



BE PART OF THE FIGHT!

# ANNUAL REPORT

## 2017-2018





**BE PART OF THE FIGHT!**

**ANTI-CORRUPTION COMMISSION**  
**ANNUAL REPORT**  
**2017/2018**

## Vision

“A corrupt-free Namibia”

## Mission

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

## Core Values

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





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## LIST OF ACRONYMS

<b>ACC</b>	Anti-Corruption Commission
<b>ACEM</b>	Anti-Corruption Education Manual
<b>AMTA</b>	Agro-Marketing & Trading Agency
<b>CRA</b>	Corruption Risk Assessment
<b>CRMP</b>	Corruption Risk Mitigation Plan
<b>DPECP</b>	Directorate of Public Education and Corruption Prevention
<b>KPI</b>	Key Performance Indicator
<b>IUM</b>	International University of Management
<b>M&amp;E</b>	Monitoring and Evaluation
<b>NaTIS</b>	Namibian Traffic Information System
<b>MoF</b>	Ministry of Finance
<b>NACS</b>	National Anti-Corruption Strategy
<b>NACSC</b>	National Anti-Corruption Steering Committee
<b>NTB</b>	Namibia Tourism Board
<b>NBC</b>	Namibia Broadcasting Corporation
<b>NUST</b>	Namibia University of Science and Technology
<b>OMAs</b>	Offices, Ministries and Agencies
<b>RCC</b>	Roads Contractor Company
<b>SADC</b>	Southern Africa Development Community
<b>TUCSIN</b>	The University Centre for Studies in Namibia
<b>UNAM</b>	University of Namibia
<b>UNCAC</b>	United Nations Convention Against Corruption



## FOREWORD 2017/2018



I am pleased to account to the public on the activities of the Anti-Corruption Commission (ACC) during the financial year 2017/2018.

Article 94A of the Constitution of the Republic of Namibia provides for the administrative and legislative measures necessary that the State must put in place to prevent and combat corruption. The same article also provides for the establishment by an Act of Parliament of an Anti-Corruption Commission which is an impartial and independent body. The Anti-Corruption Act, 2003 (Act No. 8 of 2003) defines the powers and functions of the ACC. The functions are mainly to investigate allegations of

corrupt practices, educate the public, disseminate information on the evil and dangers of corruption and to take measures for the prevention of corruption.

With regard to investigation, the law defines the mandate of ACC in relation to any conduct that is criminalised as a corrupt practice. Meaning that ACC is not mandated to investigate administrative or moral issues. To be specific, the defined conduct include the following:

- Offence of corruptly accepting gratification,
- Offence of corruptly giving gratification,
- Corruptly accepting gratification by or giving gratification to agent,
- Corrupt acquisition of private interest by public officer,
- Corruption in relation to tenders,
- Bribery of public officer,
- Corruption of witnesses,
- Bribery of foreign public officials,
- Bribery in relation to auctions,
- Bribery for giving assistance in relation to contracts,
- Corruption using office or position for gratification,
- Corruption in relation to sporting events,
- Dealing with, using, holding, receiving or concealing gratification in relation to any offence, and
- Attempts and conspiracies.

It is relevant to inform the public that the Act initially defined corruptly as *"in contravention of or against the spirit of any law, provision, rule, procedure, process, system, policy, practice, directive, order or any term or condition pertaining to –*

- a) *any employment relationship,*
- b) *any agreement, or*
- c) *the performance of any function in whatever capacity".*

ACC was hopeful that the definition would serve as a tool to effectively investigate cases of corruption and drag culprits before criminal courts to account, particularly with respect to any alleged corrupt practices committed due to non-adherence to administrative policies, rules and procedures. However, the High Court in the case of *Lameck and Another v President*





of the Republic of Namibia and Others, 2012 (I) NR 255 (HC) decided that the definition was “too wide” and therefore unconstitutional. As a result, the whole definition of corruptly was struck down. The High Court reasoned that the intention to commit corruption must be derived from the evidence gathered rather than mere non-adherence to the set rules and procedures. The standard set makes it difficult for the ACC to find evidence to prove intent as corruption is perpetrated in secrecy and often both parties have benefited from the illicit deal. Corruption is an invisible crime.

Corruption is a broader phenomenon that is often perpetrated through many different acts. In this regard, fighting corruption demands a multidisciplinary approach. Preventing corruption calls for the introduction of comprehensive sets of standards, measures, rules, policies and procedures that must be enforced by both the administrative and investigation bodies. Corruption is an evil that is not only committed through pure criminal conduct, but also by political and administrative ill-conceived decisions.

There is a set of reports about mismanagement of public funds where public moneys is committed to unbudgeted expenditures and loss of public moneys due to improper political or administrative decisions. These are not necessarily criminal conduct that must be prosecuted in the criminal courts, but are often administrative wrongdoings, by virtue of which wrongdoers ought to be called by the relevant authorities to account, failing which they must, irrespective of their status, face the consequences of their collusive or negligent decisions. Often when members of the public read about allegations of mismanagement, malfeasance and unbudgeted expenditures, they form the opinion that ACC has failed to carry out its mandate. The public disregards the principle that ACC, by virtue of a law, is established as a criminal investigation body with powers to investigate defined corrupt practices as listed under Chapter 4 of the Anti-Corruption Act. It was never the intention of the lawmakers to give general mandate to ACC to investigate any issue of public concern.

Those who were entrusted with the mandate to draft the Constitution of the Republic of Namibia were very much aware of the need for administrative bodies to subject wrongdoers to disciplinary charges, provided they act fairly and reasonably and comply with the requirements imposed upon such bodies by the relevant laws. Policymakers and administrators ought to account for their actions or omissions before the relevant appointing authorities in the quest to demonstrate unreserved commitment to effectively eliminate corruption in Namibia. Not all wrongdoings that result in unnecessary public expenditure consist of criminal elements of corruption. The standard of proof in all criminal prosecution, including corruption prosecution, is ‘proof beyond reasonable doubt’ as opposed to proof in disciplinary charges, which is based ‘on the balance of probability’. Criminal proceedings in Namibia are of equal concern as it takes an undesirable amount of years before a case is finally disposed of. A holistic fight against corruption demands resolute action by both policymakers and administrators against the wrongdoers. Policy-makers particularly, must not fear to confront those under their authority and demand accountability. Public officials are appointed in positions of trust and a breach thereof ought to result in either a civil or criminal action.

Corruption causes economic damage and limits development. This is particularly the case when principles of good governance and systems are not adhered to. Corruption erodes the moral fabric of society and damages the ethos of democratic governments. The effects of corruption on society can be long and destructive. Corruption benefits few individuals, but is costly to the larger society.



The then Secretary-General of the United Nations, Mr. Kofi Annan while launching the United Nations Convention against Corruption (UNCAC) described the effects of corruption in the following pertinent terms:

“Corruption is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life and allows organized crime, terrorism and other threats to human security to flourish. This evil phenomenon is found in all countries – big and small, rich and poor - but it is in the developing world that its effects are most destructive.

“Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a Government’s ability to provide basic services, feeding inequality and injustice and discouraging foreign aid and investment. Corruption is a key element in economic underperformance and a major obstacle to poverty alleviation and development.”

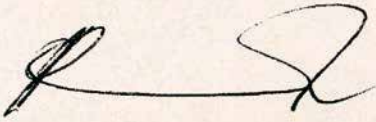
During the year under review, ACC conducted several anti-corruption awareness campaigns. Officials in the Directorate of Public Education and Corruption Prevention visited various institutions in the different regions. Since prevention of corruption is the primary objective, the ACC embarked on a Corruption Risk Analysis (CRA) programme. Through this programme the different components of an institution are evaluated with the objective of identifying institutional factors that support or enhance corrupt practices. A mitigating plan is developed with measures to minimize the probability or impact of corruption effects. Integrity Management workshops were held for selected institutions vulnerable to corruption. The implementation of the National Anti- Corruption Strategy and Action Plan remains the focus of ACC. Workshops were held in all fourteen regions to raise awareness on the importance of the implementation by all stakeholders. The Regional Council Authorities play a critical role to delivery of services. They are the providers of basic services to their respective residents, therefore it is critical that all services rendered is free of corruption. In addition, ACC also conducted community outreach activities to raise awareness amongst the general public.

ACC conducted investigations on many reported allegations of corrupt practices. These are allegations of matters that fall within the mandate of ACC. Once again, ACC is a criminal investigation agency and its mandate is to investigate the previously mentioned criminal offences. With regard to matters that do not fall within the powers of ACC, these are referred to relevant authorities for investigation and appropriate action.

Public officials of various ministries, offices, agencies, public enterprises, and regional and local authorities are the custodians of the relevant laws tasked with the responsibility of accounting to the public in relation to corruption prevention within their respective institutions. In this regard, effective laws that largely curb conflict of interest and unlawful expenditure contribute to the prevention of corruption.

It is appropriate to remind the public that the African Union 30th Ordinary Session of the Assembly of Heads of State and Government held in Addis Ababa on 28th to 29th January 2018, dedicated 2018 the African Year against Corruption under the theme “Winning the fight against Corruption: A sustainable Path to Africa’s Transformation.” This is done with the objective for the political leadership on the African continent to rededicate themselves to the fight against corruption. The combat against corruption is the assurance for the realization of the 2030 Agenda for Sustainable Development Goals and Aspirations of AU Agenda 2063.

Fighting corruption is the business of every sector. The most effective to fight corruption is to build collective strategy and act in unison.



