

ANTI-CORRUPTION AND ACCOUNTABILITY MOVEMENT IN AFRICA

THE NAIROBI CAMPAIGN – SEPTEMBER 24TH AND 25TH 2019

The Konrad-Adenauer-Stiftung's Rule of Law Program for Sub-Saharan Africa in collaboration with Advocate Paul Hoffman (SC), Director of Accountability Now (IFAISA) South Africa and in partnership with universities in Nairobi, launched the '*Anti-Corruption and Accountability Movement in Africa*' campaign that seeks to actively involve the youth in the fight against corruption in Africa.

During the campaign, Adv. Hoffman delivered lectures in four institutions of higher learning



reaching out to students and members of the academic staff from seven institutions. The main aim of this activity was to reach out to students at institutions of higher learning and assist them in understanding the importance of pursuing accountability and transparency from a practical point of view which in turn, will assist them to effectively play their civilian oversight role in the fight against corruption.

Part of the academic staff and students' leadership from Daystar and Strathmore Universities after the launch of the campaign at Strathmore University

On 24th September, Adv. Hoffman delivered lectures at Strathmore University and at the Kenya School of Law. In attendance were students from Strathmore University, Daystar University-School of Law, Kenya School of Law, Cooperative University and Jomo Kenyatta University of Agriculture and Technology - Karen Campus.

On 25th September, Adv. Hoffman addressed audiences at the University of Nairobi, School of Law and Kenyatta University, School of Law.

In his lectures, Adv. Hoffman challenged the audiences to begin addressing causes rather than focusing on symptoms of corruption. He comparatively analyzed the position in relation to the effect of corruption on the economic viability of the developing countries especially in Africa. He noted the obligation of the States to "respect, promote and fulfil" the rights enshrined in the Bill of Rights, which in itself, is reason enough for citizens to be engaged and actively participate in the fight against corruption. This would entail not only sealing loopholes by

putting in place effective and efficient anti-corruption machinery but would also empower citizens to demand for recovery by the State, of all the proceeds of corruption and the setting aside of illegal deals.

He highlighted the lessons that can be drawn from the *Glenister case*¹ which underscored the importance of judicial interventions based on the notion that failure to take appropriate measures to combat corruption by the State is indeed a violation of human rights (at least in the case of South Africa). From the aforementioned case, criteria that characterizes effective and autonomous anti-corruption entities was established. Such an entity must satisfy the STIRS criteria;

S – must be **Specialised**

T – must be managed by persons properly and skillfully **Trained** to undertake the task

I – must be **Independent**

R – must have adequate **Resources**

S – personnel must enjoy **Security of tenure** of office

During the interactive sessions, pertinent concerns were raised by the students including;

- Viable ways and means of securing the independence of anti-corruption entities with regard to the selection and appointment of the heads of these institutions.
- Selective and uncoordinated approach to the fight against corruption which categorizes the crime into petty and grand corruption which breeds fertile ground for the spread of the menace at all levels of the society.
- How to delink corruption and politics; with corruption being a crucial determinant on how elections are conducted and who is elected.
- Application and use of the legal and judicial system in corruption cases especially in systems that are themselves already compromised.



Adv. Hoffman delivering his lecture at the Kenyatta University, Parklands Campus

¹ See more on the “Glenister case” and “Integrity Commission” on www.accountabilitynow.org.za
The trilogy of Glenister cases in South Africa are also obtainable free via www.saflii.org sub nom “Glenister”)