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► COVER: ACC HEADQUARTERS

Together we can realise  
"A Corrupt Free Namibia"



**2019/2020**  
**ANNUAL REPORT**





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# **ANTI-CORRUPTION COMMISSION**

## **2019/2020 ANNUAL REPORT**



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# LIST OF ACRONYMS

ACA	Anti-Corruption Act
ACC	Anti-Corruption Commission
AGRIBUSDEV	Agricultural Business Development Agency
BPR	Business Process Re-engineering
CPA	Criminal Procedure Act
CEO	Chief Executive Officer
CRA	Corruption Risk Assessment
CoW	City of Windhoek
DG	Director-General
DPECP	Directorate of Public Education and Corruption Prevention
ERO	Erongo
FY	Financial Year
FAWENA	Forum for African Women Educationalists
GRN	Government
HQO	Head Quarter
ICT	Information and Communication Technology
IT	Information Technology
IACD	International Anti-Corruption Day
MoF	Ministry of Finance
MoEAC	Ministry of Education, Arts and Culture
MUN	Mineworkers Union Of Namibia
MVA	Motor Vehicle Accident Fund
MMA	Media Monitoring and Analysis
NSFAF	Namibia Student Financial Assistance Fund
NDF	Namibian Defence Force
NYC	National Youth Council
NACS	National Anti-Corruption Strategy
NACSC	National Anti-Corruption Strategy Steering Committee
NIP	Namibia Institute of Pathology
NIDA	Namibia Industrial Development Agency
NAMPOL	Namibian Police
NQA	Namibia Qualification Authority
NGO	Non-Governmental Organization

NDF	Namibian Defence Force
NAFAU	Namibian Food and Allied Workers Union
NBC	Namibian Broadcasting Corporation
OIDA	Otjimbingwe Independent Development Association
OSH	Oshakati
OTJ	Otjiwarongo
O/M/As	Offices/Ministries/Agencies
PECP	Public Education and Corruption Prevention
PR	Public Relations
OPM	Office of the Prime Minister
PSEMAS	Public Service Employee Medical Aid Scheme
PG	Prosecutor-General
PDP	Personal Development Plan
RA	Road Authority
TNA	Training Needs Assessment
SDF	School Development Fund
SPP	Social Protection Policy
SRM	Security and Risk Management
UNAM	University of Namibia
UNODC	United Nations Office on Drugs and Crime
VAT	Value Added tax
VPN	Virtual Private Network
IRD	Inland Revenue Department
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Programme
WHK	Windhoek
W/B	Whistle-Blower

# FOREWORD 2019/2020

**T**his report accounts for the activities of the Anti-Corruption Commission (ACC) during the financial year 2019/2020.

The Anti-Corruption Act, 2003 (Act No. 8 of 2003) provides for the powers and functions in terms of which the Commission must carry out its mandate.

The Commission investigates offences as defined and listed in the law. Any conduct which is not connected with or criminalized as a corrupt practice under the Anti-Corruption Act, may not be criminally investigated by ACC.

Other core-functions of ACC in addition to criminal investigations are, to educate the public and disseminate information on the evil and dangers of corruption and to take measures for the prevention of corruption. As ACC fiercely mounts the fight against the virulent scourge of corruption, several provisions of the Act are challenged in the courts of law against the Constitution of Namibia. The legal challenges have resulted in some of the provisions of the Act declared unconstitutional.

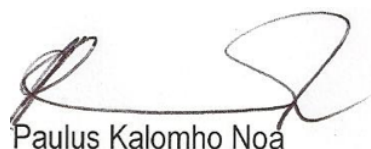
Corruption is a broader phenomenon often perpetrated in different ways. Therefore, fighting corruption demands a multi-sectoral approach. The effective prevention and fight against corruption call for introduction of multi-anticorruption policies, including set of standards, measures, rules, and procedures that must be strictly enforced by both, administrative and investigation bodies. Researches have established that corruption often breeds and multiplies due to lack of strict implementation of policies and laws.

Corruption causes untold damage with long term effects on the economy. Corruption may undermine the values of democracy, rule of law and good governance. Often the majority of the citizens suffer the consequences of corruption while benefiting few individuals.

Though the year under review was busy, ACC team relentlessly committed themselves to the fight against corruption at all fronts. The Directorate of Public Education and Corruption Prevention actively carried out prevention activities, while at the same time led the implementation of the National Anti- Corruption Strategy and Action Plan 2016-2019.

Investigators conducted investigations on many reported allegations of corrupt practices. Like in previous years, some of the matters reported could not be investigated by ACC because they do not fall within the defined elements of corruption. Such complaints were referred to relevant authorities for appropriate handling.

The fight against corruption demands united front by all sectors of society. Therefore, we must all hold hands and reject corruption wherever it rears its ugly head in Namibia.



Paulus Kalomho Noa

**Director-General**



**MR. PAULUS K. NOA**  
**DIRECTOR - GENERAL**





# ANTI-CORRUPTION COMMISSION MANAGEMENT



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## ACC MANAGEMENT



MR. PAULUS K. NOA  
DIRECTOR-GENERAL



ADV. ERNA VAN DER MERWE  
DEPUTY DIRECTOR-GENERAL



MR. HANNU SHIPENA  
EXECUTIVE DIRECTOR



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ACC  
MANAGEMENT





# PART 1 **HIGH LEVEL STATEMENTS**



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## 1.1 Our Vision

"A corrupt-free Namibia."



## 1.2 Our Mission

"To lead the fight against corruption in Namibia through effective law enforcement and preventative measures for the good of society".



## 1.3 Our Core Values

The Commission is driven to create common shared principles and understanding through its institutional values, and in doing so, encourage active participation of every staff member to execute their duties in strict adherence to the following guiding values through their behaviours and decision making.

- **Integrity** - We shall act with integrity and adhere to high ethical standards.
- **Accountability** - We are accountable for our actions, in particular with regard to the use of the Commission's resources and the execution of its functions.
- **Transparency** - We shall avail our stakeholders with information in a fair, impartial, open and honest manner.
- **Fairness and Impartiality** - We shall at all times remain impartial, apolitical and fair, serving all equally irrespective of political affiliation, social standing, religion or gender.
- **Excellence** - We shall deliver our services and perform our functions efficiently and effectively.



# Anti-Corruption Commission



## PART 2 INTRODUCTION ABOUT ANTI-CORRUPTION COMMISSION



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## 2.1 ABOUT THE ANTI-CORRUPTION COMMISSION

The Anti-Corruption Commission is an independent and impartial national agency established in terms of the Anti-Corruption Act, 2003 (Act No. 8 of 2003) with the mandate to combat and prevent corruption in Namibia. The Act mandates the Anti-Corruption Commission to serve as the leading agency in Namibia that investigates corruption offences and ensure that offenders are brought to justice.

## 2.2 OBJECTIVES OF THE ACC

The objectives of the Commission, as defined in the Anti-Corruption Act, 2003 are, inter alia:

- To receive or initiate and investigate allegations of corrupt practices;
- Educate the public on the evils of corruption; and
- To take measures for the prevention of corruption in public and private bodies.

## 2.3 STRATEGIC PILLARS AND OBJECTIVES

The Anti-Corruption Commission has developed a Strategic Plan (2017 – 2022) that outlines its over-arching goals and objectives by the year 2022. With this Plan, the Commission has highlighted two strategic pillars that act as a strong and solid foundation on which four strategic objectives are built.

PILLAR	STRATEGIC OBJECTIVE
<b>i. Social Transformation</b> This entails enhancing the understanding of the public with respect to the detrimental effects of corruption on development as well as the need to denounce the gratification of people with ill-gotten wealth	<ul style="list-style-type: none"> <li>• Reduce corruption in Namibia</li> <li>• Enhance stakeholder engagement and coordination</li> </ul>
<b>ii. Institutional Capacity</b> This entails enhancing organizational management and coordination with stakeholders to lead the fight against corruption	<ul style="list-style-type: none"> <li>• Enhance organizational performance</li> <li>• Ensure regulatory framework</li> </ul>

This annual report details activities conducted; achievements realised as well as challenges encountered during the period under review.



## PART 3 **HIGHLIGHTS OF** 2019/2020 FINANCIAL YEAR



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### 3.1 DIRECTORATE: INVESTIGATION

The main objective of the Directorate of Investigations is to investigate alleged corrupt practices in public and private sectors and making recommendations to the Prosecutor-General (PG) for possible prosecution. The Directorate analyse allegations and complaints as reported to the Commission; taking measures for prevention of corruption in public and private bodies; doing anything that the Commission is required and authorised under the Anti-Corruption Act, 2003, or any other law.

#### 3.1.1 Handling of corruption cases during 2019/2020 FY

During the 2019/2020 financial year, a total of one hundred and eight seven (187) complaints were registered with the ACC compared to three hundred and thirteen (313) in the 2018/2019 financial year. This represents a decrease of one hundred and twenty-six (126) cases. These figures exclude matters in which whistle-blowers were directed or advised to report complaints to other relevant institutions.



**Ms. Justine Kanyangela**  
Acting Head of Investigation

The quality and amount of relevant information on the corruption complaint received directly affect whether the case can be pursued or not. During the financial year under review, only sixty-one (61) (33%) of the one hundred and eighty-seven (187) complaints received were earmarked for investigation, compared to the one hundred and forty-five (145) (46%) of the three hundred and thirteen (313) complaints perused in 2018/2019 financial year. The majority of non-pursuable corruption complaints were due to insufficient, vague, or unsubstantiated information provided. The declined number of non-pursuable corruption cases could be attributed to public education and corruption prevention efforts as more people become aware of what constitute corrupt practices.

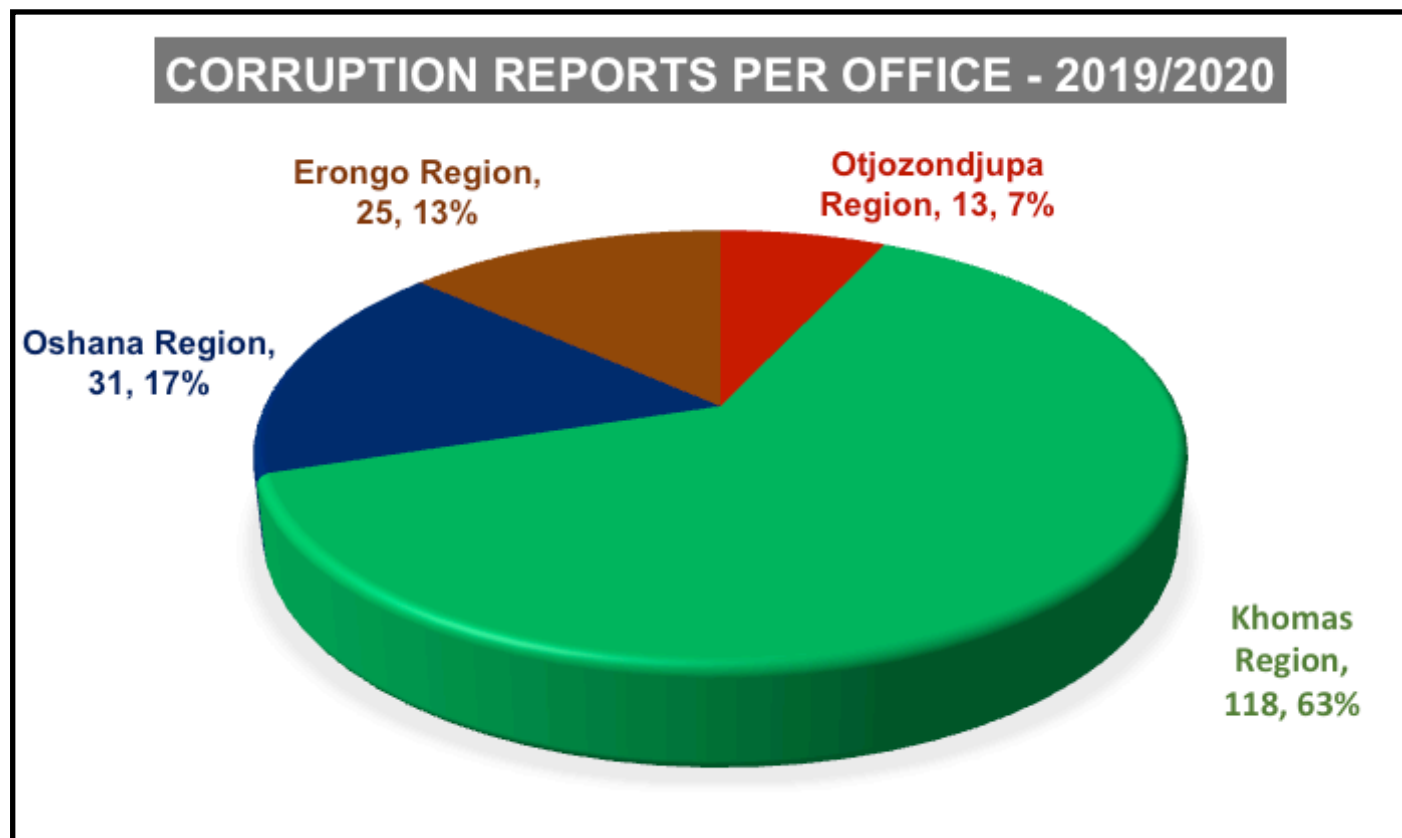
#### 3.1.2 Cases reported per ACC office during 2019/2020 FY

Pursuant to the provisions of decentralization, the Commission has four offices countrywide. The Head Office in Windhoek serves Khomas, Hardap, //Karas, and Omaheke regions. The office in Swakopmund serves Kunene and Erongo regions. The ACC also has an office in Otjiwarongo, serving Otjozondjupa, Kavango East, Kavango West, and Zambezi Regions. Accordingly, the office in Oshakati serves Oshana, Omusati, Ohangwena, and Oshikoto regions.

