



BE PART OF THE FIGHT!

ANTI-CORRUPTION COMMISSION



**ANNUAL REPORT
2018/2019**



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ANNUAL REPORT

2018/2019



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LIST *of acronyms*

ACA	Anti-Corruption Act
ACC	Anti-Corruption Commission
AGRIBUSDEV	Agricultural Business Development Agency
BIPA	Business and Intellectual Property Authority
BPR	Business Process Re-engineering
CRO	Chief Regional Officer
CEO	Chief Executive Officer
CRA	Corruption Risk Assessment
CRMP	Corruption Risk Mitigation Plan
CST	Constable
CoW	City of Windhoek
DNA	Deoxyribonucleic Acid
DG	Director-General
DSA	Daily Subsistence Allowance
DPECP	Directorate of Public Education and Corruption Prevention
ERO	Erongo
HQO	Head Quarter
IPPR	Institute of Public Policy Research
ICT	Information and Communication Technology
MoHAI	Ministry of Home Affairs and Immigration
MoEAC	Ministry of Education, Arts and Culture
MET	Ministry of Environment and Tourism
MURD	Ministry of Urban and Rural Development
NSFAF	Namibia Student Financial Assistance Fund
NDF	Namibian Defence Force
NANSO	Namibia National Students Organisation
NACS	National Anti-Corruption Strategy
NACSSC	National Anti-Corruption Strategy Steering Committee
NIP	Namibian Institute of Pathology
NIMT	Namibia Institute of Mining and Technology
NAMPOL	Namibian Police
NIED	National Institute of Educational Development
NORED	Northern Regional Electricity Distributor

OSH	Oshakati
OTJ	Otjiwarongo
O/M/As	Offices/Ministries/Agencies
PECP	Public Education and Corruption Prevention
OPM	Office of the Prime Minister
PSEMAS	Public Service Employee Medical Aid Scheme
PG	Prosecutor-General
RCC	Roads Contractor Company
TNA	Training Needs Assessment
WHK	Windhoek
WB	Whistle-Blower
YALAC	Young African Leaders Against Corruption



FOREWORD 2018/2019



This report accounts for the activities of the Anti-Corruption Commission (ACC) during the financial year 2018/2019.

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. ACC is an agency established by the law with powers limited by the same law. By virtue of the enabling law, it is obvious that ACC has no mandate to investigate all issues under the sun which are of public concern.

The functions are mainly to investigate allegations of corrupt practices, educate the public and 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 the conducts that are criminalized as corrupt conducts. Chapter 4 of the Act is mostly dedicated to the list of defined acts of corrupt practices which ACC is empowered by the law to investigate.

It is as well necessary to inform the public that some provisions of the Act have been subjected to court challenges and interpretations in numerous corruption charges brought before criminal courts. In some instances, the provisions of the law were declared unconstitutional and struck down. A specific example is the definition of '*corruptly*'.

Corruption is a broader phenomenon often taking different dimensions. For this reason, fighting corruption demands a multifaceted approach. The effective prevention and fight against corruption demand introduction of multi-anticorruption policies, including set of standards, measures, rules, and procedures that must be enforced strictly by both the administrative and investigation bodies. It is a fact that multiple corrupt practices are caused, among others, by failure to implement good governance policies, lack of transparency by decision-makers, mismanagement of resources and loss of public funds due to improper decisions or share negligence.

ACC continues, by virtue of its establishment as a statutory agency, to investigate allegations of corruption that fall within its mandate. The Constitution of the Republic of Namibia and other plethora of Namibian laws empower administrative bodies to take administrative actions against wrongdoers who are held in contravention of policies, rules and procedures of the respective institutions.

Corruption shall be effectively curbed when authorities consistently enforce the laws, policies, rules and procedures without fear or favour. In our quest to vigorously mount the fight against corruption as a nation, policymakers and administrators equally, must account for their actions or omissions before their relevant appointing authorities. Supervisors must not fear to confront those under their authorities and demand accountability. Public officials are appointed in position of trust and a breach thereof ought to result in remedial measures against the culprit. Holistic non-tolerance for corruption demands resolute action by both policymakers and administrators against the wrongdoers.

Damage caused by corruption may result in long term effects on economic and livelihood destruction. Corruption erodes the moral fabric of society and damages the ethos of democratic governments. Corruption benefits few individuals while costly to the larger society.

It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, and erodes the quality of life.

During the year under review, ACC with the limited financial resources allocated by Parliament, conducted various anti-corruption activities. Officials in the Directorate of Public Education and Corruption Prevention, carried out Corruption Risk Assessment (CRA) in different public institutions. The objective was to identify institutional factors that support or enhance corrupt practices. Mitigation plans were developed with measures to minimize the probability or impact of corruption effects. Integrity management workshops were held for selected institutions potentially vulnerable to corruption. The implementation of the National Anti-Corruption Strategy and Action Plan 2016-2019 during this period remained the focus of the Commission. Due to limited budget, not many awareness campaigns were held in the regions as the Commission did in the past years.

Furthermore, some local and regional authorities were engaged in corruption prevention programs. As providers of basic services to their respective residents, it is vital that the Commission holds workshops for local and regional authorities.

During the year under review, the Commission conducted investigations on many reported allegations of corrupt practices. As in previous years, some of the matters reported did not fall within the powers of ACC for investigation, and were either referred to relevant authorities or closed due to lack of reasonable grounds to initiate investigations. Preliminary inquiries as provided for under the law were also held where the Commission found merit to carry out such inquiries.

Combating corruption is never a single institution's responsibility. Thus, a strong nation with a shared vision, must in unison hold hands, denounce corruption, and in concerted vigour expose, resist and reject corruption.



Paulus Kalomho Noa
Director-General

ACC Management



MR. PAULUS K. NOA
DIRECTOR-GENERAL



ADV. ERNA VAN DER MERWE
DEPUTY DIRECTOR-GENERAL



MR. HANNU SHIPENA
EXECUTIVE DIRECTOR

PART 1

High-Level Statements



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

- **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.

PART 2
Introduction



**STOP
CORRUPTION**

2.1 ABOUT THE ANTI-CORRUPTION COMMISSION

The Anti-Corruption Commission is an independent 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, and to make provision for matters connected therewith.

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.

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



PART 3

Highlights of 2018/2019 Financial Year

**SAY NO TO
CORRUPTION**



3.1 DIRECTORATE: INVESTIGATION



MR. NELIUS BECKER
HEAD OF INVESTIGATION

The main objective of the Directorate of Investigation is to investigate alleged corrupt practices in public and private sectors and making recommendations to 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 CASES DURING 2018/2019 FINANCIAL YEAR

During the 2018/2019 financial year, ACC received a total number of three hundred and thirteen (313) complaints. In comparison to the 2017/2018 case review, this shows a slight decrease of twelve (12) cases. These figures exclude matters in which whistle-blowers were directed or advised to report their complaints to other relevant institutions. Approximately half of the complaints received by the ACC over the past five years were non-corruption related and were referred to the relevant government authorities for their action. The quality and amount of relevant information on

the corruption complaint received directly affect whether the case can be pursued or not. Hence, the majority of non-pursuable corruption complaints were due to insufficient, vague or unsubstantiated information provided. During the financial year under review, 145 (46%) of the three hundred and thirteen (313) complaints received were earmarked for investigation by the ACC, compared to one hundred and fifty-six (156) cases during the previous financial year.

3.1.2 CASES REPORTED PER ACC OFFICE DURING 2018/2019 FINANCIAL YEAR

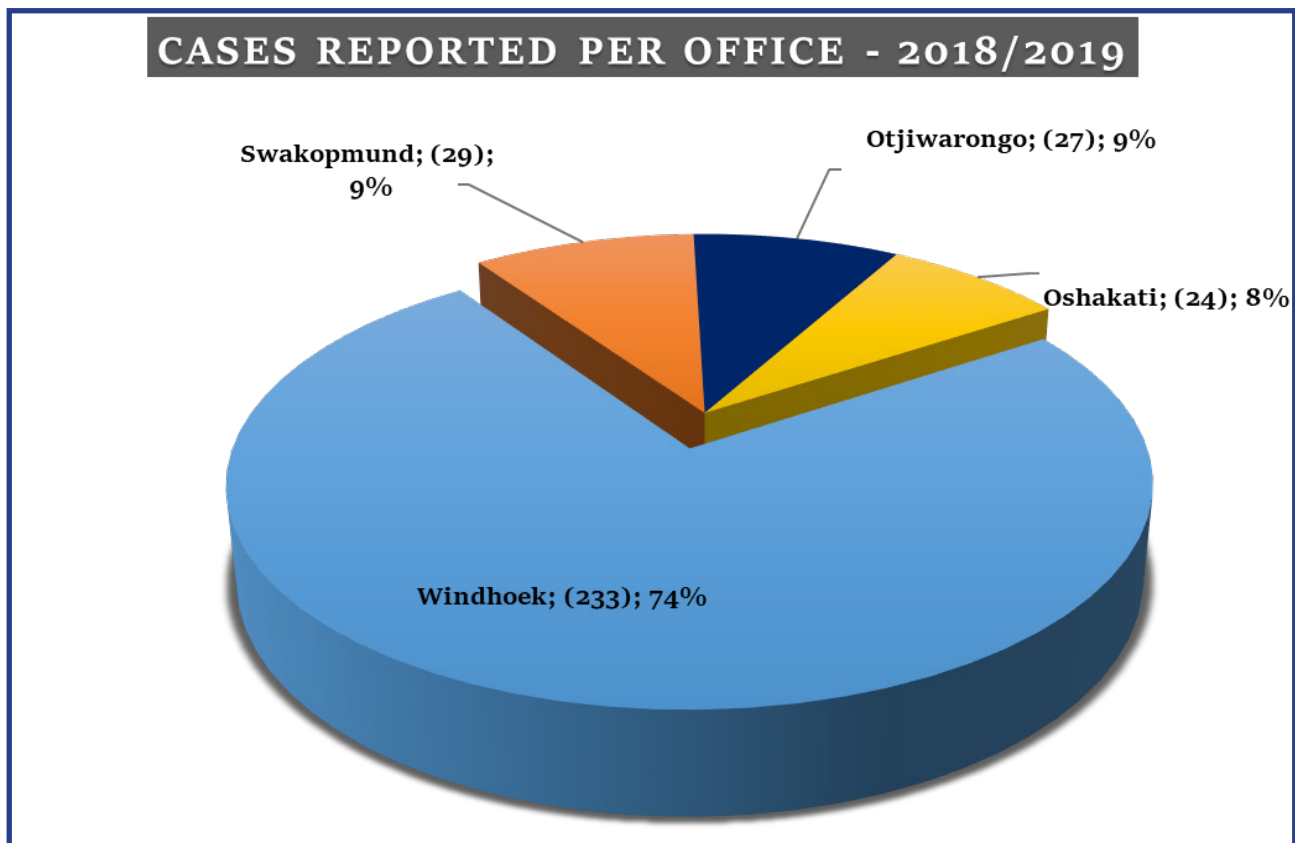
Pursuant to the provisions of decentralisation, the Anti-Corruption Commission has offices in three regions. Erongo region with an office in Swakopmund serving Kunene and Erongo Regions; Otjozondjupa region with an office in Otjiwarongo serving for Otjozondjupa, Kavango East, Kavango West and Zambezi Regions; and Oshana region with an office in Oshakati, serving for Omusati, Oshana, Ohangwena and Oshikoto regions; while the head office in Windhoek serves for Khomas, Hardap, //Karas and Omaheke Regions.

ACC head office recorded the highest number of reports on corruption, accounting for 74% of the reports in 2018/2019 financial year while Swakopmund and Otjiwarongo offices recorded 9% each, representing the second highest number of the reports received on corruption respectively. On the other hand, Oshakati office shows the least number of corruption related reports with 8%.



The chart below shows number of cases reported as per ACC offices during 2018/2019 financial year.

Fig 1: Number of cases reported per ACC office during 2018/2019 Financial Year



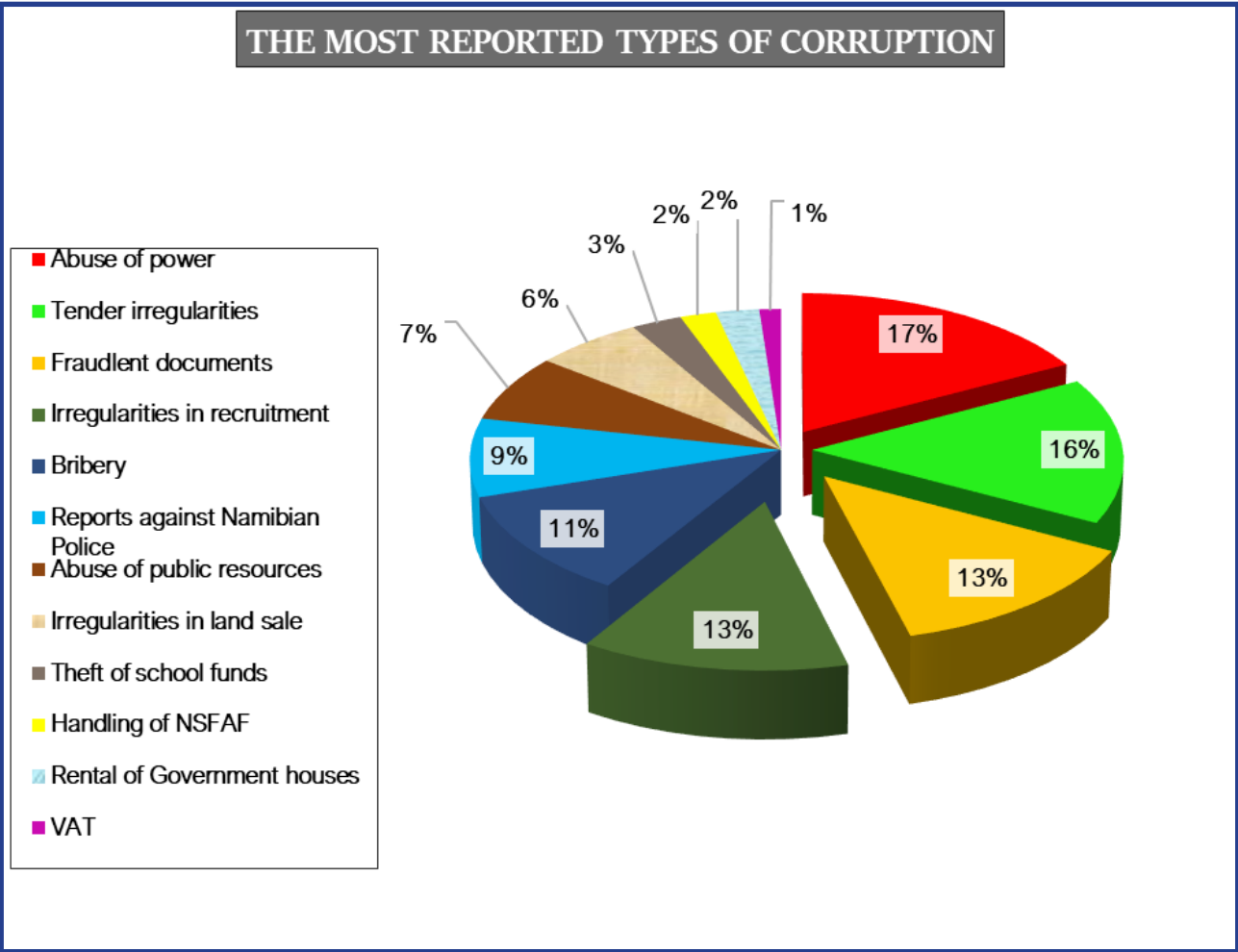
3.1.3 TYPES OF CORRUPTION MOSTLY REPORTED IN THE FINANCIAL YEAR 2018/2019

With respect to the types of corruption reported, abuse of power; tender irregularities; fraudulent documents; irregularities in recruitment; bribery; complaints involving Namibian Police; abuse of public resources; irregularities in land sale; theft of school funds; handling of the National Student Financial Assistance Fund; rental of government houses; and VAT were trending issues in 2018/2019 financial year. Whistle-blowers still report mostly about the abuse of power, with 17% of corruption reports in 2018 attesting to this fact. The number of reports of corruption received related to tender and procurement is at 16%.