**Paulus Kalomho Noa**  
**Director-General**





## TOP MANAGEMENT



**Mr. Paulus Kalomho Noa**  
**Director-General**



**Adv. Erna van der Merwe**  
**Deputy Director-General**



**Mr. Hannu Shipena**  
**Permanent Secretary**

## DIRECTORATE OF INVESTIGATIONS

### Handling of cases during the financial year 2017/18

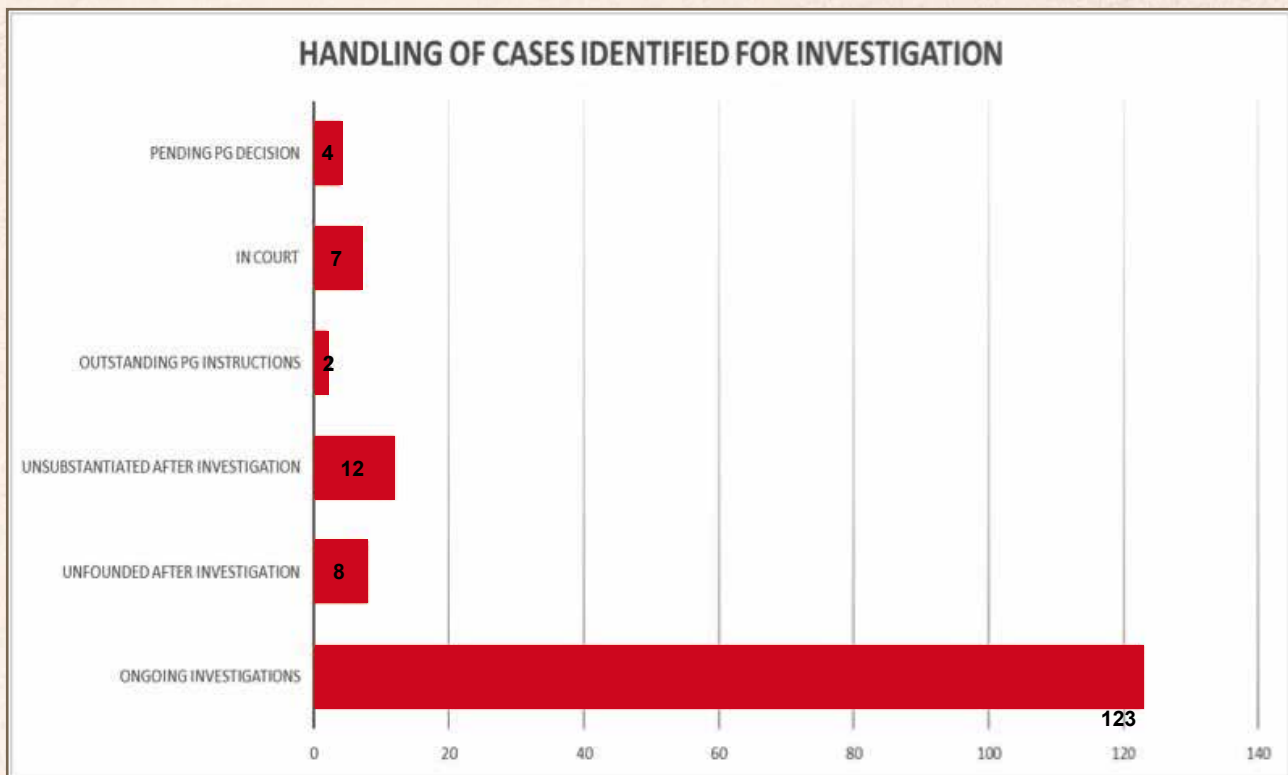
The ACC received 325 complaints in the 2017/18 financial year representing a decrease of 20 cases from the 345 complaints received during the 2016/17 financial year. During financial year under review, 156 (48%) of the 325 complaints received were earmarked for investigation by the ACC, compared to 168 cases during the previous financial year. The complaints received by the ACC were both corruption and non-corruption related.

Approximately half the complaints received by the ACC over the past three years were non-corruption related and were referred to the relevant government authorities for their action. The quality and amount of relevant information of the corruption complaint received directly affects whether the case can be pursued. The majority of non-pursuable corruption complaints were due to insufficient, vague or unsubstantiated information provided.



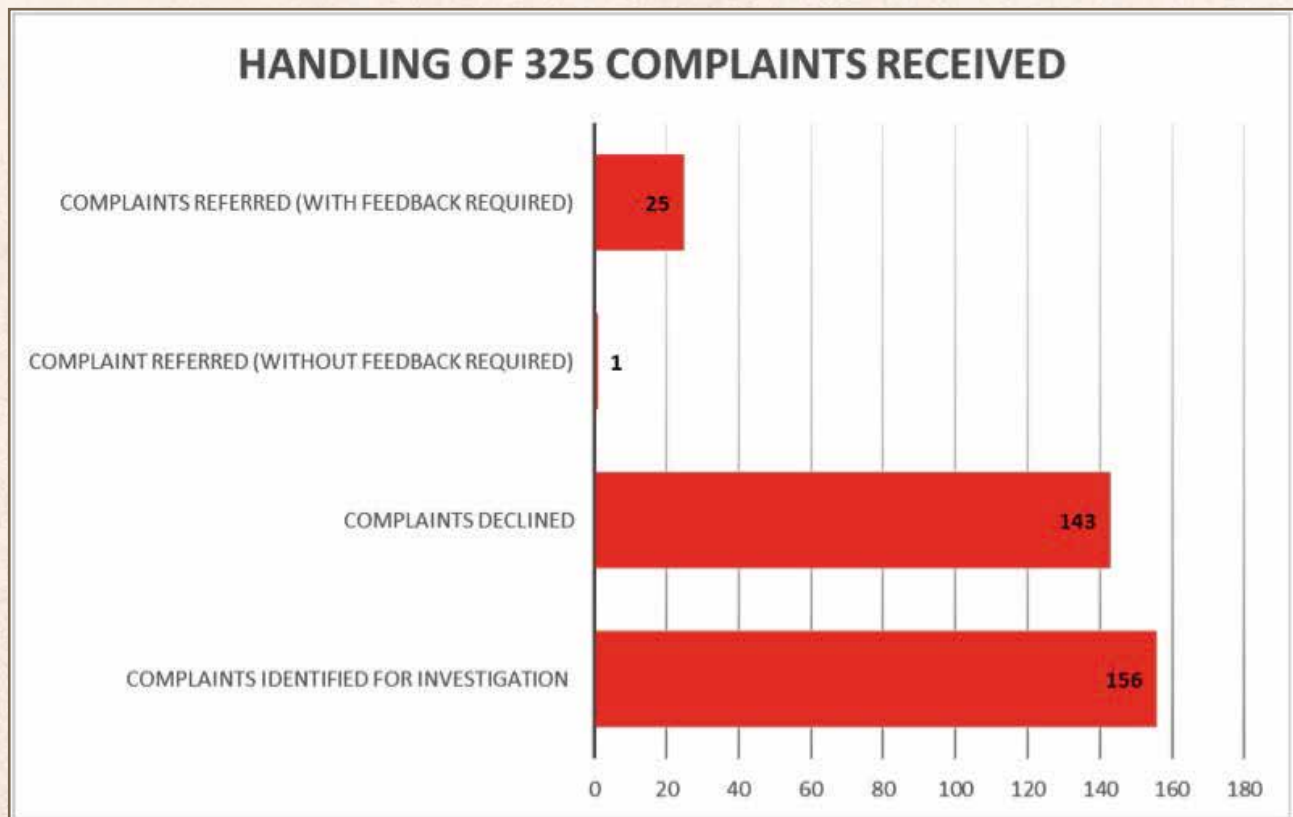
Mr. Nelius Becker  
Head: Investigation

The handling of cases identified for investigation is broken down as indicated below





The chart below depicts the overall handling of the 325 complaints received during the financial year under review



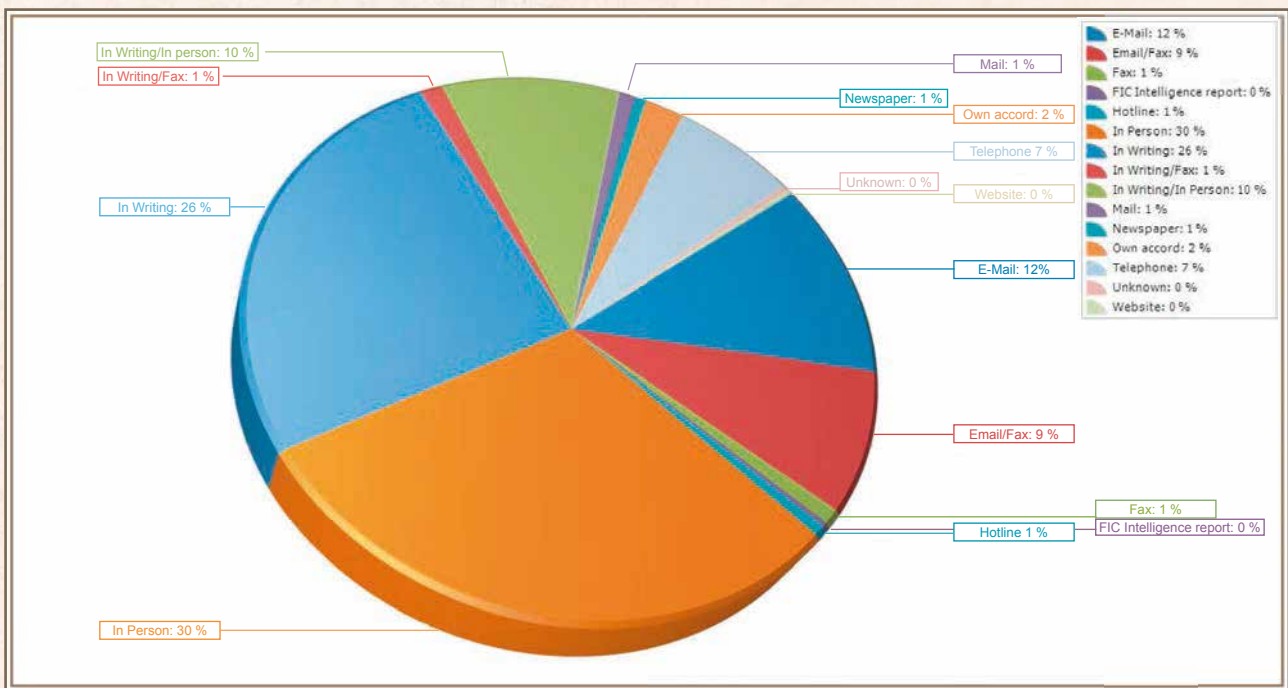
At the beginning of the financial year 249 investigations were carried over from previous years of which 89 (36%) were completed during the financial year under review.

#### PREFERRED REPORTING METHOD

The majority (30%) of complaints received by the ACC in 2017/18 were made in person. Complaints lodged in this manner are most effective since the ACC can 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. 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.



