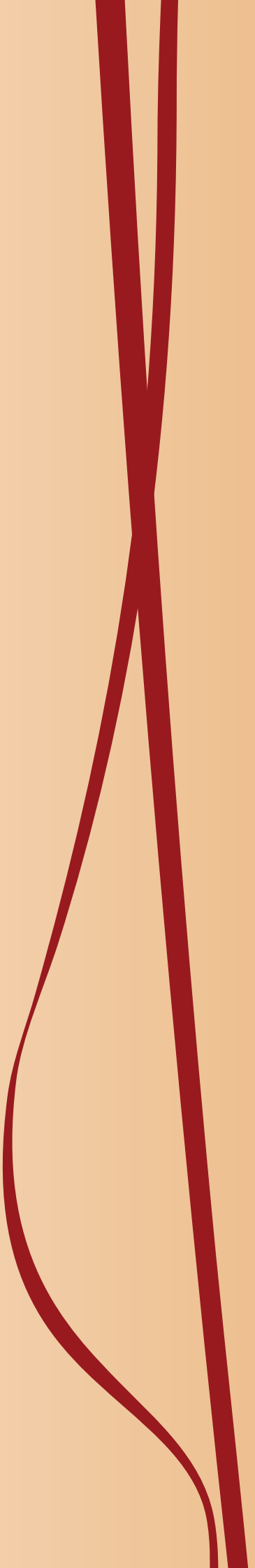


# ANNUAL REPORT 2007 - 2008



# ANTI-CORRUPTION COMMISSION

## Management Team

Mr Paulus K Noa  
Director



Adv Erna L van der Merwe  
Deputy Director





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## MESSAGE FROM THE DIRECTOR



The Anti-Corruption Commission is established by the Anti-Corruption Act, 2003 (Act No. 8 of 2003). The functions of the Commission are set out in section 3 of the Act. The Commission is vested with a daunting task which includes to receive or initiate and investigate allegations of corrupt practices; to educate the public and disseminate information on evil and dangers of corruption; to enlist and foster public confidence and support in combating corruption; to advise public bodies and private bodies on ways of preventing corrupt practices; and to consult, co-operate and exchange information with appropriate bodies or authorities including bodies or authorities of other countries.

As to what constitutes corrupt practices the Act contains in Chapter 4 thereof a list of the conduct that constitute corrupt practices. Chapter 4 further defines certain important terms such as “corruptly”, “gratification”, “property”, “public body”, “public officers” and others. It is worth noting that the Commission has no powers to prosecute. Rather the Commission investigates and then makes recommendations for prosecution to the Prosecutor-General. Prosecution is a constitutional power that vests in the Prosecutor-General as per Article 88 of the Namibian Constitution. A staff member of the Commission may only prosecute if such authority is delegated to him or her by the Prosecutor-General.

During the financial period under review, the Commission undertook the process of recruiting its staff members. Subsequent to the first recruitment of investigators, the Commission was able to conduct some investigations on matters that were lodged with the Commission. Complaints that do not fall within the mandate of the Commission were at the same time referred to the relevant authorities for appropriate action. Further, the Commission developed some educational materials in order to raise awareness on corruption. This assisted members of the society to better understand why corruption is destructive and why it is necessary that they must report it.

At present the staff strength of the Commission is relatively small, and there is a need to increase the capacity. This would enable the Commission to establish offices in some of the regions. The Commission will be able to carry out its mandate much better if it can establish offices in some of the strategic regions. It will also make it possible for people to report without the inconvenience of directing every complaint to the Commission’s headquarters in Windhoek.

It is important to mention that since the Commission assumed its operations, it has been seized with various types of complaints. With regard to complaints that fall within the mandate of the Commission full investigations are conducted and where allegations are supported by evidence, recommendations are made to

the Prosecutor-General for prosecution. The Prosecutor-General has already in respect of many of the cases decided to prosecute the suspects.

The Commission has been often criticized by some individuals of merely investigating what they termed “small fish”. However, the very same individuals refrain from coming forward to report what they perceive to be “big fish”. The truth is that these corruption practices some prefer to call “petty” corruption are very destructive to the national economy. The majority of our people, particularly the poor and the unemployed are disproportionately affected by these corrupt practices. In some instances perpetrators hold senior positions in public offices. They are the face of the Government and are expected to lead by good example. The Anti-Corruption Act must be enforced to the letter.

