

President Cyril Ramaphosa: National Dialogue on Anti-Corruption

8 Nov 2023

Keynote address by President Cyril Ramaphosa at the National Dialogue on Anti-Corruption at Birchwood Hotel, Gauteng

Programme Director, Prof Somadoda Fikeni, Chief Justice Raymond Zondo, Chairperson of the National Anti-Corruption Advisory Council, Prof Firoz Cachalia, Members of the Council, Ministers and Deputy Ministers, Members of the Diplomatic Corps, Leaders from all spheres of our society, Distinguished guests, Ladies and Gentlemen,

Next year, it will be 30 years since South Africans won their freedom.

We will reflect on how far we have come as a country in improving people's quality of life and in entrenching a culture of democracy and human rights.

We will reflect on the progressive policies that have enabled millions to be lifted out of absolute poverty and that have provided housing, electricity, water and other basic services to the overwhelming majority of the South African people.

At the same time, we will acknowledge where we have not achieved enough, where expectations have not been met, and, indeed, where the promise of our democracy has been betrayed.

As we consider the great achievements of our democracy, we must be forthright about one of our greatest failings: corruption.

All South Africans suffer when goods, services and resources meant for public benefit are misappropriated, mismanaged and stolen, but it is the poor who suffer most.

Corruption carries a huge opportunity cost. Economic growth is stifled and businesses suffer. Development stalls and institutions fail.

Corruption has wounded our democracy and shaken people's faith in our institutions.

If corruption is not arrested, the greatest damage will not be in the funds stolen, the jobs lost or the services not delivered.

The greatest damage will be to the belief in democracy itself.

It is therefore our shared responsibility, as we celebrate 30 years of democracy, to build a society in which corruption has no place.

To do so, we must challenge the contention that corruption is a creation of our democratic order. Corruption in South Africa has much deeper roots.

As we have noted before, apartheid was both morally and materially corrupt.

Even as apartheid laws enabled the theft of resources that rightly belonged to the people of South Africa, there were many in the administration, in state companies, in bantustans and in business who flouted even those corrupt laws to enrich themselves.

Having fought a just struggle against this system, it was our intention that the overthrow of apartheid would herald a new era of integrity, honesty and ethical conduct by all in positions of responsibility.

We sought not merely to change the political system, but to build a new nation on a fundamentally different moral foundation.

Our Constitution, which embeds the values of social justice, human dignity, accountability, transparency and the rule of law, is the most powerful instrument we have to fight crime and corruption.

The people of South Africa are the guarantors of the integrity of the political, social and economic life of this country.

After all, it was the people of South Africa, in all their formations, who stood up against state capture and who, through their democratic institutions, took action to end it.

The establishment of the State Capture Commission was an affirmation of the strength of our democracy.

The ongoing work of the Public Protector, law enforcement agencies, the courts, the media and civil society in exposing corruption and acting against perpetrators is testimony to the power of our constitutional order.

The completion of the work of the State Capture Commission was a watershed moment in our history.

Not only did the Commission lay bare the extent and depth of state capture, but it also presented the country with the means to both remedy the great harm caused by state capture and to create the conditions that would prevent its recurrence.

Viewed overall, the recommendations of the State Capture Commission have provided the country with a clear way forward.

What the Commission laid bare was the extent to which corruption had become so pervasive across the state and across society.

While it was charged with investigating specific activities at a certain time in our history, the State Capture Commission revealed that corruption is a far broader societal challenge.

It therefore requires a society-wide response that marshalls all our resources and capabilities in a concerted effort to end corruption in all its forms.

As part of this effort, last year, I appointed this National Anti-Corruption Advisory Council to advise government on the measures necessary to address the structural causes and consequences of corruption in South Africa.

Part of the work of the National Anti-Corruption Advisory Council is to provide advice on the implementation of the policy and institutional reforms contained in the recommendations of the State Capture Commission.

Over the last five years, we have invested significant resources to rebuild the law enforcement agencies and other bodies that were devastated by state capture.

We appointed new leadership with the track record, integrity and capability to tackle crime and corruption. We are now in the process of developing legislation that will insulate the appointment and removal processes for key positions shown to be vulnerable to state capture.

In 2018, we established the NPA Investigating Directorate to focus on state capture and other serious crimes. We established the Special Tribunal to enable the Special Investigating Unit to fast track the recovery of public funds.

In November 2020, Cabinet adopted the National Anti-Corruption Strategy, whose six strategic pillars anchor the deliberations of this National Dialogue.

The Strategy is an 'anti-corruption compact', since it is all-of-society effort to achieve an ethical and accountable state, business and society characterised by high levels of integrity and respect for the rule of law.

The Strategy fills an important gap in that it focuses on preventive measures that complement the actions of our law enforcement agencies and Constitutional bodies in responding to corruption.

The Strategy aims to stop corruption before it occurs.

The areas it covers include ethical leadership, protection and support for whistleblowers, the integrity of procurement systems, and capacity building of staff in law enforcement agencies.

While those individuals and companies that have enriched themselves at the expense of the people must face the consequences of their misdeeds, we must go deeper if we are going to emerge as a prosperous society.

It is now just over a year since I submitted to Parliament government's response to the recommendations of the State Capture Commission.

Significant progress has been made in implementing the measures set out in this response.

We have initiated 16 pieces of legislative reforms to address specific recommendations of the State Capture Commission.

Eight of these legislative reforms are now before Parliament.

These Bills address areas such as public procurement, administrative reform, the conduct of public servants, the intelligence services, money laundering and electoral reform.

The NPA Amendment Bill, for example, creates a permanent Investigating Directorate for Corruption in the NPA with significant investigative powers.

The Department of Justice and Constitutional Development has recommended significant reforms to the Protected Disclosures Act and Witness Protection Act in accordance with the Commission's recommendations on enhancing whistleblower protection.

The State Capture Commission made recommendations for the establishment of new institutions to safeguard the state against capture.

These included the establishment of an independent public procurement anti-corruption agency and a permanent commission on corruption and state capture to create an alternative platform for accountability should the legislature fail in its oversight duty.

These and other proposals are the focus of an intensive process of research and consultation led by the National Anti-Corruption Advisory Council and the Department of Justice and Constitutional Development.

While much work has been done to strengthen the ability of our institutions to prevent and combat corruption, significant progress has been made in bringing to justice those responsible for state capture.

Nine separate court cases, involving 47 individuals and 21 companies, have been brought to court.

Freezing orders amounting to R14 billion have been authorised by the Asset Forfeiture Unit and a total of R5.4 billion has been recovered and returned to the state.

Government departments, municipalities and professional bodies are taking disciplinary action against individuals identified by the Commission.

The South African Revenue Service has collected R4.9 billion in unpaid taxes as a result of evidence brought before the State Capture Commission.

While there is a long road ahead, the fight against corruption is gaining momentum.

This dialogue is a valuable opportunity to mobilise all key stakeholders behind this effort, from civil society, business and labour, to academia, government and political parties.

We meet here as diverse constituencies, but with a common purpose.

We are here to identify the further measures we need to take to build a South Africa that does not allow for corruption or capture.

We are here to strengthen our shared determination to build an ethical society founded on the values of our democratic Constitution.

I wish you a successful National Dialogue and look forward to its outcomes.

I thank you.

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