The ACC Head Office recorded a total of 118 reports, which accounts for 63% of reported cases, making the highest number of cases reported during 2019/2020 financial year. A total of thirty-one (31) (17%) cases were reported at the ACC Oshana regional office. Erongo region accounted for twenty-five 25 (13%) cases, and the Otjozondjupa region recorded the least number of corruption-related reports with a total number of thirteen 13 (7%) cases.

The chart below shows the number of cases reported as per ACC offices during the 2019/20 financial year.

Fig 1: Number of cases reported per ACC office during 2019/2020 Financial Year



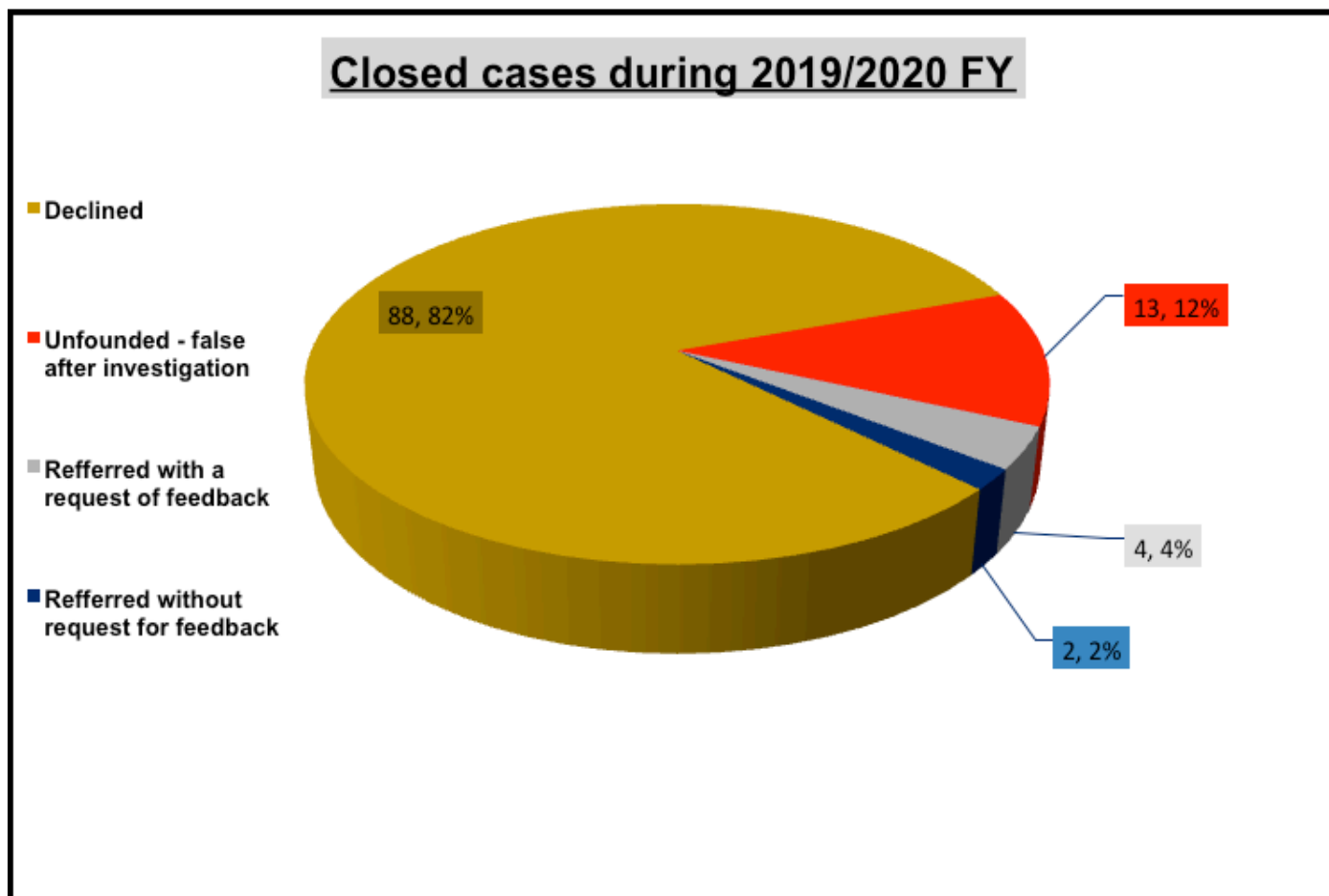
### 3.1.3 Types of corruption mostly reported during 2019/2020 FY

With respect to the types of corruption reported, the abuse of power; tender irregularities; irregularities in recruitment; bribery; abuse of public resources; irregularities in land sale, and VAT were some of the issues mostly reported during the 2019/2020 financial year. Whistle-blowers continued mainly reporting cases on abuse of power, with 25% of corruption reports in 2019/2020 financial year attesting to this fact. Corruption cases in relation to procurements and the allocation of tenders stands at 10 percent.

### 3.1.4 Closed cases during the period under review

During the 2019/2020 financial year, a total number of one hundred and seven (107) representing 57% of the 187 complaints received were closed due to the following reasons: unfounded with thirteen (13) reports, representing 12% and unsubstantiated with eighty-eight (88) reports, representing 82%. Further, two (2) complaints, representing 2% of the total number of cases closed during the year under review, were referred to relevant authorities without a request for feedback while four (4) reports, which represent 4% were referred to relevant authorities with a request for feedback.

Fig 2: Closed cases during the 2019/2020 Financial Year.



### 3.1.5 Handling of cases identified for investigation

During the financial year under review, sixty-one (61) cases which represent 33% of the one hundred and eighty-seven (187) complaints received were earmarked for investigation. A total of thirty-two (32) case dockets<sup>1</sup> were referred to the Prosecutor-General's office for a decision. This is inline with Section 31(1) of the Anti-Corruption Act, 2003.<sup>2</sup>

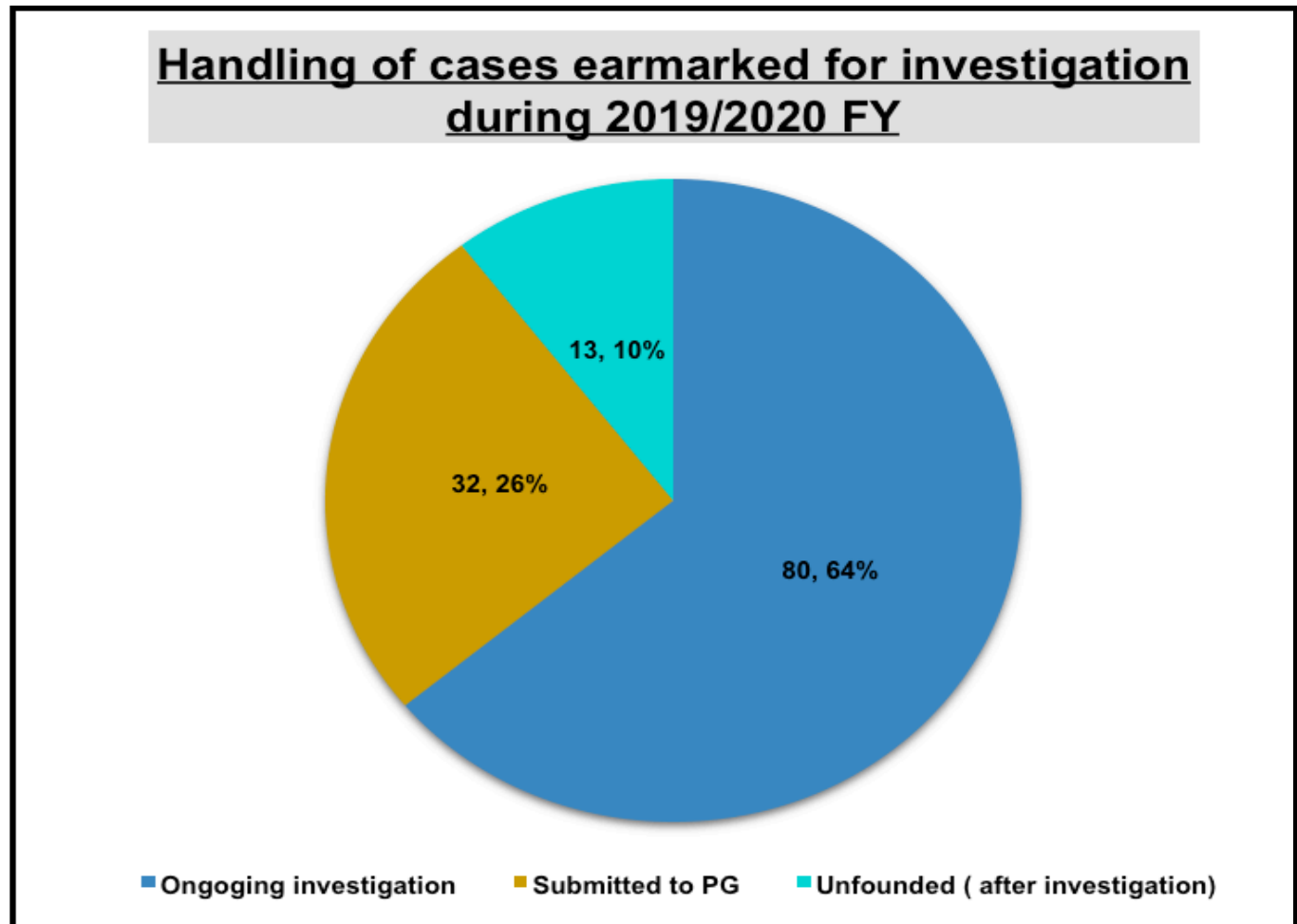
<sup>1</sup> 8 cases prosecuted, 14 cases are yet pending the PG decision, 10 dockets back to ACC with further instructions,

<sup>2</sup> If, upon completion of an investigation by the Commission, it appears to the Director-General that a person has committed an offence of corrupt practices under Chapter 4 or any other offence discovered during the investigation, the Director-General must refer the matter and all relevant information and evidence assembled by the Commission in connection with the matter to the Prosecutor-General.



The handling of corruption cases identified for investigation is broken down as indicated in the graph below.

Fig 3: Depicts the handling of cases identified for investigation during the 2019 / 2020 Financial Year

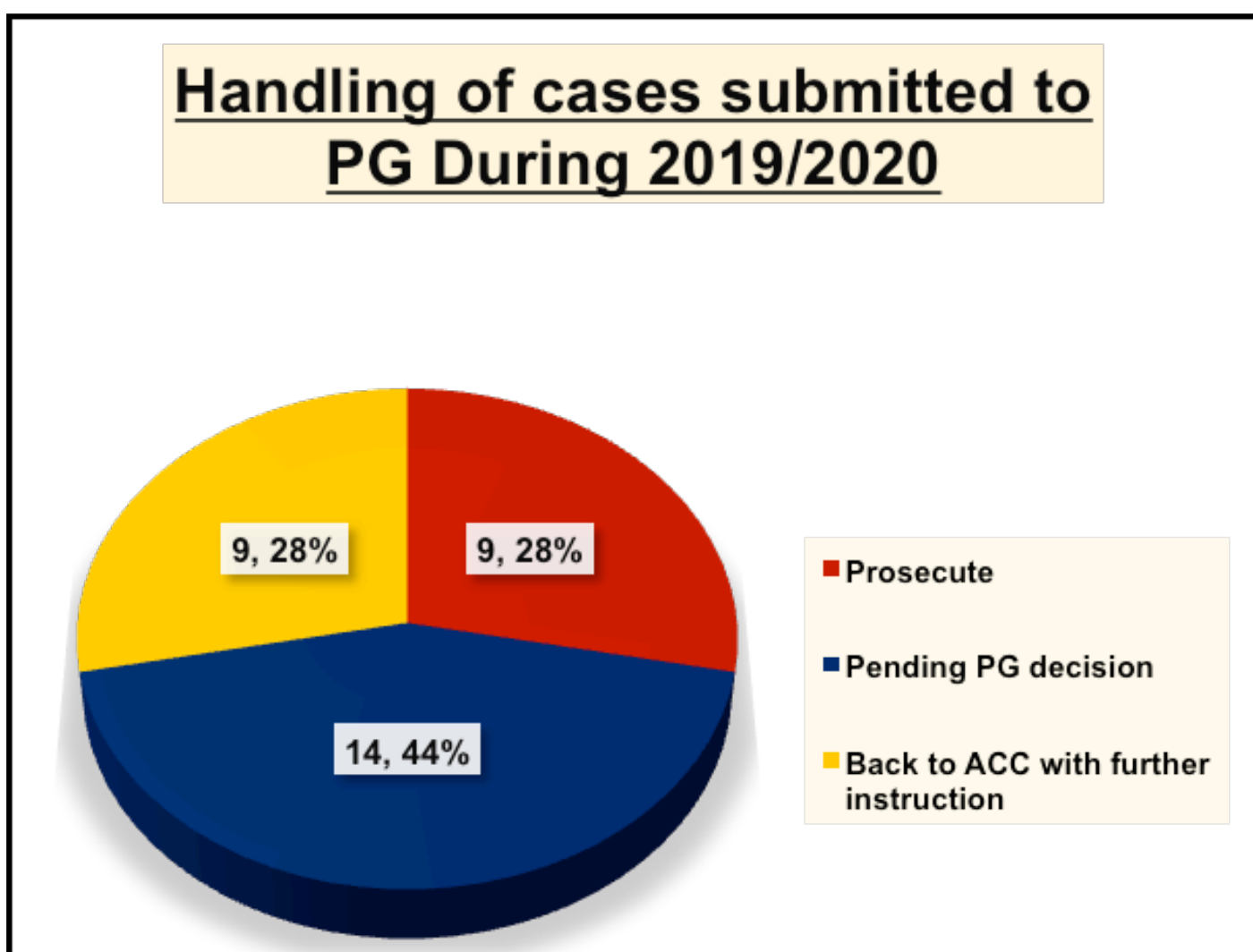


### 3.1.6 Handling of case dockets submitted to the PG during 2019/2020 FY

During the financial year under review, thirty-two (32) case dockets were referred to the PG for decision-making as per Section 31 (1) of the Anti-Corruption Act, 2003. This represents eight (8) dockets less compared to the previous year 2018/2019. Of the thirty-two (32) cases/ dockets submitted to the PG, nine (9) cases, representing 28%, are before the Court, while an additional nine (9) dockets or 28% were referred back to the Commission to comply with further instructions. Another 14 dockets, representing 44%, are still waiting the PG decision.