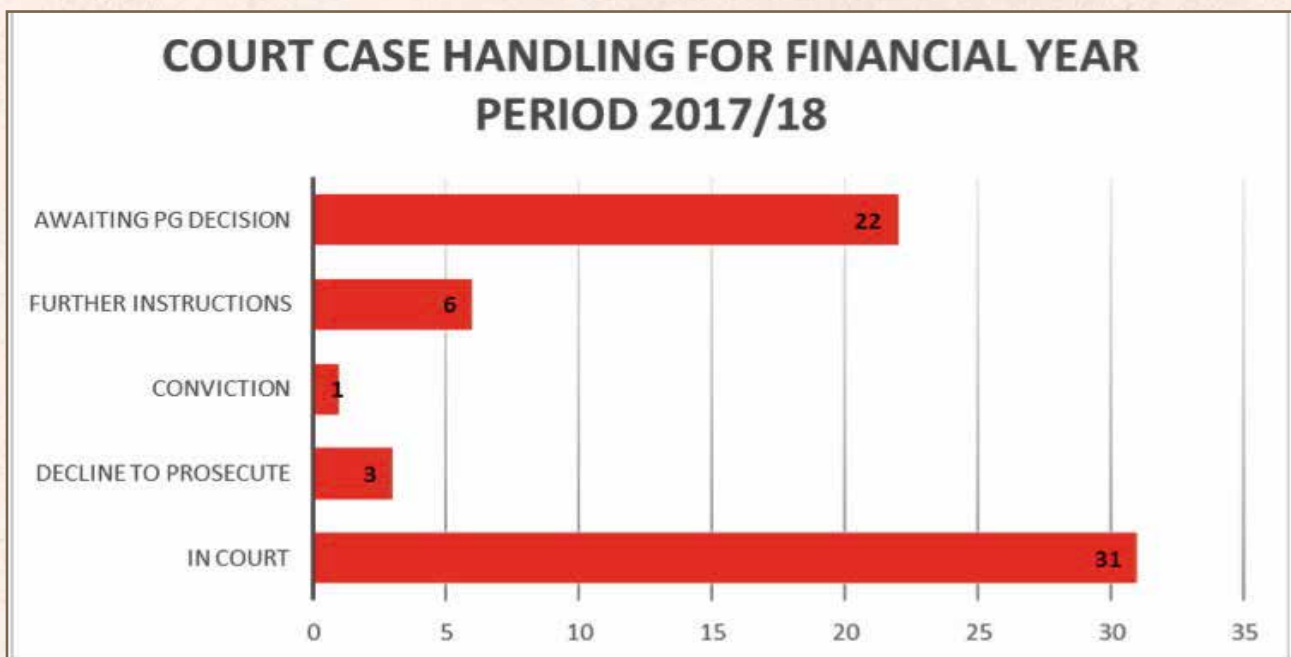


### CLEARANCE RATE REMAINS HIGH

In total to date the Commission received 6364 complaints of which 2456 (39%) were identified for investigation or preliminary investigation. Of the 2456 cases, 1969 were dealt with resulting in an overall clearance rate of 80%. 2619 (41%) of the cases were summarily closed and 1289 (20%) of the cases were referred to other institutions.

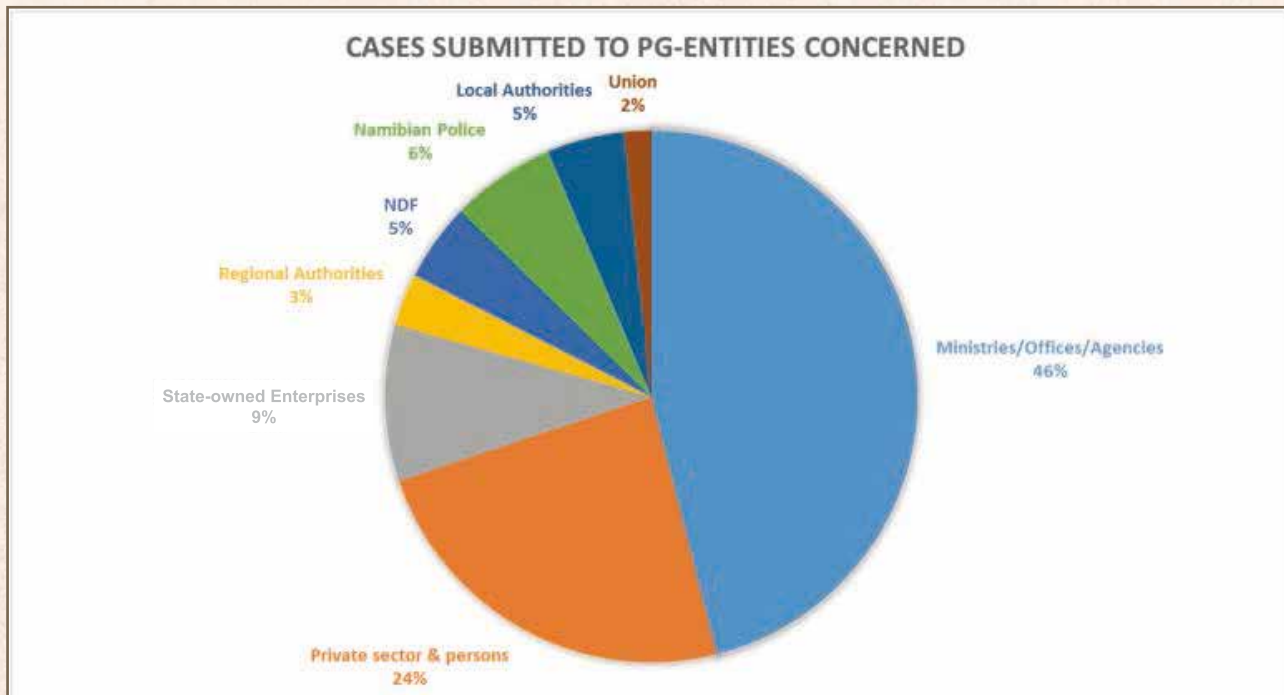
### COURT CASE HANDLING

During the financial year under review, 63 case dockets were referred to the Office of the Prosecutor-General for decision in terms of section 31 of the Anti-Corruption Act, 2003. Of the 63 submitted, only one case (1.5%) was finalised in court resulting in a conviction, 31(49%) of the cases is before court, in three cases (5%) the Prosecutor-General declined to prosecute, 6 cases (10%) are with the Directorate of Investigations to comply with further instructions and in 22 cases (35%) the decision of the Prosecutor-General is awaited. The cases submitted were handled as per the table below.





The following chart illustrates that the majority of cases submitted to the Office of the Prosecutor-General for a decision concerned employees of Offices/Ministries and Agencies followed by the private sector and then State-owned Enterprises.



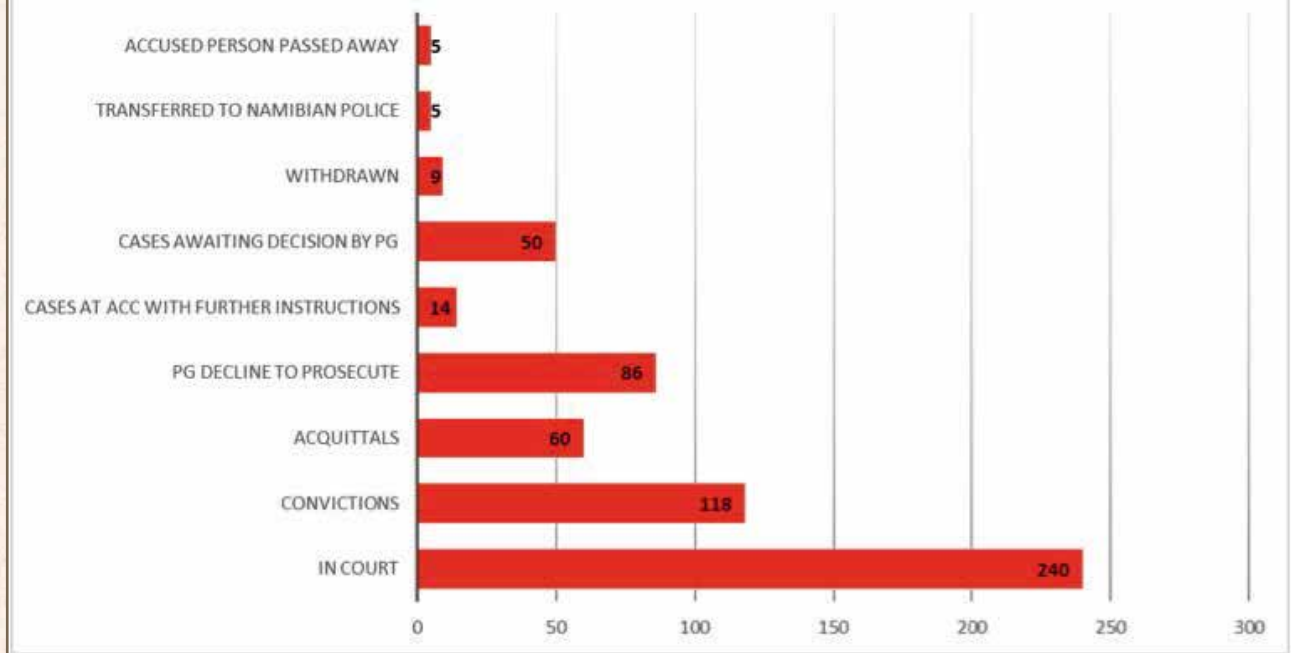
#### OVERALL VIEW OF CASES SUBMITTED TO THE OFFICE OF THE PROSECUTOR-GENERAL SINCE INCEPTION

- Since its inception the ACC has submitted 587 cases to the Office of the Prosecutor General.
- 240 cases (41%) are still in court and have not been finalised, some dating back to 2007.
- 118 (66%) of those that were finalised resulted in conviction.
- 60 (34%) of those that were finalised resulted in acquittal.
- In 86 (15%) of the cases the Prosecutor-General declined to prosecute.
- 14 cases (3%) in total are currently with the Commission in order to comply with further instructions.
- 50 cases (9%) are still awaiting a decision by the Prosecutor-General.
- 9 cases were withdrawn.
- 5 cases were transferred to the Namibian Police.
- In 5 cases the accused passed away.

Of all the cases where the Prosecutor-General decided to prosecute only 44% have been finalised in court.



## OVERALL HANDLING OF DOCKETS SUBMITTED TO THE PG SINCE INCEPTION





## Notable cases forwarded to the Prosecutor-General

CASE REFERENCE	RANK	ENTITY	DESCRIPTION	ALLEGED CORRUPT PRACTICE
ACC HQO 14-001342	Chief system administrator (2)	Ministry of Agriculture, Water and Forestry and Office of the Prime Minister	Performed under a contract of supply for the entities where they were employed without required permission to person outside remunerative work	Corrupt acquisition of private interest by public officer
ACC HQO 14-000995	Control officer	Office of the Prime Minister	Utilised fuel card for private purposes	Corruptly using office or position for gratification
ACC HQO 13-00611	Office for inspection and farming	Agribank	Falsified documentation in order to ensure that a private person that applied for a loan qualifies for such a loan	Corruptly using office or position for gratification, person and agent using documentation containing falsifications to mislead and offences under the Stock Brands Act
ACC OSH 14-001168	Director of Administration	Oshikoto Regional Council	Corruption in regard to appointments	Corruptly using office or position for gratification
ACC OTJ 15-001778	Soldier	Namibian Defence Force (NDF)	Corruption in regard to employment	Corruptly using office or position for gratification
ACC OSH 15-001825	Hospital employees and private business entity employees	Selma Raino Private Hospital	Corruption in respect of the purchases of pharmaceutical products and payments	Person or agent used documentation containing falsifications to mislead, defraud, commit money laundering
ACC HQO 15-001688	Employees	Cymot (Pty) Ltd	Corruption with regard to falsified sick certificates	Person or agent used documentation containing falsifications to mislead, commit forgery and uttering
ACC HQO 16-001955	Finance manager	Namib Contract Haulage	Utilised cheques in order to misappropriate N\$731,735.99 from the company	Person or agent used documentation containing falsifications to mislead, commit forgery and uttering, commit fraud (on 20 counts)
ACC HQO 16-002134	Private businessman	Private person	Corruptly accepting a bribe of N\$39,000.00 as an inducement	Corruptly accepting gratification, defeating the course of justice, money laundering
ACC HQO 17-002218	Police officer	Namibian Police	Corruptly soliciting and accepting a bribe in relation to the execution of his duties as an inducement not to act	Corruptly using office or position for gratification
ACC OTJ 16-002179	Cleaner and private person	Private company	Corruptly soliciting and accepting a bribe in exchange for providing assistance to unlawfully obtain a heavy motor vehicle driving licence	Corruptly accepting gratification