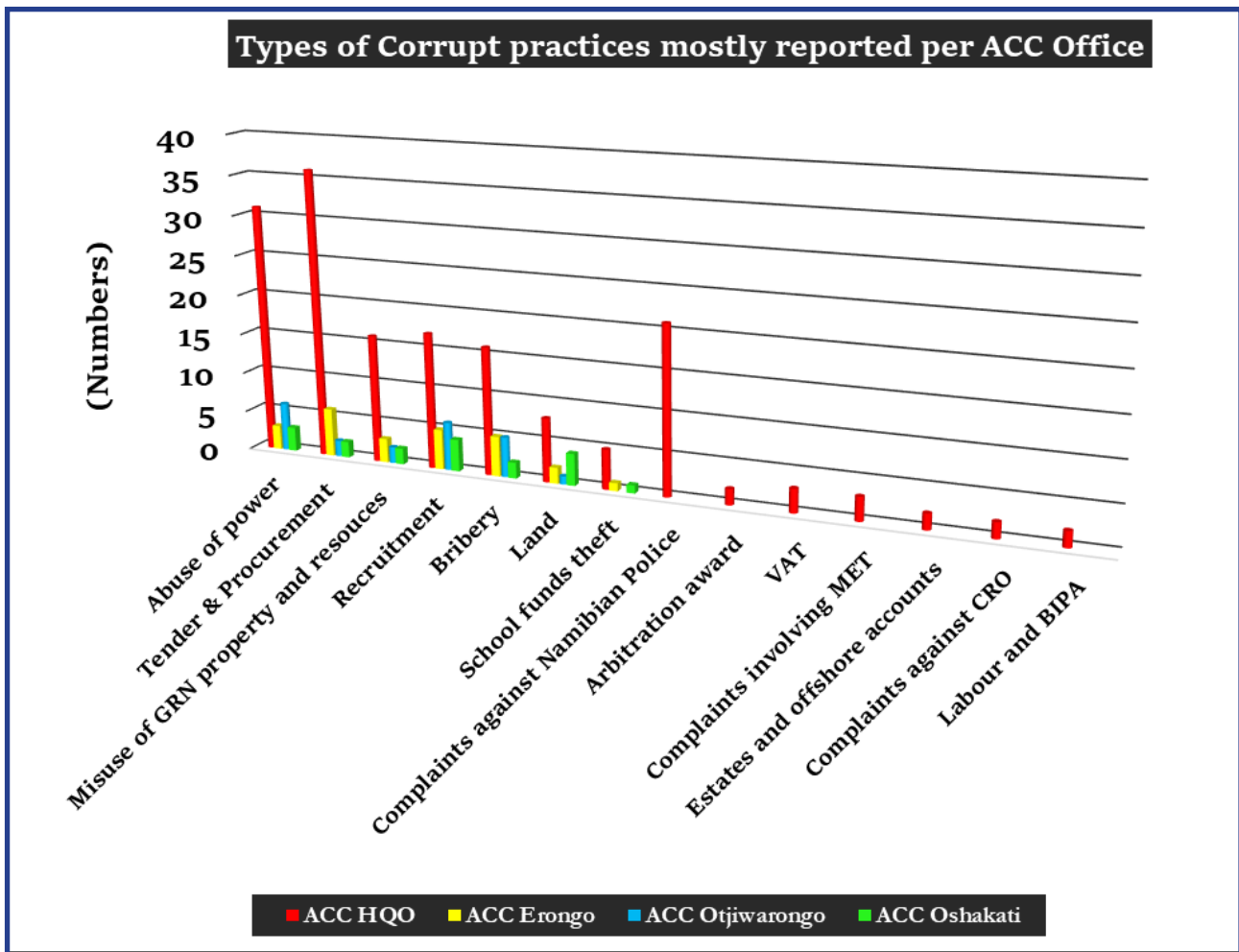
The chart below shows the most prevalent types of corrupt practices reported during 2018/2019 financial year.

Fig 2: Most prevalent types of corrupt practices reported during 2018/2019 financial year



The following chart outlines the most reported corrupt practices as per ACC office.

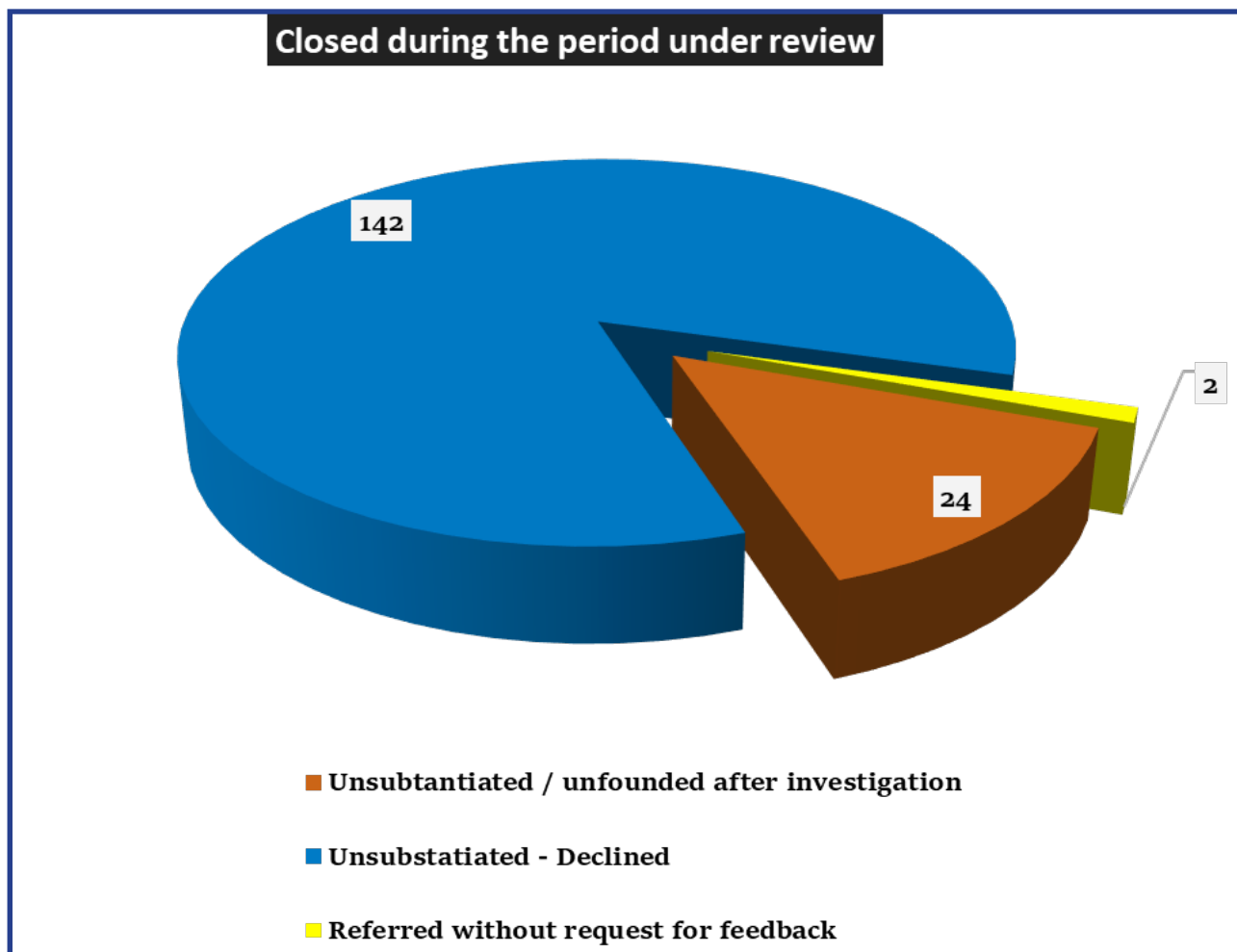
Fig 3: Types of corrupt practices mostly reported per ACC office during 2018/2019 financial year



3.1.4 CLOSED CASES DURING THE PERIOD UNDER REVIEW

Out of the three hundred and thirteen (313) complaints received, a total number of one hundred and sixty-eight (168) cases were closed due to the following reasons: unfounded (false after investigation) twenty-four (24) cases¹, unsubstantiated-decline were one-hundred and forty-two (142) cases², and two (2) cases were referred without request for feedback³.

Fig 4: Closed cases during the 2018/2019 Financial Year.



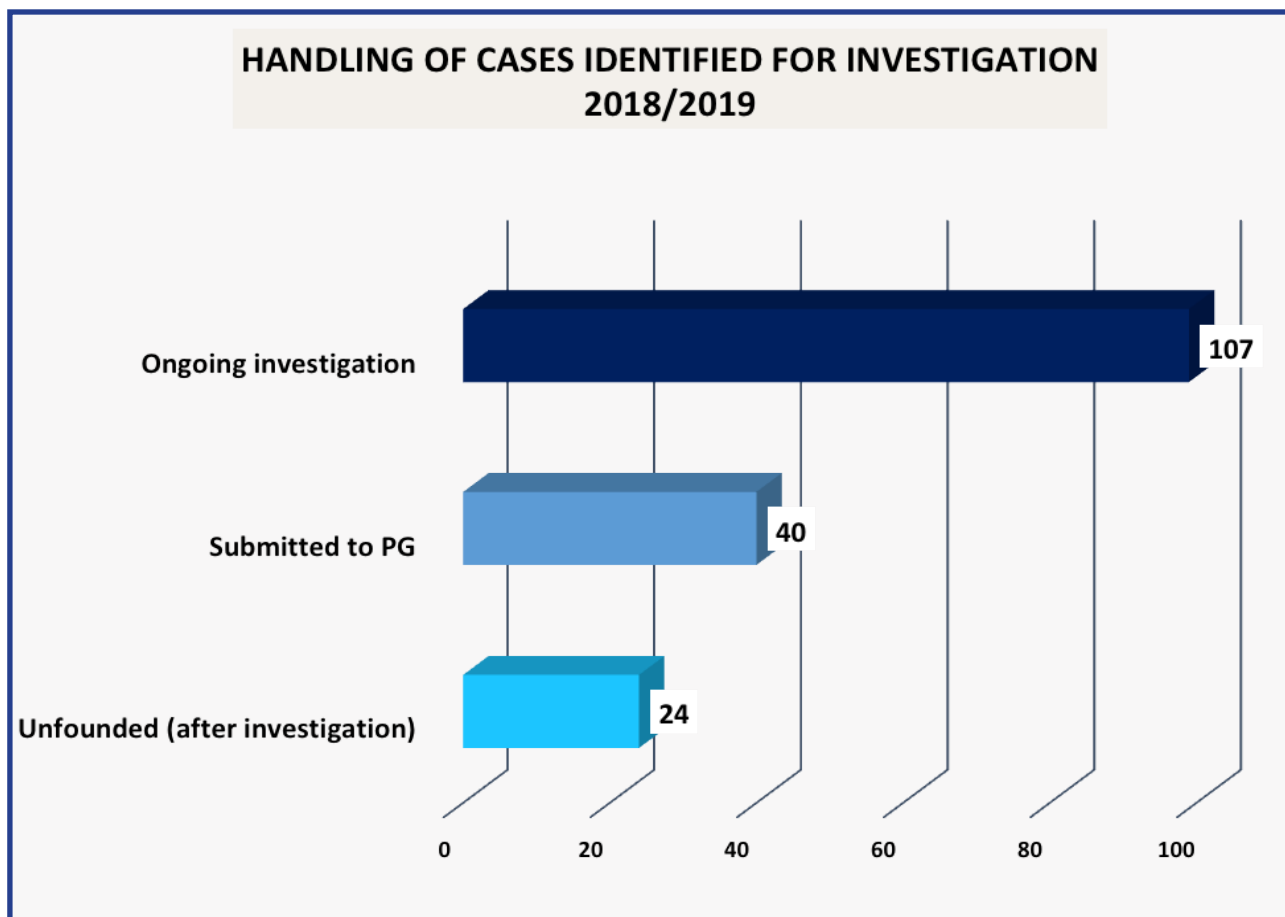
- 1 Unfounded (false after investigation) - preliminary investigation was done however for the information found, turn out to be false and no evidence to substantiate the allegations.
- 2 Unsubstantiated – Declined; upon registration, the complaints registered is either not related to corruption or does not fall in the mandate of the ACC and this complaints are referred to relevant authorities.
- 3 Referred without feedback required - Cases referred to relevant authorities to look into the matter.

3.1.5 HANDLING OF CASES IDENTIFIED FOR INVESTIGATION

During the financial year under review, one hundred and forty-five (145) (46%) of the three hundred and thirteen (313) complaints received were earmarked for investigation by the ACC. About forty (40) case dockets⁴ were referred to the Prosecutor-General in terms of Section 31(1) of the Anti-Corruption Act, 2003⁵ during this period under review.

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

Fig 5: Depicts the handling of cases identified for investigation during the year under review



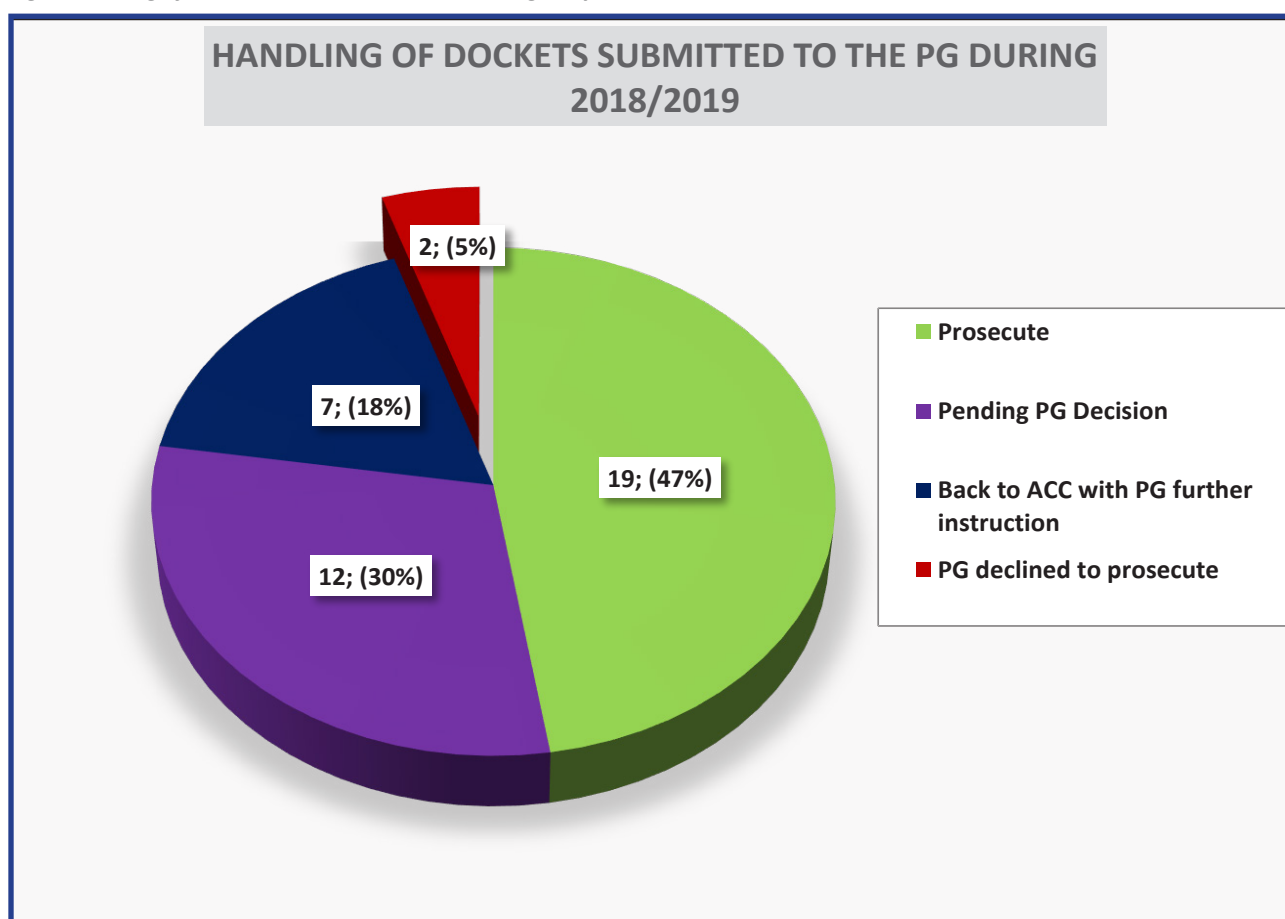
4 19 cases prosecuted, 12 cases are yet pending the PG decision, 7 dockets back to ACC with further instructions, and 2 PG decline to prosecute.

5 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.

