

Conference for the Future of South Africa

RESOLUTIONS

CONFERENCE FOR THE FUTURE SOUTH AFRICA

18 JULY 2017

Conference for the Future of South Africa

1. INTRODUCTION

The conference proceedings achieved the following:

- It deepened our understanding of the extent of state capture and corruption and its corrosive impact on our development and the possibility of a catastrophic future, if left unattended
- We agreed that the resources of our country are illegally diverted to a few at the expense of our people's lives, education, healthcare and safety
- We acknowledged the honest women and men in public service - current and past - who are fighting a rear guard battle to defend our country, our constitution, our public institutions and fiscal resources
- We agreed to intensify our fight against a band of predators with insatiable greed
 - who have captured our state, hollowed out and bent our institutions to serve their crooked deeds
 - who defend their deeds through a reactionary, chauvinistic, unconstitutional and anti-democratic rhetoric and artificial ideology
 - who are bent on using corrupt means to amass riches by robbing the public purse
 - and who act with impunity because of a compromised criminal justice system and weakened law enforcement agencies
 - who threaten and carry out acts of violence against activists and the media in defence of their looting
- We acknowledged the role of the brave and resourceful civil society organisations who stand united across a range of social issues - education, health, labour rights, social justice, human rights, sport, poverty and the homeless - that even in the face of harassment and intimidation

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- o act in defence of our constitution and democracy
- o serve as a bulwark against this band of predators
- o and who stand united and are striving to hold government to account and to return our state to the people

These resolutions seeks to unite civil society in defence of our democracy and South Africa's future.

We must:

- Unite all those who are opposed to the plunder of public monies and the perversion of our institutions
- Campaign for the Vote of No Confidence on 8 August 2017
- In the long run, unite all those that would struggle for social justice in South Africa
- Encourage all South Africans to participate actively in making of policies and the administration of their institutions
- Campaign to ensure that no government in future is given the latitude to abuse state institutions or imperil social security

These campaigns reinforce one another and must be pursued together.

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2. RESOLUTIONS

The Conference resolved to:

1. Campaign for the Vote of No Confidence on 8 August 2017. Foremost among the actions that civil society will undertake are the following:

- Call for and organise a national day of action which could include actions in which workers (except in essential services) will be on strike and businesses will be shut.
- All South Africans will be encouraged show support for MPs to vote in support of the Confidence Motion, in their respective places of work, play and worship.
- Call for and organise marches in all the major cities and towns in South Africa.
- Call for and organise a march on Parliament on the day of the vote.
- Call for and organise for prayers or reflection on state capture on the days preceding the vote.

2. Support all cases brought before court to combat corruption, strengthen public administration, improve accountability of politicians, stop wasteful expenditure of public funds and lay down rules for the impeachment of the president. Foremost among the actions are the following:

- The application before the Constitutional Court brought by civil society organisations and political parties to compel Parliament to institute impeachment proceedings against the president.
- The application before the Supreme Court of Appeal to reinstate criminal charges against Jacob Zuma.
- Any court action to stop the adoption of a new nuclear power programme in South Africa.
- Any court action to stop South Africa's withdrawal from the International Criminal Court.

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- Any court action to challenge the appointment of people who are not fit and proper to senior positions in the state and government.
 - Any court action brought to protect the disbursement of social grants.
 - Any court action brought to hold ministers and other holders of public office personally liable for frivolous cases.
 - Any court action brought to hold ministers and other holders of public office and government officials criminally liable for corruption, violation of their constitutional obligations and illegally favouring businesses of their preference.
 - Any court action brought to institute a Commission of Inquiry into state capture.
- 3. Adopt the People's Demands for Eliminating State Capture and Building State Integrity (State Integrity Six Pack).**

The detailed demands, which were recorded under six areas of action, need to be implemented in full and with maximum urgency if state capture is to be defeated and our constitutional state to be restored to health. The full version of the People's Demands is attached. The six areas of action are:

- *State capture must be rooted out and its perpetrators brought to justice.* Amongst other measures, dedicated independent investigating and prosecuting teams need to be established for all cases of state capture
- *The nuclear programme must be halted*
- *The credibility, independence and capability of the criminal justice system must be restored*
- *Our democratic process must be protected and strengthened.* Amongst others measures, full transparency of political party funding and protection of the independence of the Independent Electoral Commission are essential.

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- *The public sector must serve the people, not politicians.* Amongst other measures, without compromising equity, all senior appointments must be selected on merit through an objective process without regard to political preference.
- *State-owned companies must be cleaned up.*

It was further resolved to lobby all political parties and their public representatives to endorse the package and to obtain political agreement for a timetable by the end of 2017 for full implementation by the end of 2018.

4. The conference further resolved that there must be a special campaign and measures to encourage public servants to combat corruption. To this end, it resolved to:

- To institute a secure mechanism for civil servant to report suspicious activity.
- To provide for legal defence for whistleblowers in the public service who report corrupt activities.
- To work with trades union in the public sector to promote clean government and for them to protect those who stand against corruption.
- To work with professional bodies of lawyers, accountants and others to adopt a programme of action to combat corruption in the public sector. Such a programme must be embedded in their rules, codes of ethics and education. These organisations will specifically should have programmes to:
 - a. report irregular or unlawful conduct of public officials or of their members to regulatory bodies and law enforcement agencies
 - b. investigate and sanction members who've been accused publicly of irregular or unlawful conduct of their own volition, without awaiting complaints and expeditiously
 - c. establish an early warning system to detect irregular or unlawful conduct;
 - d. establish a secure channel to report suspicious activity and allow anonymous reports

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- e. establish a legal defence fund for whistleblowers within their respective professions
 - f. dissuade their members from propagating schemes for money laundering, fraud, aggressive forms of tax avoidance and tax evasion
 - g. protect workers' pensions
 - h. defend the integrity of public institutions; and
 - i. promote a professional public service
5. **The Conference recognised that, to have a lasting effect, our campaigns must lead to meaningful reform, whatever the outcome of the No Confidence Vote. To this end, the Conference resolved to:**
- Undertake educational programmes to demonstrate the inextricable link between clean government and the fulfilment of the socio-economic rights enshrined in the Constitution.
- a. Campaign for the review of the electoral laws so that elections to the National Assembly include a constituency-based system
 - b. Create constitutional mechanism for citizens to remove the President and other holders of public office
 - c. Citizen driven legislation - Submit community driven amendments and new legislation to MPs
 - d. Undertake civil litigation and class action suits against government corruption
 - e. Take disciplinary action against lawyers and other professionals involved in corruption through their professional bodies
 - f. Campaign for transparency in political funding & procurement - currently Parliament is seeking public participation on party funding
 - g. Pool legal resources to protect whistle-blowers
 - h. Legal action around Gupta citizenship & the outflow of illicit money
 - i. Encourage local funding for legal action and defence of campaigns directed at promoting social justice, strengthening democracy and the rule of law
 - j. Provide for civil society's Parliament Watch that will monitor the work of Parliament