While progress is noted, the road ahead still has some challenges. It should be noted that anti-corruption institutions everywhere in the world are not effective on their own. They function successfully in an environment where integrity systems for all institutions are put in place. Anti-corruption institutions prosper in an environment where supervisors in public institutions take their responsibilities seriously and ensure that policies and rules are adhered to. In this regard an anti-corruption body should not be regarded as a mere “policeman”, but rather a collaborator in effecting the implementation of policies and adherence to rules for the sake of good governance.

Another point worth mentioning is that of adequate funding which is critical for the success of any anti-corruption institution. Adequate funding of anti-corruption agencies demonstrate the Authority’s commitment at the highest level and recognition that corruption is destructive and that it must therefore be vanquished. Capacity building cannot be realized without adequate funding. The staff of the Commission, particularly the investigating officers, need to undergo training to keep them abreast of the latest technological developments and investigative techniques. Innovative public education and prevention strategies are very important, perhaps more than investigations and prosecution. It is because prevention is better than cure. Adequate funding is required in order to invest successfully in these strategies.

I urge Namibian people, especially those who criticize the Commission from a distance to come forward and work in partnership with the Commission. They are citizens of this great country and thus should see themselves as part of the problem as well part of the solution to the problem.



Director: Anti-Corruption Commission

Director: Anti-Corruption Commission



## INTRODUCTION

The organisational structure of the Anti-Corruption Commission was revised in 2006 to provide, in addition to the Office of the Director and Deputy Director, for the Directorate of Investigation and Prosecution, the Directorate of Public Education and Corruption Prevention and the Division Human Resources, Administration and Auxilliary Services. The Anti-Corruption Commission secured funding for the period under review that enabled it to proceed with the filling of the newly created positions in its organisational structure.

## THE OFFICE OF THE DIRECTOR AND DEPUTY DIRECTOR

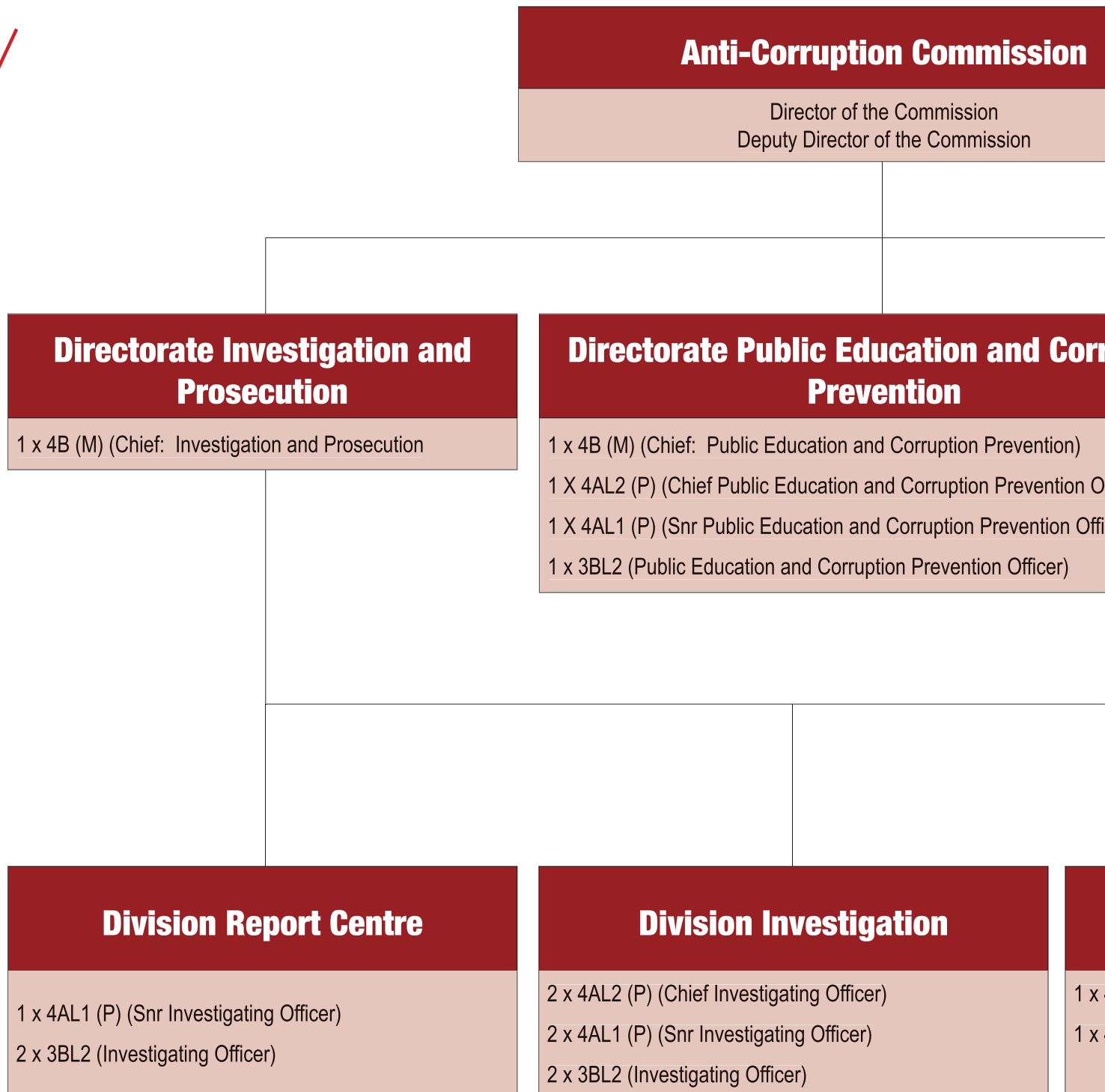
The Director as the head of the Commission is responsible for the direction, control and management of the Commission and is assisted in the execution of this responsibility by the Deputy Director of the Commission.