See the chart below:

Fig 4: Handling of dockets submitted to the PG during the year under review



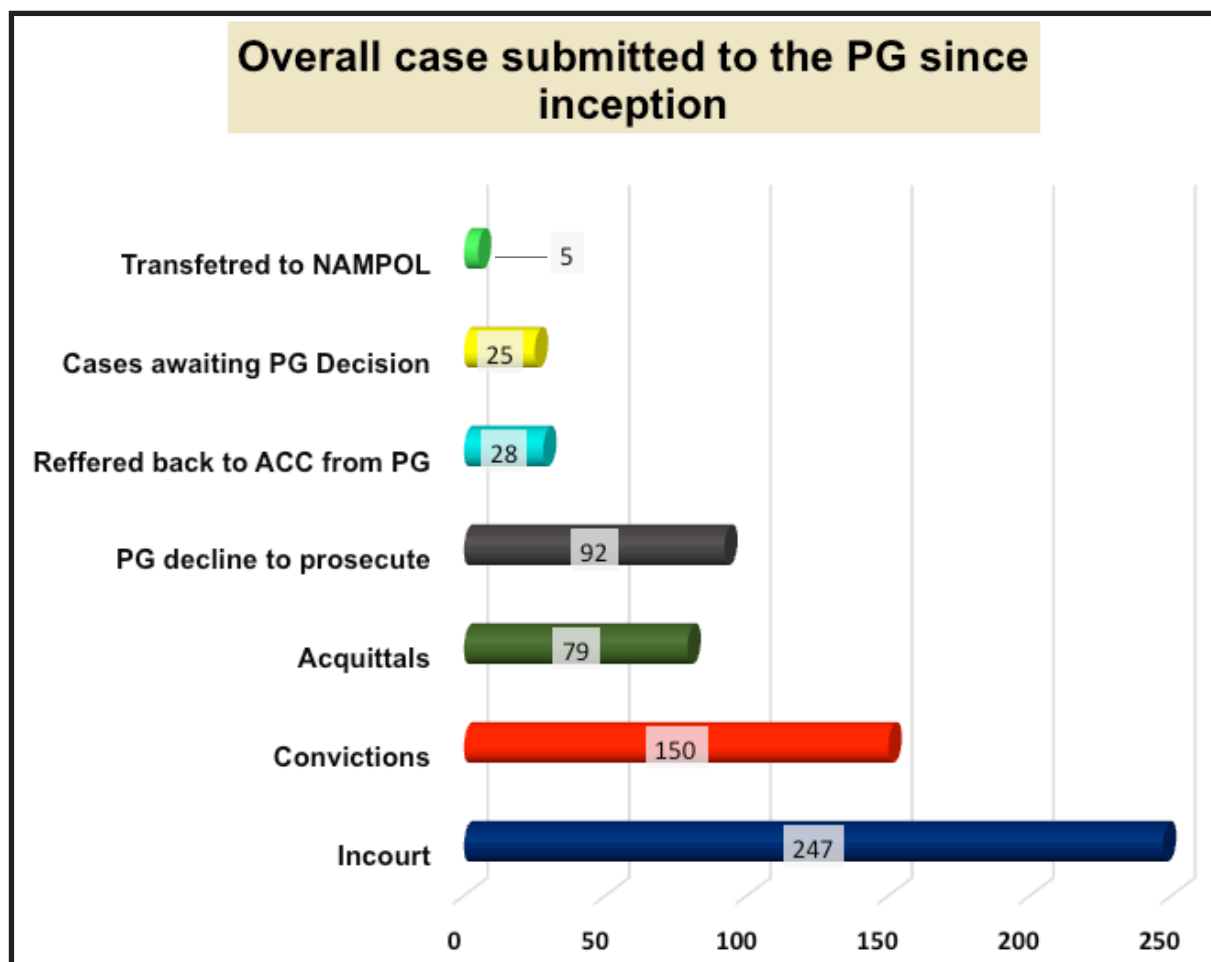


### 3.1.7 Overall handling of case dockets submitted to the PG since ACC inception.

- Since its inception, the ACC has submitted 659 cases to the Office of the Prosecutor-General;
- Two hundred and forty-seven (247) cases representing 38% of the total number are still in court and have not been finalised;
- One hundred and fifty (150) cases (23%) of those that were finalised resulted in a conviction.
- Seventy-nine (79) cases which represent 12% of the finalised cases resulted in acquittal;
- Thirty-three (33) representing 5% of the finalised cases resulted in withdrawal of charges;
- Five (5) cases (0.8%) were transferred to the Namibian police;
- In ninety-two (92) (14%) of the cases, the Prosecutor-General declined to prosecute, due to various reasons;
- Twenty-eight (28) cases (4%) in total were referred back to the Commission to comply with further instructions; and
- In twenty-five (25) cases (4%), the PG decision is awaited.

Overall, a total of 542 cases of the 659 submitted, the PG decided to prosecute. Accordingly, of all cases where the PG decided to prosecute, 70% have been finalized in court.

Fig 5: Overall handling of case dockets referred to the PG since ACC inception



### 3.1.8 Notable cases referred to the Prosecutor-General

Table 1: Notable cases referred to the Prosecutor-General

CASE REFERENCE	POSITION	ENTITY	ALLEGED CORRUPT PRACTICE	METHOD
ACC HQO 11-000034	School Secretary	Ministry of Education, Arts and Culture	Contravening Section 43 (1) read with Section 35 of the ACA - corruptly using office or position in a public body to obtain any gratification, for her benefit.	Use the School Development Fund (SDF) for self-gratification.
ACC-OTJ-18-002818	Work Inspector	Ministry of Education, Arts and Culture	Contravening Section 34(a) read with Sections 32, 46, 49 and 51 of the ACA - corruptly offering, giving or agreeing to give gratification (as an inducement)	Promised to offer N\$7000.00 to a witness (Police Officer) on his bail application for him to testify in a manner that will favour him to be granted bail.
ACC-HQO-19-002847	Constable	Windhoek City Police	Contravening Section 43(1) read with Sections 46, 49 and 51 of the ACA – corruptly using office/position for gratification	Solicited a bribe from the whistle-blower in order to release confiscated laptop for his own benefit.
ACC HQO 17-002275	Businessman	LA Gratitude	Contravening Section 35 (3) (a) of the ACA.	Submitted fraudulently VAT claim to the Ministry of Finance-IRD.
ACC HQO 18-002831	Police Officer	NAMPOL	Contravening Section 35 (1) (a) of the ACA.	Police Officer assist criminals to extort N\$30,000.00 from the foreign national Whistle blower.
ACC HQO 18-002690	Chief Accountant	Ministry of Finance	Contravening Section 43(1) read with Section 35(3), of the ACA - Corruptly using his office and position to corruptly obtain gratification for himself or for any other person.	Knowingly and intentionally issuing and provided PSEMAS medical aid card to a private person who is not a public servant, or a spouse of a public servant or a dependant of a public servant.

ACC HQO 16-002170	Physiotherapist	Gobabis Physiotherapy	Contravening Section 35(1) (a) of the ACA – corruptly use any receipts or material and/or documents which mislead the principal.	Corruptly submitted fraudulent patients' medical claims to MoF-PSEMAS.
ACC OTJ 19-002873	Private Individual	Private Individual	Contravening Section 38 of the ACA - corruptly offers a bribe to a police officer for own his benefit.	Suspect detained in police custody on multiple fraud charges offered a bribe to the Namibian Police Investigator an amount of N\$10 000.00 for the Investigator to facilitate granted of his bail.
ACC ERO 19-002894	School Principal	Ministry of Education, Arts and Culture	Contravening Section 43 (1) read with Sections 32(f), 47(1) (a & b) and 35(3) of the ACA - corruptly using office or position in a public body to obtain any gratification, for her own benefit.	Misappropriate school funds earmarked for the Prefect's Camp.
ACC ERO 18-002731	Equipment Operator	Desert Lion Mine in Karibib	Contravening Section 35 read with sections 32, 46, 49 and 51 of ACA - Corruptly accepting gratification by agent (as inducement).	Solicited a bribe from a private unemployed individual promising him a job at the Mine in return.
ACC HQO 17-002311	Immigration Official	Ministry of Home Affairs and Immigration	Contravening Section 43 (1) of ACA - corruptly using office or position in a public body to obtain any gratification, for his benefit or any other person.	Unlawfully assisting foreigner visitor by stamp his passport to extend the departure date and received bribe as payment.
ACC HQO 15-001844	Senior Administrative Officer	Ministry of Agriculture, Water and Forestry-Rundu Animal Health CC	Contravening Section 43 (1) of ACA.	Corruptly engaging in business with his employer without declaring his business interest outside public service.

ACC HQO 16-002183	Private Secretary	Ministry of Rural and Urban Development	Contravening Section 35(3) (a) read with 35(4), 46, 49 and 51 of the ACA.	Solicited a bribe of N\$800, 000.00 from WB and promised him to ward a tender to his company in order to develop low cost housing in Namibia.
ACC HQ 18-002607	Senior Accountant	Ministry of Finance	Contravening Section 43(1) read with Sections 32, 43(2), 43(3), 49 and 51 of the ACA - Corruptly using office or position for gratification.	Soliciting gratification in the form of money (N\$ 50, 000.00) for his own or someone else's benefit in exchange for approval of medical claim by PSE-MAS and Methealth.
ACC ERO 19-002962	Unionist	Namibian Food and Allied Workers Union ( NA-FAU)	Contravening Section 43(1) read with Sections 32, 43(2), 43(3), 49 and 51 of the ACA - Corruptly using office or position for gratification.	Solicited a bribe in exchange to convince the workers at Hickory Creek Spur in Swakopmund to accept an increase of three (3%) percent on their salary.
ACC OSH 16-001932	Administrative Officer	Ministry of Education, Arts and Culture	Contravening Section 43 (1) and Section 35(3) of the ACA - corruptly using office or position in a public body to obtain any gratification, for his benefit; corruptly use documents which mislead the principal	Corruptly compiled questionnaires and sit in an interview as a panellist in which her biological sister was interviewed without declaring interest
ACC OTJ 16-001889	Tender Board Members	Kavango East Regional Council	Contravening Section 43 (1) and Section 46 of the ACA - corruptly using office or position in a public body to obtain any gratification, for his benefit or any other person; conspires with any other person to commit an offence read with regulations made under section 44A of Regional Council Act, Act 22 of 1992 regulation 18 sub regulation 2 and sub regulation 3.	Regional Tender board corruptly awarded the tender to a company which did not meet all the requirements and was eliminated by the evaluation committee.

ACC HQO 12-000220	Immigration Officer	Ministry of Home Affairs & Immigration	Contravening Section 43 (1) read with Sections 32, 43(2), 46, 49 and 51 of the ACA - corruptly using office or position in a public body to obtain any gratification, for his benefit.	Solicited bribery from a South African truck driver who overstayed in the country and threatened the said driver that he would be locked up unless he pays.
ACC HQO 19-002890	Manager	Wutow Trading	Contravening Section 35 (1)(a) read with Sections 32, 35(4), 46, 49 and 51 of the ACA - corruptly soliciting gratification as an agent, for his own benefit.	Corruptly solicited bribe as an inducement to award Whistle-blower with a contract to secure routes with Wutow Trading for transporting cargo goods to various places.
ACC HQO 18-00-2840	Revenue Protection Officer	City of Windhoek	Contravening Section 43 (1) read with Sections 32, 43(2), 43(3), 46, 49 and 51 of the ACA - corruptly using office or position in a public body to obtain any gratification, for his benefit.	Solicited a bribe in order not to disconnect the electricity of a Guest House due to arrear payments, whilst the owner already came to an agreement with the CoW to pay the arrears in instalments.
ACC-HQO-17-002475	Building Inspector	Okahandja Municipality	Contravening Section 43 (1) of ACA.	Corruptly engaging in business with his employer without declaring his business interest outside public service
ACC-OTJ-18-002531	Centre Head	Ministry of Youth, Sports and Culture	Contravening Section 43 (1) of ACA: corruptly using office or position in a public body to obtain any gratification, for his benefit or any other person.	Misusing Government vehicle allocated to the centre (GRN 3686).

