distorts market rules and competition to the detriment of the most competitive companies;
- Discourages private investment in endemic corruption in countries that are also the poorest.

It is both a sub-development factor and a major obstacle to efforts to tackle it. It even happens that corruption kills, when, for example, following the corruption of supervisory authorities, counterfeit and dangerous drugs are allowed to be sold.

The presenter informed the meeting that the international community and the States each year develop considerable efforts to fight against corruption but the phenomenon persists and takes many forms and profoundly affects society in different countries. Parliamentarians irrespective of their level of intervention and using their constitutional prerogatives can play an important role in their respective countries. But first you have to identify evil and its various forms of manifestation.

Further, the meeting was informed that in Chad corruption has taken an alarming proportions and manifestations and consequences are different. Popular belief has made corruption an ordinary and normal act just denounced. The act of corruption is neither a shame nor a vice or even an offense. The phenomenon is so rampant that sometimes service agents will no longer struggle to request the client for the bribe.

In terms of security services including brigades, police stations, post offices are obtained by giving bribe or commit to regularly give 'somethings' to their hierarchy. The amount of bribes depending on the position, boroughs, cities,

regions or departments. Corruption has become even a political weapon. The Ministerial posts are played according to their importance and especially depending on the position and influence of the candidate.

In his concluding remarks he noted that Chad was classified by Transparency International as one of the countries most affected by corruption and in the recent years Chad government has initiated measures to fight corruption. Some of the measures taken were the establishment of a Ministry for the Moral and Good Governance who main mandate is to deal with corruption and other misuse of public funds; and introduction of a new law on public enrichment to deal with corruption;

4.0 CHAPTER FOUR: ELECTION OF THE EXECUTIVE BOARD OF APNAC

During the Biennial Meeting elections of the Executive Board of APNAC was overseen by the official from the Transparency International, Global Organization Against Corrupt and two founder members namely; Hon. Musikari Kombo from Kenya and Hon. Augustine Ruzindana from Uganda.

The following members were elected to the Board:

1. President - Hon. Osei Kyei Mensah Bonsu, MP
2. Vice President - Sen. Marie Claire Mukasine, MP
(Rwanda)
3. Central Africa Representatives - Hon. Ouchar Tourgoudi, MP(Chad)
Hon. Jean Pierre Pasi, MP(DRC)
4. East Africa Representative - Hon. Margaret Kibojana, MP
(Uganda)
Hon. Priscilla Nyokabi, MP(Kenya)
5. West Africa Representatives - Hon. Oumar Sarr, MP (Senegal)
Hon. Me Zoumana Doumbia, MP
(Mali)

5.0. CHAPTER FIVE: RECOMMENDATIONS OF THE WORKSHOP

The following recommendations were agreed upon as the way forward following the successful conclusion of the workshop:-

- i. APNAC recruits more Parliaments, Countries and Chapters in the content;
- ii. APNAC develops capacity to keep check of the Members of Parliament themselves;
- iii. APNAC sources for funding from amongst other Non-Governmental Organization, United States Agency for International Development (USAID), Department for International Development (DFID), African Union(AU) Commission on Ant-Corruption, respective Parliaments and Members of the Chapter through registration and subscription fees. Further, APNAC Ambassadors be contacted in regard to offering or availing financial and human resource support to APNAC;
- iv. APNAC was registered in Nairobi as a non-governmental organization, the registration to be renewed;
- v. The membership in all the APNAC Chapters be addressed to ensure that the Members who join are of high integrity and corruption free. Therefore the Chapter to put in place Membership Guidelines;
- vi. Respective Parliaments incorporates APNAC Chapters as an Oversight, Standing or Select Committee to ensure continuity, effectiveness. This will ensure that resources are allocated to facilitate the activities. The mandate of Anti-Corruption and Ethic Committee be derived from the APNAC Constitution;
- vii. APNAC members in respective Parliaments initiates legislatures that focus on eradication of corruption e.g. proposing and supporting legislature in regard to public procurement, ethics, code of conduct etc.;

- viii. Members of APNAC to be proactive in their own jurisdiction;
- ix. In the fight to eradicate corruption APNAC to involve among other sectors, the non-governmental organization, civil society organizations, churches, Muslim leaders, government agencies, ministries, to curb corruption;
- x. Lobby for introduction of school programme on ethic as cited by the Rwanda delegate; and
- xi. APNAC Secretariat to issue Certificate to the new Chapter as well as new members, this will assist in funds mobilization since the Chapter/member will be required to pay subscription fees.

6.0 CHAPTER SIX: CONCLUSION AND RESOLUTIONS

The Biennial meeting was very enlightening and the Kenya delegation gained a lot from the Meeting. The delegation shared experiences with other African Members of Parliament on best practice in combating corruption and corrupt practices.

It was noted that it is the responsibility of African leaders and communities at large to eradicate corruption and there are well verse with the local systems and loopholes in law.

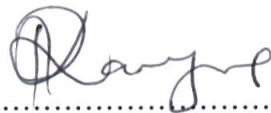
APNAC Kenya Chapter ought to be proactive in the fight against corruption, develop structure in the Chapter and through Parliament formulated policies in regard to good governance and accountability.