## DIRECTORATE OF INVESTIGATION AND PROSECUTION

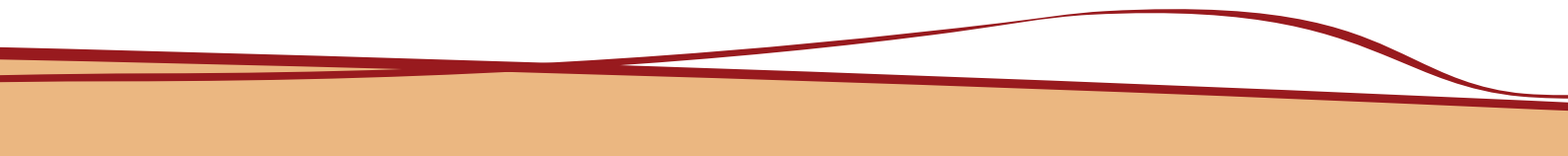
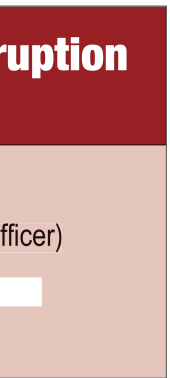
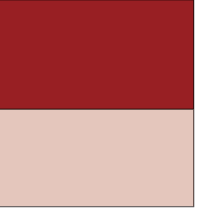
The Directorate of Investigation and Prosecution is responsible for the investigation



## GRAPH OF THE ORGANISATIONAL STRUCTURE OF THE ANTI-CORRUPTION COMMISSION









# STATISTICS ON AND SAMPLES OF REPORTS OF CORRUPT PRACTICES RECEIVED & INVESTIGATED



Corrupt practices are reported to the Anti-Corruption Commission in person, or in writing via post, e-mail or facsimile, or telephonically. The information so received is analysed and if the conduct reported on falls within the ambit of the definition of a corrupt practice contained in Chapter 4 of the Anti-Corruption Act, 2003, the Commission conducts either a preliminary investigation or a full scale investigation. In instances where there appears to be no corrupt practice the information is forwarded to other appropriate authorities for action or the informant is advised on what action to take.