<b>ACC ERO 17-002265</b>	Site agent	Yiangsu Zhengtai Construction Group	Corruptly solicited a bribe in order to release payments to service provider	Corruptly accepting gratification by an agent
<b>ACC OTJ 16-001919</b>	Chief works inspector	Ministry of Works and Transport	Unauthorized use of government vehicle resulting in death of a private person after an accident	Corruptly using of office or position for gratification
<b>ACC HQO 16-002139</b>	Consultant and 11 others	Private persons/ Ministry of Home Affairs and Immigration	Corrupt issuance of Namibian identity documentation based on fraudulent documentation	Person or agent uses documentation containing falsifications to mislead
<b>ACC HQO 13-000859</b>	Chief Regional Officer and 5 others	Hardap Regional Council	Corruption in regard to the awarding of security tenders	Corruptly using office or positions for gratification, abetting and conspiring in corruption
<b>ACC OTJ 14-001085</b>	Merchandiser and businessman	Road Authority / NATIS	Corruption in regard to the obtaining of a licence in an unlawful manner	Conspiracy to commit corruption
<b>ACC HQO 08-000462</b>	Driver	Ministry of Health and Social Services	Corruptly utilised Government Fuel Cards for private purposes	Corruptly using office or position for gratification
<b>ACC HQO 16-002137</b>	Public prosecutor	Ministry of Justice	Corruption in relation to the creation of fictitious witnesses and false claims for witness fees (value N\$411,733.00)	Corruptly using office or position for gratification, criminal racketeering
<b>ACC HQO 17-002335</b>	Driver and labourer	Ministry of Works and Transport	Corrupt and unauthorized use of Government vehicles	Corruptly using office or position for gratification
<b>ACC ERO 17-002235</b>	Private business owner	Private Company	Corruptly bribed a Namibian Police Traffic Official with N\$20 000 not to act against his Transport Company	Corruptly giving gratification to an agent
<b>ACC HQO 15-001600</b>	Strategic Executives Corporate Services and Finance	Rundu Town Council	Corruptly awarding of tenders to companies in which their relatives has interest	Corruptly using officer or position for gratification
<b>ACC ERO 15-001823</b>	Artisan plumber	Ministry of Works and Transport	Corruptly using government fuel card for private purposes	Corruptly using office or position for gratification
<b>ACC HQO 16-002142</b>	Legal clerk, Interpreters (3)	Ministry of Justice	Corruptly receiving payments in exchange for cancelling traffic tickets at court	Corruptly use of office or position for gratification
<b>ACC OTJ 17-002241</b>	Public relations officer	Ministry of Works and Transport	Corrupt and unauthorized use of Government vehicle for private purposes	Corruptly use of office or position for gratification
<b>ACC HQO 14-001154</b>	Driver	Ministry of Land Reform	Corrupt and unauthorized use of government vehicle and fuel card for private purposes	Corruptly use of office or position for gratification



<b>ACC HQO 15-001789</b>	Private person (18 Accused persons)	Ministry of Finance and Aveshe Consultancy (Pty) Ltd	Corruptly using fraudulent documentation to claim VAT payments for goods that were never exported	Fraud and corruption 488 charges in total
<b>ACC HQO 15-001531</b>	Cabinet Ministers (2)	Ministry of Land Reform, Ministry of Education, Arts and Culture	Corrupt allocation of resettlement farm to a relative of the Minister	Corruptly use of office or position for gratification
<b>ACC HQO 15-001608</b>	Private businessman (3)	Next Generation Conservation Trust	Corrupt use of false invoices and documentation in respect of a fundraiser	Person or agent used documentation containing falsifications to mislead and money laundering
<b>ACC HQO 17-002287</b>	Cleaner	NDF	Corruption in respect of employment in the NDF	Corruptly using office or position for gratification
<b>ACC HQO 17-002397</b>	Businessman and clearing agent	IBB Military Equipment and Accessories Supplies CC and Trade Log Cargo CC	Corruption in regard to declarations of value of scanners imported in Namibia	Person or agent uses documentation containing falsifications to mislead, criminal racketeering
<b>ACC HQO 13-000953</b>	Mayor, Member of Management Committee	Keetmanshoop Municipality	Corruption in regard to subsistence and travel claims submitted	Person or agent uses documentation containing falsifications to mislead, corruptly using office or position for gratification
<b>ACC HQO 13-000837</b>	Clerk	National Arts Council	Solicited bribes	Corruptly using office or position for gratification
<b>ACC OTJ 14-001162</b>	Chief administrative officer	Ministry of Health and Social Services	Corruption in respect of a contract for the renovation of the Otjiwarongo State Hospital (N\$1,3 million)	Person or agent uses documentation containing falsifications to mislead
<b>ACC HQO 17-002250</b>	Chief legal clerk	Ministry of Justice	Corruption in respect of monies paid for traffic fines	Corruptly using office or position for gratification
<b>ACC HQO 16-002131</b>	Ambulance driver	Ministry of Health and Social Services	Corruption in respect of using a government ambulance in transporting maize bought in Zambia to Namibia	Corruptly using office or position for gratification
<b>ACC HQO 17-002233</b>	Driver, administrative officer and private person	Ministry of Home Affairs and Immigration	Corruption in respect of the solicitation of a bribe in order to issue a full birth certificates	Corruptly using office or position for gratification, corruptly accepting gratification by an agent
<b>ACC HQO 17-002271</b>	Police officials	Namibian Police	Corruptly solicited a bribe from a person in exchange for not acting against him	Corruptly using office or position for gratification
<b>ACC HQO15-001716</b>	Secretary-General	Namibian Food and Allied Workers Union (NAFAWU)	Corruption in regard to payments of membership fees	14 charges of corruptly using office or position for gratification
<b>ACC HQO 17-002227</b>	Consultant	Estate and Wills Administration business	Corruption in regard to funds of a deceased estate	Fraud

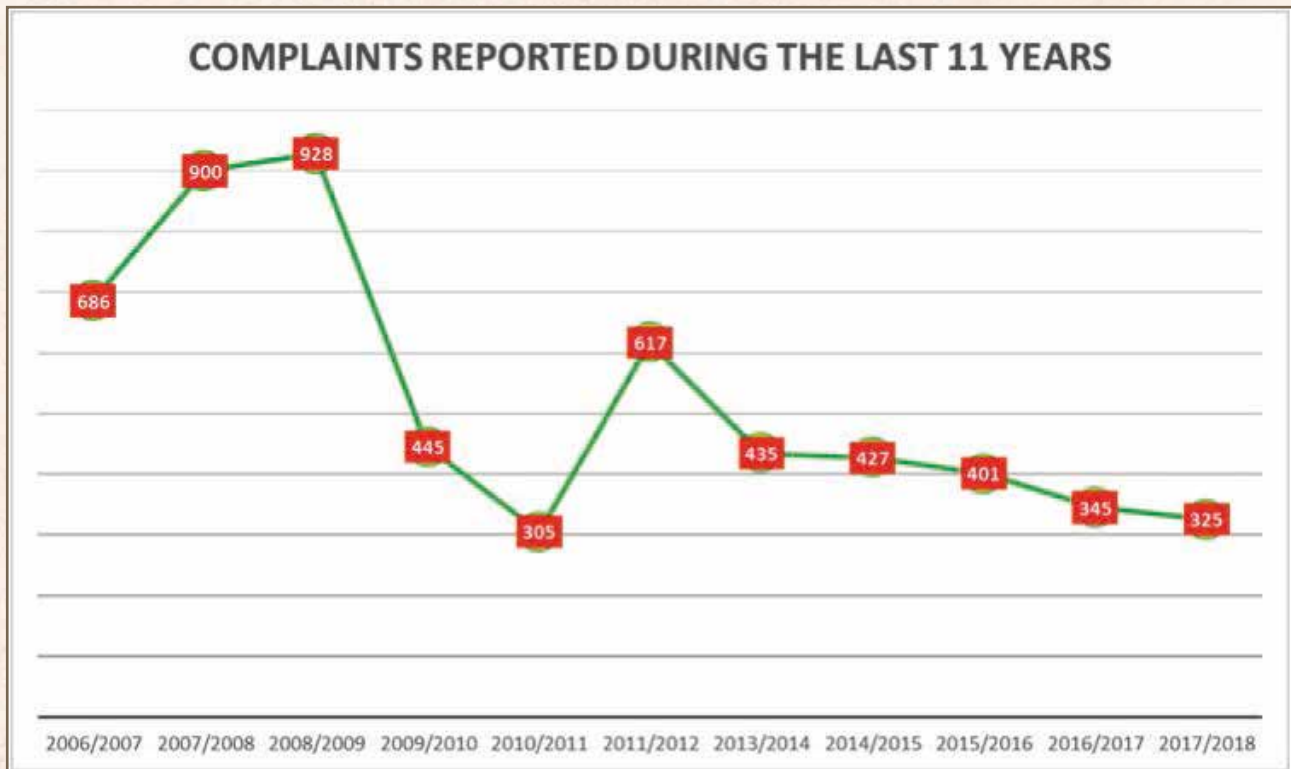
<b>ACC ERO 16-002016</b>	Immigration officials	Ministry of Home Affairs and Immigration	Corruption in regard to the extension and issuance of work visas	Corruptly using office or position for gratification
<b>ACC HQO 16-002002 &amp; ACC HQO 14-001045</b>	CEO, Board Director and staff	Namibia Airports Company (NAC)	Corruption in respect of various tenders at NAC	Corruptly using office or position for gratification
<b>ACC HQO 17-002230</b>	Police officials, Detective	Namibian Police	Corruptly solicited a bribe in order to destroy a police case docket	Corruptly using office or position for gratification
<b>ACC HQO 17-002370</b>	Procurement manager	TransNamib Holdings Ltd	Corruptly solicited payment of a bribe in order to release scrap metal to a service provider	Corruptly using office or position for gratification
<b>ACC HQO 17-002322</b>	Immigration officer	Ministry of Home Affairs and Immigration	Corruptly solicited a bribe from an illegal immigrant	Corruptly using office or position for gratification (2 charges)
<b>ACC HQO 10-00228</b>	Deputy Director and 14 others	Ministry of Agriculture, Water and Forestry	Corruptly submitted false documentation regarding cut lines that was constructed, whilst the work was never performed	Corruptly using office or position for gratification (2 charges), money laundering
<b>ACC OSH 17-002326</b>	Police officials	Namibian Police	Corruptly solicited a bribe from a person suspected of a crime in order not to arrest him	Corruptly using office or position for gratification
<b>ACC HQO 15-001709</b>	Private person	Bar owner	Corruptly utilised documentation containing falsifications in order to obtain Namibian citizenship	Person or agent uses documentation containing falsifications to mislead
<b>ACC HQO 17-002477</b>	Interpreter	Ministry of Justice	Corruptly received money from members of the public in order to pay their fines and misappropriated it	Corruptly using office or position for gratification
<b>ACC OTJ 15-001827</b>	Messenger	Ministry of Finance	Corruptly utilized government fuel card to purchase tyres for private use	Corruptly using office or position for gratification
<b>ACC OTJ 17-002321</b>	Private persons (3)	No particular entity	Corruptly impersonated a ACC and Police Officials in order to extort cash	Impersonating an Authorized official of the ACC, impersonating a Police Official, fraud, extortion
<b>ACC HQO 17-002298</b>	Private person	No particular entity	Corruptly forged and uttered a fake permanent residence letter	Person or agent uses documentation containing falsifications to mislead, forgery and uttering
<b>ACC HQO 17-002493</b>	Accountant	Ministry of Environment and Tourism	Corruptly received payments from tourist without recording such payments and misappropriated the cash	Corruptly using office or position for gratification