The Meeting made the following conclusions:

- 1) That corruption is not only very pervasive but is becoming endemic in all the countries in Africa;
- 2) That corruption hurts the very poor in African countries disproportionately and keeps them more impoverished because it diverts the already scarce funds meant for their development in the provision of such basic needs as potable water, schools, toilet facilities and farming inputs into private pockets and thereby escalate inequality and injustice in the societies;
- 3) That corruption leads to economic underperformance and is a major impediment to poverty alleviation and national development;
- 4) That corruption is increasingly creeping into the justice system of African countries and therefore destroying the confidence in the integrity of the court rooms and hence jeopardising the rule of law;

- 5) That the connection between corruption and such other cross-border crimes as drug trafficking, money laundering as well as criminal dealings in extractive industries is strongly emerging;
- 6) That corruption endangers the stability and security of African societies and countries as it undermines cultural and traditional values as well as those of democracy;
- 7) That the Parliaments and Parliamentarians in Africa must demonstrate much greater commitment to combat corruption by preventing, unveiling and decisively punishing it whatever form or size and regardless of whoever commits it;
- 8) That the capacities and competencies of the Parliaments and Parliamentarians in Africa must be built to confront the menace of corruption by effecting the relevant structural changes to African Parliaments and continuously providing orientations and relevant information to Members of Parliament in their discharge, in particular, of their oversight and legislative functions;
- 9) That Parliaments and Parliamentarians in Africa must be provided with the relevant and resources to fight corruption;
- 10) That Parliaments and Parliamentarians must only ensure the speedy ratification of all relevant anti-corruption protocols and conventions but also concern themselves with their domestication;
- 11) That APNAC in the seventeen countries where it operates should serve as the fulcrum to drive of the Parliaments in these countries in the renewed efforts to fight the canker of corruption;
- 12) That the Board of APNAC should strive to strengthen APNAC in the seventeen countries where APNAC exists and redouble efforts at having the Network established in the remaining country Parliaments;
- 13) That individual APNAC Members and Members of Parliament must be beyond reproach in order that they shall bring integrity to bear in the discharge of their oversight functions;

- 14) That Parliamentarians involved in oversight must build partnerships with the relevant Civil Society Organisations (CSOs) and the media in order to mobilise public and media opinion to support the work of Parliament;
- 15) That the Speakers of the Parliaments in African countries through the instrumentality of the appointed Speaker-Ambassadors be persuaded to support the cause of APNAC in order to galvanise the prosecution of the oversight responsibilities of Parliament;
- 16) That the Heads of State and Governments on the continent at the level of the Africa Union be persuaded to support the cause of APNAC and also purposefully strengthen their various Parliaments in order that development programs of Governments can translate into real development for their communities and citizens and not be wasted or siphoned off for private gains.



.....
THE HON. PRISCILLA NYOKABI, MP
LEADER OF THE DELEGATION

APPENDIX

Appendix 1 – List of the Delegation from the Kenyan Parliament

Appendix 2 – Programme of the Summit

Appendix 3 – Report of the 2013 Biennial General Meeting

Appendix 4 – Reports of the Activities undertaken by the Executive Board and the Secretariat

Appendix 5 – Communique

APPENDICES

Appendix 1 List of delegation from Kenyan Parliament

The Kenyan delegation to the 2015 APNAC Biennial General Meeting comprised:

1. Hon. Priscilla Nyokabi, MP – Leader of the Delegation
2. Hon. James Wamayi, MP
3. Ms. Perpetual Muiga – Delegation Secretary



African Parliamentarians' Network Against Corruption
Réseau des Parlementaires Africains Anti-Corruption

2015 BIENNIAL GENERAL MEETING

"The deficit in Parliamentary oversight in the fight against corruption in Africa"
Parliament House, National Assembly of Chad - N'Djamena, CHAD | April 24-26, 2015

DRAFT PROGRAM

Day 1: Thursday, April 23, 2015

-- Arrival - Registration Process - General Setting

19.00 Private Dinner & Networking

Day 2: Friday, April 24, 2015

8.00 Participants assembled at Hotel to be passed to Parliament House

8.30 Participants and Invited Guests assembled at Parliament House - Registration

9.00 Opening Ceremony

- Brief remarks by the Chairman of BGM Planning Committee
- Welcome remarks by APNAC-Chad Chairman
- Address by the APNAC Africa President
- Key note address & Official opening by the Rt. Hon. Speaker of the Parliament of Chad

10.00 Photo Session and health break (*Networking*)

10.30 Presentation and adoption of the Agenda of the BGM followed by

Introduction of the Delegates, Partners, all Guests present and General Information

11.30 Goodwill Messages from Partners followed by some Strategic Exchanges/Networking

12.00 Presentation and adoption of Reports:

Reports on the 2013 BGM held in Kampala + Activities Reports of the Executive Board and of the Secretariat (2013-2015) + future plans/prospects for the survival of the Network and its Secretariat.

13.00 Lunch break & Networking

14.00 Reports/Briefing from Regions, National Chapters/Countries on activities, initiatives, etc. and Information sharing

16.00 Health Break - Business continues

19.30 Dinner & Networking

Day 3: Saturday 25 April 2015

- 8.30 House keeping and Recap of the previous Day, by the General Moderator
- 9.00 Inaugural presentation on the theme of the BGM: "The deficit in parliamentary oversight in the fight against corruption in Africa" by the APNAC President followed by the local Experts and Anticorruption Specialists.
- 9.45 Plenary debate/discussion on matters arising from the presentations with possible resolutions (APNAC position) on the specific theme of the BGM, led by Gl. Moderator
- 10.30 Health break & Networking
- 11.00 Plenary debate/discussion on matters arising from the presentations (Continued)
- 13.00 Lunch break & Networking
- 14.30 Elections of the members of the Executive Board of APNAC – led by a designated body
- 16.30 Health break & Networking
- 17.00 Presentation of the newly elected Executive Board Members followed by Acceptance Speech by the New Chairperson
- 17.30 Closing ceremony - Chaired by the newly elected APNAC President
- Final Communiqué/Statement to be issued and adopted
- Vote of Thanks
- Official Closing by an official of the Parliament of Chad
- 19.00 Closing dinner & Networking

Day 4: Sunday, April 26, 2015

- Strategic/planning meeting of the Executive Board to define an action plan taking into account the recommendations from the BGM
- Guided tour (time and place yet to be confirmed) or Courtesy Call to a Senior Authority
- Departure of the various delegations (according to flight itineraries)