During the period under review –

- \* 900 reports were received by the Anti-Corruption Commission; and
- \* 30 cases were referred to the Prosecutor-General with a recommendation that criminal prosecution be instituted.

Samples Cases Investigated/ Dealt with during the Period Under Review

ACC CASE NO.	CASE PARTICULARS
<b>ACC2006/0191</b>	<b>Alleged corrupt use of office/position by an official of the Ministry of Environment and Tourism</b>
	An investigation into allegations that a Deputy Director of the Ministry of Environment and Tourism had corruptly used his office or position at the Ministry to solicit payment for his own benefit in respect of the issuing of gambling licences from members of the public. The allegations were substantiated and a case docket was compiled and submitted to the Prosecutor-General with a recommendation that the said Deputy Director be arraigned on various corruption charges. On 24 September 2007 the Prosecutor-General gave instructions that the said Deputy Director should be arraigned on 23 charges of corruption (contravention of section 43(1) read with section 32, 43(2) and 49 of the Anti-Corruption Act, 2003 (Act No. 8 of 2003) – corruptly using his office or position for gratification) and 22 charges of fraud.
<b>ACC2006/0192</b>	<b>Alleged corruption by an employee of the Social Security Commission in collaboration with certain government officials</b>
	An investigation into allegations that an employee of the Social Security Commission in collaboration with certain government officials corruptly secured the payment of sick leave benefits. The allegations were substantiated and 64 suspects were arrested. The amount involved is approximately N\$400,000.00. After finalisation of the investigation the case docket was submitted to the Prosecutor-General for possible prosecution of the perpetrators.

<b>ACC2006/0353</b>	<b>Alleged corrupt use of office/position by employees of the Ministry of Agriculture, Water and Forestry</b>
	An investigation into allegations that employees in the Directorate of Rural and Water Supply of the Ministry of Agriculture, Water and Forestry submitted subsistence and traveling allowance claims containing false information regarding the number of days on which they performed official duties outside their duty station thereby causing the Ministry to suffer certain financial losses. The allegations were substantiated and the case docket was submitted to the Prosecutor-General for possible prosecution of the perpetrators. The Prosecutor-General instructed that the said employees should be arraigned on various counts of having contravened section 43(1) of the Anti-Corruption Act, 2003 (Act No. 8 of 2003) alternatively Theft.
<b>ACC2006/0550</b>	<b>Alleged corrupt use of office/position by employees of the Ministry of Health and Social Services</b>
	<p>An investigation into allegations that an employee at the Ministry of Health and Social Services corruptly solicited moneys from a private person in respect of the recruitment of the said person firstly as a temporary driver for the Polio Campaign and thereafter as a driver for the National Health Survey Program. The investigation revealed that another employee of the Ministry was accomplice in the matter. The case docket was submitted to the Prosecutor-General. The ACC in its submission to the Prosecutor-General recommended that two employees of the Ministry of Health and Social Services be arraigned on having committed corrupt practices as contemplated in the Anti-Corruption Act, 2003. During April 2008 the ACC received the Prosecutor-General's decision that the two government officials should be arraigned as follows:</p> <ul style="list-style-type: none"> <li>• <i>Contravening section 35(1)(a) of the Anti-Corruption Act, 2003 (Act No. 8 of 2003) – corruptly accepting a gratification by an agent (2 counts)</i>  <i>First alternative</i>  <i>Contravening section 38(b) of the Anti-Corruption Act, 2003 – bribery of a public officer (2 counts)</i>  <i>Second alternative</i>  <i>Contravening section 43(1) of the Anti-Corruption Act, 2003 – corruptly using office or position for a gratification (2 counts)</i></li> </ul>
<b>ACC2006/0577</b>	<b>Alleged corrupt practice with regard to the issuing of permanent residence permits</b>
	An investigation into allegations of a corrupt practice with regard to the issuing of permanent resident permits. The investigation revealed that several foreigners paid moneys to a person that pretended to be an agent that handles applications for permanent residence and other permits on behalf of applicants. The investigation further revealed that the applications and application fees were never handed in at the Ministry. A case docket was compiled and submitted to the Prosecutor-General on 19 February 2008. It was recommended that the suspect be arraigned on several counts of fraud.
<b>ACC2007/0126</b>	<b>Alleged corrupt acceptance/solicitation of gratification by former editor-in-chief of the Informanté Newspaper</b>
	An investigation into allegations that the former editor-in-chief of the Informanté Newspaper owned by Trustco Media (Pty) Ltd had accepted/solicited a gratification to the approximate amount of N\$248,500.00 whilst negotiating the purchase price of printing paper and a printing press on behalf of his employer. The matter was investigated and a case docket compiled and submitted to the Prosecutor-General with a recommendation that the former editor-in-chief be charged with having committed a corrupt practice as contemplated in the Anti-Corruption Act, 2003.
<b>ACC2007/0230</b>	<b>An allegation that the Chief Regional Officer of the Karas Regional Council in concert with another corruptly used his position at the Council to obtain a gratification for himself and/or another</b>
	An investigation into an allegation that the Chief Regional Officer of the Karas Regional Council acting in concert with another corruptly used his position as Chairperson of the Tender Board of the Regional Council to award a tender for rendering catering services to a close corporation. The matter was investigated and a case docket compiled and submitted to the Prosecutor-General on 13 August 2007 with a recommendation that the Chief Regional Officer be charged with having contravened section 43 of the Anti-Corruption Act, 2003.