3.1.6 HANDLING OF CASE DOCKETS SUBMITTED TO THE PG DURING 2018/2019 FINANCIAL YEAR

During the financial year under review, forty (40) case dockets were referred to the Office of the Prosecutor-General for decision-making in terms of Section 31 (1) of the Anti-Corruption Act, 2003. This represents twenty-three 23 less dockets compared to the previous year 2017/2018. Of the forty (40) case dockets submitted to the PG, Nineteen (19) (47%) cases are before court, in two (2) (5%) cases the Prosecutor-General declined to prosecute, seven (7) (18%) cases were referred back to the Commission to comply with further instructions and in twelve (12) (30%) cases the decision of the Prosecutor-General is awaited. See the chart below:

Fig 6: Handling of dockets submitted to the PG during the year under review

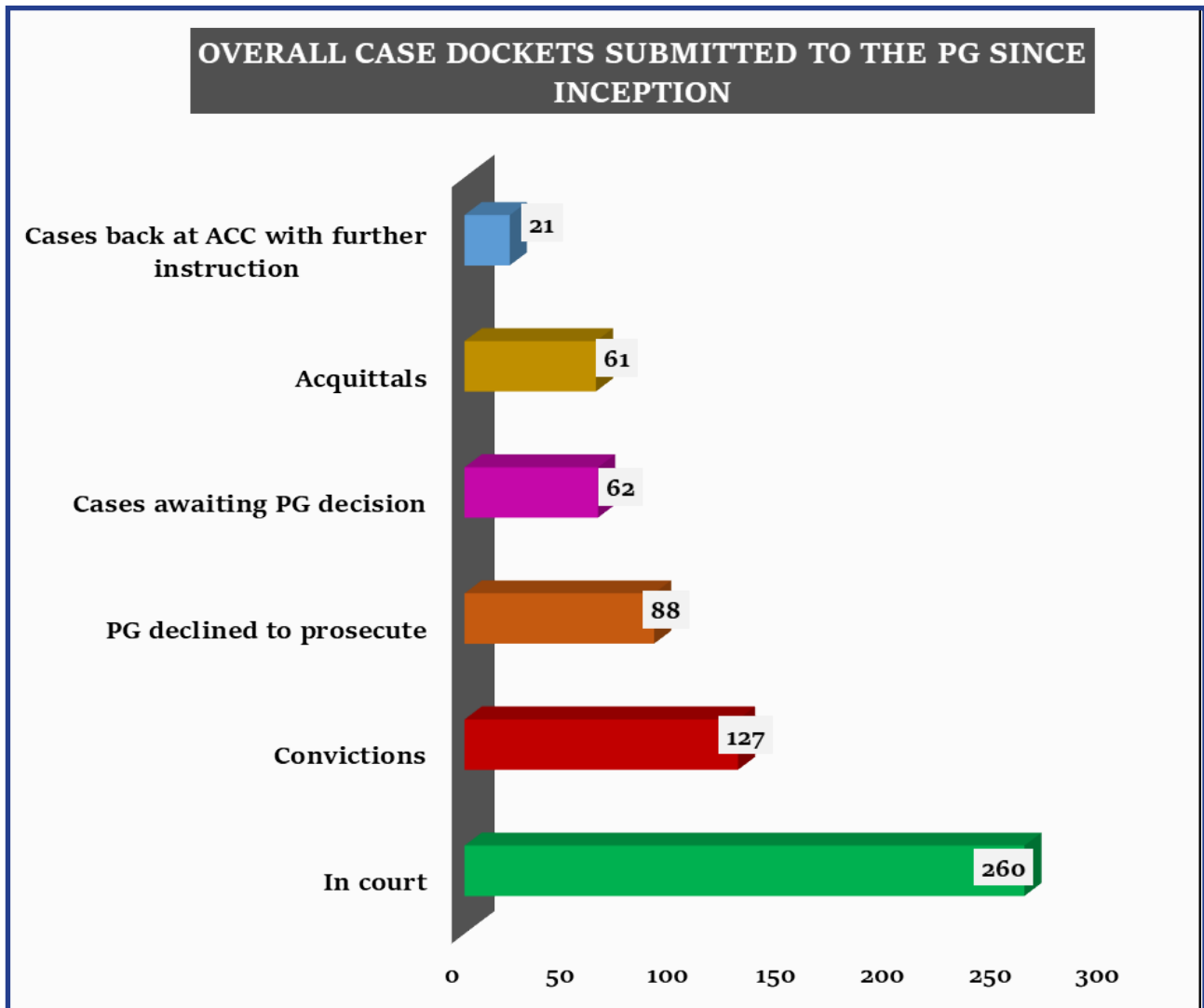


3.1.7 OVERALL HANDLING OF CASE DOCKETS SUBMITTED TO THE PG SINCE INCEPTION.

- Since its inception, the ACC has submitted 627 cases to the Office of the Prosecutor-General.
- Two hundred and sixty (260) cases (41%) are still in court and have not been finalised.
- One hundred and twenty-seven (127) cases (68%) of those that were finalised resulted in a conviction.
- Sixty-one (61) (32%) of those that were finalised resulted in acquittal.
- In eighty-eighty (88) (14%) of the cases, the Prosecutor-General declined to prosecute.
- Twenty-one (21) cases (3%) in total were referred back to the Commission to comply with further instructions.
- Sixty-two (62) cases (10%) are still awaiting a decision by the Prosecutor-General.

Of all the cases where the Prosecutor-General decided to prosecute until 2018/2019 financial year, 47% have been finalised in court, as illustrated in the chart below.

Fig 7: Overall handling of case dockets referred to the PG since ACC inception



3.1.8 THE CHART SHOWS THE NOTABLE CASES REFERRED TO PROSECUTOR-GENERAL

Table 1: Notable cases referred to the Prosecutor-General

CASE REFERENCE	POSITION	ENTITY	ALLEGED CORRUPT PRACTICE	METHOD
ACC HQO 17-002355	Cleaner	Ministry of Home Affairs and Immigration	Contravening Section 43 (1) read with Sections 32, 43(2), 46, 49 and 51 of ACA: corruptly using office or position in a public body to obtain any gratification, for his benefit	Pretended to be an immigration officer responsible for processing various national documents to public members and solicited bribes for self-gratification
ACC ERO 17-002500	Member of the public	Member of the public	Contravention of Sections 34 ACA and Section 33 (b) and (c) of the Police Act, Act No. 19 of 1990. Offering of a bribe to a police officer	Offering of a bribe to a police officer
ACC HQO 14-001199	C.E.O.	Town Council	Contravening Section 35(3) (a) read with 32, 43(2), 43(3), 46, 49 and 51 of the ACA	Knowingly giving a document containing false information to an Agent
ACC HQO 17-002260	Private Individuals	Private Individuals	Contravening Section 35(3) (a) read with 32, 43(2), 43(3), 46, 49 and 51 of the ACA :Alternatively fraud	Selling Namibian citizenship national documents such as full birth certification and identity cards to foreign nationals (the Angolans) for a fee of N\$10 000.00
ACC ERO 16-002107	Rossing Uranium employee	Rossing Uranium employee	Contravention of Section 35(1) (a) of the ACA	Being an agent agreed to receive a bribe in order to ensure that the corruptor continue getting tenders from the accused 's employer
ACC HQO 17-002412	City of Windhoek employee	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 for gratification.	Solicited a bribe from a member of the public
ACC HQO 17-002374	Employee of the Ministry of Health and Social Services	Ministry of Health and Social Services	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 issued tenders to a business entity in which he has a direct interest
ACC HQO 17-002364	Rehoboth Town Council employee	Rehoboth Town Council employee	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	Corruptly allocated land to a Chinese Company which was in exchange for some bribes.
ACC HQO 17-002429	BIPA employee	BIPA employee	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-	Acquired land corruptly to advantage the seller of that land

CASE REFERENCE	POSITION	ENTITY	ALLEGED CORRUPT PRACTICE	METHOD
ACC HQO 17-002398	Estate Administrator	Estate Agency	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 own benefit	Used heirs 'benefits for himself
ACC HQO 17-002201	Cymot employees	Cymot	Section 35 (3) (b) of the ACA, and alternative fraud	Used a fraudulent medical certificate
ACC ERO 16-001994	NAMPOI member	Namibian Police	Contravening Section 43(1) of the Anti-Corruption Act 8 Of 2003	Failed to arrest an accused in a drunken-driving case
ACC HQO 16-002187	Public Service employee	Ministry of Agriculture, Water and Forestry	Contravening Section 43(1) of the ACA	Knowingly and intentionally issuing invoices intended to defraud his employer
ACC ERO 18-002591	Chinese and Legal Practitioner	Chinese and Legal Practitioner	Contravening Section 46(b) of the ACA. Alternatively Fraud	Fraudulently obtained a passport that was kept in custody in a bail condition.
ACC HQO 17-002527	Member of the public	Member of the public	Contravening Section 35 (3)(b) of the ACA	Used false document to clear an import consignment
ACC HQO 15-001769	Employee of Rundu Town Council	Rundu Town Council	Contravening Section 43(1) of the ACA	Award of housing loan
ACC ERO 14-001384	Tsudi Mine employee	Tsudi Mine	Contravening Section 33 of the ACA	Solicited a bribe from a potential candidate for employment
ACC HQO 16-002117	Employees of the Namibia Sports Commission	Namibia Sports Commission	Contravening Section 43(1) and Sec 35 (3)(b) of the ACA	Submitted fictitious tender invoices for payment
ACC HQO 17-002527 (B)	Member of the public	Member of the public	Contravening Section 35 (3)(b) of the ACA	Used false document to clear an import consignment
ACC HQO 17-002290	Councillor	Grootfontein Municipality	Contravening Section 43(1) and Sec 35 (3)(b) of the ACA	Used position to corruptly acquire land
ACC HQO 18-002599	Interpreter	Office of the Judiciary	Contravening Section 43(1) of the ACA	Solicited payment for assisting a member of the public
ACC HQO 18-002695	Member of the Namibian Police	Namibian Police	Contravening Section 43(1) and Section 38 of the ACA	Solicited a bribe from a member of the public
ACC OTJ 18-002595	Employee of the Ministry of Finance- Inland Revenue	Ministry of Finance	Contravening Section 43(1) and Sec 38 of the ACA	Solicited a bribe from a member of the public
ACC OTJ 18-002669	Employee of Otjiwarongo Municipality	Otjiwarongo Municipality	Contravening Section 43(1) of the ACA	Awarded a tender to a company that was not recommended during the procurement processes
ACC HQO 12-000230	Employees of the Village Council and Ministry of Urban and Rural Development	Maltahohe village Council	Contravening Section 43(1) of the ACA	Corruptly awarded a tender to Omusati Construction CC and inflated invoices for work not done

CASE REFERENCE	POSITION	ENTITY	ALLEGED CORRUPT PRACTICE	METHOD
ACC OTJ 16-002020	Member of the Public	Member of the Public	Contravening Section 29(1)(g) of the ACA	Pretended to be an ACC Authorised Officer and extorted money from whistle blower
ACC HQO 18-002755	Member of the Namibian Police and member of the Prosecuting Authority	NAMPOL and PG's Office	Contravening section 43(1) of the ACA	Premature release of a suspect
ACC ERO 18-002562	Customs Clearance Agent	Customs Clearance Agent	Defeating the course of justice and Contravention of Section 46 (b)	Released and exported a container that was under ACC seizure
ACC OTJ 16-001916	Otjiwarongo Municipal employees	Otjiwarongo Municipality	Contravening Section 43(1) and Section 35 (3)(b) of the ACA	Submitted false quotation for work to be done in order to create an advantage for the favoured business entity
ACC HQO 17-002516	Rundu Council employees	Rundu Town Council	Contravening Section 43(1) of the ACA	Shortlisted and recruited unqualified candidates for the position of fire fighter
ACC OSH 17-002351	Public Office employee	Ministry of Agriculture, Water and Forestry	Contravening of Sections 43 (1) and 35 (3) (a) (b) of the ACA	Charged members of the public for illegal water connections
ACC OTJ 18-002671	Employee of Grootfontein Town Council	Grootfontein Municipality	Contravening of Section 35 (3) (a) (b) of the ACA , and alternatively fraud	Secured employment by using a fake qualification
ACC HQO 17-002358	Dentist	Dental Practice	Contravening of Sections 43 (1) and 35 (3) (a) (b) of the ACA	Submitted fraudulent claim to PSEMAS
ACC HQO 17-002383	Employee of CRAN	CRAN	Contravening of Section 43 (1) and 35 (3) (a) (b) of the ACA, and alternative fraud	Submitted a fraudulent claim for payment to a foreign business entity
ACC OTJ 18-002565	Employee of the Town Council of Otjiwarongo	Otjiwarongo Town Council	Contravention of Sections 43(1) and 35 (3)(b) of the ACA	Sold a plot to a member of the public
ACC OTJ 19-002850	Member of the public	Member of the public	Contravention of Sections 34 and 35 (2) R/W Section 34 of the ACA and Section 33 (b) and (c) of the Police Act, Act No. 19 of 1990.	Offered a bribe to a member of the Namibian Police
ACC OSH 18-002794	NamWater employee	NamWater	Contravening Section 43(1) read with Sections 32, 43(2), 43(3) 46, 49 and 51 Of ACA - Corruptly using office or position for gratification.	Solicited a bribe from a member of the public
ACC OTJ 18-002843	Member of the public	Member of the public	Contravention of Sections 34 and 35 (2) R/W Section 34 ACA and Section 33 (b) and (c) of the Police Act, Act No. 19 of 1990.	Offered a bribe to a member of the Namibian Police
ACC HQO 18-002571	Police Officer	City Of Windhoek	Contravening Section 35(3) (a) read with Sections 32, 43(2), 43(3), 46, 49 and 51 of the ACA: Alternatively fraud	Used his medical card to benefit the person who is not a beneficiary

3.1.9 COURT CASES HANDLING DURING THE 2018/2019 FINANCIAL YEAR

During the financial year 2018/2019⁶, a total number of ten (10) cases were finalised in court with nine (9) resulting in a conviction, and one (1) resulting in acquittal. See table 2 & 3. Further, of the twenty (20) cases still before court see table 4.

Table 2: Convictions⁷: 01/04/2018 to 31/03/2019

CASE REFERENCE	FILE NAME	COURT FILE NO.	FULL NAME	CONVICTION DATE	VERDICT TYPE
ACC-ERO-14-001416	Alleged corrupt practices at Henties Bay Municipality	Swk-CRM-3741/2015	Willem Mathias Thomas	24-09-2018	Fine or jail sentence
ACC-ERO-17-002235	Contravening Sec 34 (a) (b) Agree to give gratification to Traffic Officer W/O Hiiko	143/2017	Vicente Fanivamwe	10-07-2018	Fine and suspended sentence
ACC-HQO-07-000509	Otavi Village Council	Otavi CR 01.12.2008	Josia Esrom Shilungu	29-05-2018	Fine and suspended sentence
ACC-HQO-14-001207	Ministry of Finance	CRM-28848-2017	Isack Mukete	19-02-2019	Fine or jail sentence
ACC-HQO-15-001619	Prisons procurement corruption	KAT-CRM-992/2017	Debora Amaambo	28-06-2018	Fine and suspended sentence
ACC-HQO-15-001745	Solicit a bribe in relation to work permits	WHK-CRM-25802/2015	Alice Namasiku Simataa	12-04-2018	Fine and suspended sentence
ACC-OTJ-15-001778	NDF Recruitment at Otjiwarongo	CRM 1516/2017	Wilhelm Ndevahala Ndemuweda	30-04-2018	Fine or jail sentence
ACC-HQO-16-001853	Immigration Officer accept gratification	KRS-CRM-852/2016	Hector Omlile Mutonga	31-05-2018	Fine or jail sentence
ACC-HQO-18-002742	Corruptly offering gratification to an agent as an inducement	WHK-CRM-22499/2018	Siyong XU & Haifen Yang	14-09-2018	Two years jail sentence

Table 3: Acquittal/Not guilty & discharged: 01/04/2018 to 31/03/2019

CASE REFERENCE	FILE NAME	COURT FILE NO.	FULL NAME	CONVICTION DATE	VERDICT TYPE
ACC-HQO-09-000267	Namibian Police	WHK-SCRM-24912/2014	Tjiyarondo Mberiruana	01-10-2018	Not guilty & discharged

⁶ Some cases were carried over from previous years of which they were finalised in court during the financial year under review.

⁷ During the year under review a total number of 10 cases were finalised with 9 cases results in convictions and 1 results in acquittal.

3.1.10 COURT CASES WITH FIRST APPEARANCE IN THE FINANCIAL YEAR 2018/2019 AND ARE NOT YET FINALISED IN COURT.

Table 4: Court cases with first appearance between 01/04/2018 to 31 March 2019.