2013 BIENNIAL GENERAL MEETING (BGM)

“Integrity & Credibility as pillars of Good Governance - The Role of the MP”

SPEKE RESORT MUNYOYO (CHOGM Conference Centre)

Kampala, UGANDA | April 24-28, 2013

NARRATIVE REPORT

Prepared by APNAC Secretariat

May 2013

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1. INTRODUCTION

The long-awaited African Parliamentarians' Network Against Corruption's Biennial General Meeting (BGM) finally took place from 24th to 27th April, 2013 at the Munyonyo Speke Resort in Kampala, Uganda. With the support of the host Chapter (APNAC-Uganda) as well as the Parliament of Uganda through the offices of the Speaker, Rt. Hon. Rebecca A. Kadaga and the Clerk, delegates were very warmly welcomed to the venue of the BGM in a stately fashion. The entire period of the BGM was made even more memorable by daily treats to participants in the form of cocktail receptions at which the rich cultural heritage of Uganda was displayed, dinners held in honor of the visiting guests, a city tour on the last day, to mention just a few.

The APNAC-Africa Secretariat, led by its Executive Director, Mr. Daniel Batidam, was the main "implementing body" of the 3-day event, duly supported by a number of Resource Persons from various partner organizations, not only from Uganda but other partner parliaments and institutions who have collaborated with APNAC over the years under the Parliamentary Centre (PC)'s Africa Parliamentary Strengthening Program (APSP) for Budget Oversight.

2. OBJECTIVES OF THE BGM 2013

The main objectives for the APNAC 2013 BGM were as follows:

1. To discuss, amend and adopt institutional documents such as the APNAC Constitution, Code of Conduct and the APNAC 5-Year Strategic Plan (2012-2016);
2. To consider and discuss pertinent issues relating to the functions and operations of APNAC;
3. To discuss the PC-APNAC Relationship and its future in the light of the proposed closure of the APSP Project in December 2013;
4. To discuss other future plans and activities of APNAC; and,
5. To elect the APNAC Executive Board.

3. OVERVIEW AND SUMMARY OF THE BGM 2013 PROCEEDINGS

a. Board Meetings

The 2013 BGM was preceded by a meeting of the APNAC Executive Board which took place on 24th April, 2013. All but one of the Board Members, were present for the meeting, which was chaired by the APNAC President (Hon. Given Lubinda), The Board member who was absent due to unforeseen circumstances was Hon. Ndeye Gaye CISSE of Senegal, one of the outgoing Representatives for the Western Africa region on the Board).

The Board meeting itself had been scheduled to among other things, approve the proposed agenda for the BGM proper and also to afford the out-going Board the opportunity to review the various documents that were to be adopted at the BGM, including the APNAC Constitution, Reports and Minutes of various Board meetings, etc.

It is important to note that although the Board Meeting was expected to take place only on 24th April 2013, due to the rather slow pace of progress in reviewing and finalizing the documents for the BGM, the meeting had to be extended to run concurrently throughout the BGM, till the final day, just on time for the elections to the new Board. One critical item on the Board meeting's agenda which dragged the entire meeting for so long was the review (final amendments) of the APNAC Constitution. Thankfully, by the time delegates began returning to their home countries on 27th April 2013, the BGM program had been fully rolled out as anticipated, the persistent challenge of concluding the out-going Board's final meeting notwithstanding.

The newly elected APNAC Executives immediately took over and held their very first meeting on 27th April 2013 at the venue of the BGM. The new Board members took turns to introduce themselves, try to get to know each other better and also to fashion out the next steps in line with the new mandate given to them to lead the continental Network.

b. BGM Day 1 (25th April 2013): Opening Ceremony and other events

The APNAC 2013 BGM ~~paper~~ was officially opened by Rt. Hon. Rebecca A. Kadaga, Speaker of the Uganda Parliament. Before her keynote address was delivered, a Welcome statement was made by the APNAC-Uganda Chairperson, Hon. Gerald Karuhanga, followed immediately by remarks by the immediate past APNAC-Uganda Chairperson (Hon. Beatrice Byenkya) in the absence of the APNAC Founding Chairman, Hon. Augustine Ruzindana, who had been scheduled to make some remarks. The then APNAC President, Hon. Given Lubinda, also addressed the participants to set the tone of the BGM just before the Speaker gave her keynote address. In her speech, summarily, she urged all 130 participants and delegates from 17 Countries, National Chapters and other Partners present to use the opportunity of the BGM to particularly bring new life to the Network, against the backdrop of growing reports and incidents of corruption on the continent.

Following after the official protocols and other formalities such as photo sessions, with the invited dignitaries, a *90-minutes* session was allocated for interaction with the "Strategic Partners" of APNAC who honored the invitation to the BGM with their physical presence. Notable amongst these partners were the Parliamentary Centre (PC), the Global Organization of Parliamentarians Against Corruption (GOPAC), Transparency International (TI-Africa Dept), the AU Anti-Corruption Advisory Board, and SECAM – that is, the Pan-African Catholic Bishops' Conference. The main outcome of this Partners' session was the sharing of information, materials and cross-fertilization of ideas as to how best all the Organizations could enter into or deepening and widening their partnerships towards the common goal of tackling corruption in Africa and globally.

Other activities that took place on the BGM Day 1 included Presentation of Reports such as that of the last General Assembly held in Dakar, Senegal, in 2011 as well as Annual Reports from the APNAC Board and Secretariat, all of which were adopted by the plenary.

c. BGM Day 2 (26th April 2013): Plenary on the BGM Theme, Validation of key Documents and Election of new Executive Board

The theme of the 2013 BGM - "Integrity and Credibility as Pillars of Good Governance - The Role of the MP" - was presented by Justice Prof. Dr. George Kanyeihamba of Uganda. The presenter took participants through some governance issues relating to the various arms of government and the state machinery for that matter, as they affected good governance and the fight against corruption in any democratic society. Justice Prof. Kanyeihamba noted with regret that, due to many reasons, corruption has ^{made its} ~~meandered~~ its way and infiltrated the entire social fabric in a structured way, thus making it harder to achieve good governance and the ultimate supremacy of well-being for the people. The challenge for MPs and other policy-makers, he noted, is to strengthen the laws and also ensure their enforcement. From the plenary that followed his presentation, participants emphasized the need for improved information-sharing and education at various levels of the society about the threat and danger of corruption.