<b>ACC HQO 17-002362</b>	Cleaner	Ministry of Home Affairs and Immigration	Corruption in regard to employment	Corruptly using office or position for gratification
<b>ACC HQO 14-001340</b>	Businessman	H & H Sons Investments	Corruption in relation to issuing of invoices for work never performed	Person or agent uses documentation containing falsifications to mislead
<b>ACC 16-002051</b>	Acting CEO, Chairperson of Council, Private businessman	Maltahöhe Village Council	Corruption in relation to tender for the construction of the Fire Brigade building	Corruptly using office or position for gratification
<b>ACC HQO 17-002438</b>	Premises project manager	Standard Bank Namibia	Corruption in relation to a bribe solicited in order to allocate work to a service provider	Corruptly accepting gratification by an agent
<b>ACC OTJ 15-001731</b>	Camp manager and driver	Namibia Wildlife Resorts	Corruption in regard to the purchasing of goods on government account for private use	Corruptly using office or position for gratification
<b>ACC HQO 14-001377</b>	Principal and Chairperson of School Board	Otjomuise Project School	Corruption in respect of the misappropriation of school funds	Corruptly using office or position for gratification



## Trend of complaints reported to the ACC during the last 11 years

**ANNUAL PERFORMANCE REVIEW OF THE DIRECTORATE OF INVESTIGATION**

The Directorate of Investigation identified the following three crucial Key Performance Indicators (KPIs) in its annual plan:

1. Minimum number of cases allocated (of which at least two cases should be backlogged cases older than one year (if applicable), measured from date when allocated) for investigation resolved (with a yearly target of four cases per investigator);
2. number of case docket inspections conducted and reports submitted by supervisor where the target was at least one inspection every quarter; and
3. progress reports should be provided to the whistle-blower (one report every quarter on ongoing investigations and court cases).





Strategic Objective	Project (MTEF Activities)	Output	KPI	Base Line	Expected Target 2017/18	Actual Target 2017/18	% Annual progress achieved
1. Reduce corruption in Namibia	1. Conducting investigations	1. Resolve investigations within reasonable expectations and a reasonable time, with constant supervision and guidance	1. Minimum number of cases allocated (of which at least two cases should be backlogged cases older than one year(if applicable), measured from date when allocated) for investigation resolved	96	108	121	112%
			2. # of case docket inspections conducted and reports submitted	25	52	34	65%
			3. % of progress reports provided to whistle-blowers (one report every quarter, on ongoing investigations and court cases)	0%	100%	42%	42%

As is evident per the above table, the completion of case dockets target was exceeded. Not all inspections were performed and thus this area needs improvement. Investigators did not meet the expectation with regard to the issuance of progress reports to whistle-blowers due to the utilisation of various formats. After a uniform format was introduced better results on this KPI are expected in the 2018/2019 financial year.



## Other notable ongoing investigations of the financial year under review

CASE REFERENCE	CASE FILE NAME	CITY	OFFENCE DESCRIPTION
ACC HQO -17-002269	Namibia Tourism Board (NTB) - Chairperson of the Board	Windhoek	Allegations levelled against the Chairperson of the Board that he has interest in a company that is not registered with NTB and that he received funds to the total amount of N\$682,700.00 during the period of June 2016 to December 2016 from NTB, which is in contravention of section 24 of the Namibia Tourism Board Act, 2000 (Act No. 21 of 2000)
ACC ERO-17-002273	Henties Bay Municipality - alleged corrupt practices with regard to construction of roads at Henties Bay Municipality	Henties Bay	Alleged corruption in regard to a payment to a contractor and the issuance of payment certificates without the road construction work being completed
ACC HQO 17-002274	Social Security Commission	Windhoek	Alleged corruption in regard to the purchase of properties earmarked for the construction of new offices for the Social Security Commission to the value of N\$13,000,000.00
ACC HQO 17-002284	Office of the Vice-President (Allocation of official dwelling)	Windhoek	Allegations of corruption in regard to the allocation of an official dwelling and the renovation thereof
ACC HQO 17-002289	Keetmanshoop Municipality	Keetmanshoop	Various allegations of corruption levelled against some staff members of the Keetmanshoop Municipality
ACC HQO 17-002290	Community of Grootfontein / Grootfontein Municipality	Waterberg	Allegation of corruption involving N\$92 million and corruption in respect of land allocation
ACC HQO 17-002300	Mpungu Fish Farm Construction of GRN House	Nkurenkuru	Allegation that a three-bedroom house was constructed at Mpungu Fish Farm at Nkurenkuru in Kavango West region at the expense of government. It is further alleged that the construction cost of the three bedroom house escalated to more than N\$3,000,000.00
ACC HQO 17-002299	The University Centre for Studies in Namibia (TUCSIN)	Windhoek	Allegation that an employee of TUCSIN has presented duplicate invoices for payments and channelled such payments to his own bank accounts
ACC HQO 17-002336	Namibia Professional Boxing and Wrestling Control Board (NPBCWB)	Windhoek	Alleged corruption at NPBCWB
ACC ERO 17-002338	Various allegations of corrupt practices at Usakos Town Council	Usakos	Various allegations of corruption at the Usakos Town Council



<b>ACC ERO 17-002340</b>	Alleged corrupt practices with regard to obtaining of marine harvesting rights	Windhoek	Allegations of corruption in that misrepresentations were allegedly made to the Ministry of Fisheries and Marine Resources in order to obtain rights to harvest marine resources
<b>ACC HQO 17-002356</b>	Meatco	Windhoek	Allegation that Meatco has advertised and subsequently awarded a tender unprocedurally
<b>ACC HQO 17-002354</b>	Medical equipment procurement corruption	Windhoek	Allegations of corruption in the procurement of various medical equipment for the Ministry of Health and Social Services
<b>ACC HQO 17-002358</b>	Private dental Practices	Ondangwa	It is alleged that a Dental Practice was operating under the name of another practice and had submitted fraudulent dental claims to PSEMAS
<b>ACC HQO 17-002364</b>	Rehoboth Town Council	Rehoboth	Allegations of corruption levelled against the CEO and the Mayor in respect of awarding a lease of a property unprocedurally
<b>ACC HQO 17-002374</b>	Ministry of Health and Social Services	Windhoek	Alleged corruption in that an employee of the Ministry of Health and Social Services had an interest in a company that provided services to the Ministry
<b>ACC HQO 17-002382</b>	Salt pans	Windhoek	Allegations that documentation, specifically letters and mining licence applications were forged in order to mislead the whistle-blower as well as the Ministry of Mines and Energy
<b>ACC ERO-17-002387</b>	Alleged corrupt practices with regard to SADC certificates of origin of export goods	Walvis Bay	Contravention of section 35 (3) (a)(b) Knowingly gave to the Zambian Authorities, Namibian Customs and Excise documentation that contained false information with the intention to mislead the Zambian Revenue Authorities
<b>ACC HQO 17-002391</b>	Chinese logging/ Forestry case	Katima Mulilo	Alleged corruption in respect of a tender for the Ministry of Agriculture, Water and Forestry.
<b>ACC HQO 17-002398</b>	Administrator of a deceased person's estate	Windhoek	Various allegations in separate case dockets in regard to alleged corruption by an administrator of a deceased person's estate.
<b>ACC ERO-17-002415</b>	Alleged corrupt practices with regard to pre-approval letters to fishing rights from the Ministry of Fisheries and Marine Resources	Walvis Bay	Allegation that a person forged a letter pertaining to be that of the Ministry of Fisheries and Marine Resources in order to commit fraud
<b>ACC HQO 17-002424</b>	Legal fees payment	Windhoek	Alleged corruption in respect of the payment of legal fees of an employee of the City of Windhoek who was charged for corruption.
<b>ACC HQO 17-002430</b>	Corruption allegations against Okahandja Town Council		Various allegations of corruption levelled at Councillors of the Okahandja Town Council
<b>ACC HQO 17-002433</b>	Government Hardap Region	Mariental	Various allegations of corruption levelled against the former Governor of the Hardap Region
<b>ACC HQO 17-002454</b>	Allegation of corrupt practice in a land deal between AMTA and a businessman	Windhoek	Allegation of corrupt practices in acquiring land by Agro-Marketing & Trading Agency (AMTA)

<b>ACC HQO 17-002455</b>	Local furniture outlet		Alleged corrupt practices regarding the purchase of office furniture for the new offices of the Namibian Civil Aviation Authority
<b>ACC HQO 17-002457</b>	Allegation of corrupt practices in procuring female hats at Correctional Services Ministry of Safety and Security	Windhoek	Corrupt practices in procuring female uniform headwear at Correctional Services
<b>ACC HQO 17-002429</b>	BIPA office purchase	Windhoek	Allegations of contravention of section 43(1) of the ACC Act in regard to the purchase of a property for BIPA
<b>ACC HQO 17-002518</b>	Allegation of misuse of public funds at New Era Publication Corporation	Windhoek	Allegation of misuse of public funds at New Era Publication Corporation
<b>ACC HQO 18-002558</b>	Private person and lawyer	Khomas	Allegation of corruption levelled against a lawyer and a private person during a transaction where a residence of an Angolan citizen was sold
<b>ACC HQO 18-002561</b>	Ministry of Safety and Security	Opuwo	Allegation of corruption and the existence of a "ghost employee" on the Namibian Police Payroll
<b>ACC HQO 18-002563</b>	Customs Mohembo Dankie Botswana	Rundu	Allegation of corruption concerning Customs Officials that are involved in tax evasion and criminal activities regarding the transit in bond of imported vehicles
<b>ACC HQO 18-002590</b>	Resettlement /Toivo Ya Toivo	Windhoek	Allegation of corruption in regard to the awarding of a resettlement farm to the wife of the late Mr Andimba Toivo Ya Toivo