CASE REFERENCE	FILE NAME	COURT FILE NO.	COURT LEVEL	1 ST APPEARANCE DATE	VERDICT TYPE
ACC-HQO-14-001199	Okakarara - RFA	Okakarara CR 13.08.2018	Okakarara Lower court	14/08/2018	Case still in court
ACC-HQO-16-001955	Elifas Shivute of Namib Contract Haulage PTY	KAT-CRM-2913 /2017	Katutura Regional court	23/04/2018	Case still in court
ACC-HQO-16-002051	Fire station construction at Maltahohe Village Council	Maltahohe CR 13/08/2018	Maltahohe Lower court	23/08/2018	Case still in court
ACC-HQO-16-002142	Ministry of Justice, Rundu	RND-CRM-2496/2018	Rundu Regional court	14/08/2018	Case still in court
ACC-HQO-18-002571	Medical aid fraud/ Naganene	WHK CRM 25172-2018	WHK Lower court	03/10/2018	Case still in court
ACC-OSH-15-001825	Onandjokwe Private Hospital	OND-CRM/03/2018	Regional court	22/06/2018	Case still in court
ACC-OTJ-16-002004	Misuse of Petrol Card - GRN 545	CRM 384/2018	Outjo Lower court	30/05/2018	Case still in court
ACC-OTJ-16-002020	Tsumeb Impersonating as ACC- Hildegard E Griesel	Tsumeb Cr 32/07/2018	Tsumeb Lower court	17/08/2018	Case still in court
ACC-OTJ-18-002595	Ministry of Finance - Receive of Revenue Office	OTJ-CRM-854/2018	Otiwarongo Lower court	06/04/2018	Case still in court
ACC-OTJ-18-002818	Allegation of bribery offer to PRU-Tsumeb	OTJ-CRM-2559/2018	Otiwarongo Lower court	19/11/2018	Case still in court
ACC-HQO-12-000230	Maltahohe Community Advocacy Committee	-	Mariental Regional court	25/02/2019	Case still in court
ACC-OTJ-14-001162	Ministry of Health, Renovation tender-Otiwarongo State Hospital	CRM-569/2019	Otiwarongo Regional court	14/02/2019	Case still in court
ACC-OTJ-15-001731	NWR- Halali breweries stock	Tsumeb CR 29.01.2019	Otiwarongo Lower court	23/01/2019	Case still in court
Case CIN	File Name	Court file no.	Court level	1st Appearance date	Case still in court
ACC-OTJ-19-002850	DK - Simasiku Bribery	Tsumeb CR 29.01.2019	Tsumeb Lower court	23/01/2019	Case still in court
ACC-OTJ-18-002843	Otiwarongo Regional Office	Oti-CRM 3394/2018	Otiwarongo Lower court	21/03/2018	Case still in court
ACC-HQO-19-002887	Anti-Corruption Commission Namibia	Whk Cr29.04.2019	Windhoek Lower Court	04/04/2019	Case still in court
ACC-HQO-19-002890	Anti-Corruption Commission Namibia	WHK-CRM-6810/2019	Windhoek Lower court	10/04/2019	Case still in court
ACC-HQO-19-002905	Anti-Corruption Commission Namibia	Whk Cr817.03.2019	Windhoek Lower court	01/04/2019	Case still in court
ACC-OTJ-19-002850	Otiwarongo Regional Office	Tsumeb CR 29.01.2019	Tsumeb Lower court	23/01/2019	Case still in court

3.1.11 NOTABLE ONGOING INVESTIGATIONS OF THE FINANCIAL YEAR UNDER REVIEW

Table 5: The noteworthy ongoing investigation of the financial year under review (2018/2019)

CASE REFERENCE	CASE FILE NAME	TOWN	OFFENCE DESCRIPTION
ACC-OSH-19-002901	House No 120 Ext 1 – Helao Nafidi Town Council	Helao Nafidi	Allegation of misused position to influence the reallocation of house No. 120 Extension.
ACC-OTJ-19-002873	Police Bribery	Oshakati	Contravention of Sections 34 of the ACA and Section 33 (b) and (c) of the Police Act, Act 19 of 1990. Offering of a bribe to a police officer.
ACC-OSH-18-002844	Eenhana Town	Eenhana	Allegations of possible contravening Section 43 and 35 of the ACA.
ACC-OSH-18-002769	Ministry of Education, Arts and Culture	Oshakati	Allegation of misused with regard to awarding a tender to the relative.
ACC-OSH-18-002763	Okahao Town Council Uutsi	Okahao	Allegation of misused position to award a tender to his own company.
ACC-OSH-18-002638	Ministry of Gender Equality and Child Welfare - Ondobe	Ondobe	Contravention of Section 35 (3) of the ACA.
ACC-OTJ-18-002749	Okahandja Pol Corruption	Okahandja	Allegation against the police officer for Solicit and receive bribe from a suspect.
ACC-OTJ-18-002730	Sesfontein Conservancy	Sesfontein	Allegations of corrupt practices at Sesfontein Conservancy.
ACC-OTJ-18-002680	Ruacana Town Council	Ruacana	Allegation against misuse of government resources for private use. Alleged the selling of sewerage reticulation in exchange with cattle. Misused position to receive payment.
ACC-OTJ-18-002667	OSWAM & Office of the Governor	Otjiwarongo	Allegation against using of the office to receive money from Municipality under an unregistered entity.
ACC-OTJ-18-002648	Kozonguinzi & Associates	Otjiwarongo	Misused his position to withdraw the money from the estate account for personal use.
ACC-ERO-19-002894	Vrede Rede Primary school	Swakopmund	Alleged misappropriation of school funds.
ACC-ERO-18-002825	Ministry of Labour	Luderitz	Alleged corrupt practice with regard to the certificate (s) of registration as an Approval Inspecting Authority and the Ministry of Labour.
ACC-ERO-18-002757	Bribery at Motor Vehicle Unit	Windhoek	Police Officer at Motor Vehicle Unit Windhoek suspected of taking a bribe.

ACC-ERO-18-002744	National Youth Council	Windhoek	Allegation of corruptly awarding a tender to the person who had bid higher than the whistle- blower.
ACC-ERO-18-002732	Karibib Town Council Erf 511	Karibib	Alleged corruption in respect of the sale of an erf in Karibib.
ACC-ERO-18-002706	Bribe at Namibian Air- ports Company	WalvisBay	Alleged corrupt practice with regards a one (1) million bribe at Namibia Airports Company.
ACC-HQO-19-002905	Ministry of Finance	Windhoek	It is alleged that a customs and excise official, extorted money in order to reduce the import declaration of goods.
ACC-HQO-19-002898	Ministry of Works and Transport	Walvis Bay	Employees of the Ministry of Works and Transport solicited bribes in order to obtain a gratification regarding the allocation of tenders for the construction of schools in Walvis Bay and Henties Bay.
ACC-HQO-19-002889	Ministry of Works and Transport	Windhoek	Ministry of Works and Transport: demolishing erf 58-59 Okahandja.
ACC-HQO-19-002887	PSEMAS	Windhoek	Allegation of corruption with regard to upgrade PSEMAS beneficiaries from standard option to High option in exchange of moneys
ACC-HQO-19-002881	Kalkrand Village Council	Kalkrand	Allegations of misuse of position to approve the extension of scope of the project for Tender without authority.
ACC-HQO-19-002855	NSFAF	Windhoek	Multiple allegations of corruption in relation to tenders, levelled against the management of Namibia Students Financial Assistance Fund
ACC-HQO-19-002853	Procurement Management Unit: MoHA	Windhoek	The whistle-Blower alleged that an official responsible for Information Technology, within the Ministry of Home Affairs who is deemed to be holding his position for the purpose of self-gratification, attempted to influence the Ministerial Procurement Committee by submitting a quotation and motivation to purchase Passport Laminators at an inflated price.
ACC-HQO-19-002847	City Police-Cst	Windhoek	The allegations is that the whistle blower advertised a HP laptop on Facebook that he was selling and later he received a call from a prospective buyer when he went to the place to meet the buyer while busy presenting the laptop the City police came and confiscated the laptop from him and told him that he should provide proof of ownership and when he failed the City Police Officer solicited a bribe from the whistle-blower that he will give him the serial number of the laptop so that he can go get a duplicate receipt from the place where he bought it.

ACC-HQO-19-002840	City of Windhoek- Electrical department	Windhoek	An employee of the Electrical Department of the City of Windhoek solicited a bribe of N\$ 5000.00 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-18-002827	Deputy Commissioner	Windhoek	Allegations that a certain employee (s) of Home Affairs Ministry is colluding with an agent for the purpose of corruptly benefiting financially (N\$60 000-00) under a pretext of approving permanent residence of a couple
ACC-HQO-18-002822	MURD/ Senior Works Inspector	Windhoek	Allegation of corruption levelled against a Senior Works Inspector in the Ministry of Urban and Rural Development in that he utilised fraudulent documentation in order to obtain a gratification for an Engineering Close Corporation.
ACC-HQO-18-002820	Embezzlement of Funds	Windhoek	The whistle blower alleges that the funds of the institution are being mismanaged by the staff for their own personal use.
ACC-HQO-18-002817	City of Windhoek	Windhoek	Allegation of misuse of municipality credit card
ACC-HQO-18-002811	Office of the Regional Council	Windhoek	Allegations that a Councilor misused his office or position to use the Logo of Khomas Regional Council to acquire assistance and sponsorships for the Expo. It is alleged that the money received or earned never end up in the accounts of Khomas Regional Council while the Expo is established with the money of the Council and the Logo is been used to made misrepresentations that it is from Khomas Regional Council. This money is been used by private people and they purchased private items with it.
ACC-HQO-18-002805	Management NIP	Windhoek	Allegations that the former NIP management misused office or position to obtain a gratification for various persons.
ACC-HQO-18-002801	Omaheke Regional Council	Gobabis	The whistle-blower alleged embezzlement of N\$22 153.37 from the account of the Ben-Hur Development center between 8 to 26 September 2018.
ACC-HQO-18-002792	Ministry of Education, Arts and Culture	Windhoek	Allegation that a public official of Ministry of Education, Arts and Culture colluded with an outsider in order to defraud the ministry in rental fees for the copier machine.
ACC-HQO-18-002746	NDF: Payment for work	Luderitz	Whistle-blower alleged to have paid an employee of NDF she met while in Lüderitz (!Nami#nus), for employment in the NDF.
ACC-HQO-18-002745	Bribery	Windhoek	Allegation of corruption with regard to an employee of the Ministry of Environment and Tourism, allegedly misused his position

ACC-HQO-18-002727	RCC	Windhoek	The allegations are that, the RCC advertised a post of Manager: Human Capital Management 5 year contract and set out the requirements in the advert that a candidate should possess a Bachelor Degree in Human Resources Management or Social Science as a minimum requirement. It's alleged that the successful candidate who was appointed does not possess the minimum qualification as set out in the advert. It's alleged that the candidate only possess a National Diploma (Public Administration) which is printed Technikon Namibia under the auspices of the University of Namibia.
ACC-HQO-18-002723	Serious Crime NAMPOL bribe	Windhoek	It is alleged that some police officers of the NAMPOL Serious Crime Investigation Unit are requesting the payment of bribe as inducement to give and recommend bail to offenders in police custody.
ACC-HQO-18-002718	Ministry of Gender Equality and Child Welfare	Windhoek	Alleged that a Senior Officer for Capital Projects of the Ministry of Gender Equality and Child Welfare misused his office or position by instructing Contractors to do additional work on renovations of Shelters in the Ministry without obtaining quotations to determine the monetary value before commencement of the additional work and without obtaining prior approval by the Permanent Secretary and also instructed one of the Contractors to carry out some additional work that was not quoted for.
ACC-HQO-18-002662	NSFAF	Windhoek	The whistle blower is having multiple complaints, but what stands out is the alleged corrupt approving of student loans while the application periods have already expired, the misuse of the company vehicle and the misuse of travelling allowances by Managers at NSFAF.
ACC-HQO-18-002658	NFA	Windhoek	It is alleged that the CEO and other officials of the Namibia Football Association have abused their position by cashing cheques and using the funds for themselves.
ACC-HQO-18-002649	RCC	Windhoek	Alleged corrupt practice with regards to the buying of RCC properties.
ACC-HQO-18-002640	AGRIBUSDEV	Windhoek	It is alleged that a manager of AGRIBUSDEV wanted to influence the awarding of a tender to the Whistle blower so that she could receive undisclosed benefits.
ACC-HQO-18-002635	Ministry of Home Affairs	Windhoek	Allegation that a government employee of Home Affairs's ministry has been soliciting a gratification for her own benefit from foreign nationals and get them Namibian citizenship, working permits and residence permit.
ACC-HQO-18-002631	Ministry of Home Affairs	Windhoek	Allegation that a Senior Immigration Officer in official capacity asked donation of N\$ 20 000-00 to buy some t-shirt for sports event from a supplier and uses such money for own benefit.

3.1.12 CASES REFERRED TO OTHER INSTITUTIONS WITH / WITHOUT A REQUEST FOR FEEDBACK

The Commission referred nine (9) cases to other institutions, some with a request for feedback and some for them to take action.

Table 6: Number of cases referred to other institutions with /without request for feedback in 2018/2019 Financial Year.

CASE REFERENCE	ALLEGATIONS	INSTITUTION REFERRED TO	FEEDBACK / NO FEEDBACK REQUIRED
ACC-OTJ-18-002829	Misuse of GRN Vehicle – Rukon-ga Vision School	Ministry of Education, Arts and Culture	No feedback required
ACC-ERO-18-002724	Alleged corrupt practices with regard irregularities at NIMT	Namibia Institute for Mining Technology (NIMT)	Feedback required - pending
ACC-HQO-19-002904	Allegation of corrupt practices at Government Garage - Windhoek	Ministry of Works and Transport	Feedback required - Pending
ACC-HQO-19-002892	Ministry of Agriculture	Ministry of Agriculture, Water and Forestry	Feedback required - Pending
ACC-HQO-19-002870	Contravention of Section 43 of the ACA	Namibian Police	Feedback required - Pending
ACC-HQO-18-002807	Alleged that Police officers are not wearing Name tags	Namibian Police	No feedback required
ACC-HQO-18-002806	NamWater Regional Offices: executive alleged use company resources for own use	NAMWATER	Feedback required - Pending
ACC-HQO-18-002772	Allegations of corrupt practice in renewing car wash contract of Ronaldo Car Wash	Ministry of Education, Arts and Culture	Feedback required - Pending
ACC-HQO-18-002623	Alleged of corruption with regards to the soliciting and receiving of a bribe in order to assist the whistle-blower in getting released on bail	Namibian Police	Feedback required - Pending



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 30% of complaints received by the ACC in 2018/2019 Financial Year 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, 2003.

All complaints are considered, 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 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.

3.1.16 SOME OF CHALLENGES ENCOUNTERED WITH CASES BEFORE COURT

i) Unavailability / unwillingness of witness to testify in court

Most corruption cases are of complex nature of which some are only reported and investigated too late after the commission of such offences. In some instances, witnesses relocate to unknown destinations, some die and due to the prolonged period, some witnesses who were willing to testify, do change their positions by becoming hostile towards the investigation.

ii) Lack of functional and specialised courts

Some corruption cases are complex to handle. There is a need to have specialised courts to handle these offences of corruption. It is believed that having such dedicated courts, cases will be handled faster, effectively and efficiently.

iii) Issuance of J175 delays

The directorate experienced some delays in the issuance of subpoena. As a result, some cases end up being withdrawn and once the case is withdrawn, the tracing of witnesses and sometimes the accused is difficult as people change their domicile from time to time.

iv) Prosecutors are summoning more witnesses than what the court can take

In some instances, a case is set for one day with ten (10) witnesses, whereas that case is not the only case for the day. Thus, witnesses become demoralised as they keep on coming for court and are not called to testify.

v) Relaxation of bail condition without the knowledge/input of the Investigating Officer

For the proper management of the case that is before court especially where the accused is on bail with conditions, any relaxation of such conditions should be discussed with the Investigating Officer who will in most instances be able to advise as to whether to oppose the relaxation of conditions or not.

vi) Double engagement

It sometimes happens that cases are remanded simply because the lawyer has other cases to attend to on the same day. This practice needs to be discouraged as such practices causes unnecessary delays that can be avoided.

vii) Unavailability of Judicial Officers (magistrates)

In many instances, the unavailability of the magistrate(s) is made known way before the trial date but that absence is not communicated to the Investigating Officer on time. Considering the financial implications the summoning of witnesses have on the State Revenue, earlier notification will avoid unnecessary payment of witness fees.



3.2 DIRECTORATE: PUBLIC EDUCATION AND CORRUPTION PREVENTION



MRS NAMUPA NENGOLA
HEAD: 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 contributes to attaining one of the Anti-Corruption Commission's strategic objectives, namely reducing corruption in Namibia.

The DPECP executes its functions through ACC's four offices: Windhoek office (serving for Khomas, Hardap, //Karas and Omaheke Regions), Otjiwarongo office (serving for Otjozondjupa, Kavango East, Kavango West and Zambezi Regions), Oshakati office (serving for Omusati, Oshana, Ohangwena and Oshikoto Regions) and Swakopmund Office (serving for Kunene and Erongo Regions).

During the year under review, the DPECP carried out many activities under its four key interventions namely: Activity 1: examining systems, practices and procedures; Activity 2: ethics and integrity training; Activity 3: public education on corruption; material development and Activity 4: coordination of the implementation of the National Anti-Corruption Strategy and Action Plan 2016-2019 (NACS). Through these key projects, the directorate was able to conduct the following activities:

3.2.1 EXAMINING SYSTEMS, PRACTICES AND PROCEDURES

i) Corruption Risk Assessment

The Anti-Corruption Commission (ACC) examines 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 systems, practices and procedures of an institution are analysed. The various systems, practices and procedures of components of an institution are examined and analysed to identify institutional factors that favour, support or enhance corrupt practices by looking at their likelihood and impact. Thereafter, a mitigation plan with measures to minimise the probability and impact of harmful effects is developed. The ACC plays a supportive role in the implementation of the mitigation plan of an assessed institution by monitoring and evaluating its progress.

In each institution where CRA was conducted, risks were identified, a risk mitigation plan was developed and an integrity committee to spearhead the implementation of the mitigation plan, was established.

During the 2018/2019 financial year, the Directorate was able to successfully conduct a total number of fourteen (14) Corruption Risk Assessment exercises at the following public institutions:

Fig. 9 The Henties Bay Municipality management and senior management participated in the two and a half, day CRA workshop at Henties Bay Municipality



- ii) **Implementation, Monitoring and Evaluation of the Corruption Risk Mitigation Plans (CRMP)**
The monitoring and evaluation process complements the CRA tool in terms of monitoring and evaluation. The aim is to monitor the progress made by the targeted institution where the CRA was initiated and to evaluate the implementation of risk mitigation plan.