As part of the items on the BGM Day 2 Agenda, the various documents from the APNAC Board, in particular the APNAC Constitution and the 5-Year Strategic Plan, were reviewed, amended and adopted, as expected. The "Information from the National Chapters and Regions" which was also billed as part of the BGM was, however, postponed due to time constraints. Delegates present were nevertheless advised to submit any such information and/or materials to the Secretariat.

The election of the new Board was the last major item on the agenda of BGM Day 2. This took place successfully at the end of the day despite some initial challenges about processes and procedures.

At the end of the BGM Day 2, the newly elected Board members were sworn into office soon after the results were announced. A brief but symbolic handing over ceremony took place, involving the handing-over of the Instruments of Office¹ by the outgoing Chairman to the new Board Chair. The ceremony was followed by the adoption of a Communiqué to wrap up what most participants agreed had been a very successful and productive BGM.

¹ These instruments include the various APNAC documents revised and adopted such as the APNAC Constitution (and its Code of Conduct) and the APNAC 5-Year Strategic Plan (2012-2016)

4. SOME OUTCOMES OF THE BGM 2013

This section of the narrative report highlights some of the major outcomes of the 2013 BGM among which the following stand out:

- APNAC has a revised Constitution which was unanimously adopted by its members and should serve as a basis for further institutionalization of the Network.
- The APNAC 5-Year Strategic Plan (2012-2016) was officially adopted by the General Assembly and witnessed by some targeted strategic partners.
- APNAC members have elected a new Executive Board which comprises 4 women MPs out of the 10-member Board as against only 2 female members in the previous Board. Also, in terms of the linguistic balance, there is now about 50 per cent representation of the (2) major linguistic divisions across the 4 regions with APNAC membership (i.e. 5 Anglophones and 5 Francophones).
- Strategic Partners of APNAC have shown great interest to potentially support (or collaborate with) APNAC on the basis of the APNAC 5-year Strategic Plan. Some of these partners have already entered into partnership agreements with APNAC through various Memoranda of Understanding. Follow-up meetings and activities are also scheduled to be undertaken with strategic partners including the AU Anti-Corruption Advisory Board, TI, UNDP and SECAM, to mention just a few.
- A second Executive Board meeting of the new Executives was scheduled to be held in Kigali (Rwanda) towards the end of June 2013, on the side-line of a planned APNAC-Rwanda/AfDB regional activity for Eastern Africa Legislative Assemblies (EALAs). APNAC-Rwanda is to support and facilitate participation of all APNAC Board Members to that meeting (yet to be clarified). The Kigali Board meeting would also serve as a strategic planning session for the new Board to develop a way forward beyond December 2013 when APNAC support through APSP would end.
- A three-member APNAC body was constituted by the new Board as a transitional arrangement to represent APNAC at the GOPAC Board before in the meantime they departed Kampala after the BGM. These were Hon. Osei Kyei-

Mensah-Bonsu (Ghana), Sen. Marie-Claire Mukasine (Rwanda) and Hon. Willias Madzimore (Zimbabwe).

- The Communiqué issued at the end of the BGM was strong on its emphasis about the need for a change in strategy in the fight against corruption at both the continental and global levels.

5. GENERAL OBSERVATIONS

The following are some observations, challenges lessons learnt from the BGM activities:

- The support of the various National Assemblies to their countries' delegates in the form of catering for their per diems, ticket upgrades, etc. is a pointer to the fact that, with good planning and effective communication, many partner parliaments may be willing to lend more support to APNAC Chapters than had been the case. It appears that local stakeholders/partners are demonstrating interest and ownership of the Network.
- The personal efforts by some delegates either through their Parliaments or other partners to attend the BGM as well as the involvement of the Partners in other activities of APNAC is also to be acknowledged and encouraged.
- The involvement of other strategic partners (CSO groups, etc) is a sign of improvement of the much-needed partnership with APNAC in the fight against corruption.
- The maturity of the members of the Network in handling challenging situations (e.g. in relation to the elections to the Board) also needs to be acknowledged and commended.
- Some noticeable challenges during the preparations towards the BGM and the BGM itself, in the area of division of labor and/or assignment of roles between the APNAC Secretariat and the APNAC-Uganda Team(s) - eg. for logistics, *rapporteuring*, etc) has to be improved in future.

- The time allocated to the last Board Meeting of the out-gone Executives to prepare the BGM was limited vis-a-vis the amount of work/items listed to be dealt with just a day before the BGM.
- Similarly, the discussion of future plans and activities of APNAC could not be seriously worked on due to time constraints. The new Board has therefore tasked itself to handle this during the June "Strategic Planning" meeting in Kigali. This Board meeting will, however, not have the full complement of the Board of the Network as was desired.

6. CONCLUSION

All said and done, the APNAC 2013 BGM ^{took} ~~did take~~ place in Kampala and in spite of some procedural ^{difficulties} ~~issues~~ at the Board Meeting, can be recorded as a major landmark and watershed event in the Network's recent history. The next BGM is planned to take place in Ndjamena, Chad, in 2015.