<b>ACC2007/0326, ACC2008/150, &amp; ACC2008/147</b>	<b>Alleged corrupt use of office/position by an employee of the Ministry of Works and Transport for gratification</b>
	<p>An investigation into an allegation that a driver of the Ministry of Works and Transport utilized one of the Ministry's vehicles over a weekend without authorization. It was furthermore alleged that whilst the vehicle was in his possession he let a relative and a friend who were under the influence of alcohol use the vehicle. The matter was investigated and a case docket compiled and submitted to the Prosecutor-General. The Prosecutor-General the perpetrators should be arraigned on the following charges:</p> <ul style="list-style-type: none"> <li>• <i>Contravention of section 43(1) of the Anti-Corruption Act, 2003 (Act No. 8 of 2003) – corruptly using office or position for gratification (against accused 1 only)</i></li> </ul> <p><i>Alternatively</i></p> <ul style="list-style-type: none"> <li>• <i>Contravention of section 83(2) of the Road Traffic and Transport Act, 1999 (Act No. 22 of 1999) – driving a motor vehicle without owner's consent or that of a person lawfully in charge thereof</i></li> <li>• <i>Contravention of section 82(5)(a) of the Road Traffic and Transport Act, 1999 – driving a motor vehicle with excessive alcohol in his breath (against accused 2 only)</i></li> <li>• <i>Contravention of section 83(2) of the Road Traffic and Transport Act, 1999 – driving a motor vehicle without owner's consent or that of a person lawfully in charge thereof (against accused 2 only)</i></li> <li>• <i>Contravention of section 18(1)(a) of the Road Traffic and Transport Act, 1999 – obstructing, hindering or interfering with an authorized officer in the performance of his duties (against accused 3 only)</i></li> <li>• <i>Common assault (against accused 3 only)</i></li> <li>• <i>Contravention of section 14(1)(h) of the Road Traffic and Transport Act, 1999 – failure to furnish name and address to a traffic officer (against accused 3 only)</i></li> </ul>
<b>ACC2007/0349</b>	<b>Alleged corrupt practice with regard to the issuing of birth certificates</b>
	<p>An investigation into allegations that an official at the Ministry of Home Affairs and Immigration was selling birth certificates to members of the public. The investigation revealed that no application forms were submitted to the Ministry and that the entry numbers on the birth certificates issued by the official were false numbers or numbers of birth certificates that had previously been issued. It was furthermore established that he sold the birth certificates to four individuals. A case docket was compiled and submitted to the Prosecutor-General on 11 February 2008 with the recommendation that both the government official and the four individuals be arraigned on corruption charges.</p>
<b>ACC2007/0431</b>	<b>Alleged corrupt practice by a secretary of the Emma Hoogenhout Primary School</b>
	<p>An investigation into allegations of a corrupt practice committed by a secretary of the Emma Hoogenhout Primary School. The investigation revealed that the Ministry of Education had been furnished with a forged academic qualification that resulted in the secretary being appointed at the school. The ACC therefore in its submission to the Prosecutor-General recommended that the secretary be arraigned on charges of forgery and uttering.</p>
<b>ACC2007/0443</b>	<b>Alleged corrupt use of office/position by an employee of the Ministry of Works and Transport</b>
	<p>An investigation into allegations that an employee of the Ministry of Works and Transport corruptly used his position as a works inspector to certify as correct an invoice of a contractor in which he claimed that he had installed an 18kw motor in a borehole of a government school whilst in fact only an 11kw motor was installed. The allegations were substantiated and a case docket was compiled and submitted to the Prosecutor-General on 10 January 2008. It was recommended that both suspects be charged with contravention of section 43(1) of the Anti-Corruption Act, 2003 alternatively contravention of section 35(3) of the said Act or the common law crime of fraud.</p>