**Types of corrupt practices identified in the financial year 2017/2018**

No	Description of the most prevalent types of corrupt practices identified during the 2017/2018 financial year
1.	Government employees not obtaining required permission or declaring their interest in order to enable them to deliver services to O/M/As where they are employed
2.	Corrupt utilization of government property for private use (i.e. misuse of vehicles, fuel cards)
3.	Corrupt use of documentation containing falsifications in order to obtain benefits (i.e. application forms, false qualifications, falsifications of Home Affairs documentation, tax returns)
4.	Corruption and nepotism in regard to appointments in advertised positions
5.	Corruption in regard to exploiting unemployed persons by misrepresenting to them that they needed to pay an amount of money in order to facilitate employment, whilst the suspect only intends to misappropriate such payment
6.	Tender and procurement corruption (inflation of process, forged quotations, bribes etc.)
7.	Bribes in respect to obtaining learner's or driving licences without being tested
8.	Corruption in regard to obtaining citizenship or work permits
9.	Corruption by employees in the judicial system (fraudulent claiming of witness fees, misappropriation of cash, misappropriation of money paid by members of the public for traffic fines)
10.	Corruptly submitting forged documentation to claim VAT and other benefits
11.	Corruption in regard to the importation of goods (and goods in transit on bond) and presenting fraudulent and lowered invoices in order to evade paying tax
12.	Corrupt allocation of resettlement farms
13.	Corruption in respect of fraudulent subsistence and travel claims
14.	Corrupt solicitation of bribes by police officials as an inducement not to arrest the suspects or destroying case dockets
15.	Corrupt demands by traffic officers of on the spot payment of fines by foreigners/tourists in respect of traffic violations with the intention to misappropriate the money
16.	Corrupt omission by some immigration officials to take action against certain persons suspected to have violated the Immigration Act
17.	Corruption in respect of capital projects and construction carried out by Regional and Local Authorities (advance payments, kickbacks, issuance of payment certificates whilst work not performed, accepting substandard work, etc.)
18.	Corruptly using of office or position for gratification e.g. purchase of fixed properties by some State-owned Enterprises
19.	Corruption in respect of PSEMAS claims
20.	Corruption in respect of mining and related licences
21.	Corruption in regard to the awarding of rights to harvest marine resources
22.	Corruption in respect of the handling of the estates of deceased persons

## INVESTIGATION METHODOLOGIES

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

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 organized crimes.

## CASES REFERRED TO OTHER INSTITUTIONS WITH A REQUEST FOR FEEDBACK

The Commission referred 60 cases to other institutions with a request for feedback. It should be noted that within the period under review some of the cases were closed and some were identified for further full investigations. Feedback is still awaited with regard to twenty-five cases.

CASE REFERENCE	ALLEGATIONS	INSTITUTION REFERRED TO
ACC-ERO-17-002330	Alleged corrupt practices at Erongo Red Swakopmund/Walvis Bay	Erongo Red
ACC-ERO-17-002401	Alleged corrupt practices at Ministry of Mines and Energy in regard to Exclusive Prospecting Licences at Farm Etusis, Karibib District	Ministry of Mines and Energy
ACC-ERO-17-002447	Alleged abuse of a government vehicle, Swakopmund	Ministry of Information and Communication Technology
ACC-ERO-17-002486	Alleged corrupt practices in regard to procurement procedure at Seaflower	Seaflower Namibia
ACC-ERO-17-002502	Allegations regarding Dust-A-Site (Pty) Ltd	Rio Tinto Rossing Uranium Mine
ACC-ERO-17-002523	Alleged corrupt practices in regard to the issuing of permits by Ministry of Agriculture, Water and Forestry for de-bushing Mopane trees	Ministry of Agriculture, Water and Forestry
ACC-HQO-17-002270	Allegations of corruption at Kunene Regional Tender Board	Kunene Chief Regional Officer
ACC-HQO-17-002275	Alleged corrupt practices in respect of VAT refunds being made without the required supporting documentation and fraud at the Inland Revenue Office	Ministry of Finance
ACC-HQO-17-002276	Ministry of Education - allegations that an employee is renting out her residence for which she receives a subsidy in contravention of the Public Service Staff Rules	Ministry of Education, Arts and Culture
ACC-HQO-17-002279	NATIS (Roads Authority) - allegations that selective permission is afforded to persons to utilise the testing area of NATIS after normal office hours	Roads Authority
ACC-HQO-17-002284	Office of the Vice President-alleged favouritism in the allocation of official dwelling	Office of the Vice President
ACC-HQO-17-002305	Rehoboth Town Council - allegations that an employee of the Rehoboth Town Council illegally sold erven to people who never applied for erven and accepted payments in respect thereof	CEO Rehoboth Town Council
ACC-HQO-17-002318	Refugee Administration Directorate - alleged corruption in regard to the appointment of staff	Ministry of Home Affairs and Immigration



ACC-HQO-17-002320	Namibia Correctional Service - allegations that advanced payments were made for goods procured, whilst the goods were not yet delivered	Namibia Correctional Services
ACC-HQO-17-002324	Ministry of Health and Social Service and UNAM - it is alleged that certain full time employees of the Ministry of Health and Social Services and at the same time also own private practices, are holding full time positions with full time pay both at the Ministry and at the University of Namibia (UNAM)	Ministry of Health and Social Services and UNAM
ACC-HQO-17-002336	Namibia Professional Boxing and Wrestling Control Board - alleged corruption in regard to the management of finances	Namibia Professional Boxing and Wrestling Control Board
ACC-HQO-17-002341	Government employees unlawfully occupying hostel flats and receiving free lodging and meals	Ministry of Education, Arts and Culture
ACC-HQO-17-002343	Theft of revenue by staff members	Ministry of Health and Social Services
ACC-HQO-17-002344	Namibian Police Clinic - it is alleged that some officials were purchasing unnecessary medical equipment and stock at inflated prices	Namibian Police
ACC-HQO-17-002348	Ministry of Finance/Financial Assistance Programme - allegations that payments for assistance are being made to persons not in the employment of the Ministry or towards institutions whilst no person is studying there	Ministry of Finance
ACC-HQO-17-002350	Karasburg Town Council/Tenders - alleged conflict of interest and corruption in the awarding of work to relatives of Town Council employees	Karasburg Town Council
ACC-HQO-17-002363	Prosperity Health Namibia - fraudulent or corrupt claims being made on a medical aid member's account by a relative	Namibian Police
ACC-HQO-17-002366	Rehoboth Town Council - alleged corruption in respect of the sale and development of land at the Oanob Resort	Rehoboth Town Council
ACC-HQO-17-002369	Mashare Agricultural College - alleged theft of equipment at the College	Ministry of Agriculture, Water and Forestry
ACC-HQO-17-002385	Alleged extortion by members of the Namibian Police, City Police and theft of cable from the City of Windhoek	Namibian Police
ACC-HQO-17-002394	Various allegations of corruption made against Okahandja Town Council/Councillors	Okahandja Town Council
ACC-HQO-17-002399	First Capital Housing Funds- Windhoek - alleged corruption in regard to the construction of a residence	GIPF
ACC-HQO-17-002408	Dental Clinic - allegations in regard to inflated costs charged by a Dentist	Ministry of Finance
ACC-HQO-17-002414	Import tax under declared	Ministry of Finance
ACC-HQO-17-002421	Aroab Small Farmers Cooperation Limited - alleged provision of false information in an application for resettlement	Ministry of Land Reform
ACC-HQO-17-002424	Legal fees payment - alleged corruption in regard to the payment of Legal fees for an employee arraigned on corruption charges	City of Windhoek
ACC-HQO-17-002432	Corruption at Salambala Conservancy	Salambala Conservancy
ACC-HQO-17-002434	Medical supply agencies - allegations of pricing transfer and tax avoidance	Financial Intelligence Centre

ACC-HQO-17-002446	Special advisor misusing GRN vehicle	Governor, Zambezi Region
ACC-HQO-17-002448	Kunene Regional Council - various allegations of alleged corrupt practices at Kunene Regional Council	Ministry of Urban and Rural Development, Auditor-General
ACC-HQO-17-002458	Allegation of corruption in business transactions between a Windhoek Service Station and Total Namibia	Total Namibia
ACC-HQO-17-002460	Rundu Town Council - allegations regarding the alleged unprocedural appointment of an investigator	Rundu Town Council
ACC-HQO-17-002487	Immigration Control - alleged corruption in respect of the extension of a visitors permit	Ministry of Home Affairs and Immigration
ACC-HQO-17-002489	OKM Brokerage CC - alleged fraud at points of entry into Namibia, by insisting that visitors purchase insurance	Namibian Police, Ministry of Finance (Customs)
ACC-HQO-17-002491	Sikosinyana Secondary School - alleged irregular expenditure and financial mismanagement	Ministry of Education, Arts and Culture
ACC-HQO-17-002495	Ministry of Health TB Tender Fleet - Alleged corruption in respect of the awarding of a tender	Ministry of Health and Social Services
ACC-HQO-17-002497	UNAM - alleged corruption in respect of the marking of students' examination papers	UNAM
ACC-HQO-17-002504	Allegation of corrupt practice by a veterinary officer of Ministry of Agriculture, Water and Forestry, Gobabis	Ministry of Agriculture, Water and Forestry
ACC-HQO-17-002508	Ministry of Education - it is alleged that an employee of Ministry of Education, Arts and Culture was served with a forged final written warning letter concerning her absenteeism, and in violation of Public Service Staff Rules.	Ministry of Education, Arts and Culture
ACC-HQO-17-002515	School for Visually Impaired - alleged corruption in respect of the claiming of overtime	Ministry of Education, Arts and Culture
ACC-HQO-17-002516	Allegation of corrupt practice at Rundu Town Council - fire fighter position	Rundu Town Council
ACC-HQO-17-002519	Lüderitz Town Council: CEO and Financial Manager. Alleged corruption in regard to housing and housing allowances	Lüderitz Town Council: CEO and Financial Manager
ACC-HQO-17-002525	Allegation of corrupt practice in obtaining National documents by a South African National	Ministry of Home Affairs and Immigration
ACC-HQO-17-002526	Allegation of tax evasion by owner of car workshop at Swakopmund	Ministry of Finance
ACC-HQO-18-002532	Allegations that a project consultant was appointed at RCC without advertising the position and that his son was appointed as acting in the position for three months while he was on sick leave.	Roads Contractor Company
ACC-HQO-18-002550	Vehicle misuse the allegation that a police officer used to travel with an official police vehicle from Windhoek to Rehoboth to attend court proceedings in which he is an accused without authorization to do so thereby corruptly using his office or position in a public body for gratification.	Namibian Police
ACC-HQO-18-002555	Financial Assistance Fund - alleged favouritism in regard to the allocation of funds from the Financial Assistance Fund	Ministry of Justice
ACC-HQO-18-002567	Velloorsdrift Border Crossing - alleged corruption in regard to donated funds and fraudulent overtime claims	Ministry of Home Affairs and Immigration
ACC-HQO-18-002578	Allegations of a medical doctor working without a degree	Health Professions Council of Namibia