ACC-HQO-19-002992	Former Accountant	Ministry of Home Affairs and Immigration	Contravening Section 43 (1) of ACA read with Section 56, 43(e)(d(f) & (g) of the Immigration Control Act No. 7 of 1993.	Corruptly accepting bribe from a Zimbabwean national who confessed paying such bribe to an official who in return provided the Zimbabwean a counter fake extended visitor entry permit.
ACC-HQO-13-000857	Nurses	Ministry of Health and Social Services	Contravening Section 43(1) of the ACA - Corruptly using office or position for gratification.	Corruptly submitted fraudulent blood test kits to NIP to obtain scholarship to study medicine in China
ACC-HQO-19-002877	Businessman and owner of Expedite Aviation	Expedite Aviation	Contravening Section 43 (1) read with Sections 32, 43(2), 46, 49 and 51 ACA - corruptly using office or position in a public body to obtain any gratification, for his benefit.	Corruptly utilised fraudulent forged invoice to pay less import VAT and then utilised a forged VAT document during a High Court civil case.
ACC-ERO-18-002534	Farmer	Jumbo Charcoal	Contravention of Section 35(1) (a) of the ACA - corruptly use any receipts or material and/or documents which mislead the principal.	Presented falsified harvesting and marketing permit to Forestry WalvisBay in order to get the export permit.
ACC-HQO-17-002309	Employee at Erongo Marine Enterprises	Erongo Marine Enterprises	Contravening Section 35 of ACA - Corruptly accepting gratification by agent (as inducement).	Solicited a bribe from private unemployed individuals promising them jobs as fishermen at the sea Vessels in return.
ACC-HQO-18-002827	Private Person	Private Person	Contravening Section 35 of ACA - Corruptly solicit gratification by agent under false pretences.	Corruptly solicited bribe under false pretences that he will fast track the applications of applicants who applied for permanent residence permits.

ACC ERO 19-003012	Administrative Officer	Walvisbay Municipality	Contravening Section 43 (1) of the ACA - corruptly using office or position in a public body to obtain any gratification, for his benefit.	Corruptly solicited a bribe from motor vehicle owner in exchange for him to give back the licence disc for motor vehicle which was not roadworthy after involved in motor accident.
ACC HQO 18-002617	Estate Administrator	Kozonguizi & Associates CC	Contravening Section 43 (1) read with sections 35(1) & 46 of the ACA - corruptly using office or position in a public body to obtain any gratification, for his benefit.	Misappropriate of Estate funds - Fail to distribute the proceeds to the heirs and beneficiaries as intended.
ACC OSH 17-002423	Senior Technician	Ministry of Agriculture, Water and Forestry	Contravening Section 43 (1) read with section 35(1) of the ACA - corruptly using office or position in a public body to obtain any gratification, for his benefit.	Corruptly created false vouchers of GRN weeding subsidy scheme. In order to increase the amount to be claimed by weeding group and use bank account for the said group to misappropriate fund from the government.





### 3.1.9 Court cases handled during the 2019/2020 FY

During the financial year 2019/2020<sup>3</sup>, a total number of nine (9) cases were finalised in court with five (5) resulting in a conviction<sup>4</sup>, and four (4) resulting in acquittal. See table 2 & 3. Further, eighteen (18) cases are still before court, see table 4.

**Table 2: Conviction : 01/04/2019 to 31/03/2020**

CASE REFERENCE	FILE NAME	COURT FILE NO.	FULL NAME	CONVICTION DATE	VERDICT TYPE
ACC-HQO-16-001955	Namibia Contract Haulage PTY	KAT-CRM-2913/2017	Eliphas Joe Shivute	19-07-2019	Fine or jail sentence
ACC-HQO-15-001729	Former Governor Hardap Regional Council	WHK HC-CC05/2018	Katrina Hanse-Himarwa	08-07-2019	Fine or jail sentence
ACC-ERO-08-000791	Namdock Company	WVB-SCR-2971/2015	Jason Hango	17-07-2019	Jail sentence
ACC-HQO-15-001604	Whk City Police	WHK-CRM-13809/2015	Adolf Kaghuyu	26-09-2019	Fine or jail sentence
ACC-ERO-16-002107	Rossing Uranium Mine	SWK-CRM-315/2019	Hendrik Johannes Bok	21-10-2019	Fine or jail sentence

**Table 3: Acquittal / Not guilty and discharged: 01/04/2019 to 31/03/2020**

CASE REFERENCE	FILE NAME	COURT FILE NO.	FULL NAME	CONVICTION DATE	VERDICT TYPE
ACC-HQO-07-000509	Otavi Village Council	WHK-CRM-24912/2014	Kefas Geiseb	01-04-2019	Withdrawn in terms of section 6(a) of CPA
ACC-HQO-14-0001171	Ministry of Defence	WHK-CRM-2582/2016	Cpl Annacky Nangula Shapu	07-08-2019	Not guilty & Discharged
ACC-HQO-09-000298	Ministry of Finance/Nutech X-ray scanners	WHK HC-CC11/2010	Teckla Nandjila Lameck, Yang Fan & Jerobeam Kongo Mokaxwa	18-09-2019	Not guilty & Discharged
ACC-OSH-13-000639	Ministry of Justice	OSH-CRM-1040/2015	Juuso Matheus, Severia N. Shithigona, Gervasius Nghidimokanya & Helvi Hamukoto	17-10-2019	Withdrawn

<sup>3</sup> Some cases were carried over from previous years of which they were finalised in court during the financial year under review.

<sup>4</sup> During the year under review a total number of nine (9) cases were finalised with five (5) resulting in a conviction, and four (4) resulting in acquittal. See table 2 & 3. Further, eighteen (18) cases still before court see table 4.



### 3.1.10 Cases pending on Courts roll during the 2019/2020 financial year

**Table 4: Court cases with first appearance between 01/04/2019 to 31 March 2020.**

CASE REFERENCE	FILE NAME	COURT LEVEL	1ST APPEARANCE DATE	VERDICT TYPE
ACC OTJ 18-002818	Ministry of Education, Arts & Culture	Otjiwarongo Magistrate court	2019-06-13	Still in court
ACC HQO 19-002847	Windhoek City Police	Windhoek Magistrate court	2019-06-13	Still in court
ACC ERO 18-002731	Desert Lion Mine/ Equipment Operator	Swakopmund Magistrate court	2020-01-28	Still in court
ACC HQO 16-002183	Min of Urban & Rural Development	Windhoek Magistrate court	2020-02-13	Still in court
ACC HQO 18-002607	Ministry of Finance	Windhoek Magistrate court	2019-05-29	Still in court
ACC ERO 19-002962	NAFAU/Unionist	Swakopmund Magistrate court	2019-08-19	Still in court
ACC OSH 16-001932	Ministry of Education, Arts & Culture	Opuwo Magistrate court	2019-11-04	Still in court
ACC HQO 19-002890	Wutow Trading	Windhoek Magistrate court	2019-04-10	Still in court
ACC HQO 18-002840	City of Windhoek	Windhoek Magistrate court	2019-10-15	Still in court
ACC-HQO-16-002139	Ministry of Home Affairs & immigration	Windhoek Magistrate court	2019-07-23	Still in court
ACC-HQO-19-002905	Ministry of Finance/ Customs & Excise	Windhoek Magistrate court	2019-06-14	Still in court
ACC-HQO-19-002887	Ministry of Finance/ Ondangwa priv. hospital	Windhoek Magistrate court	2019-05-29	Still in court
ACC-HQO-19-002992	Ministry of Home Affairs & immigration	Grootfontein Magistrate court	2019-11-06	Still in court
ACC-HQO-19-003025	Agribusdev/Ndonga Linena Project	Rundu Magistrate court	2020-03-13	Still in court
ACC-OTJ-16-001916	Otjiwarongo Municipality/ Boutegniek CC	Otjiwarongo Magistrate court	2019-05-15	Still in court
ACC-OTJ-18-002565	Otjiwarongo Municipality	Otjiwarongo Magistrate court	2019-08-28	Still in court
ACC-OTJ-18-002671	Grootfontein Municipality	Grootfontein Magistrate court	2019-06-03	Still in court
ACC-OTJ-18-002749	Namibian Police	Otjiwarongo Magistrate court	2020-01-23	Still in court

### 3.1.11 Notable ongoing investigations during the year under review

**Table 5: The noteworthy ongoing investigations of 2019/2020 FY**

CASE REFERENCE	CASE FILE NAME	TOWN	OFFENCE DESCRIPTION	DATE REPORTED
ACC-OSH-20-003092	Oshakati Town Council (Ehenye)	Oshakati	Allegation of corrupt practices at Oshakati Town Council. It is alleged that one member of the management promised to give plots for the development (constructing houses for the needy) to WB while he did not apply for the said plots and WB was offered N\$ 50, 000.00 as an exit package.	20 March 2020
ACC-HQO-20-003091	Namibia Industrial Development Agency (NIDA)	Windhoek	It is alleged that an Industrial Development Officer employed at NIDA has been involved in different irregularities emanating from submitting fake and forged invoices for overtimes, Subsistence and Travelling Allowance since 2015 to an amount of N\$1 025 890.06.	20 March 2020
ACC-HQO-20-003086	Zambezi Regional Council	Katima Mulilo	It is alleged that a Senior Officer of Zambezi Regional Council claimed for S&T while trips were sponsored, and at the same time attend to private matter in Windhoek.	05 March 2020
ACC-HQO-20-00307	NIPAM Tenders	Windhoek	Allegations of Tender irregularities and use of office/position for gratification by some of NIPAM employees.	21 February 2020
ACC-HQO-20-003078	Windhoek City Police	Windhoek	It is alleged that, a certain City Police Official, solicits funds from members of the public who owns taxis to issue Blue Papers (Taxi Registration Certificates) while such taxis have pending warrants/fines.	20 February 2020
ACC-ERO-20-003073	MoF - Inland Revenue (Erongo Regional Office)	Walvisbay	Contravention of Section 42 of ACA and the Valued Added Tax Act, Act 10 of 2000 as well as the Income Tax Act, Act 24 of 1981 - two (2) officials from Inland Revenue, solicited a bribe from a Whistle-blower in exchange to ensure that the Whistle-blower's business account fraudulently appears in good standing with Inland Revenue.	17 February 2020

ACC-HQO-20-003071	Ministry of Defence Force / Lifeline Body Work Shop and Car Sales cc	Windhoek	It is alleged that the members of the Namibian Defence Force (NDF) misused their positions and conspires with the owner of a panel beater company in order to defraud the Ministry of Defence. The company presented false invoices for repairs on NDF vehicles while no services were provided to NDF which resulted in the Ministry making undue payments.	13 February 2020
ACC-HQO-20-003060	Namibia Students Financial Assistance Fund (NSFAF)	Windhoek	It's alleged that a payment officer at NSFAF corruptly / fraudulently transferred NSFAF's funds to a certain individual to an amount of N\$355 250.00 from 2016 to 2019.	20 January 2020
ACC-HQO-20-003056	Namibia Fish Consumption Promotion Trust	Walvisbay	It is alleged that a Senior Official at the Namibia Fish Consumption Promotion Trust and another employee solicited a bribe from the complainant after his/her company was awarded the security tender at their company. It is also alleged that they terminated his contract after he failed to pay a bribe and award the tender to another company without advertising it.	15 January 2020
ACC-OTJ-20-003055	Rundu Town Council	Rundu	It is alleged that, one of the interview panel at Rundu Town Council interviewed own relative without declaring interest. It is further alleged that the council award boreholes drilling tender to Aqua Drilling without following procurement procedure.  Council also alleged to have awarded a tender to WAF Construction in exchange of land to the value of N\$ 2 906 400 as method of payments and cash value of N\$ 3 892 350 without following the procurement procedure and approval from the Ministry responsible for the allocations of land.	06 January 2020
ACC-HQO-19-003052	Grootfontein Town Council	Grootfontein	Allegations of unlawful buying and selling of houses without following council's procedures.	16 December 2019
ACC-OSH-19-003046	Ongenga Settlement Plots	Oshana Region	Allegations that settlement officials were allocated plots free of charge during 2016 and are now busy selling them for personal gains at the expenses of the needy applicants some of whom have been on the waiting list prior to the settlement officials in question.	03 December 2019

ACC-HQO-19-003040	Ministry of Health and Social Services	Windhoek	Allegations that Ministry of Health and Social Services awarded a tender to a company corruptly to supply emergency procurement of clinical supplies.	13 November 2019
ACC-HQO-19-003039	Ministry of Health and Social Services	Windhoek	Allegation of corrupt dealings – that some employees of Ministry of Health and Social Services corruptly caused the Ministry to pay for services and repair maintenance to an automobile company on vehicles that were neither repaired nor serviced.	13 November 2019
ACC-HQO-19-003033	Ministry of Education, Arts & Culture/FAWENA	Windhoek	It is alleged that, FAWENA an NGO under the MoEAC received a donation of N\$1,000,000.00 to procure sanitary pads for schools. The Organisation sourced quotations from two companies. Instead the then Chairperson allegedly handpicked a company which did not provide quotations and it was paid upfront and failed to deliver the sanitary pads.	01 November 2019
ACC-OSH-19-003032	Namibian Police/ Oshakati Police	Oshakati	Allegations that a Police Officer at Oshakati Police station completed an Accident report for individuals who were involved in a car accident and later altered the report to suit one of the drivers involved in order to avoid disciplinary action against him by the employer. It is further alleged that; the said driver was not allowed to drive the company's car on the night of the accident.	31 October 2019
ACC-OTJ-19-003029	Northern Distributor cc Opuwo Service Station	Opuwo	Allegations that the management of a certain fuel distribution company issued invoices to be signed at service station in Opuwo under false pretence that fuel has been delivered at or received by a particular service station, knowingly that no fuel was delivered to or received by the affected services station.	24 October 2019
ACC-HQO-19-003025	AGRIBUSDEV	Rundu	The Whistle-blower alleged that Farm Manager at Agribusdev, in charge of Ndonga Linena wrongfully and intentionally sold the maize grains of the Ndonga Linena Project and knowingly have the proceeds of the maize deposited into an account other than the official bank account of the Ndonga Linena Project.	18 October 2019