<b>ACC2007/0453</b>	<b>Alleged corrupt use of office/position by an employee of the Ministry of Youth, Sport and Culture</b>
	<p>An investigation into allegations that an employee of the Ministry of Youth, Sport and Culture is misusing a government vehicle in that he is using it for private purposes and also allowing a private person to be in possession of and to drive around in such vehicle without the necessary authorisation. A case docket was compiled and submitted to the Prosecutor-General. During April 2008 the ACC received the Prosecutor-General's decision that the government official and private person implicated in the matter should be arraigned on the following charges:</p> <ul style="list-style-type: none"> <li>• <i>Contravening section 43(1) of the Anti-Corruption Act, 2003 (Act No. 8 of 2003) corruptly using office or position for gratification (2 counts against accused 1 and 1 count against accused 2)</i></li> <li>• <i>Contravening section 83(2) of the Road Traffic and Transport Act, 1999 (Act No. 22 of 1999) – driving a motor vehicle without owner's consent or that of a person lawfully in charge thereof (2 counts against accused 1 and 1 count against accused 2)</i></li> </ul>
<b>ACC2007/0478</b>	<b>Alleged corrupt use of office or position by the Chief Regional Officer of the Khomas Regional Council</b>
	<p>An investigation into allegations that the Chief Regional Officer of the Khomas Regional Council corruptly used his office or position to obtain a benefit for an event organizing company. The matter was investigated and a case docket compiled and submitted to the Prosecutor-General on 14 February 2008 with a recommendation that the Chief Regional Officer be charged with having contravened section 43 of the Anti-Corruption Act, 2003. On 18 November 2008 the Prosecutor-General declined to prosecute and recommended that a disciplinary hearing be conducted.</p>
<b>ACC2007/0518</b>	<b>Alleged corrupt solicitation of a gratification by an employee of the Weatherly Mine</b>
	<p>An investigation into allegations that an employee of Weatherly Mine at Kombat solicited moneys in exchange for arranging employment at the mine. The allegations were investigated and substantiated. Upon conclusion of the investigation the case docket was forwarded to the Prosecutor-General with a recommendation that the employee be arraigned on corruption charges. The Prosecutor-General's decision of 28 March 2008 instructed that the employee should be arraigned on two counts of -</p> <ul style="list-style-type: none"> <li>• <i>Contravening section 35(1)(a) of the Anti-Corruption Act, 2003 (Act No. 8 of 2003) – corruptly soliciting, accepting or agreeing to accept a gratification by an agent</i> <ul style="list-style-type: none"> <li>o <i>First alternative – contravening section 38(b) the Anti-Corruption Act, 2003 – bribery of public officer</i></li> <li>o <i>Second alternative – contravening section 43(1) of the Anti-Corruption Act, 2003 – corruptly using office or position for gratification</i></li> </ul> </li> </ul>
<b>ACC2007/0609</b>	<b>Alleged corrupt giving of a gratification to an official of Inland Revenue</b>
	<p>An investigation into allegations that an amount of N\$40,000.00 was offered to an official of the Tax Audit Division of Inland Revenue, Ministry of Finance as an inducement to manipulate the amounts that were due in terms of tax assessments that had been done in respect of two individuals and a company. During a sting operation by the ACC one individual was arrested. The investigation was thereafter finalised and the case docket submitted to the Prosecutor-General with a recommendation that the individual be arraigned on corruption charges.</p>