During the year under review, the ACC supported various institutions to monitor and evaluate their mitigation plans as follow:

- The ACC Swakopmund office has successfully conducted the monitoring and evaluation mitigation plan for the Directorate of Maintenance under the Ministry of Works and Transport in the Erongo Region on 13 June 2018 and Kunene Regional Council on 19 February 2019 respectively.
- The ACC Windhoek Office conducted a one-day monitoring and evaluation event with Hardap Regional Council members on 26 February 2019.

3.2.2 ETHICS AND INTEGRITY TRAINING

Under this activity, the Anti-Corruption Commission (ACC) conducted ethics and Integrity training with various institutions. Ethics and integrity training is part of the National Anti-Corruption Strategy and Action Plan 2016-2019 under Strategic Objective 2, that deals with preventing corruption in OMAs and PEs. The main purpose of this training is to strengthen a culture of integrity, trust and highest standard of ethics, to facilitate a trustworthy public service. During 2018/2019 Financial Year, the following sixteen (16) public institutions have undergone the training on ethics and integrity.

Fig 10. Ethics and Integrity Training 2018/2019 Financial Year

NAMPOL	REGIONAL COUNCILS	MINISTRIES	MUNICIPALITIES	OTHERS
<ul style="list-style-type: none"> • Khorixas Nampol • Khomas Region Nampol • Erongo Region Nampol • Oshana Region Nampol 	<ul style="list-style-type: none"> • Omaheke • Kunene • Oshana • Hardap • Kavango West • Kavango East • Zambezi • Otjozondjupa 	<ul style="list-style-type: none"> • Ministry of Agriculture, Water and Forestry 	<ul style="list-style-type: none"> • Henties Bay Municipality 	<ul style="list-style-type: none"> • Construction Industry Federation

Fig. 11: Three Councilors for Kavango West Regional Council (front row) and staff members during CRA workshop



3.2.3 PUBLIC EDUCATION ON CORRUPTION; MATERIAL DEVELOPMENT AND PROJECT

Under this activity, the Anti- Corruption Commission carried out awareness for different sectors (public, private and civil society sectors). This awareness targeted public officials, youth, and churches among others.

i) Anti-corruption awareness for public and private officials

The public, private and civil society sectors remain highly vulnerable to corruption. The ACC, therefore, is responsible to educate officials in all sectors and disseminate information on the evils and dangers of corruption. This is done through different platforms such as workshops, seminars, and meetings to inform them of the concepts of corruption, levels, causes and effects of corruption and how to report corruption to relevant authorities.

Activities to educate officials from the aforementioned sectors on corruption were conducted for the following institutions/places:

- Otjiwarongo secondary school, 28 teachers
- Ongha Circuit Annual Career Fair, 337 learners and 58 teachers
- Ministry of Agriculture, Water & Forestry in Erongo Region, 25 participants.
- Road Authority Walvis Bay weighbridge, approximately 100 people
- Henties Bay municipality staff members, 25 participants
- Ongwediva Trade Fair, approximately 500 people
- Karibib Staff and Command College- 30 Defence Force members
- Omusati Regional Council, 25 participants
- Oshikoto and Omusati Education Officials
- Khorixas Police
- NATIS Swakopmund
- Ministry of Education, Arts and Culture Head Office
- NAMPOL Erongo Region
- Evangelical Lutheran Church in Namibia -23 participants
- Ministry of Home Affairs and Immigration- 50 participants
- Evangelical Lutheran Church in Namibia (ELCIN) 50 participants
- Shipanga Medical Services 14 participants

Fig 12. Mr Linus Simataa from ACC-Otjiwarongo office (in the middle) with teachers of Otjiwarongo Secondary school after the workshop



ii) Youth Outreach

One of the most effective strategies in the fight against corruption is to educate the youth against corruption. Every year, ACC welcomes all youth organisations that are keen to be part of the struggle of fighting corruption. At the same time, ACC participated at various career fairs and arranged visits to schools and institutions of higher learning to conduct awareness.

- **Evangelical Lutheran Church in Namibia (ELCIN) youth leaders**
The youth leaders from the Evangelical Lutheran Church in Namibia (ELCIN), invited ACC for information sharing workshop to present on a topic of Corruption and greed. The event took place in Tsumeb on 16 March 2019. The workshop aimed to equip and empower ELCIN youth leaders in the fight against corruption.
A total number of eighty-three (83) representatives from thirty-five (35) Parishes of ELCIN Eastern Diocese attended the workshop.
- **Young African Leaders against Corruption (YALAC)**
The ACC participated in the launch of Young African Leaders Against Corruption (YALAC), a youth non-governmental organization for the African youth at Etosha Secondary School, Tsumeb, in Oshikoto Region on 23 June 2018. The main purpose of YALAC is to work together as partners on future anti-corruption education projects with the ACC. This project also aids the realisation of NACS Specific Objective 4.2, Action 4.2.5: Common projects and programs with anti-corruption content will be conducted jointly with local and international NGOs specialising in anti-corruption.

Fig. 13: Mrs. Helena litula from ACC Oshakati Office (front row centre) with youth after the launch of YALAC at Tsumeb in Oshikoto region.



- **Anti-Corruption Dialogue- Commemoration of African Youth Day**
During the year under review, the Anti-Corruption Commission was represented at Anti-Corruption Dialogue in Tanzania from 2-4 October 2018. The Commemoration of African Youth Day, a national program, which was commemorated under the theme ‘Galvanising Youth Actions to Eliminate Corruption’ was attended continent-wide through invitations. Anti-Corruption Commission conducted the presentations which included topics such as the ACC’s background, its mandate, definitions of corruption and forms of corruption. Various educational materials were distributed to the participants.

iii) International Anti- Corruption Day and Essay writing competition

The Commission organised and commemorated the International Anti-Corruption Day 09 December 2018, at ACC head Office, Khomas region.

The ACC in partnership with the Institute for Public Policy Research (IPPR) and Ministry

of Education, Arts and Culture, commemorated the International Anti-Corruption Day (9 December) on the 7 December 2018. As part of the commemoration, the ACC had organised an essay competition amongst the Namibian secondary school students. The essay competition award was done on 7 December 2018. During the same IPPR, presented two papers. Six learners from different schools in different regions received awards in the two categories of the essay competition. The event was attended by public officials, representative from development partner organisations, members of the public, teachers and learners.

Fig. 14: Some of the learners who participated in the ACC Essay Competition.



Fig. 15: Winner of the Grade 10-12 category for the Essay Competition pictured with the ACC Director-General Mr. Paulus Noa and other dignitaries.



iv) Awareness through the media

Media is a vital tool that the Commission utilises to disseminate information about the mandate of the Commission, forms of corruption, effects of corruption and methods or channels of reporting corruption. Therefore, electronic media, social media, radio stations and newspapers were used as tools to disseminate information during the year under review.

For the 2018/2019 financial year, radio interviews with an anti-corruption content were aired on NBC radio stations in various languages: Oshiwambo, Otjiherero, Afrikaans and English. Topics such as the mandate of the Commission, forms of corruptions, effects of corruption, as well as methods of preventing corruption were discussed. Discussion to educate the public on NACS were also held on the radio, focused, mostly on Strategic Objective 3 and 6 namely; strengthening efforts to deter corruption and Engaging Civil Society and the media in combating corruption.

Furthermore, the ACC delivered a paper at the celebration of Public Service Day on 21 June 2018 in the Zambezi Region. The paper was focused on one of the sub-themes for the celebration of 2018 Public service Day in Namibia, namely, “Implementation of National Anti-Corruption Strategy and Action Plan 2016-2019”. The event attracted approximately 200 delegates, mainly public officials.

Fig. 16: Three PECP officials from ACC Oshakati Office, during an interview with KATI FM in Oshakati.



Fig. 17: Mr Mujoro, during an interview with Omurari FM.



v) Introduction of Anti-Corruption Themes in the Education Curriculum

The Ministry of Education, Arts and Culture partnered with ACC on the implementation of two NACS Actions, Action 4.2.2: Introducing anti-corruption themes in the civic life skills subject in schools and Action 4.2.3: Implementing a training programme on ethics, integrity and anti-corruption for school teachers. These actions, aimed at enhancing ethics and integrity among teachers as public officials.

Ministry of Education, Arts and Culture regarded corruption as one of the cross-curricula issues, hence, the integration of corruption themes into the curriculum. ACC officials and National Institute of Educational Development (NIED) officials participated in the meeting discussion held in Okahandja in June 2018 which critically looked at how best ACC and NIED under that MoEAC can move forward on attaining NACS Strategic Objective 4. The meeting however, brought about the development of an action plan for such collaboration set to be implemented in the 2019/2020 financial year.

Fig. 18: NIED and ACC officials discussing during the meeting at NIED in Okahandja



vi) The Standardized questionnaire for Life skills Teacher Guide

During the year under review, the questionnaire for monitoring and evaluation of the life skills teacher guide was also standardised. The objective of the standardised questionnaire is for the DPECP to have a uniform questionnaire that would be used during the monitoring and evaluation of the life skills teacher guide that was implemented countrywide. This questionnaire will inform the office the extent to which regions, circuits and schools have implemented the guide and will also shed light on challenges faced by the schools in implementing the guide.

3.2.4 NATIONAL ANTI-CORRUPTION STRATEGY AND ACTION PLAN 2016-2019 IMPLEMENTATION PROGRAMMES

The Government of the Republic of Namibia developed the NACS to guarantee an environment adverse to corruption. This was in response to Namibia's Vision 2030 which contains Namibia's National Development Plans and objectives. The aim is to ensure that Namibia becomes a prosperous, harmonious, stable and industrialised state by the year 2030. That dream can only be realized if a transparent and corruption-free society is fostered.

The NACS has a total of seven-five (75) actions, and their implementation involves all government OMAs, PEs and stakeholders from the private sector, media and civil society organisations over four years, i.e. 2016-2019.

i) NACS meeting with Town/Village Councils and Settlements in Oshana and Omusati Regions

The ACC Oshakati office sensitised the Town/Village Councils and Settlements in the Oshana and Omusati region on 30 May 2018 and 6 June 2018 respectively. The target group for both, consisted of political office bearers, town/village councils and settlements management.

The sessions held focused on strategic objectives and specific objectives relevant to local authorities. Furthermore, the sessions included a general corruption awareness presentation.

Fig. 19: Hon. Selma Nelago Asino, Mayor of Outapi Town Council welcoming participants to the workshop held in Outapi.



Fig. 20: Participants from Omusati region during the NACS sensitization workshop



ii) **National Anti-Corruption Steering Committee (NACSC) and Cluster Meetings**

The National Anti-Corruption Steering Committee (NACSC) Secretariat conducted eleven cluster meetings for Cluster One, Two, Three and Four, during the period under review. The overall objective of the cluster meetings was to discuss the implementation of the National Anti-Corruption Strategy (NACS) activities as contained in the 2018/2019 NACS Annual Plan. This was done in collaboration with the leading agencies of specific objectives as stipulated in the NACS.

The National Anti-Corruption Steering Committee (NACSC) held its four quarterly meetings as scheduled in April, July, and October 2018. The quarter 3 meeting was held in March 2019. The aim of the meeting was for committee members to update each other on the progress made on the implementation of the NACS activities for 2018/2019 financial year.

3.2.5 EXTERNAL MEETINGS/WORKSHOPS/CONFERENCES

i) **Meeting for the Heads of Anti-Corruption Agencies in Commonwealth Africa**

The ACC Director-General in the company of one DPECP Official attended the meeting for the Heads of Anti-Corruption Agencies in Africa held in Abuja, Nigeria. At the meeting Namibia presented a paper focused on the NACS and Action Plan implementation during 2017 / 2018 financial year.

Fig. 21: From right, Mr Paulus Noa: ACC Director- General, H E Thambo Mbeki: Former SA President, and far-right Dr Roger Koranteng: Head of Public Sector Governance Commonwealth Secretariat, UK during official opening of the review meeting in Abuja Nigeria



3.2.6 PECP DIRECTORATE'S ANNUAL PLANNING WORKSHOP FROM 11-15 MARCH 2019.

As per the Strategic Plan of Anti-Corruption Commission 2017-2022, the DPECP held an annual planning workshop. The workshop took place from 11 to 15 March 2019 in Otjiwarongo. The purpose of the workshop was to review and appraise the directorate's activities for 2018/2019 financial year and to plan for the directorate's activities for the financial year 2019/2020. The workshop also looked at issues of concern to the directorate.

At the same workshop, the DPECP staff members had a chance to refresh themselves on the process of carrying out the Corruption Risk Assessment. The emphasis was on the monitoring and evaluation to ensure that the implementation of the corruption risks mitigated instruments is effectively done.

3.2.7 BUSINESS PROCESS RE-ENGINEERING (BPR)

The team responsible for Business Process Re-engineering (BPR) had an opportunity to consult staff members on the work done regarding BPR. The team consulted on the BPR Project Charter, the AS-IS process, TO-BE Process and the proposed change initiatives to improve the quality of the DPECP work. The BPR team received comments and suggestions from the staff and inputs were incorporated into the BPR documents after a discussion.

3.3 DIVISION: ADMINISTRATION



MR ANDREAS NANGOMBE
HEAD: ADMINISTRATION

The main objective of the Division is to ensure that policies are implemented and to ensure that there is a conducive working environment and high degree of governance. The division further is entrusted with the responsibility to provide efficient and effective administration and support services in Human resources, Finance, Information Technology (IT), and Training to all divisions in the ACC. Moreover, the main 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 and Information Technology;
- Internal Audit; and
- Public Relations

3.3.1 SUB-DIVISION: HUMAN RESOURCE MANAGEMENT

The sub-division is responsible for performing among others the following 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 conducive environment. Further, the subdivision is responsible for advisory services on issues pertaining to human resources management within the Commission and ensuring that rules and regulations are correctly understood, implemented and complied with.

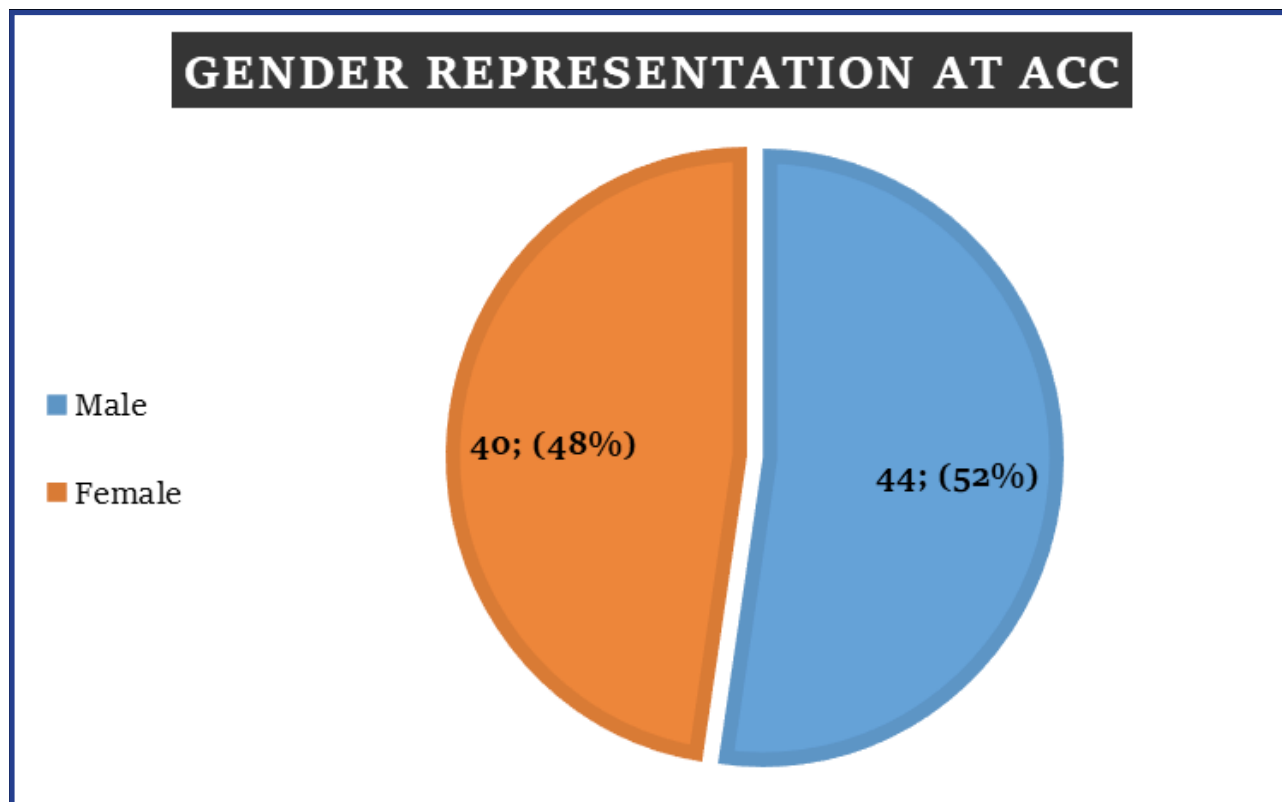
i) Staff Establishment

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

As at the end of the reporting period, eighty-four (84) positions were filled consisting of thirty-one (31) in the Directorate Investigations, eighteen (18) in the Directorate Public Education and Corruption Prevention and thirty-four (34) in the Division Administration. During the year under review, fifty-six (56) personnel were based at the head office in Windhoek, eight (8) at Otjiwarongo, ten (10) at Oshakati and ten (10) at Swakopmund. Currently there are nineteen (19) vacant positions. All vacancies cannot be filled due to inadequate funding.