*African Parliamentarians' Network Against Corruption
Réseau des Parlementaires Africains Anti-Corruption*

APNAC-AFRICA EXECUTIVE BOARD ACTIVITY REPORT

(April 2013-April 2015)

Compiled by: APNAC Secretariat

Date: April 2015

BRIEF INTRODUCTION

Since the current APNAC Africa Executive Board took office in Kampala in April 2013, a total of four (4) Board Meetings have been held respectively in Kigali (Rwanda, June 2013), in N'Djamena (Chad, November 2013), in Accra (Ghana, June 2014 and January 2015). A fifth meeting preceded the N'Djamena 2015 BGM (April 2015). The principal issues of interest discussed at the said meetings related to the following:

- 1) The sustainability of the Network
- 2) The identification of specific focus areas
- 3) The fundraising strategies/mobilisation of resources, and
- 4) The preparation of the N'Djamena 2015 BGM.

The host Chapters basically sponsored the meetings. The flight ticket expenses were however covered by Board Members Chapters in most of the cases. This became very crucial since the Canadian Parliamentary Centre which had been the sole sponsor of the operations and activities of the Network, has wound up since December 2013. 8 out of the 10 Board members have consistently attended the deliberations.

A number of efforts and initiatives were undertaken by the Secretariat and the Board towards the realisation of the set objectives in the context of transition faced by the Network. The present report is a compilation of the conclusions and resolutions from the Board meetings. It also relates to other anticorruption activities carried out by individual Board Members or in which they were highly involved either with GOPAC or other institutions in Africa and in the World.

I. SUSTAINING APNAC & ITS SECRETARIAT (Post Parliamentary Centre regime)

1. Formalisation/Legalisation of Membership of APNAC's National Chapters status:

The Board decided that the APNAC database should be immediately updated to reflect the current profile of all existing chapters or the chapters in formation and provide information relating to the date/month/year that the local chapter joined the regional network, the local Executive board, their due term, the number of individual members and the contacts of all members, the existence or otherwise of a secretariat/supporting staff and their numbers and contacts, etc. The information is required to formalise the status of the various chapters. The Secretariat is tasked to complete this task in order to inform about the status of all national chapters. Consequently, **Membership Certificates** are henceforth to be issued by the Board to the recognised existing and active Chapters.

2. Formalisation of the position of the acting Executive Director:

- i. Following the cessation of the activities of the APNAC Secretariat due to the winding up of the Parliamentary Centre and the appointment of the then Executive Director, Mr. Daniel Batidam as a Special Advisor on Governance to the Ghanaian President, the Board has wrote

to acknowledge the disengagement of Mr. Batidam. The Board subsequently appointed a new *Acting* Executive Director, in the person of Mr. Fabrice Fifonsi, who had hitherto been the Programs Officer and who has been tasked with the implementation of a defined short-term Action Plan especially between then and the holding of the 2015 BGM in Ndjamen, Chad. Mr. Fifonsi was appointed to retain the institutional memory of the Secretariat and he is supported by the Parliament of Ghana which has since July 2014 been paying his monthly emoluments.

- ii. At the January 2015 meeting in Accra, Ghana, the Board then appointed the acting Executive Director, Mr. Fabrice Fifonsi as the substantive Executive Director of the Secretariat of the APNAC Africa. The reasons are essentially threefold: First, that Mr. Fifonsi having worked for the Secretariat has institutional memory. Secondly, in the course of his status as Acting Executive Director, he had acquitted himself creditably. Thirdly, it was thought that confirming him as the substantive person will bring some security to the office and engender greater commitment from the office and hence, stabilise the Secretariat.

The terms and conditions as well as his role and responsibilities will be defined and transmitted to him in due course by the Board.

- iii. Having been briefed by the President about the status of the acquisition of office within the premises of the Parliament of Ghana, hopefully by the beginning of March, 2015, the Board acknowledged that the stated arrangement is just transitional to enable the day-to-day business to move smoothly and entreated the President and the Executive Director to continue to explore other possibilities for the longer term solution.
- iv. Upon request from the Executive Director for an additional hand to help at the Secretariat, the Board encouraged the President to pursue the possibility of procuring the service of an intern ~~(to lessen the burden)~~ at the Secretariat.

II. SOME SPECIFIC FOCUSING AREAS FOR APNAC

The following are some thematic areas and emerging issues of interest to National Chapters among others:

- Freedom of/^{Right} Access to Information,
- Code of Conducts/Ethics,
- EITI (Extractives: Oil and Gas, Mining, etc),
- Public Procurement Legislations,
- International Conventions (UNCAC, AUCAC, etc.),
- Anti-Money Laundering (AML),
- Public-Private Partnership.

III. FUNDRAISING STRATEGIES - ACTIONS TAKEN & WAY FORWARD

1. The **APNAC Membership fees** (Annual Subscription fees per national chapter) prescribed in Article 6 of the APNAC Constitution was put into execution by a decision of the Board and the fee was set at a minimum of US\$500 per chapter, per year to be effected from year 2014. Unfortunately, up to date, only three (3) out of the seventy (17) or so chapters have paid.
2. **Nomination of APNAC Ambassadors** - Eight (08) Speakers of Parliaments in Africa have been nominated by the Board as Ambassadors of the fight against corruption. They are the Speakers of the following Parliaments: Benin, Chad, Ghana, Kenya, Rwanda, Senegal, Uganda and Tanzania. The justification of the nomination lies in the initiatives taken by their respective Parliaments in the legislative field or their own respective support to initiatives taken by the APNAC National Chapters or their own activities either before or during their Speakership.
3. **Making contact with other Donors** - A 3-member APNAC Fundraising Committee - made up of Members from Chad, Rwanda and Senegal has been formed by the Board. The said committee was set to champion the fundraising strategy, supported by the Secretariat. Unfortunately, the activities of the Committee did not take off due to the unclarity of the terms of references as well as technical and logistical challenges. In the circumstance, the Board strongly urged the various national chapters to deepen their fundraising strategy and aggressively make broader contacts towards donors.
4. **The Board urged the National Chapters** to partner with other local institutions and CSOs or bodies with similar objectives as APNAC to create a platform of Anticorruption bodies and use the platform to seek funding.
5. **The Board tasked the Secretariat** to, whilst continuing their engagement with such regional, continental and global institutions as World Bank, European Union, AfDB, DFID, AU and the regional blocks such as ECOWAS, EAC, SADC, etc, as well as the various embassies, establish contacts with the headquarters of these institutions and bodies in order to foster greater understanding, appreciation and possible collaboration and funding of APNAC activities.
6. **The Board tasked the leadership of various country chapters** to pursue the contacts with the various Speakers, especially the APNAC Ambassadors, to assist with the inclusion in the Parliaments' Budget a clear support, a budget line for APNAC at the local chapters' level. The Ambassadors may be reminded of the trust that APNAC has reposed in them to facilitate the repositioning of the Network at both national and continental level.
7. **The Board acknowledged the fact that the current APNAC Strategic Plan has had difficulties in implementation** due to the transitional circumstances and the lack of funds. Even so, the Strategic Plan is to expire at the end of 2016. In the event, and given the fact that we need to proactively engage potential donors, the Secretariat was tasked to engage Consultants to review the current Strategic Plan, redefine the Operational Plan and strand out the critical matters that will require to be undertaken every year.