<b>ACC-HQO-18-002582</b>	Alleged tax evasion	Ministry of Finance
<b>ACC-HQO-18-002588</b>	Violations of Immigration Control Act. Allegation that a Kenyan National is employed in violation of the conditions of his employment permit	Ministry of Home Affairs and Immigration
<b>ACC-OSH-17-002293</b>	Rundu Catholic Hospital – alleged corruption in respect of the procurement system.	Catholic Health Centre
<b>ACC-OSH-17-002357</b>	Customs officials at Oshikango - alleged corruption in respect of the local disbursement of vehicles, imported in bond in order to avoid paying taxes	Ministry of Finance
<b>ACC-OSH-17-002427</b>	Uuvudhiya Youth Projects - alleged corruption in respect of grants and donations.	Oshana Regional Council, UNDP

## PRESS RELEASES

The Commission occasionally issues press releases in respect of cases where the Commission has taken action against the suspects or where information needs to be communicated to the public. During the financial year under review the Directorate of Investigations did 10 press releases. From time to time journalists also contacted the Commission to obtain specific information. The Commission has, where it was appropriate, shared appropriate, shared the information for public knowledge.



## DIRECTORATE OF PUBLIC EDUCATION AND CORRUPTION PREVENTION

The Directorate of Public Education and Corruption Prevention's (DPECP) core responsibilities include educating the public on the evils of corruption, preventing corruption, and enlisting public support in combating corruption. Successful execution of these responsibilities collectively contribute to attaining one of the Anti-Corruption Commission's strategic objectives, namely reducing corruption in Namibia. During the year under review, the DPECP carried out a number of activities under four key projects: Examining Systems, Practices and Procedures; Public Education on Corruption; Material Development; and Coordination of the Implementation of the National Anti-Corruption Strategy (NACS). The DPECP executes its functions through its four offices: Windhoek (serving Khomas, Hardap, Karas and Omaheke Regions), Otjiwarongo (serving Otjozondjupa, Kavango East, Kavango West and Zambezi Regions), Oshakati (serving Omusati, Oshana, Ohangwena and Oshikoto Regions) and Swakopmund (serving Kunene and Erongo Regions).



**Mrs. Namupa Nengola**  
Public Education and Corruption  
Prevention

### DIRECTORATE OF PECP ACTIVITIES

#### Examining Systems, Practices and Procedures

The Anti-Corruption Commission (ACC) examines the systems, practices and procedures of public and private institutions by carrying out a Corruption Risk Assessment (CRA). The CRA is a preventative programme whereby corruption risks pertaining to different functions/sections of an institution are analysed. The different components of an institution are evaluated with the aim of identifying institutional factors that favour, support or enhance corrupt practices by looking at their likelihood and impact. Thereafter, a mitigation plan is developed with measures to minimize the probability and impact of harmful effects is developed and the ACC then plays a supportive role in the implementation of the mitigation plan of an assessed institution by monitoring and evaluating its progress.

### CORRUPTION RISK ASSESSMENTS CONDUCTED

Five CRA exercises were executed at the following public institutions during the year under review:

- Gobabis Municipality
- Henties Bay Municipality
- Oshikoto Regional Council
- Erongo Regional Council: Directorate of Maintenance
- Otjiwarongo Municipality
- Ministry of Fisheries and Marine Resources

Corruption risks were identified within each of these public institutions, a risk mitigation plan was developed and an integrity committee was established. The Botswana High Commission in Namibia also expressed their interest in the CRA tool and requested ACC to conduct CRA with its officials. The said an exercise was successfully completed and a mitigation plan was developed.





*Otjiwarongo Municipality Councillors and staff and ACC officials attending the ACC CRA workshop*

### LAUNCH AND HANDOVER OF CORRUPTION RISK ASSESSMENT REPORTS

After the conclusion of a CRA activity in an institution, the ACC compiles a detailed report which outlines the assessment process followed and resolutions taken after the conclusion of a CRA activity in an institution. Any such reports are subsequently handed over to the assessed institution. The CRA reports for Ohangwena and Erongo Regional Councils were officially handed over by Advocate Erna van der Merwe, ACC Deputy Director-General. Otjiwarongo Municipality and Namibia Qualifications Authority also received their CRA reports during the year under review.



*Governor of Ohangwena Region, Hon. Usko Nghaamwa handing over the report to Mrs. Ndaitwa (IMC Chairperson) and Mr Phillipus (Acting CRO) after receiving it from ACC Deputy Director-General, Advocate Erna van der Merwe*



## IMPLEMENTATION, MONITORING AND EVALUATION OF THE CORRUPTION RISK MITIGATION PLANS (CRMP)

The ACC, in collaboration with the integrity committees, will ensure that the implementation of resolutions are adopted and included in the risk mitigation plan of each institution through regular monitoring and evaluation (M&E).

During the year under review, the ACC conducted M&E at the Ministry of Finance (MoF): Directorate of Customs and Excise whose CRA was conducted during the 2016/17 period.

This M&E was conducted via site visits at the following border posts: Walvis Bay Harbour, Wenela, Trans-Kalahari, Muhembo and Oshikango. During those visits, ACC officials interviewed key personnel and carried out verification to ascertain that actual corruption risk mitigation interventions as indicated in the MoF Corruption Risk Mitigation Plan were implemented. ACC also monitored and evaluated the implementation of the CRMPs of Henties Bay Municipality, Erongo Regional Council: Department of Works (Maintenance) and Rundu Town Council.

## CORRUPTION EDUCATION FOR THE PUBLIC AND PRIVATE SECTORS

Both the public and private sectors remain highly vulnerable to corruption. ACC is therefore educate officials in both sectors and disseminate information on the evils and dangers of corruption. This is done through various platforms such as workshops and seminars. All anti-corruption presentations to public and private sector officials comprise of ACC background, mandate, dissecting corruption, levels of corruption, causes and effects of corruption, reporting corruption and progress made by Namibia in the fight against corruption.

## ANTI-CORRUPTION AWARENESS FOR PUBLIC OFFICIALS

Activities to educate public sector officials on corruption and the dangers thereof were conducted for the following public officials during the year under review:

- Traffic officers (NAMPOL and Windhoek City Police), 100 officers
- Teachers of Paresis Secondary School, 7 teachers
- Tsaraxa Aibes PS, Karundu PS and Monica Geingos CS, 58 teachers
- Oshikoto Directorate of Education: Oshigambo Circuit, 29 consisting of principals and heads of department
- Kavango West Directorate of Education staff, 21 officials
- Kavango West NAMPOL management cadre and junior staff, 40 officials in total
- Walvis Bay Correctional Services staff, 69 officers
- Ministry of Land Reform staff, 12 officials
- OMAs in Usakos (Ministry of Education, Arts and Culture, Ministry of Youth, Sport and National)
- Youth Service, and Ministry of Safety and Security-Usakos Police, 21 officials
- Ministry of Safety and Security-Henties Bay Police, 22 officials
- Ministry of Labour, Industrial Relations and Employment Creation, 9 officials
- Ministry of Urban and Rural Development, Erongo Local Authorities, 36 officials
- Okakarara Town Council staff, 13 officials
- Community Skills Development Centre (COSDEC), Otjiwarongo and Ondangwa centres, 20 consisting of instructors and administrators
- Agribank, Otjeroku branch, 6 officials
- Telecom, Otjiwarongo branch, 17 officials
- Air Namibia Head Office, 40 officials
- UNAM, Henties Bay campus, 17 officials
- //Karas Regional Directorate of Education, 27 officials





*Oshigambo Circuit Inspector of Education, Mr NN Uugwanga (seated: 5th to the right) who invited ACC to their monthly Principals' Meeting*

#### **ANTI-CORRUPTION AWARENESS FOR PRIVATE SECTOR OFFICIALS**

Activities to educate private sector officials on corruption and the dangers thereof were conducted for employees of the following private enterprises during the year under review:

- Document Warehouse, 70 employees
- Ohorongo Cement, 54 employees
- Manica Group of Companies, 18 employees
- Otjikoto B2 Gold Mine, 14 employees
- IUM, Nkurenkuru campus, 10 employees



*Staff members of Ohorongo Cement pictured with ACC Officers*



## YOUTH OUTREACH

One of the most effective strategies in the fight against corruption is to educate the youth against corruption. Every year the ACC participates in various career fairs and pay visits to schools and institutions of higher learning to create awareness. During the year under review, the ACC reached a total of 1042 learners and students during the year under review, plus an unspecified number of students who visited the ACC exhibition stand at the Namibia University of Science and Technology (NUST) career fair. Youth outreach activities were done at the following places:

- Donatus Secondary School, 73 learners
- Otjiwarongo Namcol Centre, 63 learners
- Tertiary students UNAM, IUM and NUST), 40 students
- Oshikoto Schools Annual Career Fair, 866 learners
- NUST Career Fair



**ACC Officials with learners at NAMCOL Otjiwarongo Centre, Otjiwarongo**

## GENERAL PUBLIC AWARENESS

In addition to educating public officials, private sector employees and the youth, the ACC is also mandated to educate the public and enlist its support in the fight against corruption. In our interaction with the public, emphasis is placed on reporting corruption, as well as where and how to report corruption. The public is simultaneously accorded an opportunity to ask questions and submit their views and opinions on best practices in combating corruption. This is accomplished through various platforms including radio interviews, exhibiting at trade fairs and expos and the distribution of printed materials at roadblocks.

During the year under review, radio interviews with an anti-corruption content were also aired on NBC's Oshiwambo, Otjiherero, Afrikaans and National Service (English) radio stations. In addition, ACC also participated at Ongwediva Annual Trade Fair, Tsumeb Copper Festival, Windhoek Agricultural Show, Swakopmund International Trade Expo, and the Rundu Trade Fair.