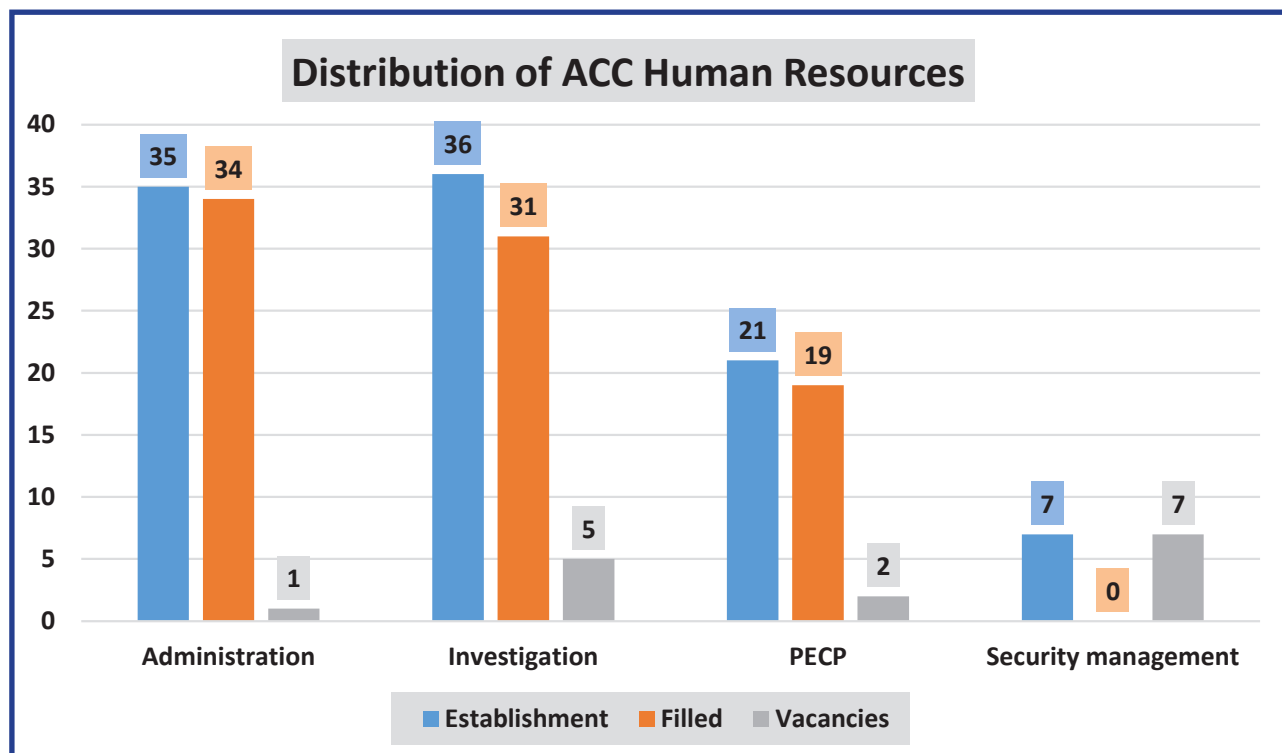
Out of eighty-four (84) staff members, forty-four (44) are male, and forty (40) are female. See chart below:

Fig 22: The Commission's staff complement as per gender



ii) Distribution of ACC Human Resources

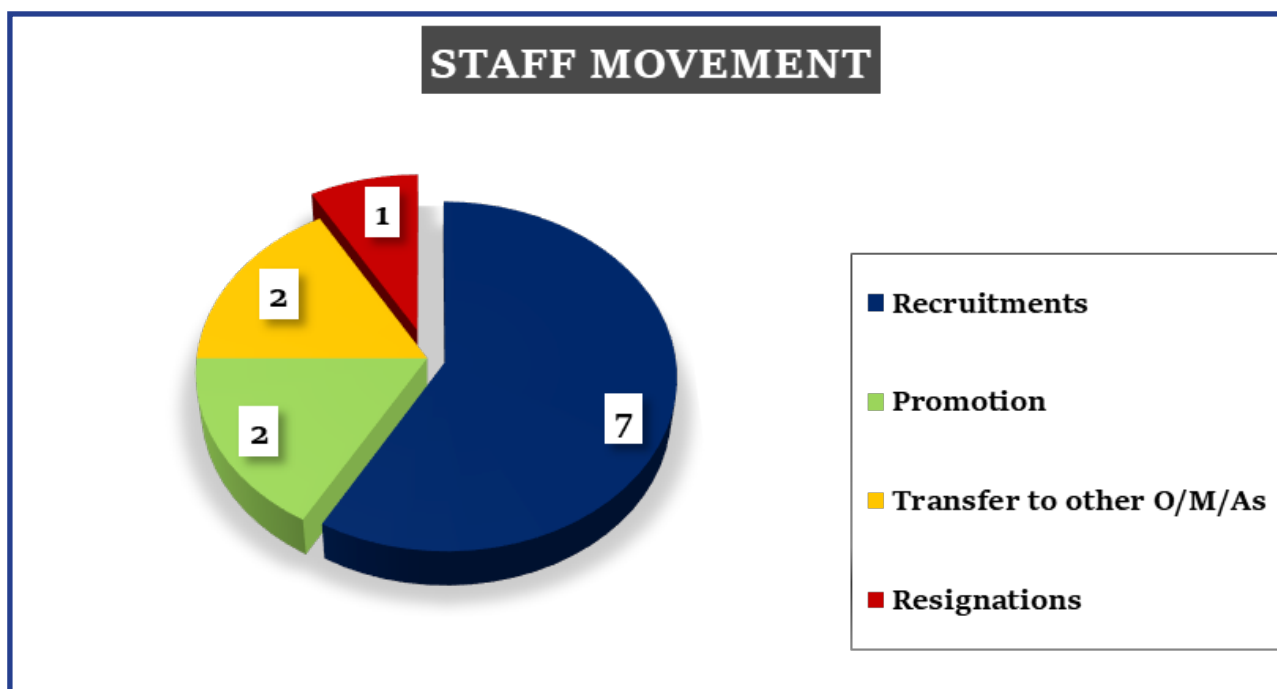
Fig. 23: Distribution of ACC Human Resources among directorates/divisions



iii) Staff Movements

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

Fig. 24: Staff movement during the year under review



- **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 2018/2019 financial year.

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

During the year under review two (2) staff members were promoted from Otjozondjupa Regional Council and the Ministry of Information and Communication Technology to the Commission respectively.

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

During the reporting period, one (1) female and two (2) male staff members were transferred to other Ministries with the following positions: Computer Technician Grade 12 to Ministry of Home Affairs and Immigration; Accountant Grade 8 to Ministry of Education, Arts and Culture and Senior Investigating Officer Grade 5 to the position of Deputy Director in the Ministry of Home Affairs and Immigration respectively.

- **Promotion within the ACC**

During the 2018/2019 financial year two (2) male staff members were promoted within the Commission as follows: Mr. W. Ngashikua promoted from Investigating Officer Grade 7 to Senior Investigating Officer Grade 5; Mr. D. Muchokwe promoted from Investigating Officer Grade 7 to Senior Investigating Officer Grade 5.

iv) Appointments

During the financial year period 01 April 2018 – 31 March 2019, Seven (7) positions were filled.

Table 7: Staff members' appointment as from 01 April 2018 to 31 March 2019

NAME AND SURNAMES	RANK	DATE APPOINTMENT
Elli-Helena Amutenya	Control Administrative Office Grade 6	01/10/2018
Martha Shipanga	System administrator Grade 10	01/09/2018
Maria Uulumbu	Investigative Officer (Policy Analyst) Grade 7	01/12/2018
Tuyenikelao Mapove	Cleaner Grade 15	08/01/2019
Selma N. Kalumbu	Senior Investigator (Policy Analyst) Grade 5	16/01/2019
Josefina Nghituwamata	Chief Public Relations Grade 6	01/02/2019
Helena Muzanima	Administrative Officer Grade 12	11/03/2019

3.3.2 SUB-DIVISION: TRAINING AND DEVELOPMENT

The sub-division is responsible for coordinating training and development programmes for ACC staff members through a Training Need Assessment (TNA), Personal Development Plan and recommendation by their respective supervisors.

During the year under review:

- The Commission supported and funded eight (8) staff members who attended qualifying courses to the tune of N\$40 995.00.
- The Commission further supported and funded twenty-five (25) staff members who attended functional training to the tune of N\$ 111 668.00.

The functional training comprised a wide range including business reengineering, business writing, leadership and change management, disciplinary procedures and protocol and etiquette.

Fig. 25: Number of functional training undertaken per job category

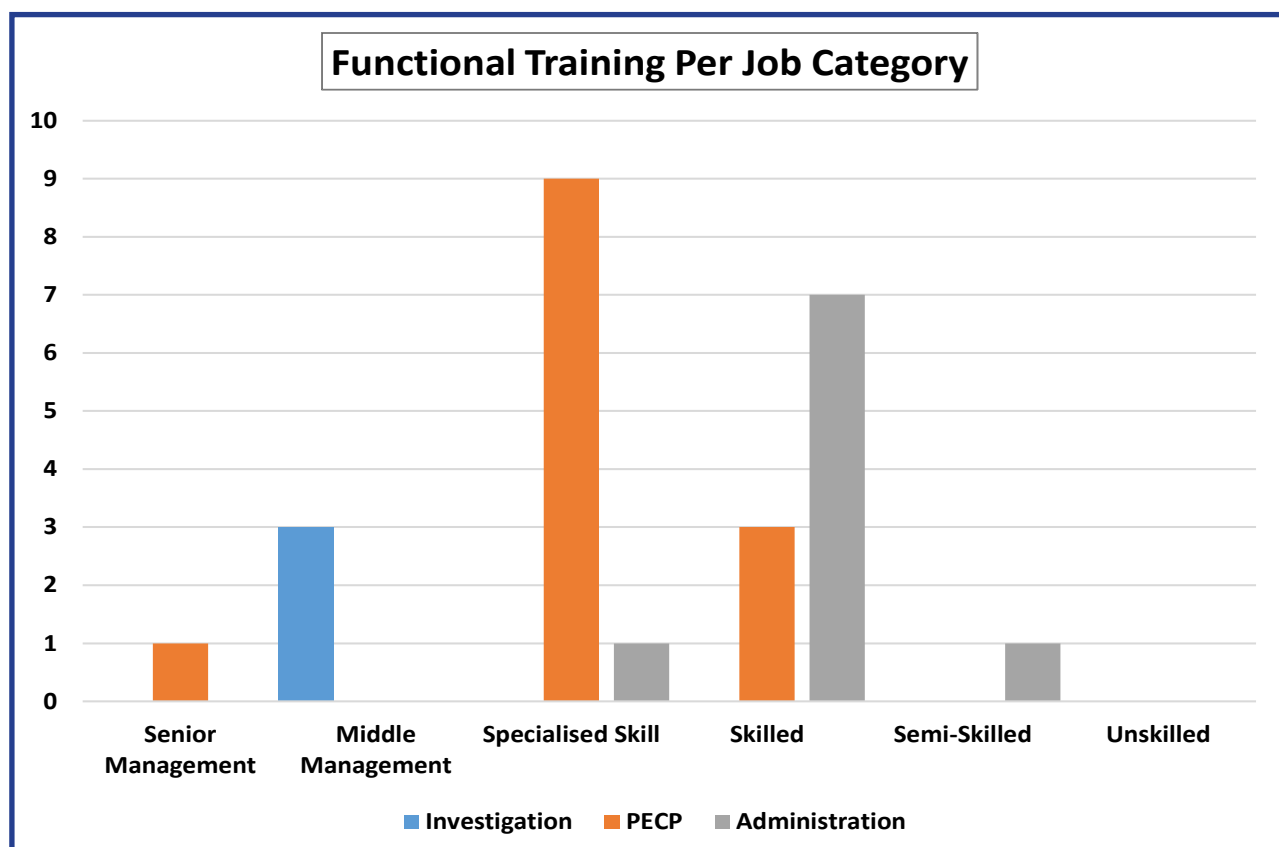


Fig. 26: Functional training undertaken per Directorate/Division

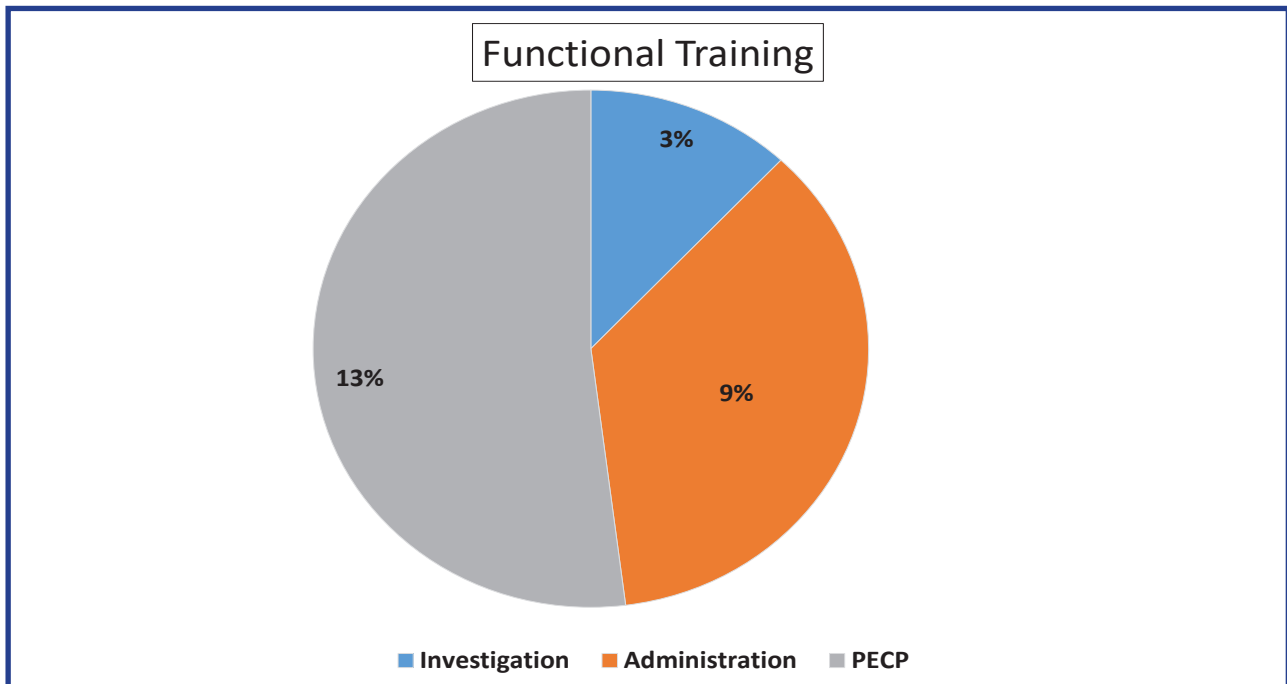
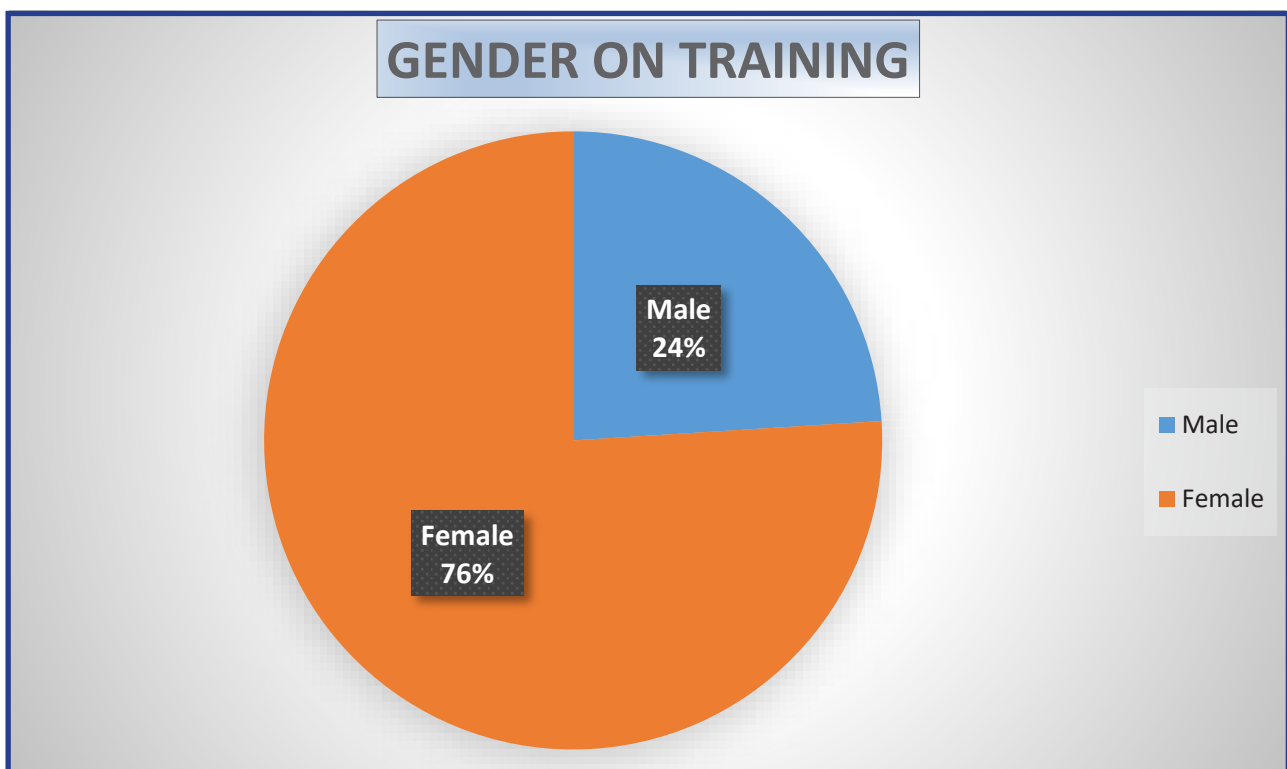