ACC-HQO-19-003024	Police Officer Rehoboth Road Block	Windhoek	It is alleged by a Whistle-blower that the Police Officer at Rehoboth/ Luiperd Vallei Road Block solicited a bribe as inducement or reward as the Whistle-Blower allegedly contravened Road Traffic Regulations.	18 October 2019
ACC-HQO-19-003020	Medical Council	Windhoek	It is alleged that the evaluation paper that was compiled to evaluate the foreign trained medical graduate was leaked. The whistle blower further stated that after marking the scripts they noticed that the answers provided by the graduates were similar with the memorandum leaked.	15 October 2019
ACC-ERO-19-003015	NATIS SWAKOPMUND	Swakopmund	Contravention of Section 33 - soliciting payment in return of a driving licence.	08 October 2019
ACC-HQO-19-002998	Central Procurement Board	Windhoek	The allegations of unfair recruitment process, unfair labour practices, discrimination, nepotism non-compliance with Social Security Commission law and tax law and corruptly awarding of tender.	3 September 2019
ACC-HQO-19-002990	City of Windhoek	Windhoek	It is alleged that a Police Officer arrested whistle-blower and his colleagues at Hosea Kutako International Airport for possession undeclared money. The Officer solicited a bribe of N\$ 70,000.00 for the W/B not to be fined.	22 August 2019
ACC-HQO-19-002971	Magistrate /Liquor licence	Keetmanshoop	It is alleged that, a magistrate stationed in Keetmanshoop fraudulently submitted false documents in support of her friend's liquor licence application that was approved in 2013 whilst knowingly that it was only provisionally approved.	19 July 2019
ACC-OTJ-19-002958	Namibian Police/ Okahandja Police Bribe	Okahandja	It is alleged that a Police officer solicited a bribe from the Whistle-blower at the Karibib - Okahandja road after the officer alleged that the W/B was over speeding and driving at the speed of 135km/hr.	26 June 2010
ACC-OSH-19-002956	Omuthiya Town Council	Omuthiya	Allegations of corrupt practices at the Omuthiya Town Council with regards to recruitment of relatives' and allocation of land without payment of rates and taxes.	27 June 2019
ACC-HQO-19-002954	City of Windhoek	Windhoek	It is alleged that an official from the City of Windhoek - Property department solicited bribes from members of the public.	26 June 2019

ACC-HQO-19-002951	Ministry of Home Affairs and Immigration	Windhoek	It is alleged that an accountant at the Ministry of Home Affairs and Immigration stole funds from the applicants of official documents using a false receipt book for payments.	25 June 2019
ACC-ERO-19-002949	Directorate of Education, Arts and Culture	Swakopmund	It is alleged that the Directorate of Education in Erongo region provided false information to UNAM in order to enrol an Administrative Officer in the UNAM INSET programme meant for underqualified teachers who are currently teaching. It is further alleged that the Directorate indicated that the Administrative Officer is a teacher at a school which does not exist.	21 June 2019
ACC-HQO-19-002946	Ministry of Works & Transport: #Oa#amsa Investment	Windhoek	Allegations about the misuse of position & office as well as making false representations regarding ownership of a company that won the tender for additional prefabricated containers.	19 June 2019
ACC-ERO-19-002939	Erongo Regional Council	Swakopmund	It is alleged that, two government officials at Erongo Regional Council are residing in an official accommodation whilst in receipt of a house allowance for management cadre. It is further alleged that another employee of the Ministry of Works and Transport in Swakopmund is renting out an official accommodation.	18 June 2019
ACC-HQO-19-002935	Ministry of Home Affairs and Immigration -National documents	Windhoek	It is alleged that some officials at the Ministry of Home Affairs and Immigration received the payment of bribes to issue national documents to foreigners.	12 June 2019
ACC-HQO-19-002934	Ministry of Home Affairs and Immigration	Windhoek	It is alleged that some officials of the Ministry of Home Affairs and Immigration received bribes as inducement to process various applications.	12 June 2019
ACC-HQO-19-002914	Namibia Industrial Development Agency (NIDA)	Windhoek	It is alleged that, NIDA has been appointing professional Teams and General Consultancy Services without following the Draft Procurement Policy 2010, and also creation of fictitious invoices, advance payments before work is done, procurement of nine vehicles from one company without sourcing quotations from other suppliers and the appointment the Senior Industrial Development Manager without advertising the post.	25 April 2019

### 3.1.12 Cases referred to other institutions with / without a request for feedback

The Commission referred nine (9) cases to other institutions, seven (7) with a request for feedback, and two (2) for them to take action. The Feedback is still awaited on the four (4) cases.

**Table 6: Number of cases referred to other institutions with request for feedback in 2019/2020 Financial Year.**

NO.	REF NO.	INSTITUTION CONCERN	ALLEGATIONS	VALUE / STATUS
1	ACC-HQO-20-003085	National Youth Council – Board members	Allegation that Four (4) Board Members of the NYC involves themselves in fraudulent activities which are in conflict of the relevant legislative law governing the Council – received monthly retainer fees and board sitting allowance.	Feedback received
2	ACC-OSH-20-003068	NSFAF	Misuse of office or position-corruption- It is alleged that: The management and the former Board of Directors of the Namibia Student Financial Assistance Fund (NSFAF) misused funds aimed for student tuition fees and instead built an expensive state of the art Headquarters office without the approval of the line Ministry.	Feedback received -current board took action against the CEO
3	ACC-OSH-19-00-3017	Ministry of Education, Arts and Culture	It is alleged that the Principal of Omutundungu Combined School allows the school stamp to be used by a teacher at Omutundungu C S to certify the testimonial of (his Relative) an NDF employee at Rundu, to confirm that he did teaching practice at Omutundungu Combined School and the said relative was enrolled at a university.	Feedback pending
4	ACC-HQO-19-003004	Namibian Police	Contravention of Section 43(1) of offence of ACA. The whistle blower alleges that the suspect bumps the state vehicle (Police Vehicle) and the vehicle was later auctioned without following the correct procurement procedures.	Feedback received
5	ACC-HQO-19-003002	Ministry of Agriculture, Water and Forestry	The allegation is that an employee (Extension Officer) in the Ministry of Agriculture, Water and Forestry in Outapi is using time and office to run his private business from the office during official working hours.	Feedback pending



6	ACC-OTJ-19-003001	Ministry of Education, Arts and Culture	Principal allegedly wanted to favour male candidate to be appointed despite him coming number three during the interview at the expense of a female candidate, who came first. It further alleged that the principal later wrote a letter for the cancellation of the interview outcomes in order to redo the interview with the hope that her preferred candidate will be successful.	Feedback pending
7	ACC-HQO-19-003129	Namibian Police	Contravention of Section 43 (1) of ACA. It is alleged that the station commander of Oshikango Police Station misused his office/position by changing initial charge (importation of illicit Counterfit tobacco product, dealing in prohibited petrol act, avoiding/contravening customs act to Drug related offence) against arrested suspects and release them without prosecution.	Feedback pending



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### 3.1.13 Investigation methodologies

The Commission uses lawful investigation techniques to detect and unearth appropriate evidence to prove the commission of corruption offence by suspects.

In this regard, the Commission maintains the view that the passing of a law providing for the admissibility of electronically obtained evidence will enhance the investigation work of the Commission. Such a provision will also have the potential to increase the conviction rate of suspects charged with corruption, fraud, and related organised crimes.

### 3.1.14 Preferred reporting method

The majority of 30% of complaints received by the ACC in the 2019/2020 Financial Year were made in person. Complaints lodged in this manner are most effective since it enables the Commission to obtain more detailed information on suspected corrupt practices.

The ACC takes a serious view of all complaints or information that may disclose any offence under the Anti-Corruption Act, 2003.

All complaints are deliberated upon, regardless of the nature or amount of the gratification, or whether the complainant has identified himself or chosen to remain anonymous. The identities of whistle-blowers are kept confidential.

### 3.1.15 Issuing of Press releases

The Commission occasionally issued press releases in certain instances where the Commission has concluded investigations or taken action against the suspects or where it is deemed appropriate to share information with the public.

### 3.1.16 Challenges encountered with cases before court:

#### i. Lack of functional and specialised courts

Some corruption cases remain a daunting task and complex to handle; hence, the need to have specialised courts to handle these offences of corruption. It is believed with dedicated courts; cases will be handled faster, effectively, and efficiently.

#### ii. Shortage of manpower

The Shortage of investigators hampers the Commission in the speedy investigation of cases. The Commission needs to recruit investigators with relevant expertise.

#### iii. Shortage of Regional Offices

Currently, the Commission only has offices in four regions in Khomas, Erongo, Otjozondjupa, and Oshana regions. Thus, the lack of ACC offices in all 14 regions poses a challenge.

### 3.2 DIRECTORATE: PUBLIC EDUCATION AND CORRUPTION PREVENTION

The Directorate of Public Education and Corruption Prevention's (DPECP) core responsibilities includes educating the public on the evils of corruption; preventing corruption and enlisting public support in combating corruption. Successful execution of these responsibilities collectively contributes to attaining one of the Commission's strategic objectives, namely reducing corruption in Namibia.

In the year under review, the DPECP carried out many activities under four key projects: examining systems, practices, and procedures; ethics and integrity training; public education on corruption; Business process streamlining, stakeholder meetings/workshops, the commemoration of International Anti-Corruption Day, material development as well as coordination of the implementation of the National Anti-Corruption Strategy and Action Plan 2016 – 2019 (NACS).

The DPECP executes its functions through its four offices: The Head Office in Windhoek serves the Khomas, Hardap, //Karas, and Omaheke regions. The office in Swakopmund serves Kunene and Erongo regions.

The ACC also has an office in Otjiwarongo, serving Otjozondjupa, Kavango East, Kavango West, and Zambezi Regions. Accordingly, the office in Oshakati serves Oshana, Omusati, Ohangwena, and Oshikoto regions.

This section presents measures undertaken and activities carried out by the Directorate during the year under review.

#### 3.2.1 Corruption Risk Assessment (CRA)

The Commission is required to come up with approaches to prevent corruption in the public and private sectors. These include examining systems, practices, and procedures of public and private bodies to expedite the detection of occurrences that constitute corrupt practices and securing the revision of those practices as per the Anti-Corruption Act, 2003 and National Anti-Corruption Strategy 2016-2019.

The CRA is a preventative program whereby corruption risks of different functions/sections of an institution are analysed. CRA is one of the actions under NACS as per Specific Objective 2.1 "Addressing public institutions' specific vulnerabilities by systematic implementation of preventative measures". The Commission carried out this activity in the public and private sectors. The different components of an institution are evaluated to identify corruption risks that affect the institution negatively, and these risks are assessed on their likelihood and impact on the institution. Thereafter, a mitigation plan with measures to minimize the probability and impact of harmful effects is developed. ACC plays a supportive role in the implementation of the mitigation plan of an assessed institution by monitoring and evaluating its progress.



**Ms. Namupa Nengola**  
Head: Public Education & Corruption Prevention

During the financial year under review six (6) Corruption Risk Assessments were conducted at the following institutions:

Table 7. Institutions underwent Corruption Risk Assessment exercises

Institution(s)	Region	Target Audience	Number of people reached	Date
NAMPOL Kunene	Kunene	Management (Commissioner, Deputy Commissioner, Chief and Deputy Chief Inspectors and Senior Officers)	35	07- 10 May 2019
Omusati Regional Council	Omusati	Staff members	26	27 – 30 August 2019
Swakopmund Municipality	Erongo	Top & Senior Management & Councillors	22	05, 06, 11 & 12 February 2020
Walvisbay Municipality	Erongo	Top & Senior Management & Councillors	20	18 – 21 February 2020
Okakarara Town Council	Otjozondjupa	Staff members	24	24-26 Feb 2020
Ministry of Fisheries, and Marine Resources	Erongo	Fisheries sector and management		October 2019

Fig 6. Mr. Nelson Mujoro explaining the CRA steps during Okakarara Town Council workshop



### 3.2.2 Anti-Corruption awareness activities

Various anti-corruption awareness activities were carried out to disseminate information to the public and to solicit support in the fight against corruption. Corruption awareness activities also serve to attain Specific Objective 4.2 (Action 4.2.1) of the National Anti-Corruption Strategy which is to reduce corruption by aggressively increasing public awareness campaigns on corruption among private institutions and the general public.