8. **The Board recognises that these tasks are dependent on the availability of funds** and hence strongly urged the President and the 3-member fundraising task force to partner the Secretariat to source for funding for this urgent assignment since these documents would stand us in good stead in the eyes of donors. The next Strategic Plan should cover the period from 2017 up to 2020 at least.

IV. THE APNAC 2015 BGM

The APNAC 2015 BGM scheduled to take place in N'Djamena has always been a major concern for Board Members and has always been discussed during Board Meetings especially due the lack of resources, despite the willingness and the commitment of APNAC-Chad and the Parliament of Chad to host and sponsor the event.

At the January 2015 meeting, the Board has tasked the Secretariat to relate with the host country in order to work on the various practical and organisational aspects of the BGM. A Planning and Organising Committee was set up by the host Chapter and a checklist was generated to highlight the various preparatory activities leading to the BGM and guiding the entire process.

V. APNAC & GOPAC - GLOBAL NETWORKING

1. The Board was briefed about current developments in Ottawa with respect to GOPAC affairs. In particular, the Board was informed about the following:
 - i. The stepping aside of Senator Angara of Philippines as the substantive Global President in view of allegation against him bordering on Corruption.
 - ii. In his place, the President of the Latino American group, Hon. Ricardo Garcia Cervantes has assumed the position of President and the President of APNAC, Hon. Osei Kyei-Mensah-Bonsu has been confirmed as the Vice-President.
 - iii. The funds of GOPAC have dried up as the Kuwait support fund of USD 5 millions that has been supporting the Global Secretariat has been completely used.
 - iv. The effort to re-engage the Emir of Kuwait to solicit further assistance has thus far not yielded any positive results. Indeed, setting the date for a meeting has not materialised over one year now.
 - v. GOPAC engaged Fund-raisers to raise funds for the operations of the Network but that effort has not yielded any dividends.
 - vi. In the circumstance, the Organisation has signalled to prune the workforce down drastically by the end of March 2015 if funding did not improve.
 - vii. A teleconference will discuss issues relating to the gratuity of exiting officers, office renting, etc.
 - viii. GOPAC is proposing to have a Global Conference for July, 2015 in Indonesia. Given the paucity of funding at the Centre, they require the various Regional and invited National

- Chapters to fund their participation i.e. flight, accommodation and meals. Indeed, just last Thursday at the teleconference chaired by the APNAC President, the Global Secretariat has been tasked to continue to engage Indonesia. A two-person delegation is being dispatched to continue with the possibility of Indonesia holding the Global Conference. As it is, the date for hosting is being pushed to November 2015. If Indonesia declines, the alternative will be to look for a different host country in which case a new date will be set in 2016.
- ix. GOPAC has requested APNAC to submit the names of three (3) persons to serve in the GOPAC Executive Board. The APNAC Board decided to submit the names of:
- 1) Hon. Osei Kyei-Mensah-Bonsu, Chairman, APNAC Africa (Ghana, Western Africa)
 - 2) Hon. Marie-Claire Mukasine, Vice-Chair, APNAC Africa (Rwanda, Eastern Africa)
 - 3) Hon. Madi Tchari, Member APNAC Africa (Chad, Central Africa)
- x. GOPAC has been consulting APNAC on the drafting of the Organisation's Strategic Plan: The process is ongoing even though in the short term there does not appear to be any funding source for the programs.
2. The GOPAC-APNAC relationship and, indeed, the relationship between GOPAC and the other regional networks are being harmonised and streamlined in a new Constitution which GOPAC tasked the APNAC Chair to write. That has been done and it is pending approval by the other members of the GOPAC Board.



*African Parliamentarians' Network Against Corruption
Réseau des Parlementaires Africains Anti-Corruption*

ACTIVITY REPORT FROM THE SECRETARIAT

(Period covering May 2013 to April 2015)

- *May to December 2013* - Parliamentary Centre (PC)'s support under the African Parliamentary Strengthening Program (APSP) for Budget Oversight
- *January to June 2014* - PC support: Closure and Transition
- *July to date* - Post PC Regime

1. OUTREACH EFFORTS & NEW MEMBERSHIP ONBOARD

- ❖ **Indonesia Meeting** (2013) - Repositioning GOPAC in the fight against corruption
- ❖ National Chapters of Ghana, Uganda and Kenya held and **Exchange Knowledge and a field visit** to Takoradi (mingling with local communities) in Ghana about the petroleum benefits in September 2013; and Senegal visited Benin in July 2013 for an Open Day on Parliamentary Business in the Parliament of Benin.
- ❖ The **Nigeria Meeting** (October 2013) - Strengthening Parliamentary Oversight by the Public Accounts Committee (PAC) of Nigeria, UNODC, APNAC and GOPAC.
- ❖ **Congo Brazzaville** (February 2014) - Contact-making and Information-sharing Mission under the sponsorship of an Honorable Member (Mr. Jose Cyr Ebina) and a CSO partner (*Global Participe*) supporting the cause and acting as the current secretariat of the chapter in-formation. A 2-member delegation from Congo attended the orientation session in Cote d'Ivoire for a learning and knowledge exchange program in June 2014.
- ❖ **Côte d'Ivoire** (October 2013, June and August 2014) - General Information session conducted in the Parliament; Introduction/Orientation session for selected Members to APNAC and Anticorruption Training Workshop followed by an Elective General Assembly with a Board elected - Induction in Parliament is left with for the next step.