Fig. 27: Gender representations on training



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. The sub-division further, assists with the compilation of the ACC budget allocations; ensures compliance with Government's financial regulations and manages the utilisation of the budget to ensure that organisational programmes are successfully executed and that the organisational objectives are implemented.

i) Budget allocation during the 2018/2019 financial year

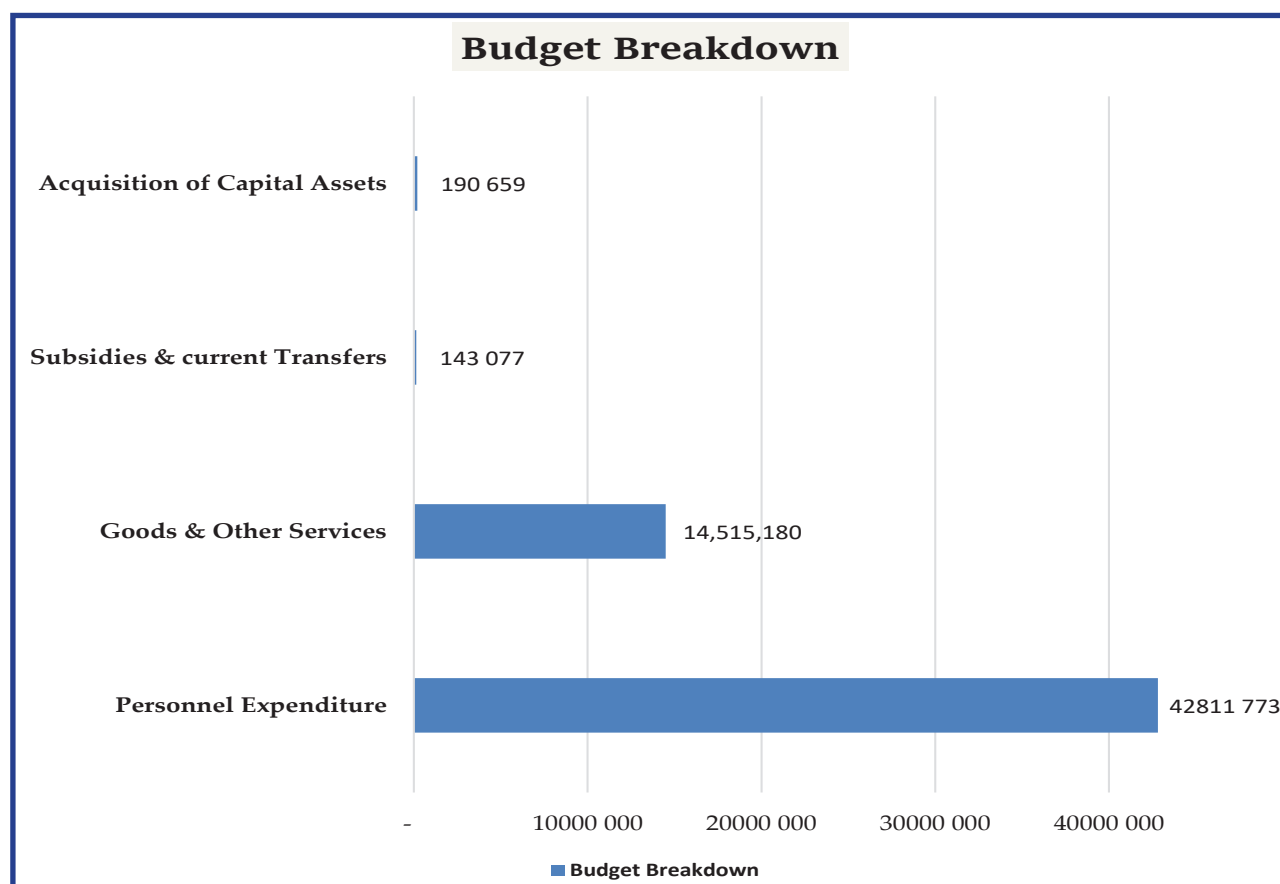
During the 2018/19 financial year, an amount of N\$ 60 955 000 was allocated to the Anti-Corruption Commission, whereas it was reduced to N\$60 755 000 during Mid Term Review. The allocated funds were namely for operational expenditure such as:

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

Out of the total budget allocation of N\$60, 755 000, an amount of N\$1 900 000 was suspended leaving an amount of N\$58 855 000 to be spent on the operational budget. The Anti-Corruption Commission managed to utilise N\$57 660 691 by the end of the financial year 2018/19 which can be translated into an expenditure rate of 98%.

In addition, out of the budget allocation, an amount of N\$ 42 811 773 was allocated to Personnel Expenditure which represents 75% of the total budget. An amount of N\$14 515 180 (26%) was utilized for Goods and Other services and the remaining portion of N\$143 077 (0.01%) to Subsidies and other current transfers and N\$190 659 (0.01%) Acquisition of capital assets.

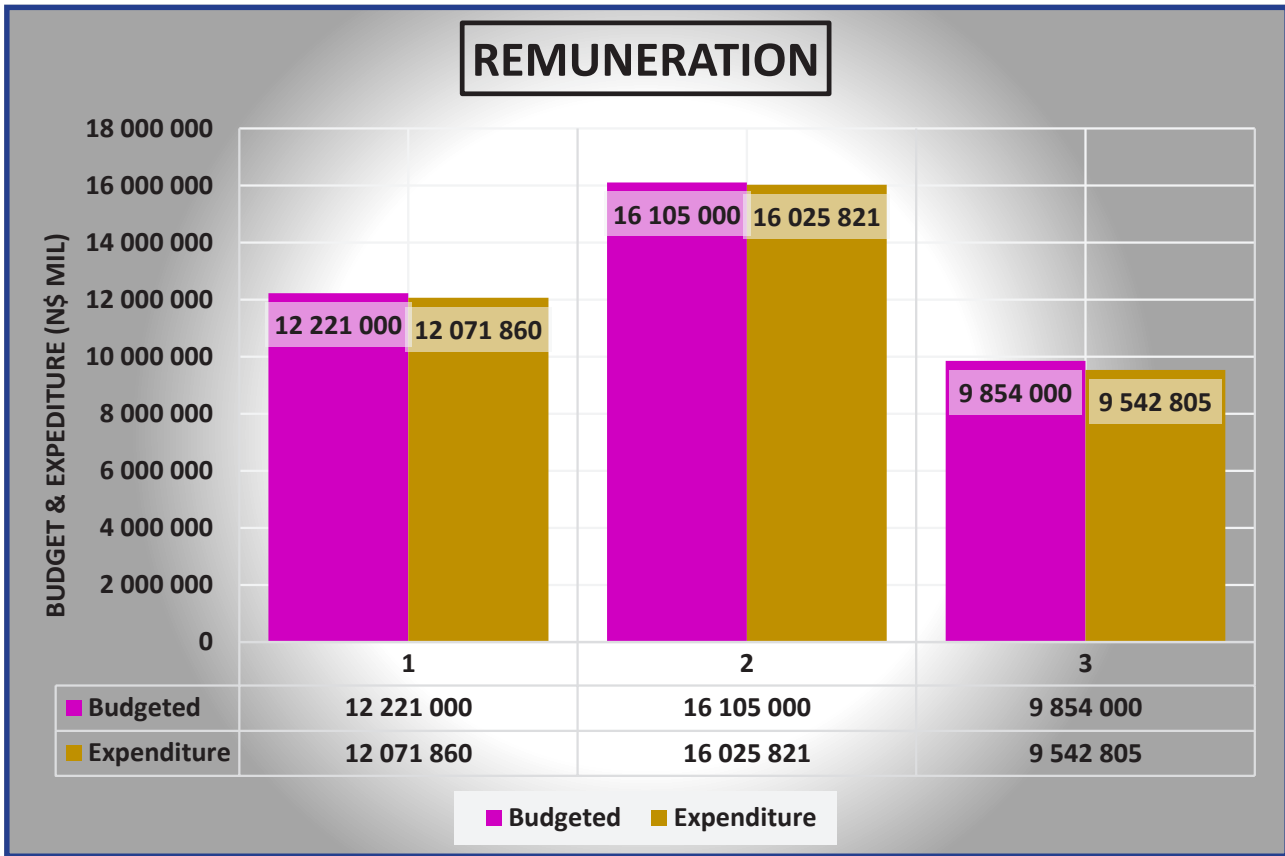
Fig. 28: Budget allocation during 2018/2019 financial year



ii) **Payroll**

Payroll office managed to offer quality service to internal staff members. This office ensured that payments were processed successfully and timely without any delays. Below is the chart indicating the breakdown of the remuneration.

Fig. 29 Budget and Expenditure in terms of remuneration per directorate/division

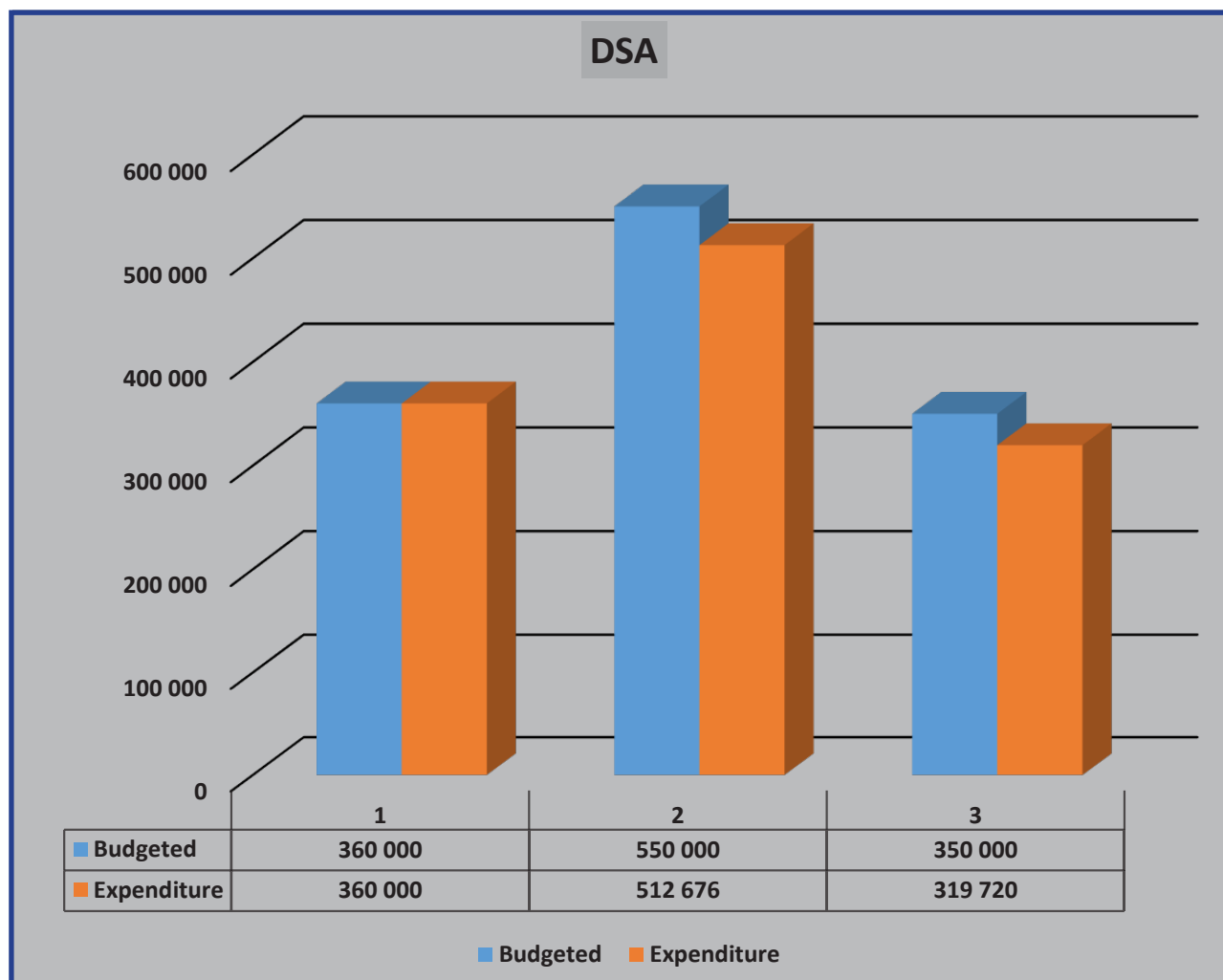


iii) **Daily Subsistence Allowance (DSA)**

The sub-division also manage the DSA which are funds set aside to assist staff members to cover for the cost incurred when they are away from their duty station to perform official duties.



Fig. 30: Budget allocated against expenditure on DSA per division during 2018/2019 financial year



Key: 1 – Division: Administration

2 – Directorate: Investigation

3 – Directorate: Public Education and Corruption Prevention

3.3.4 SUB-DIVISION: GENERAL OFFICE SUPPORT

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.

During the 2018/2019 financial year the sub-division performed the following:

- Adjust procurement management structures to comply with the new Procurement Act in the Public sector / Set up the Procurement Management Unit as guided by the Procurement Act, 2015 (Act no. 15 of 2015);
- Bid allocations;
- Reduced the number of rental vehicles by four (4) bringing the total number of vehicles to twenty-six (26) in order to align with logistical operations of the office;
- Record all movable assets in various registers for proper recording.

i) **Fleet and Asset Management during the 2018/2019 Financial Year**

Anti-Corruption Commission has twenty-six (26) official vehicles, one (1) ACC Headquarters and one (1) house assign by Ministry of Works and Transport. The ACC Headquarters is situated at the corner of Mont Blanc & Groot Tiras Street, Eros, in Windhoek.

Table: 8: Fleet management at ACC during 2018/2019 financial Year

MONTH	FIXED TARIFF	FUEL CONSUMPTION	GENERAL REPAIRS	LOSSES AND DAMAGES	POOL EXPENSES	MISCELLANEOUS
April	271 762	20 830	2 134		2 680	
May	271 762	25 085	6 221			
June	271 762	36 596				
July	271 762	48 568		2 774		
August	271 762	53 803				
September	271 762	55 823				
October	271 762	42 443	3 476	632		
November	271 762	59 590				
December	268 050	35 138				
January	271 762	36 733				
February	271 762	39 711	2 846		3 820	
March	271 762	48 749			99	
Grand total	3 257 432	503 069	2846	3406	6599	

3.3.5 SUB-DIVISION: INTERNAL AUDIT

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

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 organisation.

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: 9: Types of audit carried out during the 2018/2019 Financial Year

ROUTINE AUDIT	FOLLOW AUDIT	AD –HOC AUDIT
Transport audit	Storeroom inspection (Head Office	None
Human Resources (Payroll)	Subsistence and Travelling allowance	-
Storeroom inspection (Head Office)	-	-
National Payroll verification audit	-	-

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 2018/2019 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 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://web.mail.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 sub-division is responsible for promoting and increasing the visibility and the image of the Commission. The Public Relations office is further responsible for enhancing / strengthening internal and external communication.

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.

Furthermore, the subdivision facilitated the issuing of five (5) press releases in respect to events and cases where the Commission has taken action against the suspects and or information dissemination to the public.

The position in the PR sub-division has been vacant since 2017/2018 financial and was only filled on the 01st February 2019. Hence, the minimal activity during the year under review.

HOW DOES ACC HANDLE CORRUPTION COMPLAINTS?

ACC is empowered by the Anti-Corruption Act, 2003 to investigate corruption complaints. It investigate other seizeable offences only when these offences are discovered in the course of investigating corruption offences. All corruption complaints received by the Commission are forwarded to the Director-General for evaluation. The DG is the Head of the Commission, and with the assistance of the Deputy Director-General look at the corruption complaints and determine if they fall under ACC's purview and whether the complaints contain sufficient information for investigation or other follow-up actions.