**The following groups and institutions benefitted from anti-corruption awareness activities conducted during the 2019/2020 financial year.**

**Table 8. Groups and institutions benefitted from corruption education/awareness activities.**

INSTITUTION(S)	REGION	TARGET AUDIENCE	NUMBER OF PEOPLE REACHED	DATE
Mining Union of Namibia (Arandis)	Erongo	MUN Western Regional Executive Committee Members	65	05 June 2019
Media briefing	Erongo	Journalists, ACC Officials and Officials from the Governor's Office	20	11 June 2019
L S Mahoto Correctional Service Training College	Erongo	Officials (various disciplines)	105	20 June 2019
Outjo Town	Kunene	General Public	100+	08 July 2019
Swakopmund Municipality of (unveiling of the city clock in Swakopmund in partnership with the Municipality)	Erongo	Swakopmund Municipality Councillors, Management & Staff, learners from Namib High School, Media and ACC Officials	35	06 September 2019
NAMPOL	Erongo	Traffic Officers	11	13 September 2019
Otjimbingwe Independent Development Association (OIDA)	Erongo	Members of OIDA and government officials	31	15 October 2019
Arandis Town Council	Erongo	Management & Councillors	11	17 October 2019
Namibia Correctional Services	Erongo	Swakopmund Correctional Facility Staff	38	22 October 2019
	Erongo	Swakopmund Correctional Facility Inmates	56	24 October 2019
Walvis Bay Naval Base	Erongo	Top and Senior Management	30	13 November 2019
Mondesha suburb, Swakopmund	Erongo	Residents in Mondesa and surrounding extensions	91	13 December 2019



Swakopmund Municipality	Erongo	Management & Councillors	22	05 Feb 2020
Walvis Bay Municipality	Erongo	Management & Councillors	20	18 Feb 2020
Road Authority	Erongo	Staff members	14	26 Feb 2020
Ministry of Finance: Inland Revenue	Erongo	Staff Members	60	17-19 March 2020
Oshikunde village	Ohangwena	Village residents	45	15 November 2019
Endola constituency	Ohangwena	CDC members	13	19 Feb 2020
Elim Constituency Office	Omusati	Personnel and visitors	12	17 December 2019
Epya-Eshona Village	Omusati	Village residents	161	29 October 2019
Uuvudhiya Constituency	Oshana	Office personnel and visitors	9	18 December 2019
Oshikoto Regional Career Fair	Oshikoto	Teachers and Learners	542 Learners 85 Teachers	10-12 March 2020
Donatus Primary School	Otjozondjupa	Teachers and management	26	18 June 2019
Theo 'spar Supermarket	Otjozondjupa	Community	20	18 June 2019
Ministry of Defence	Otjozondjupa	Senior Command and staff Course for Namibia Defence Force	24	19 Sept ember 2019
B2Gold	Otjozondjupa	Anti-Violence Campaign for Community		17-18 Sept 2019
Meat Board Namibia	Khomas	Board members	10	9 May 2019
Khomas Regional Council Directorate of Education, Arts and Culture	Khomas	Staff members, principals, Heads of department, and school board chairpersons	250	18 and 20 Feb 2020
Namibia tourism Board	Khomas	Staff members	20	27 Feb 2020





Figure 7: Rear Admiral S.N.B. Nghipandua, (middle front row), Mr. S. Ndeiluka (ACC Swakopmund, 2nd from right) and the management of the Naval Base in Walvis Bay.



Figure 8: Mr Paulus Noa, ACC Director-General, with the four learners from Namib High at the unveiling of the posters on the city clock at the Mole, Swakopmund.



Figure 9: Officers in training at the L.S Mahoto Training College of the Namibia Correctional Services in Omaruru.

### 3.2.3 Ethics and Integrity Training

During the financial year under review, training sessions on Ethics and Integrity were carried out at various institutions other than Regional Councils. Ethics and Integrity training is part of the National Anti-Corruption Strategy and Action Plan 2016-2019 which is carried out to instil ethical behaviours and values for good governance within public servants and the private sector. Due to positive external feedback from the Regional Councillors and other management from different Offices, Agencies, and Ministries trained on ethics and integrity, a lot of institutions sent requests for their staff members to be trained on ethics and integrity. The directorate conducts ethics and integrity training concurrently with CRAs. The institutions where training sessions were conducted are as follows:

- Donatus Primary School - Otjiwarongo
- Okakarara Vocational Training Centre
- Okakarara Town Council
- Ministry of Environment and Tourism - Windhoek
- Ministry of Finance: Inland Revenue - Walvis Bay
- NAMPOL - Erongo Region
- Arandis Town Council
- Walvis Bay Naval Base
- Namibia Correctional Service Facility - Swakopmund





Fig 10: Donatus Primary School Teachers



Figure 11: One of the three groups of staff at the Ministry of Finance: Inland Revenue for whom the Anti-Corruption Act presentation and the Ethics and Integrity Training was conducted.



Figure 12: Adv. Erna van der Merwe, ACC deputy Director-General, (fourth from left), Ms Adelheid Kandjala, Special Advisor to the Governor, the Erongo journalists and some staff members of the ACC Swakopmund Office.

### 3.2.4 Monitoring and Evaluation of Corruption Risk Mitigation Plans

The directorate carried out CRA to assist institutions in identifying existing and potential corruption risks that might cause harm to them and their key partners. At the end of a CRA, institutions develop a Corruption Risk Mitigation Plan which details how the prioritized corruption risks will be addressed and allocate tasks to individuals and units for implementation. After every CRA, ACC continues to engage the institution where it was conducted through monitoring the progress being made in implementing resolutions/actions as reflected in their Corruption Risk Mitigation Plan. During the financial year under review, four monitoring and evaluation exercises were conducted with NAMPOL in the Erongo Region, Khomas Regional Council, and Namibia Qualifications Authority (NQA) in the Khomas region.

### 3.2.5 Training of integrity committees

The Commission is further mandated to instil the spirit of ethics and integrity in all public officials. In view, the Commission through the PECP Directorate complied with a Directive by the Office of the Prime Minister on the formation of integrity committees in all Government Offices, Ministries and Agencies (OMAs). As part of the Implementation of the directive, Integrity Committee members were trained in groups during the months of October and November 2019. Except for //Karas region and National Assembly, Integrity Committees of 44 OMAs and 13 Regional Councils were trained. The trainings, held in Windhoek, Otjiwarongo, and Oshakati, aimed to capacitate committee members to understand their roles; promote ethical conduct and good governance as well as ensure compliance and reduce the risks of corruption in public institutions.

The functions of the Integrity Committees are among others: to promote the values of integrity and ethical behaviour, transparency, and good governance in OMA's, to ensure the full implementations of the Public Service Staff Rule on ethics and integrity, to enhance the implementation of procedures and practices and to advise the Executive Directors, Chief Regional Officers and staff members on matters of ethics.





**Figure 13: Mr Hannu Shipena, ACC Executive Director, 4th from left, front row. Hon Petrus Kambala, Councilor for Onyaanya Constituency and member of Oshikoto Integrity Committee, 6th from left, front row during the Ethics and Integrity training for 5 Regional Councils' Integrity Committees, Oshakati, 14-15 November 2019.**

### 3.2.6 Review of the National Anti- Corruption Strategy 2016-2019 (NACS) and Action Plan

Namibia is a signatory to the United Nations Convention Against Corruption (UNCAC). Therefore, Namibia had an obligation to respond to Article 5 of the UNCAC that requires State parties to develop and implement a comprehensive National Anti- Corruption Strategy. Namibia met that requirement by formulating the National Anti-Corruption Strategy (NACS) 2016-2019. The Strategy reached the end of its first cycle in March 2020, which necessitated its review. The post of the Technical Consultant/s to conduct an evaluation and review of NACS was advertised on the United Nations Development Programme (UNDP) website. The scope of work is set within the approved terms of reference created by the Anti-Corruption Commission in consultation with UNDP.

### 3.2.7 Stakeholder meetings/workshops

Both the ACC as an institution and especially the PECP Directorate, values their partnership with other stakeholders in the fight against corruption. It is of utmost importance that the ACC staff members attend meetings, workshops, seminars, and other engagements organized by or with these stakeholders. Through those, the Commission personnel are exposed to international best practices in the fight against corruption. These instruments also help the ACC to establish and maintain important and mutually beneficial networks within the anti-corruption arena.

In this financial year, staff members from the PECP Directorate across all ACC offices took part in the following engagements:

- The 2nd workshop of P2P Alliance of Anti-Corruption Authorities - 27 October to 02 November 2019, Nairobi, Kenya;

- Gender-Responsive Budgeting Training of Trainers Workshop - 14 to 25 October 2019, Swakopmund;
- Investigative Journalism Workshop – 4 to 5 December 2019, Swakopmund;
- Erongo Regional Disaster Risk Committee- 02 July, 05 September and 14 November 2019, Swakopmund;
- Swakopmund Community Policing Forum – 10 October 2019, Swakopmund;
- Erongo Regional Disaster Risk Committee- 14 November 2019, Swakopmund;
- Stakeholder consultations towards the proposed Social Protection Policy (SPP)-by the Ministry of Poverty, Eradication and Social Welfare (MPESW) 20 June 2019- Otjiwarongo;
- Information Sharing on Social Security Commission mandate and benefits- 27 June 2019, Otjiwarongo;
- Workshop for setting National Pride's objectives and theme, for the Nationhood and National Pride Campaign – 21 August 2019 –Otjiwarongo;
- Erongo Regional Development Coordinating Committee meeting – 04 October 2019 and 27 February 2020, Swakopmund and Walvisbay.



**Figure 14:** The Governor of Erongo Region, Hon. Cleophas Mutjavikua (middle front), pictured with UNODC presenters, journalists and ACC staff.



### 3.2.8 Business Process Re-engineering (BPR)

In April 2018, the Office of the Prime Minister (OPM) through the Cabinet Secretariat gave a directive to all OMAs to identify one/two processes to be re-engineered and prioritize those processes to benefit the integrated permits application system for government being developed by the OPM.

The aim is to analyse and redesigning workflows within a business that seeks to achieve dramatic improvement in performance by radically redesigning and optimizing selected end to - end processes.

To this end, for the year under review, the Directorate re-visited the BPR implementation plan for risk assessment and public education. This was done to ensure conformity and compliance with required guidelines set by the Office of the Prime Minister. The Directorate held a consultative meeting with the Office of the Prime Minister where a new implementation plan template was availed, to which the Directorate effected changes. The draft reports as well as the revised implementation plan of the change initiatives are in place. The BPR and its implementation thereof are ongoing.

### 3.2.9 Commemoration of International Anti-Corruption Day

In commemoration of the 2019 International Anti-corruption Day and in recognition of the Action 6.2.3 under the NACS which, requires lead institutions to ensure that ongoing training of investigative journalists is a priority, the Anti-Corruption Commission in collaboration with UNODC organized a training for investigative journalists. This training took place from 04th – 05th December 2019 in Swakopmund. Conducted by trainers from Shadow World Investigations, this training attracted approximately 15 participants from the media fraternity. Further, to ensure a wide commemoration of the day in the country, staff members at the ACC Otjiwarongo office joined the Namibian Police, Motor Vehicle Accident Fund (MVA), the Roads Authority (RA), and other stakeholders at the Otjiwarongo-Otavi roadblock to observe this very important day.

### 3.2.10 Challenges faced by the PECP Directorate during 2019/2020 FY

#### (i) *Challenges*

- The National Anti-Corruption Steering Committee (NACSC) and Cluster meetings of some quarters could not be held in all four quarters due to a lack of quorum.
- Financial constraints continue to force the Directorate to cancel some of its planned activities and other regions where the Commission does not have regional office tend to lose a lot on many essentials programs that may assist them in preventing corruption.

#### (ii) *Conclusion*

- Despite the stated challenge posed by lack of funds, the DPECP managed to do more with less. Plans are in place to ensure that financial resources is provided for in the next financial year.

### 3.3 DIVISION: ADMINISTRATION

The Administration Division is the operational hub for the Commission and all administrative subdivisions exist under this Division. The main objective of the Administration Division is to ensure fully implementation of policies and guarantee a conducive working environment and a high degree of governance within the Commission. The division further is entrusted with the responsibility to provide efficient and effective administration and support services in Human Resources Management, Finance, Information Technology (IT), Auxiliary Services, and Training to all divisions in the institution. Moreover, this division ensures that the image of the Commission is upheld and that the security, as well as internal control systems, are guarded and adhered to.

The Administration Division consists of the following sub-divisions:

- Human Resources Management
- Training and Development;
- Finance Management;
- General Auxiliary Services;
- Information Technology;
- Internal Audit; and
- Public Relations



#### 3.3.1 Sub-Division: Human Resource Management (HRM)

The sub-division Human Resource Management exists to ensure that the Commission achieves its goals and objectives by having a suitable number of employees with appropriate competencies and, right attitude and behaviour to perform specific job responsibilities. Hence, the scope of the Sub-division Human Resources Management is to manage and administer human capital; policies, and procedures with its core functions: job analysis- which examines specific job functions in determining the skills; duties, and knowledge required for each job category as well as creating a conducive environment. Further, the sub-division is responsible for advisory services on issues about human resources management within the Commission and ensuring that rules and regulations are correctly understood, implemented, and complied with.

