

SA COUNCIL OF CHURCHES

Media Release 22 June 2023

REVISITING ZONDO COMMISSION RECOMMENDATIONS - 1 YEAR LATER

On this one-year anniversary of the Zondo Commission Report on state capture, the South African Council of Churches (SACC) calls on all relevant government institutions to demonstrate more urgency in implementing the recommendations made by the six-part report, with the intention of taking the necessary urgent action that may be required in order to hasten the resolution of the issue of corruption and state capture. We call on the public of South Africa to take ownership of the fight against corruption and use the Zondo Commission report as an important step in that fight, and not to let go of the necessary pressure to hold government accountable for the execution of the recommendations.

Given that it's been a whole year to the day since the final submission of that weighty report, it is appalling that so little has been achieved in response to such a seminal report that cost the nation close to a billion rand. Even though the report does not encompass all levels of corruption, the Commission's hearings were a deep dive into understanding the extent of corruption in our government institutions, and its nefarious collaboration with the private sector.

The report made significant recommendations that sought to offer workable solutions to the issues of the mismanagement of public funds; stabilising the procurement practices in public institutions by tightening systems and weeding out the perpetrators of corruption; establishing a safer environment for whistleblowers and public officers acting in good faith, among other measures.

We can accept that there is much work to be done, however, the pace at which these recommendations are being implemented, and the lack of frequent updates in terms of actions taken and milestones achieved is worrisome and needs immediate attention.

Of the several very significant recommendations the SACC is particularly concerned that there have been no serious convictions against any senior personnel fingered in the report. Progress in prosecuting corrupt individuals has been disappointingly slow. According to the recent Hawks report only two cases have been concluded, resulting in suspended sentences for non-high-ranking officials.

This pace is unacceptable. The prosecuting authority and investigating institutions must act swiftly, and transparently, and ensure robust cases against the culprits. In this regard, the SACC has written to the National Prosecuting Authority (NPA) for clarity on the lack of prosecutions.

A major area of concern is that of a protection regime for whistleblowers. Recommendation 3 of the Zondo Commission called on the government to, inter alia, amend legislation to ensure that persons "disclosing information to reveal corruption, fraud or undue influence in public procurement activity be accorded the protections stipulated in article 32(2) of the United Nations Convention Against Corruption"; to extend an "offer of immunity from criminal or civil proceedings if there has been an honest disclosure of the information which might otherwise render the informant liable to prosecution or litigation"; and to authorise mechanisms 'to incentivise such disclosures by entering into agreements to reward the giving of such information by way of a percentage of the proceeds recovered on the strength of such information".

A year on today, none of this is currently in place, and the promise of the government from the Minister of Justice, to have measures before the nation by the end of June 2023 is that on which our eyes are now to be fixed. We call on the public to carefully review what will emerge to establish how comprehensive it will be.

With our attention on all the Commission's recommendations, we have zoomed in on the manner in which whistleblowers are treated as a priority. For us, comprehensive protection of whistleblowers should include protecting them, their identities, and their families; protecting them from physical harm, intimidation, and death. This should not await their being declared trial witnesses, for, people are killed way before any indictment is prepared. Whistleblowers are vulnerable as they often lose livelihoods and should be protected from unfair victimisation in their work environment. We call for the establishment of a special whistleblower support fund, to ensure that whistleblowers do not lose their livelihoods and personal dignity.

Whistleblowers play a crucial role in exposing corruption, often risking their lives.

The SACC will highlight these issues through a public webinar in partnership with Whistleblower House, scheduled for July 5, 2023, on Zoom and streamed on the SACC Facebook page @OfficialSACC. We must protect and support whistleblowers in the fight against corruption.

The fight against corruption is ongoing, and as the church, we are confident in the collective power of South Africans to overcome this darkness. We draw inspiration from the efforts of those who continue to fight corruption under difficult conditions. However, more needs to be done for us to realise the dream of The South Africa We Pray 4, that is free of corruption and deprivation.

Society needs frequent updates on progress and swifter action against corruption. There is a need for a mandatory minimum sentence that should be imposed on those involved in corrupt activities, and the people of South Africa deserve a better existence. We are confident that together, with renewed determination, we will defeat corruption and raise the standards of trust, service delivery, and national pride.