Printed materials were also distributed at Spitzkoppe Settlement, Opuwo, Windhoek-Rehoboth roadblock, Windhoek-Hosea Kutako International Airport roadblock, Swakopmund-Walvis Bay roadblock, Yani Savva Police Station roadblock and Platz am Meer Mall in Swakopmund.

## MATERIAL DEVELOPMENT

Material development is a priority area for ACC. It contributes towards the fulfilment of its educational and preventative functions as mandated by the Anti-Corruption Act, 2003 (Act No.8 of 2003).

Therefore, during the year under review the following materials were developed:

- Communication Strategy on Anti-Corruption Education
- Corruption Risk Management Reference Guide
- Public Education and Corruption Awareness Guide
- Ethics and Anti-Corruption Reference Guide for the Public Sector
- Integrity Pledge Sheet
- Terms of Reference for Integrity Committees

## IMPLEMENTATION OF THE ANTI-CORRUPTION EDUCATION MANUAL (ACEM) FOR TEACHERS

ACC developed the ACEM, a Life Skills teacher's manual, the purpose of which is to support and equip teachers with information concerning corruption. During the period under review, an additional 142 Life Skills teachers were trained to incorporate the Anti-Corruption Education Manual for Teachers into their lessons as a teaching material. This is a continuation of the training that commenced in the 2015/16 financial year. The latest training covered the following regions: Kavango West, Omaheke, Zambezi, Kunene, Ohangwena and Oshana. A survey was also conducted in Ohangwena, Oshikoto, Oshana, and Omusati regions to establish the number of teachers who might still need to undergo this training.

The same survey served as a monitoring tool to establish the successes and challenges experienced by Life Skills teachers in using the manual. As part of their feedback, teachers were asked to give their recommendations on how to respond to the challenges that they have encountered in the implementation of the manual. The feedback received was overwhelmingly positive. Among others, the survey revealed that the manual is a useful resource in the classroom and that anti-corruption topics in the manual generate interesting discussions among learners.



*Bunya Circuit Life Skills Teachers, Kavango West Region*



## NATIONAL ANTI-CORRUPTION STRATEGY (NACS) 2016-2019

The National Anti-Corruption Strategy (NACS) is Namibia's policy instrument aimed at consolidating well-coordinated multi-sectoral efforts geared towards transforming our country into a corrupt-free nation. The Anti-Corruption Commission, like all other stakeholders, is responsible for the execution of a number of actions towards the achievement of the strategic and specific objectives of the NACS.

## NACS IMPLEMENTATION

To kick-start the implementation of the NACS, ACC embarked upon a campaign to sensitize all the regional and local authority councils on this important policy document and to point out the roles allocated to them.

During the period under review, all fourteen regional councils were sensitised during the period under review. The ACC Director-General, Mr Paulus Noa, and the ACC Deputy Director-General, Advocate Erna van der Merwe, made the introductory remarks. All regional governors, chief regional officers and senior management cadre attended the regional councils' sensitization sessions. Unfortunately, not all town councils, village councils and settlements could be sensitized during the period under review.

However, ACC managed to cover the following authorities: Keetmanshoop Town Council, Nkurenkuru Town Council, Helao Nafidi Town Council, Eenhana Town Council, Oniipa Town Council, Outjo Town Council, Opuwo Town Council, Swakopmund Town Council, Usakos Town Council, Omaruru Town Council, Walvis Bay Town Council and Arandis Town Council, Okongo Village Council, Oshivelo Settlement, Omungwelume Settlement, Ongenga Settlement, Onyuulaye Settlement and Onayena Settlement. All mayors, chief executive officers and senior managers attended the local authorities' sensitisation sessions.



*Participants at the NACS sensitization workshop for Ohangwena Region, seated 2nd from right is Honourable Usko Nghaamwa, the Regional Governor and on his left is Mr. Paulus Noa, ACC Director-General.*



## COORDINATION OF NACS IMPLEMENTATION

The body tasked with overseeing the implementation and coordination of the NACS is the National Anti-Corruption Steering Committee (NACSC) which comprises various stakeholders under the auspices of the ACC. The ACC's role includes chairing the quarterly meetings of the NACSC and ensuring that reports are compiled and made available, inclusive of an annual NACSC report.



*Some members of NACSC at one of their periodic meetings*

## UNITED NATIONS CONVENTION AGAINST CORRUPTION (UNCAC) STAKEHOLDER MEETING

The Anti-Corruption Commission Head Office conducted a United Nations Convention Against Corruption stakeholder meeting on the 8th of June 2017 at the ACC headquarters. The meeting was chaired by the Director-General, Mr. Paulus Noa. The aim was to establish a committee that would liaise with the Ministry of Justice in providing information regarding compliance with the UNCAC review mechanism which Namibia has to undergo in the near future.

## NETWORKING AND COOPERATION WITH OTHER INSTITUTIONS

ACC is part of the global initiative to fight corruption. This requires that we interact with similarly mandated regional, continental and international bodies to work on a common agenda and strategies and to keep abreast with developments in the ever-changing landscape of fighting corruption. During the year under review, officials from the Directorate of Public Education and Corruption Prevention had the opportunity to attend the following activities:

- One official accompanied the ACC Director-General to the 2nd Annual General Meeting and Conference for Association of the Anti-Corruption Authorities in Africa (AAACA) in Brazzaville, Republic of Congo;
- one official accompanied the ACC Director-General to the 7th Commonwealth Heads of Anti-Corruption Agencies in Africa Meeting at Nkopola Lodge, Mangochi, Malawi;
- two officials undertook a study tour to Mauritius. They were hosted by the Independent Commission Against Corruption (ICAC), which briefed them on their Corruption Prevention Review process;

- one official represented the ACC Director-General at the SADC Anti-Corruption Sub-Committee (SACC) Meeting, at Dar es Salaam, Tanzania;
- the Directorate's Head accompanied the Director-General to the African Union Advisory Board on Corruption Consultative Workshop in Arusha, Tanzania.

## **CAPACITY BUILDING**

ACC recognises and values the need to provide avenues for continuous professional development of its staff at all levels. The following staff capacity building activities were therefore undertaken during the year under review:

- Effective Monitoring and Evaluation of Corruption Prevention Strategies-Phase 1: Gaborone, Botswana (two officials)
- Training for Supervisory Staff: Namibia Institute of Public Administration and Management (NIPAM) (two officials)
- Computer Training in Advanced Microsoft Word and Intermediate Microsoft Excel: University of Namibia (four officials)





## DIVISION ADMINISTRATION

The Division Administration consists of the following sections: Finance, Human Resources Management, Auxiliary Services and Internal Audit.

### HUMAN RESOURCE MANAGEMENT

The ACC has 106 positions on within its establishment of which five in the Division Security and Risk Management have been frozen until 2021. As at the end of the reporting period, 83 positions were filled consisting of 28 in the Directorate Investigations, 19 in the Directorate Public Education and Corruption Prevention and 34 in the Division Administration. The vacancies cannot be filled due to inadequate funding.

During the reporting period that exist, 52 personnel were based at the head office in Windhoek, nine at Otjiwarongo, 10 at Oshakati and 10 at Swakopmund.

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

- Recruitments: Three
- Transfers to other offices/ministries/agencies: Three
- Resignations: One

The ACC's organisational structure was expanded with the establishment of a Forensic Division under the Directorate Investigations.

13 Staff members were financially assisted to undertake qualifying courses at a cost of N\$58,786.00 whilst the cost for the attendance of functional training by 51 staff members amounted to N\$276,079.00

The courses comprised a wide range of topics including human resources management; financial management; basic and advanced criminal investigations; procurement, auditing; and office communication.



Mr. Andreas Nangombe  
Deputy Director:  
Division Administration

### Distribution of Human Resources 2017/18



## FINANCE

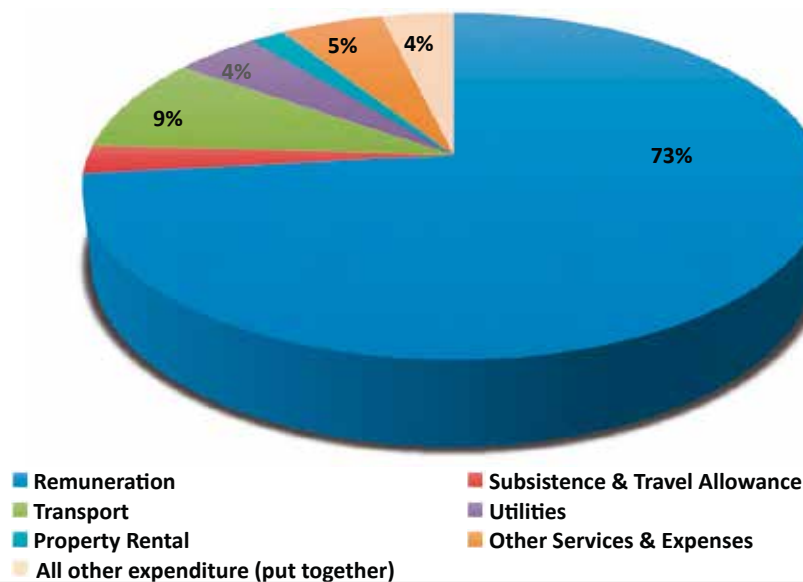
The finance section assists with the compilation of the organisational budget, ensures compliance with Government's financial regulations and manages the utilisation of the budget to ensure that organisational programmes are successfully executed and that strategic objectives are met.

The ACC was allocated N\$59,168,000 in the 2017/18 financial year. By the end of the financial year, N\$57,795,581 had been spent translating into an expenditure rate of 98%.

Remuneration cost comprises N\$42,335,749 (73%) of the expenditure with the rest of the funds going towards rental expenses, utilities, transport, goods and services and project funding.

The level of funding of the Anti-Corruption Commission requires a review to reflect its coordinating role in the implementation of the National Anti-Corruption Strategy. The funding further has to factor in complex corruption cases that require expertise that cannot be sourced from within the organisation.

**UTILIZATION OF FUNDS 2017/18**





## GENERAL OFFICE SUPPORT

The support section provides procurement, transport and office management assistance to the organisation.

The ACC operates from leased office space in Otjiwarongo, Oshakati and Swakopmund and occupies a government-owned building in Windhoek.

With the exception of the Swakopmund office, which was too small to accommodate all its staff members at the current staffing levels, the offices are suitable for the ACC's operations. The office in Swakopmund was subsequently relocated to centrally situated premises and that has adequate office space for the staff members to provide a conducive working environment.

In a move to cut cost, the number of rental vehicles was reduced by 5 bringing the total number of vehicles leased from the government garage to 26. The reduction did not have an adverse effect on the operations of the office. Further cost cutting measures related to increased use of IT were also implemented.

## AUDIT

During the year under review, two audits were carried out covering the allocation and utilisation of cellphones and the management of stores. The audit office further reviewed the implementation of audit recommendations relating to the management of stores in the regional offices.

















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