##### *i. Staff Establishment / Staffing status of the Commission*

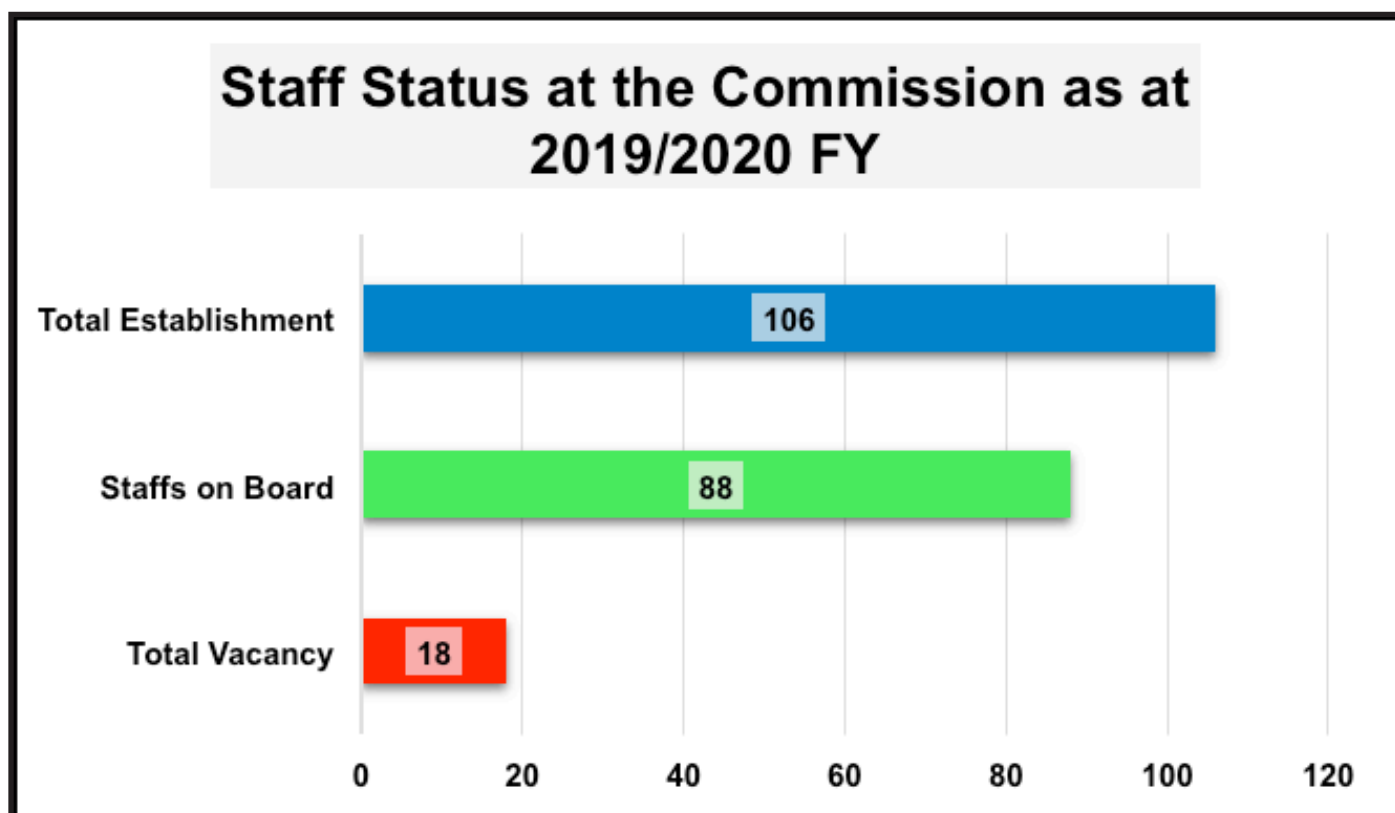
The ACC establishment comprises one-hundred and six (106) positions of which five (5) in the Division Security and Risk Management had been frozen until the 2019/2020 financial year.

As at the end of the reporting period, eighty-eight (88) positions were filled with twenty-nine (29) in the Directorate: Investigations, nineteen (19) in the Directorate: Public Education and Corruption Prevention, and forty (40) in the Division: Administration. During the year under review, fifty-six (56) personnel were based at the ACC head office in Windhoek, eight (8) at Otjiwarongo, ten (10) at Oshakati, and ten (10) at Swakopmund offices. There are a total number of eighteen (18) vacancies as of 31 March 2020. All positions could not be filled during the year under review due to inadequate funding.

Table 9: Staff status of the Commission during the 2019/2020 FY

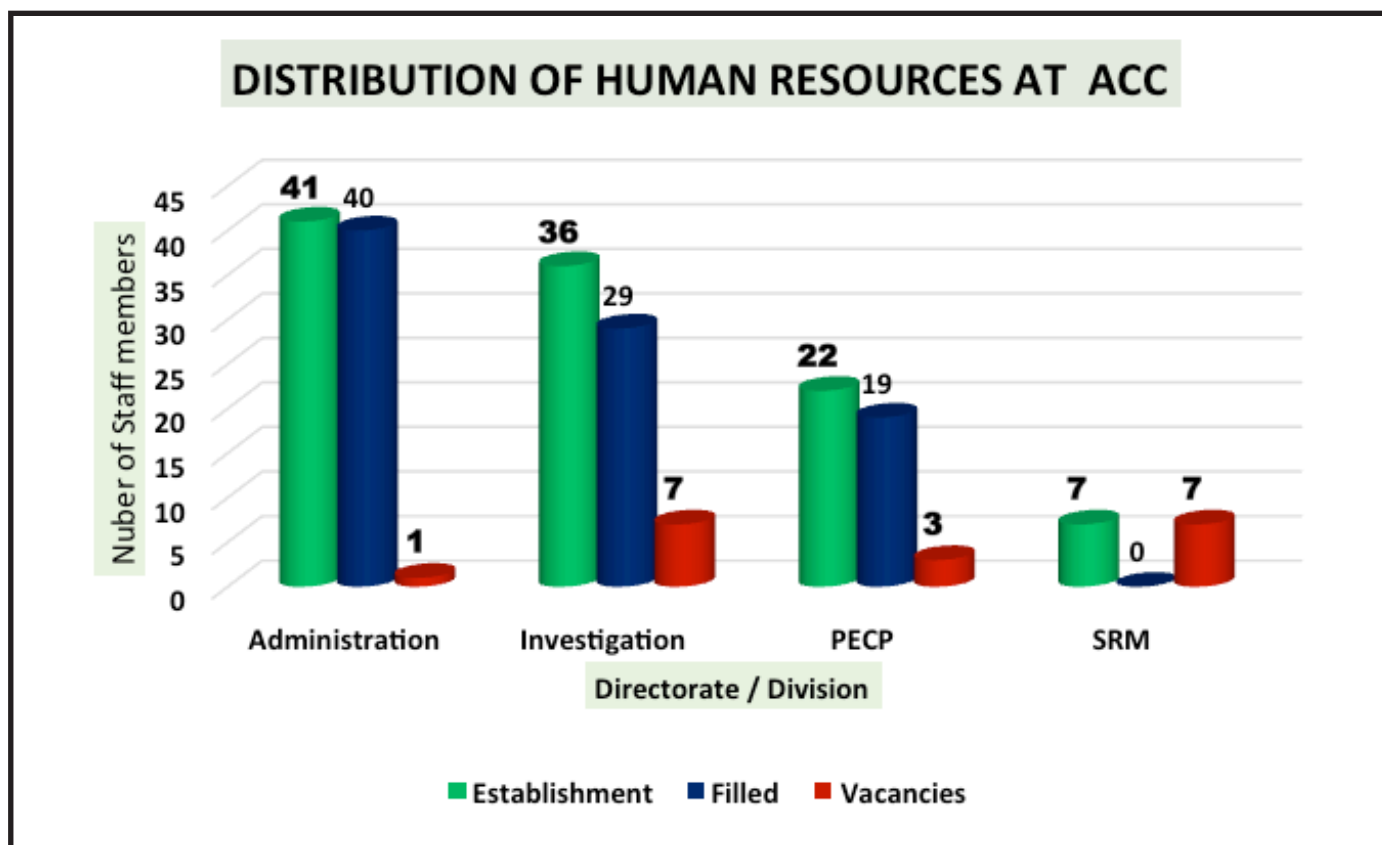
DEPARTMENT	VACANT POSITIONS	STAFF ON BOARD	TOTAL ESTABLISHMENT
Investigation	7	29	
Public Education	3	19	
Administration	1	40	
Security	7	0	
Total	18	88	106

Figure 15: Staff status of the Commission during the 2019/2020 FY



ii. *Distribution of Human Resources during the FY under review*

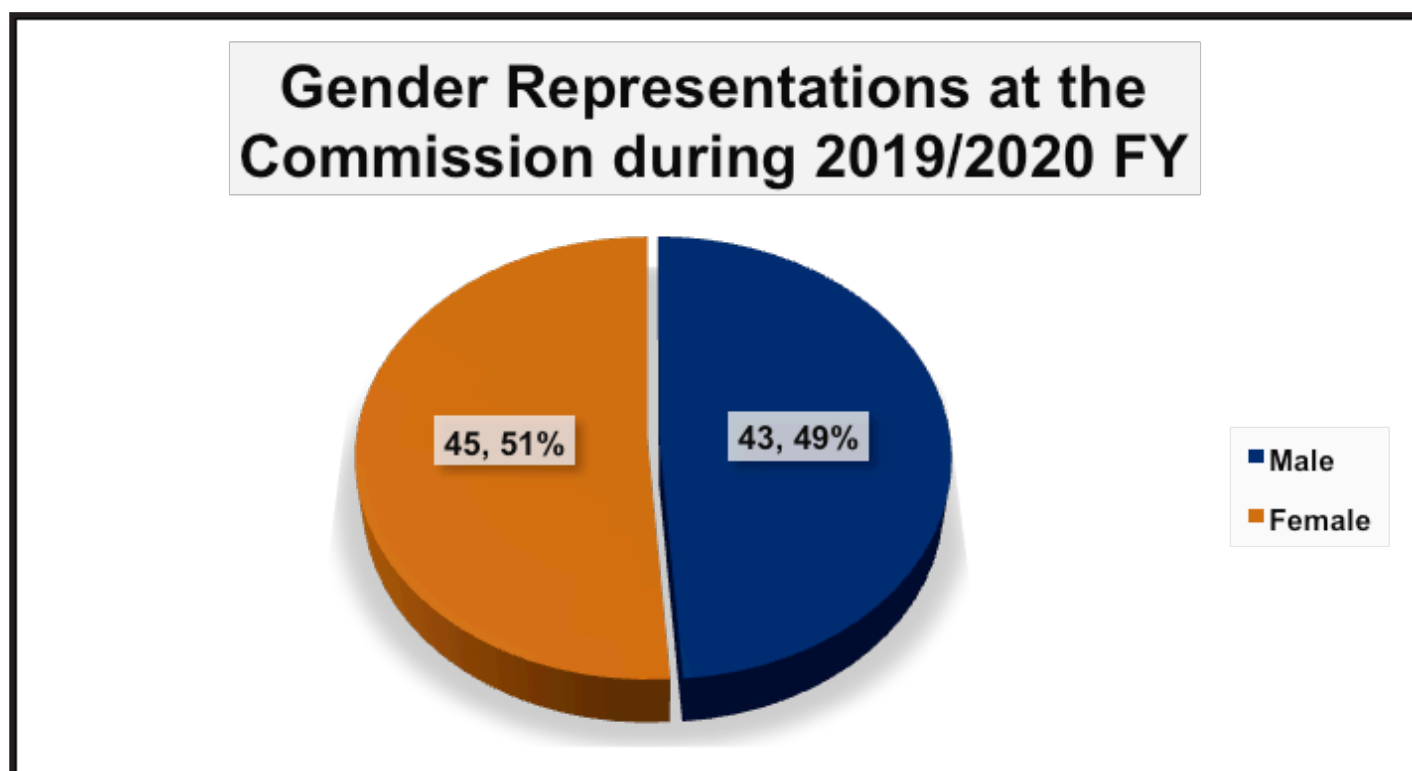
Fig. 16: Distribution of Human Resources among directorates/divisions



iii. *Gender Metrics*

Out of eighty-eight (88) staff members, forty-four (43) are male, and forty (45) are female. See the chart on the next page: Fig 17.

Fig 17: The Commission's staff complement as per gender



### Gender Representation at different Directorate / Divisions 2019/2020

Table 10: Gender representation per Directorate

	Female	Male
Investigation	7	21
Public Education	11	8
Administration	26	12
Total	44	41

#### iv. Staff Movements at the Commission

The ACC recorded the following staff movements during the reporting period:

Table 11: Staff Movement at the Commission

	HEAD OFFICE	OSHAKATI	OTJIWARONGO	SWAKOPMUND	TOTAL
Promotions within the Commission	1	0	0	0	1
Promotions from other O/M/As	1	0	0	0	1
New Appointments	6	0	1	0	7
Transfer to other O /M/As	3	0	0	0	3
Resignations	1	0	0	0	1
Retirements	1	0	0	0	1

- **Staff turnover**

During the financial year under review, one (1) staff member resigned. An indication that the Commission recorded 0.9% staff turnover in the 2019/2020 financial year.

- **Transfer to other O/M/As**

During the reporting period, two (2) male and one (1) female staff members were transferred to other Ministries with the following positions: Public Education and Corruption Prevention Officer Grade 7 to the position of Senior Public Relations Officer Grade 7 in the Ministry of Higher Education, Training and Innovation; Chief Head of Investigation Grade 3 to the position of Commissioner Grade 3 in the Ministry of Safety and Security, and Senior Investigating Officer Grade 5 to the position of Deputy Director in the Ministry of Works and Transport respectively.

- **Retirement**

During the financial year period 01 April 2019 – 31 March 2020, two (2) staff members retired from the Commission (Mr. Jochen Amunyele- Driver Grade 12 and Ms. Shaheeda L Krohne – Investigating Officer Grade 7).

- **Promotion within the ACC**

During the 2019/2020 financial year, one (1) male staff member was promoted within the Commission as follows: Mr. Thimotheus Utale was promoted from Investigating Officer Grade 7 to Senior Investigating Officer Grade 5.

