

**COMMEMORATION OF INTERNATIONAL ANTI-CORRUPTION DAY**  
**9TH DECEMBER**



**LET US ALL SAY NO WAY TO CORRUPTION IN NAMIBIA!**



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# INTERNATIONAL ANTI-CORRUPTION DAY

December 9th is commemorated as the **International Anti-Corruption Day**. The Day was set following the adoption of the **United Nations Convention Against Corruption** by the United Nations General Assembly in its Resolution 58/4 of 31st October 2003.

The Convention was then opened for signature in Merida, Mexico from 9 to 11 December 2003 where more than 120 governments including Namibia met for a signing conference. As a result of this international historic event, 9th December was designated by the United Nations General Assembly as an **International**

**Anti-Corruption Day** with a view to recognize that we all have a personal responsibility to help end corruption. As a legally binding international anti-corruption instrument, the **United Nations Convention Against Corruption** provides a unique opportunity to mount a global response to corruption.

## UNITED NATIONS CONVENTION AGAINST CORRUPTION

The Convention embodies a comprehensive approach to corruption, recognizing the importance of both corruption prevention and punitive measures. The Convention furthermore obliges governments who have signed and ratified it to, among others -

- Develop domestic laws in compliance with its provisions to: -
  - criminalize an array of corrupt practices;
  - develop national institutions to prevent corrupt practices and to prosecute corrupt offenders;
  - cooperate with other governments or anti-corruption agencies in the fight against corruption and the recovery of stolen assets;
  - promote the active participation of individuals and groups outside the public sector; and
- Provide for appropriate funding to its bodies specializing in combating corruption

## NAMIBIA IN THE FIGHT AGAINST CORRUPTION

Significantly, Namibia did not only sign and ratify the **United Nations Convention Against Corruption**, but thereafter the Namibian Parliament enacted domestic laws in compliance with the provisions of the Convention.

This year the Anti-Corruption Commission decided to commemorate the International Anti-Corruption Day under the theme: **Youth Integrity for a Prosperous Namibia**. Our youth are the future of Namibia. There is a need to increase integrity amongst the youth to ensure a sustainable future.

The ACC remains committed to intensify its integrity and awareness raising campaigns in its fight against corruption, as the best cure for corruption is to prevent it.

# THE YOUTH AND THEIR ROLE IN FIGHTING CORRUPTION

The youth of today is tomorrow's leaders. They have to adhere to universal principles such as ethics and integrity that govern correct behaviour if we want a solid foundation on which to build Namibia's future.

## WHAT CAN THE YOUTH DO IN THE FIGHT AGAINST CORRUPTION?

- They can:
- Educate themselves about corruption.
  - Spread the word and educate others about corruption.
  - Become anti-corruption advocates - form groups in their communities or learning institutions and campaign for increased anti-corruption efforts.
  - Be persons of integrity, lead by example and refrain from acting corruptly.
  - Lastly, but not the least they should if they experience or know about corruption, report it.



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# WHAT CONSTITUTES CORRUPTION?

Corruption is a collection of phenomena.

It is therefore not possible to give a one-line definition of corruption. However, of importance is that be it in the public or private sector corruption is known to exploit or create a conflict of interest resulting in the employee departing from his or her normal action because of some incentive or improper inducement.

## EXAMPLES OF FORMS OF CORRUPTION:

- **BRIBERY** - the giving/offering of a benefit to unduly influence an action or decision.
- **EMBEZZLEMENT, THEFT, FRAUD** - the taking or conversion of property by an individual who has access to such property by virtue of his or her position/employment, but who is not entitled to it.
- **FAVOURITISM AND NEPOTISM** - involve the abuse by an official of his or her discretion governed by the interests of someone linked to the official through family, political party, tribal, religious or other ties.
- **INSIDE TRADING/ABUSE OF PRIVILEGED INFORMATION** - the use of information secured during the course of duty by an employee for personal gain.
- **UNDER/DOUBLE INVOICING** - Under invoicing: With the connivance of the buyer the seller presents invoices showing less money than that actually received in order to pay less taxes/duties.  
Double invoicing: Multiple invoices are produced for purposes of misleading the revenue authorities for private gain.
- **EXTORTION** - the unlawful extraction of money or a favour through the use of a threat of violence or of the disclosure of damaging information.

# STATISTICS OF CASES REPORTED TO THE ACC

The ACC is an independent institution that investigates incidences of corruption. It also educates the public on corruption and how to prevent it.

During the period 1 January 2008 to 30 November 2008 -

- the ACC received 863 reports of alleged corrupt practices;
- the ACC dealt with 474 cases of which 63 had been referred to the Prosecutor-General for a decision;
- the Prosecutor-General decided to prosecute in 31 instances and trial dates were set;
- 27 out of the 63 cases referred are still in the process of either awaiting a decision or being further investigated.



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# CAUSES AND CONSEQUENCES OF CORRUPTION

Corruption has a variety of causes that differ from country to country, but generally it can be said that corruption thrives when the rewards for acting corruptly are high and the possibility of getting caught low.

## POSSIBLE CAUSES OF CORRUPTION

- Failure to adhere to, and correctly apply or enforce, laws and policies
- Breakdown of social values and lack of training in ethics
- Absence of a culture of transparency and accountability
- Insufficient supervision that allows for opportunities for dishonesty and misuse of public property for private gain
- Delay in the taking and implementation of decisions
- Failure to provide for market related remunerative packages
- Greed

## POSSIBLE CONSEQUENCES OF CORRUPTION

Where corruption flourishes it -

- **induces mistrust** in government and fellow citizens as corruption is regarded as the norm
- **undermines social values** as it seems easier and more lucrative to engage in corruption than to seek employment
- **discourages investment** by both local and international investors
- **undermines economic growth** as corruption enriches a few at the expense of the majority
- **hampers** effective delivery of public services and goods

## WHAT ARE THE ELEMENTS OF A CORRUPT-FREE NAMIBIA

### An active and engaged public

- that exercises pressure on government to ensure transparency and accountability in public institutions; and

### An active civil society

- that supports law enforcement agencies in their effort to prevent corruption
- that holds government accountable for its actions or lack thereof; and
- that assists to educate, and enlist the support of, the public at grassroot level

### Political will

- the adoption of policies and procedures at national, regional and local level that promote transparency and accountability

### Free and independent media

- that continuously exercise pressure to increase transparency and accountability in Namibia; and
- that keep the public abreast of latest developments in all spheres

# WHERE AND TO WHOM CAN CORRUPTION BE REPORTED

Corruption can be reported to the ACC's Report Centre which can be reached via phone, e-mail, fax or visited in person. Every case that is reported will receive attention. However, matters that do not fall under the ACC's mandate might be referred to relevant authorities for their cognisance and action.

Once an investigation in a particular matter has been finalized the Director will -

- if there is sufficient evidence, refer the matter to the Prosecutor-General for a decision;
- if there is insufficient evidence, close the matter or decide on any other appropriate action and cause the whistleblower to be informed.

The ACC address and contact details are as follows:

**12th Floor, Dr Frans Indongo Gardens  
Dr Frans Indongo Street  
PO Box 23137  
Windhoek  
Tel (061) 370 600  
Fax (061) 300 952  
Free Hotline: 0800 222 888**



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