- ❖ **DR Congo** (2014 and 2015) - Chapter fully constituted and officially launched in Parliament (Recognition by Parl. January 10, 2015) with a Strategic Plan available. Chapter has paid 2014 Subscription fee
- ❖ **SADC-CNGO** (Southern African Development Community - Council of Non-Governmental Organizations) - October 2014 and February 2015, Johannesburg-SA: Regional Policy Conference on Corruption in SADC, with contribution from APNAC to the deliberations and of the Strategic Planning Meetings of Regional Team of Experts Against Corruption
- ❖ **Zanzibar** (November 2014) - Informative/Consultative Meeting on the Establishment of an APNAC National Chapter in Zanzibar (House of the Representatives of Zanzibar and UNDP)
- ❖ **Mauritania** (January 2015) - High-Level Conference on "Transparency and Sustainable Development in Africa", in Nouakchott, organized by the AU and supported by the UNDP. APNAC has participated and made inputs to the deliberations alongside with some networking actions with the WBI especially among others.
- ❖ The Ghana Center for Democratic Development (CDD) Conference on **African Parliamentary Monitoring Organizations** (Accra, February 2015) sponsored by OSIWA.

APNAC Board Meetings - Sustainability & Fundraising-Related Initiatives:

- ❖ The preparations of the various **APNAC Board Meetings** and participation
- ❖ **Initial efforts/contacts** - Several technical meetings with FES, EU, STAR-Ghana, DFID, AfDB, etc, and with some Embassies were undertaken and are still ongoing in line with some of the resolutions of the Board (with the technical support of Dr. Rasheed Draman-ACEPA, and al.)
- ❖ The process of the preparations towards the organization of the **APNAC 2015 BGM**

2. GENERAL ADMINISTRATION-RELATED MATTERS AND PUBLICATIONS

Promotional material

- APNAC Constitution shaped, formatted and printed out (few copies available in Eng. and French)
- APNAC Achievements between 2010 and 2014 (under the PC/APSP) - Case study Report conducted and published (few copies available both in Eng. and French)

- APNAC Website www.apnacafrica.org (Fr/En) being re-designed for improvement with links to the National chapters' website and the social media (esp. *YouTube*, *Facebook*, work in progress)
- APNAC Database enhancement process in progress.
- APNAC day-to-day business and follow-ups including contact keeping with Strategic Partners in some countries and local chapters.



African Parliamentarians' Network Against Corruption
Réseau des Parlementaires Africains Anti-Corruption

ASSEMBLEE GENERALE BIENNALE (AGB) - 2015 - BIENNIAL GENERAL MEETING (BGM)

« Le déficit dans la surveillance parlementaire en matière de lutte contre la corruption en Afrique »

"The deficit in Parliamentary oversight in the fight against corruption in Africa"

N'Djamena, TCHAD | 24-26 avril 2015

INSCRIPTION - REGISTRATION PARTICIPANTS

No.	NAME/NOM	FONCTIONS / ORGANISATION	COUNTRY / PAYS
1	ASSOUMANA MALAM ISSA	President APNAC-Niger	NIGER
2	MUSIKARI KOMBO	Honorary Member APNAC-Kenya	KENYA
3	MAITRE ZOUMANA N. DOUMBIA	Président APNAC-Mali	MALI
4	OPIYO WANDAYI	MP -KENYA	KENYA
5	PERPETUAL MUIGA	STAFF KENYA PARLIAMENT	KENYA
6	JOE OSEI OWUSU	PARLIAMENT OF GHANA	GHANA
7	E. K.BANDUA	PARLIAMENT OF GHANA	GHANA
8	BA BELCO	VICE PRESIDENT	MALI



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No.	NAME/NOM	FONCTIONS / ORGANISATION	COUNTRY / PAYS
9	IMAM MBAYE NIANG	APNAC PRESIDENT	SENEGAL
10	MAHAMAN LAOUALI GONDA	Reseau des parlementaires Nigeriens de lutte contre la corruption et les infractions assimilees	NIGER
11	GERALD KAMHANGA	PARLIAMENT OF UGANDA	UGANDA
12	A. RUZINDANA	APNAC-UGANDA	UGANDA
13	LUCAS OLO	TRANSPARENCY INTERNATIONAL	
14	JOHN HYDE	GOPAC OCEANIA CHAIR	AUSTRALIA
15	Hon. CHERNO O. JALLOW	APNAC CHAIRMAN	THE GAMBIA
16	Hon. YEO BRAHIMA	APNAC-CI	IVORY COAST



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No.	NAME/NOM	FONCTIONS / ORGANISATION	COUNTRY / PAYS
17	Hon. SIDIBE ABDOULAYE	APNAC	IVORY COAST
18	PASI ZAPAMBA BUKA JEAN PIERRE	PRESIDENT	RDC
19	MUKINGI NAHIMANA OSWALD	MEMBER	RDC
20	OUMAR SARR	BOARD MEMBER APNAC- AF	SENEGAL
21	MARGARET KIBOIJANA	BOARD MEMBER APNAC-AF	UGANDA
22	MARIE CLAIRE MUKASINE	V/PRESIDENT	RWANDA
23	OSEI KYEI-MENSAH-BONSU	PRESIDENT	GHANA
24	OUCAR TOURGOUDI	EXECUTIVE BOARD MEMBER	TCHAD