- **Promotions from other O/M/As**

During the year under review, one (1) staff member was promoted from the Ministry of Education, Arts, and Culture to the position of Chief Public Education and Corruption Prevention.

- **Appointments**

During the financial year period 01 April 2019 – 31 March 2020, seven (7) positions were filled.



**Table 12: Staff members employed between the 01 April 2019 to 31 March 2020**

NAME AND SURNAMES	RANK	DATE APPOINTMENT
Petrus Niilonga	Investigating Officer Grade 7	01/06/2019
Mathias Amadhila	Investigative Officer Grade 7	01/06/2019
Eliaser Silvanus	Investigative Officer Grade 7	01/02/2020
Lovis Shilongo	Accountant Grade 8	01/06/2019
Johanna Absalom	CPECPO Grade 5	01/08/2019
David Muronga	Computer Technician Grade 11	05/08/2019
Moses Shilongo	Driver- Grade 12	01/10/2019

### 3.3.2 Sub-Division: Training and Development

The sub-division is responsible for coordinating training and development programs for ACC staff members through a Training Need Assessment (TNA), Personal Development Plan, and recommendation by their respective supervisors. The sub-division is also responsible for coordinating training and development activities with the aim of closing staff member's competency gaps identified through Training Need Assessments (TNA), Personal Development Plans (PDPs), or through their supervisors.

#### During the reporting period:

- The Commission supported and funded seven (7) staff members who attended functional training to the tune of N\$ 40 100.00.

The Sub-division also carried out inductions for the new staff members who joined the Commission and old staff members who were not inducted upon joining the Commission. During the year under review, only two (2) inductions were carried out in Windhoek.

### 3.3.3 Sub-Division: Finance Management

The Finance sub-division is responsible for recording and reporting the cash flow transactions of the commission. Also, the sub-division coordinates the compilation of the Commission's budget allocations; ensures compliance with Government's financial regulations, and manages the utilization of the budget to ensure that organizational programs are successfully executed and that the organisational objectives are implemented.

The Sub-division is further responsible for ensuring that payments were processed successfully and timely without any delays.

### *i. Budget allocation during the 2019/2020 financial year*

During the 2019/2020 financial year, an amount of N\$ 61 610 000 was allocated to the Anti-Corruption Commission. The allocated funds were namely for operational expenditure such as:

- Personnel Expenditure;
- Goods and Other Services;
- Subsidies and other current transfers and;
- Acquisition of capital assets.

### **3.3.4 Sub-Division: Auxiliary Services**

*The subdivision is responsible for:*

- Procurement of goods and services and stock control;
- Transport / fleet management;
- Office maintenance and contract management;
- Registry services and office management.

In procuring for good and service, the subdivision prepares the Annual Procurement Plan, as per Regulation 8 (2) (d) of the Procurement Act, 2015 (Act No.15 of 2015). The regulation requires each public entity to prepare an Annual Procurement Plan, which details how the entity intends to execute its procurement duties during the financial year. In compliance with the Act and Regulations, the sub-division ensure that the Anti-Corruption Commission's approved Procurement Plan is submitted to the Office of the Executive Director as well as to the Procurement Policy Unit in the Finance Ministry.

*During the 2019/2020 financial year, the sub-division:*

- Adjusted procurement management structures to comply with the new Procurement Act in the Public sector / Set up the Procurement Management Unit as mandated by the Procurement Act, 2015;
- Carried out Bid allocations; and
- Recorded all movable assets in various registers for proper recording.

### **3.3.5 Sub-Division: Internal Audit**

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

*Functions of Internal Audit sub-division*

- Apply audit standard procedures and techniques to ensure proven audit findings;
- Conduct audits for the Commission;
- Conduct sensitization sessions for the Commission staff members;
- Audit various financial and non-financial systems of the Commission;

- Verify the correctness of financial statements;
- Prepare audit reports and submit to the Executive Director and Management committee on time;
- Prepare draft management letters based on the audit evidence obtained and submit these to the Executive Director before agreed deadlines
- Report work progress to the Executive Director monthly;
- Prepare and submit annual work plans and audit programme to the Executive Director for recommendations; and
- Advise the Executive Director regarding any aspect of irregularities as per the findings of the audit.

**During the period under review, the internal Auditor has carried out audit(s) as follow:**

- Routine audit** - an audit that reviews the Commission's adherence to the laws regulation and policies of the organization.
- Follow up audit** - an audit designed to evaluate the effectiveness of a corrective action that is officially closed after all of the recommendations have been endorsed for closure through the follow-up audit process.
- Ad hoc audit** – an action taken for a particular reason or in a special situation. This audit is only carried out on request from a supervisor.

**Table: 13: Types of audit carried out during the 2019/2020 Financial Year**

ROUTINE AUDIT	FOLLOW AUDIT	AD –HOC AUDIT
House Subsidy and House allowance	Vehicle inspection	Motor vehicle allowance for Management
Promotional Items	-	-

### 3.3.6 Sub-Division: Information Technology

The sub-section is responsible for providing access to ICT services, systems administration, and networking to all ACC staff members and office premises including computers, printers, e-mail, telephone services, intranet, software internet, ACC extranet (website), as well as various platforms to connect to the cooperate network. The sub-division further, ensures monitoring of computer equipment; monitoring and controlling of the IT infrastructure, and the application of installation standards and procedures are adhered to.

**During the 2019/2020 Financial Year, the sub-division managed to carry out the following activities:**

- The workgroup set up has been migrated to a domain structure of client to server setup with the ACC domain; acc.namibia.org being now active and central upgrades can be now done from Headquarter server to all workstation under the ACC network.
- VPN from home, a service is known as co-location is now active and is only set up for some investigators.
- The ACC I-way mails downtime has been minimised. With the help of i-way, the emails have been migrated from the faulty old database server of i-way namely <http://webmail.iway.na/> to <https://webmail.na/> thus email issues have been minimised.
- Upgraded the Go Case Management System for investigators version in all regions
- Established a web intranet in case the regions experience slow connection
- Installed software programmes and Anti-viruses in all computers at all ACC four offices
- Maintenance and network installation were carried out successfully at all Regional Offices and the Head Office.

### 3.3.7 Sub-Division: Public Relations

The Public Relations (PR) sub-division plays an integral part in shaping the image of the Commission by ensuring that public confidence and trust in the Commission are enhanced. This is achieved through a robust public relations strategy and related activities implemented through the media and directly to the public. The PR Sub-division is further responsible for promoting and increasing the visibility and the image of the Commission. Also, PR Sub-division is responsible for enhancing/strengthening internal and external communication.

**The PR Sub-Division thus focuses on the following key result areas:**

#### *i. Event management*

During the FY under review, this sub-division had played pivotal roles in the organisation and management of various events, which were well organised, attended, and communicated effectively throughout the Commission, an event such as the Commemoration of the African Anti-Corruption Day, held 11 July in Oshakati.

#### *ii. Media Relations*

The PR sub-division has, through its media relations and management strategy, taking a proactive engagement approach that will ensure that all media queries are addressed timely. It further ensures that the information is communicated timely through the media and directly to the media. Hence, during the period under review, a total number of thirty-one (31) press releases were issued in respects to events and cases where the Commission has taken action against the suspects and or information dissemination to the public.

#### *iii. Media Monitoring and Analysis (MMA)*

During the year under review, the PR sub-division has conducted media monitoring and media analysis, this was done daily, and quarterly reports were produced for further discussion with Management. The MMA is done based on all print media; however, social media platforms were also scanned to give a slight border scope to the activity. Besides, the MMA focused on corruption-related matters. To this effect four (4) MMA quarterly reports were produced.

#### *iv. Public awareness / Media Interviews*

During the period under review, the sub-division facilitated and coordinated the Commission's interviews with NBC National Radio, Cosmos Radio, and One Africa TV on issues raised in the media.

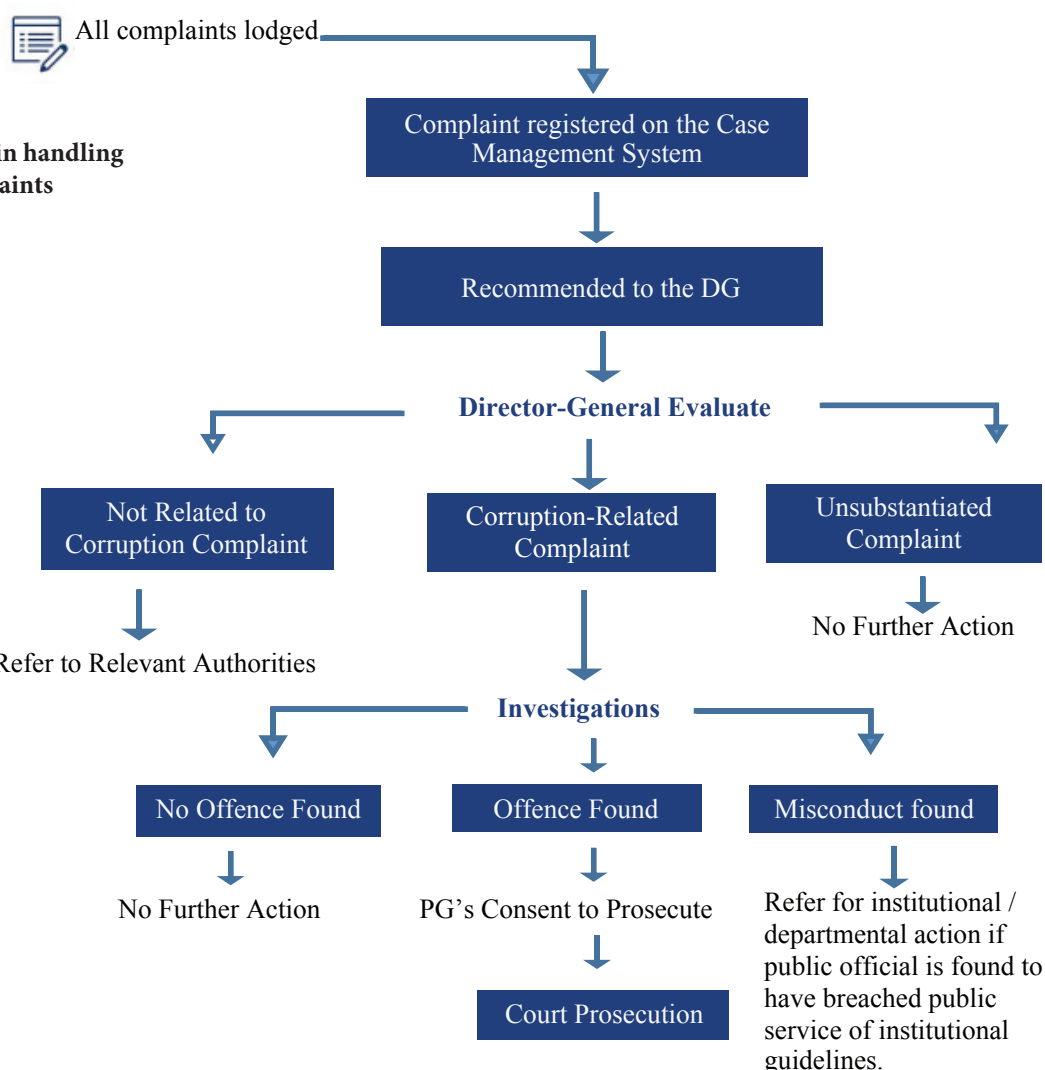
## HOW ACC HANDLES CORRUPTION COMPLAINTS.

ACC is empowered by the Anti-Corruption Act, 2003 to investigate corruption complaints. It investigates other offences only when these offences are discovered in the course of investigating corruption offences. All corruption complaints received by the Commission are registered on the case management system (go-case) and then recommended to the Director-General for evaluating whether the complaint is on a reasonable ground warrants investigation or not.

Complaints that do not fall under ACC's purview, are referred to relevant authorities. If a complaint is too vague, ACC may not be able to act upon it. As such, it is always helpful if complainants/informants can provide the Commission with as much information as possible.

Once the decision is made to look into a corruption complaint received, an investigation will be conducted. If sufficient evidence is gathered for court prosecution, the case is then referred to the PG. If the PG then decides to prosecute, the corrupt offenders will be arrested and charged in court for offences under the Anti-Corruption Act, 2003.

In cases involving public officials, whereby investigations do not disclose any criminal offence but instead shows they may have breached civil service or departmental guidelines on conduct and discipline, such cases are referred to relevant OMAs departments for internal or departmental actions.



**Fig. 18 Processes in handling corruption complaints**





## PART 4

# CONCLUSION



BE PART OF THE FIGHT!



#### 4.1: CONCLUSION

The implementation of anti-corruption measures is a bedrock for good governance. Good governance entails being pro-active in promoting the values of transparency and accountability. Poor governance breeds corruption as it creates incentives for corruption to flourish. ACC has observed remarkable progress in the implementation of anti-corruption strategies. For this, ACC commends respective institutions for a demonstrable commitment displayed over years.

Though so, there is still a lot that all sectors of society still need to do to ensure efficient and proper management of resources. Implementation of anti-corruption measures effectively prevent re-occurrence of mismanagement and corruption. At this very moment when majority of citizens are in the dire state of need for employment and economic opportunities, Namibia cannot afford to let limited resources put to be mismanaged. Plundering and looting of public resources is an ugly phenomenon all citizens must reject and resist.



# NOTES

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**BE PART OF THE FIGHT!**

**Refrain from Any Kind of Corruption!! "Take a Stand for Your Integrity"**

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