

**AFRICAN UNION ADVISORY BOARD ON  
CORRUPTION**

المجلس الاستشاري للإتحاد الإفريقي  
لمحاربة الفساد



**CONSEIL CONSULTATIF DE L'UNION  
AFRICAINNE SUR LA CORRUPTION**

**CONSELHO CONSULTIVO DA UNIÃO  
AFRICANA SOBRE CORRUPÇÃO**

## **OUTCOMES OF THE 3<sup>RD</sup> EDITION OF THE ANTI-CORRUPTION DIALOGUE**

**9 - 12 OCTOBER 2019**

**KIGALI, RWANDA**

### **INTRODUCTION**

The 3<sup>rd</sup> Edition of the African Anti-Corruption Dialogue was convened by the African Union Advisory Board on Corruption from 9 - 12 October 2019 in Kigali, Rwanda on the theme **“Towards a Common African Position on Asset Recovery.”**

The Dialogue brought together over 150 delegates from National Anti-Corruption Agencies, civil society, media, academia, international organisations to discuss the development of the Common African Position on Asset Recovery.

With the broad objective of using shared experiences and lessons learnt to inform the development of the Common African Position on Asset Recovery, the Dialogue provided a platform for engagement and reflections on challenges and developments in the asset recovery landscape in Africa.

The outcomes of the deliberations of the Dialogue were as follows:

### **GENERAL OBSERVATIONS**

1. The development of a Common African Common Position on Asset Recovery is timely and very critical in ensuring that Africa presents a united front in dealing with internal and external challenges being faced in the recovery of African assets.
2. The development of the Common Position is in furtherance to the recommendations of the High Level Panel on Illicit Financial Flows and the objectives of the African Anti-Corruption Year. Further, that it is a necessary framework to ensure achievement of Agenda 2063 and the Sustainable Development Goals;
3. Understanding the challenges and bottlenecks to asset recovery is critical in crafting responses to be included in the Common Position, in capacitating Member States to deal with the challenges and as a catalyst for peer-to-peer leaning among Member States;

4. Africa must map all the resources it needs for the development and implementation of the Common Position and equip itself with human, financial and technical resources to facilitate the recovery of African assets both within and out of Africa;
5. Political will and courage coupled with interagency cooperation remain key pillars to effective recovery of assets;
6. Civil society Organisations and non-state actors are an important partner in the fight against corruption. To this end, the Dialogue welcomed the convening of the First Civil Society Forum of the African Union Advisory Board on Corruption that was held on the margins of the Dialogue;

#### **ON DEVELOPMENT OF THE COMMON AFRICAN POSITION ON ASSET RECOVERY**

7. The quest for the recovery of African assets must be situated and contextualized in the broader historical, political, economic and social narrative of Africa including demands for the return of stolen African artefacts and reparations for slavery and colonisation of Africa;
8. The technical and legal processes involved in recovery of African assets are complex and unduly lengthy and the Common Position must ensure that legal and other processes are streamlined and simplified;
9. While noting that the development of the Common Position is in part a technical process, it must further be recognised that it is also fundamentally a political process. Therefore the Common Position shall require strong political will and ownership by African leaders and its development should be conducted in accordance with the African Union's policy-making processes;
10. The Common Position should address measures to prevent further loss of African assets. It should propose mechanisms and strategies to ensure that financial institutions identify and refuse to accept Illicit Financial Flows;
11. The Position should prioritize the creation and establishment of an asset recovery database including information required to facilitate asset recovery such as the legal frameworks and applicable processes in the destination countries, the requirement's for mutual legal assistance and a list of experts. In addition, there is need for further research and data into the field;
12. The Common Position should incorporate five pillars namely asset identification, asset repatriation, asset management, applicable legal frameworks and institutional mechanisms;

13. Interagency collaboration and mutual legal assistance, experience sharing and learning remain key in asset recovery processes. The inclusion and participation of all stakeholders such as the Legislature, Civil Society Organisations, Regional Economic Communities, the Media, the Academia will enhance its development and implementation; and
14. The Common Position should be accompanied by a robust communication and implementation strategy and action plan which is well resourced and has support at the highest level in order to promote better understanding of the Common Position and its role in the transformation of African lives under Agenda 2063.