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No.	NAME/NOM	FONCTIONS / ORGANISATION	COUNTRY / PAYS
25	TCHARI MADI MAINA	DEPUTY, MEMEBER OF APNAC-TCHAD AND APNAC AFRICA	TCHAD
26	SANDOWN CHRISTIAN LAWRENCE	ASSISTANT REPORTER	TCHAD
27	ALBOUKHARI HABSITA	SECOND VICE PRESIDENT (APNAC)	TCHAD
28	ACHTA RHT NOUR	M (APNAC)	TCHAD
29	NBOUDANADJI TARAM DELPHINE	MEMBER APNAC	TCHAD
30	NEKINGAN MBAYOUN MONIQUE	TREASURER APNAC TCHAD	TCHAD
31	MAHAMAT OUSMANE NGARGNARGUE	DEPUTY/ APNAC SITTING MEMBER	TCHAD
32	MANADJI TOLKOM BERTIN	DEPUTY/ VICE PRESIDENT TCHAD	TCHAD



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No.	NAME/NOM	FONCTIONS / ORGANISATION	COUNTRY / PAYS
33	MAHAMAT IBNI BICHARA	DEPUTY	TCHAD
34	Hon. PRISCILLA NYOKABI KANYUA	APNAC KENYA	KENYA
35	FABRICE FIFONSI	APNAC SECRETARIAT	GHANA
36	ESSAMA ESSAMA ALPHRED OLIVIER	Institution superieure de controle Verificateur des finances publiques	CAMEROON
37	D'AHMAT MAHAMAT HAJJAN	EXPERT JUISTE	TCHAD
38	Me NOUBARANGAR KLADOUNBE	LAWYER LECTURER IN UNIVERSITY OF NDJAMENA	TCHAD
39	SENONSSI MAHAMAT AHI	CHIEF MAGISTRATE LECTURER IN UNIVERSITY	TCHAD
40	The Host Members of Parliament	MEMBERS OF PARLIAMENT	TCHAD



*African Parliamentarians' Network Against Corruption
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2015 BIENNIAL GENERAL MEETING

"The deficit in Parliamentary oversight in the fight against corruption in Africa"

Parliament House, National Assembly of Chad - N'Djamena, CHAD | April 24-26, 2015

COMMUNIQUE

Conclusions and Resolutions

The African Parliamentarians' Network Against Corruption (APNAC) met in N'Djamena Chad from the April 24 to April 26, 2015, under the auspices of APNAC-Chad and deliberated on the general theme: "The Deficit in parliamentary oversight in the fight against corruption in Africa". The Network expresses profound gratitude to the Speaker of the Chadian Parliament and the Government and the People of Chad for the warm reception accorded the Delegates and the Resource Persons as well as the facilities placed at the disposal of the participants which combined to achieve great success for the Continental Conference.

The Meeting made the following observations and conclusions:

- 17) That corruption is not only very pervasive but is becoming endemic in all the countries in Africa;
- 18) That corruption hurts the very poor in African countries disproportionately and keeps them more impoverished because it diverts the already scarce funds meant for their development in the provision of such basic needs as potable water, schools, toilet facilities and farming inputs into private pockets and thereby escalate inequality and injustice in the societies;
- 19) That corruption leads to economic underperformance and is a major impediment to poverty alleviation and national development;
- 20) That corruption is increasingly creeping into the justice system of African countries and therefore destroying the confidence in the integrity of the court rooms and hence jeopardising the rule of law;
- 21) That the connection between corruption and such other cross-border crimes as drug trafficking, money laundering as well as criminal dealings in extractive industries is strongly emerging;

- 22) That corruption endangers the stability and security of African societies and countries as it undermines cultural and traditional values as well as those of democracy;
- 23) That the Parliaments and Parliamentarians in Africa must demonstrate much greater commitment to combat corruption by preventing, unveiling and decisively punishing it whatever form or size and regardless of whoever commits it;
- 24) That the capacities and competencies of the Parliaments and Parliamentarians in Africa must be built to confront the menace of corruption by effecting the relevant structural changes to African Parliaments and continuously providing orientations and relevant information to Members of Parliament in their discharge, in particular, of their oversight and legislative functions;
- 25) That Parliaments and Parliamentarians in Africa must be provided with the relevant and resources to fight corruption;
- 26) That Parliaments and Parliamentarians must only ensure the speedy ratification of all relevant anti-corruption protocols and conventions but also concern themselves with their domestication;
- 27) That APNAC in the seventeen countries where it operates should serve as the fulcrum to drive of the Parliaments in these countries in the renewed efforts to fight the canker of corruption;
- 28) That the Board of APNAC should strive to strengthen APNAC in the seventeen countries where APNAC exists and redouble efforts at having the Network established in the remaining country Parliaments;
- 29) That individual APNAC Members and Members of Parliament must be beyond reproach in order that they shall bring integrity to bear in the discharge of their oversight functions;
- 30) That Parliamentarians involved in oversight must build partnerships with the relevant Civil Society Organisations (CSOs) and the media in order to mobilise public and media opinion to support the work of Parliament;
- 31) That the Speakers of the Parliaments in African countries through the instrumentality of the appointed Speaker-Ambassadors be persuaded to support the cause of APNAC in order to galvanise the prosecution of the oversight responsibilities of Parliament;
- 32) That the Heads of State and Governments on the continent at the level of the Africa Union be persuaded to support the cause of APNAC and also purposefully strengthen their various Parliaments in order that development programs of Governments can translate into real development for their communities and citizens and not be wasted or siphoned off for private gains.

*Released on the 26th day of April, 2015
The N'Djamena 2015 BGM*