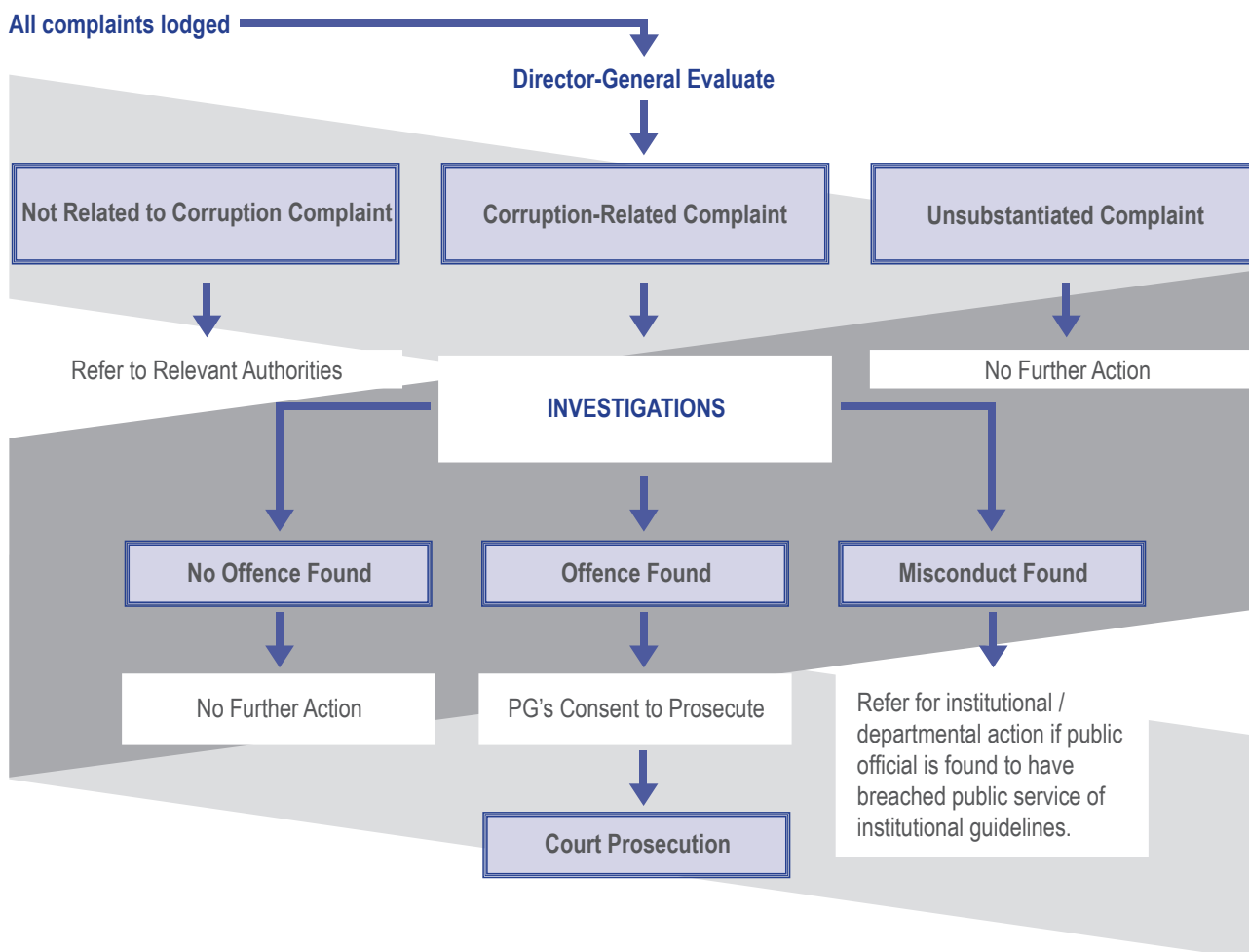
Complaints that do not fall under ACC's purview, they are referred to relevant authorities. If a complaint is too vague, ACC may not be able to act upon it. As such, it is always helpful if complainants/informants can provide the Commission with as much information as possible.

Examples of useful information will be details like the identities of the parties involved, the amounts of bribes transacted, the date, time, place and mode of the bribe transactions, and the favour shown in return for the bribes transacted.

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 O/M/As/departments for internal or departmental actions.

Fig. 31 Processes in handling corruption complaints?



PART 4

Recommendations



**SAY NO TO
CORRUPTION**

ACC commends authorities for the implementation of recommendations made in the previous annual reports. There are, however some of the recommendations which have either not yet received full attention or are still in the process of being implemented. For these, ACC urges authorities to demonstrate their commitments to implementation thereof. As previously stated, the implementation of the recommendations will effectively prevent re-occurrence of malpractices, mismanagement of resources and corruption. Some of the recommendations are aimed at expediting the due processes of the law.

Good governance entails being pro-active in corruption prevention and promoting the values of transparency and accountability. The National Anti-Corruption Strategy and Action Plan 2016-2019 in its Strategic Objective 2, under Specific Objective 2.1 speak of 'Addressing public institutions' specific vulnerabilities by systematic implementation of preventative measures'.

i) Establishment of Integrity Committees

The National Anti-Corruption Strategy states that integrity committees consisting of staff members of O/M/As and PEs must be established by the accounting officers of the respective institutions. The Prime Minister is on record, urging offices, ministries and agencies to establish integrity committees and ensure that members are given necessary training to execute their responsibilities. For the integrity committees to function well Terms of Reference for Integrity Committees were developed and had become part of the revised PSSR E.X/II –Public Service Code of Conduct, Integrity and Ethics. Further, OPM has created a new Integrity Unit under the Department of Public Service Management to drive the initiative.

In addition, ACC has developed an ethics guide for public officials which has gone through a validation process with stakeholders. The ethics guide will also be used for training the proposed integrity committees at O/M/As, PEs, LAs, and RCs.

The integrity committees to be established are critical as they will be charged with overseeing the implementation of integrity systems and plans. They will further have a responsibility to monitor ethical conducts as well as compliance with procurement procedures within their respective institutions, among other responsibilities. They shall from time to time offer internal training to their colleagues on values of ethics and integrity. ACC strongly recommends that all public institutions must establish integrity committees and that members must be given necessary support and cooperation by the management and staff to enable them to harmoniously execute their functions.

Strong ethical values must be actively promoted in all spheres of our society. Government sector must lead by the culture of strong ethical values. These values are embedded in our Constitution, and it is not all enough to have them entrenched in the supreme law, they must be continuously internalised in the deoxyribonucleic acid (DNA) of the citizens.

ii) Commencement of Whistle-blower Protection Act, 2017 (Act No. 10 of 2017)

Members of the public have, on several occasions, approached ACC expressing concerns on what they term lack of urgency in the entry into force of the whistle-blower protection law. The law was passed by Parliament with high enthusiasm, and members of the public have high expectation of the protection derived from the law. It was ultimately signed into law by the President, and since then the commencement became stagnant. The public argues that they are put at own risk if they have to report corruption or disclose improper conducts involving their supervisors because no law protects them against victimisation.

ACC shares the concerns of members of the public and recommends that authorities must make all efforts possible to finalise logistical issues to speedily operationalize the law. Protection of whistle-blowers is at the root of the fight against corruption. Therefore, Parliament is urged to ensure that adequate funding is provided for the Whistle Blower Protection Office to function effectively.

iii) Plea Bargaining

In the previous annual reports, ACC made a recommendation for the present Criminal Procedure Act to be amended and make provision for plea bargaining power. Plea bargaining could, in specific cases facilitate the speedy and effective disposal of criminal cases. When suspects are given room for plea bargaining, it may serve to the benefits of the state to consider the guilty plea offer, especially in instances where the possibility of disposing the criminal matter within a reasonable time is remote and justice is served by the plea of guilt made. Some suspects may be prepared to plead guilty based on agreed conditions. This may result in the convicted suspect turning into a state witness and assist with the prosecution of serious criminal matters or reveal information that may result in the recovery of stolen money or assets.

iv) Misconduct Complaints

ACC still experience some supervisors reporting issues of misconduct against their subordinates to the Commission, instead of initiating disciplinary charges against the offenders. This is so notwithstanding that in many of these complaints reported to ACC, offences committed are of misconducts and there is often sufficient evidence to support disciplinary charges. These managers derelict their duties by failing to confront their subjects and charge them for contravening the policies, rules or procedures of public institutions under their management.

ACC is mandated to investigate criminal conducts of corrupt practices as defined and listed in the ACA. Dockets upon completion of investigation are referred to the Prosecutor-General for possible prosecution in criminal courts. Criminal courts hear criminal cases that must be prosecuted based on the evidence presented and must be proven beyond reasonable doubt. Supervisors must take their responsibilities very seriously and ensure that officials under their supervision account for their wrong deeds.

v) Access to Information

Access to information helps to prevent and fight corruption, particularly in a democratic society built on principles of transparency and accountability. It is vital that a law on access to information is enacted by Parliament to strengthen anti-corruption drives. Access to information may only be limited, among others, in security-related matters, privacy, confidential information, protection of investigations and legal proceedings, classified records and matters of international relations. The international legal instruments which Namibia signed and ratified, recognise the importance of access to information in the fight against corruption.

vi) Management of Public Resources

The people of Namibia are the real owners of public resources which are under custody of Government. Citizens have entrusted their sovereignty to the Government through national leaders whom they have democratically elected to represent them and take decisions on their behalf, render efficient and effective services, as well as use national resources to serve the public interest.

Sadly, there have been reports of maladministration and mismanagement, resulting in questionable expenditure of public funds. Noticeably, wastage of public resources is mainly as a result of negligence in the execution of administrative functions. Lack of transparency and failure to subject responsible public officials to account, cause damage to the economy. Authorities must ensure that those responsible for decisions or actions that result into unnecessary expenditure or loss of taxpayers' money are called to account and where appropriate, actions are taken against them, irrespective of their status in society. The financial resources must be managed prudently to contribute to sustained economic development, poverty reduction and sustained peace and stability.

vii) Appointments on Merit

Allegations of favouritism, nepotism and extortion have been reported to ACC. Where evidence to support the allegations was found, ACC took action against the suspects in accordance with the law. It is recommended that appointments should be made on merit irrespective of gender, racial, ethnic or political affiliation. All citizens must show their loyalty to their country and rise above petty issues of social association. Namibia is the only home we have.

viii) Education

Education is very critical for the development of our country free of corruption. ACC believes that a strong educational foundation built on the values of ethics prepares the learners for a bright future. In recognition of this, ACC has developed an 'Anti-Corruption Education Manual' to be used in Life Skills subject from Grade 4-12. The objective is to inculcate anti-corruption culture and promote values of ethics among the learners who are in fact the leaders of tomorrow.

The manual covers various anti-corruption issues, topics and themes relating to the damage caused by corruption to the economy and learners' future. The manual is also aimed at engaging learners through various participatory activities such as anti-corruption debates, discussions, research and drama. Life skills teachers were trained on the implementation of the manual, and the training remains an ongoing process as new teachers are being employed. In addition, Fifty-six (56) regional school counsellors from all regions had been given similar training.

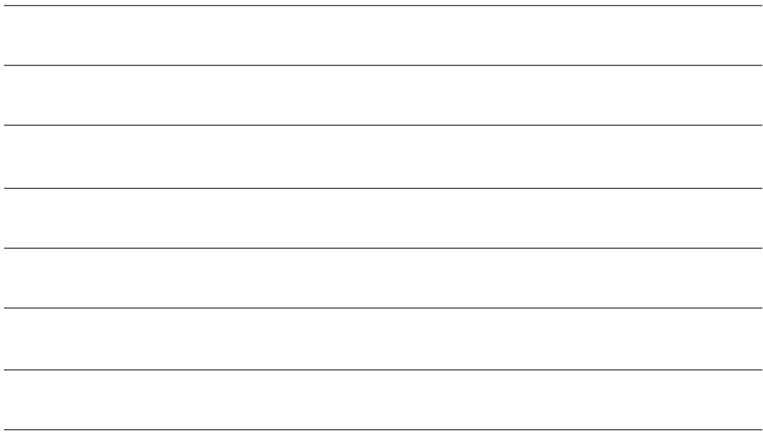
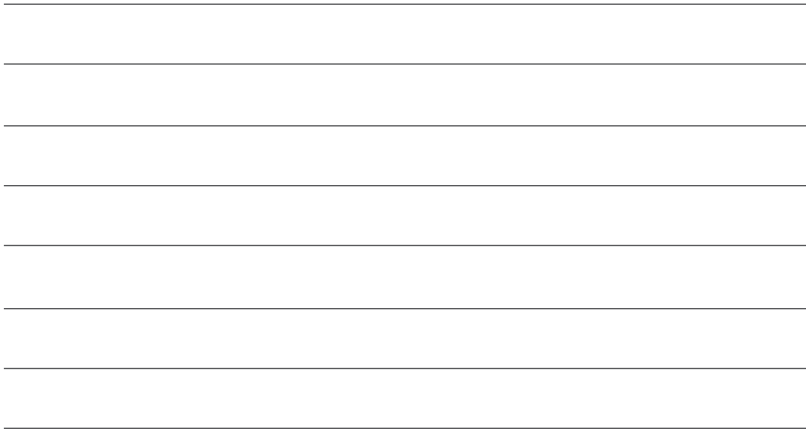
If the Ministry of Education, Arts and Culture (MoEAC) makes use of the manual to the fullest, it will go a long way in moulding a society that shuns and rejects corruption. It is strongly recommended that the political leadership and MoEAC, in particular, encourage teachers and education counsellors to fully implement the manual in the Life Skills subject.

ix) National Anti-Corruption Strategy and Action Plan 2016 - 2019

The National Anti-Corruption Strategy (NACS), which is in fact Namibia's national policy on fighting and preventing corruption is being implemented by all responsible institutions. Many of the actions in the Strategy have been either acted upon or are being implemented. We owe the implementation process to the unwavering efforts by the Right Honourable Prime Minister who has relentlessly given directives to O/M/As to implement the Strategy without fail. We also owe the implementation progress to the NACS Steering Committee which met time to time to discuss and report on the progress made.

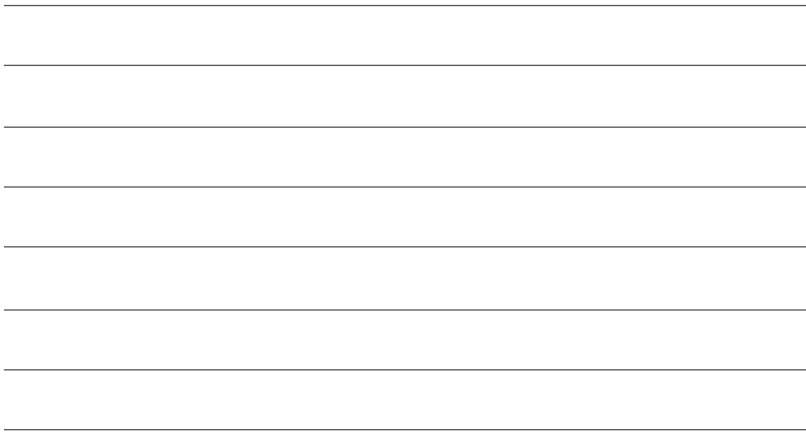
The Strategy contains six strategic pillars, namely increasing the level of political accountability; preventing corruption in government offices, ministries, agencies, and public enterprises; strengthen efforts to deter corruption; conducting extensive anti-corruption education; preventing corruption in the private sector; and engaging civil society and the media in the fight against corruption. Under each pillar, there are specific objectives and actions. The real owners of the Strategy are members of the public. Therefore, everyone has a responsibility to own this Strategy and contribute towards strengthening efforts to combat corruption in Namibia.

Corruption is a complex menace found in all institutions. It is a crime committed through bribery, tax evasion, illicit financial flows, nepotism, favouritism, misuse of political power and many other unlawful acts. The National Anti-Corruption Strategy and Action Plan is meant to build a strong national integrity system. Effective anti-corruption measures must be developed in all policies and laws governing public and private institutions.

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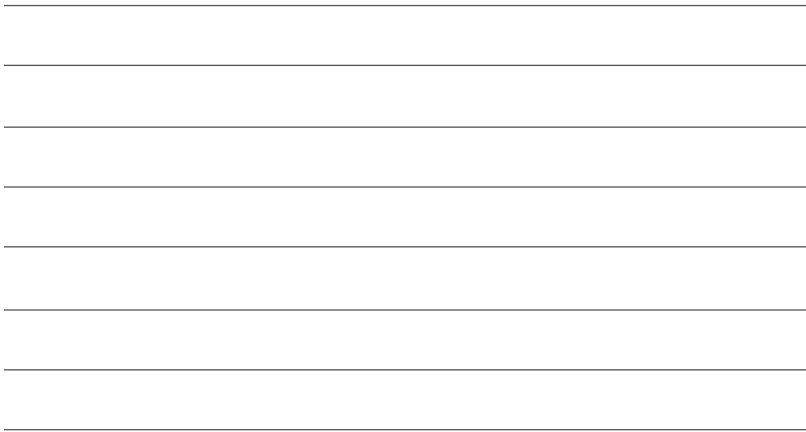
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Refrain from any kind of Corruption!! "Take a stand for your Integrity"

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