# PUBLIC AWARENESS RAISING CAMPAIGNS ON CORRUPTION

## Building alliances with stakeholder groups

### ONGWEDIVA COLLEGE OF EDUCATION INVITES THE ACC

The ACC was invited to an educational conference organized by the Debating Society of the Ongwediva College of Education. As per their request the ACC addressed the Ongwediva College's staff and its approximately 900 students on "The danger of corruption for educational development in Namibia" at the Ongwediva College on 4 April 2007. The ACC appreciated the opportunity given to it to educate the Ongwediva College's staff and students on the dangers of corruption.

### BRITISH COUNCIL MANAGEMENT EXPRESS FORUM

On invitation the ACC on 24 April 2007 addressed the British Council Management Express Forum on Anti-Corruption and Governance. The British Council Management Express Forum is a network of managers who meet to share professional best practice. Amongst the dignitaries that attended the event of the 24<sup>th</sup> of April were the then British High Commissioner, His Excellency, Mr MacDermott and the Regional Director of the British Council for Southern Africa, Ms Arnott.

### CITY OF WINDHOEK INVITES THE ACC

The City of Windhoek invited the ACC to do a presentation to its Councilors and members of the Strategic Executive on 17 September 2007. The focus of the presentation was on the various offences on corruption, but with the main focus on aspects relating to abuse of office, conflict of interest and declaration of conflict and gifts.

The City of Windhoek was in the process of reviewing its Fraud and Corruption Prevention Policy of 2006. The City therefore found it necessary to invite the Commission so that they could be enlightened on some of the provisions of the Anti-Corruption Act with a view to align their Policy with those provisions.

The Commission valued the approach by the City of Windhoek as this is the type of strategic partnership that the Commission requires for it to successfully fight corruption.



ACC Director, Mr Paulus Naa, addressing the participants of the Oshikoto Regional Anti-Corruption Seminar held in the Oshikoto Region.



The Governor of the Oshikoto Region, Honourable Penda Ndakolo, addressing the participants of the Oshikoto Regional Anti-Corruption Seminar

#### OMUTHIYA AND OSHIVelo CIRCUIT ANNUAL TEACHERS' CONFERENCE

The ACC was invited to address the Omuthiya and Oshivelo Circuit Annual Teachers' Conference held on 29 September 2007 in Omuthiya. The topic on which ACC addressed the conference was "Corruption in the Education and School Management". The Commission applauded the Teachers Circuit for considering corruption as one of the problems requiring to be addressed by teachers and school administrators. The educational sector is at the core of development of every country. It instills sound ethical and moral values in our youth. It is essential for children to be trained on good moral values while they are still young so that they can be good leaders when they grow up. Because the government realizes the extreme importance of laying a good foundation, huge amounts are annually allocated to the educational sector. It was thus very appropriate for the ACC to address the Teachers Circuit on corruption in the educational sector.

#### YOUTH AGAINST CORRUPTION SEMINAR IN THE ERONGO REGION

The youth in Erongo Region organized a Youth against Corruption Seminar from 21 to 26 October 2007. The seminar took place at the Swakopmund International Youth Hostel. The Commission was invited and to on the 22





Depicted above is the Right Honourable Prime Minister Nahas Angula addressing the participants of the Business Action against Corruption Breakfast Seminar held on 27 October 2007 at the Kalahari Sands, Windhoek

#### ACC, NCCI AND AICC HOLD A BUSINESS ANTI-CORRUPTION SEMINAR

On 27 October 2007, the Anti-Corruption Commission (ACC) in conjunction with the Namibia Chambers of Commerce and Industry (NCCI) and the African Institute for Corporate Citizenship (AICC) held a Business Action Against Corruption Breakfast Seminar. The Seminar took place at the Kalahari Sands in Windhoek under the theme: *"Enhancing Namibian competitiveness by eliminating corruption"*. The purpose for the Seminar was to discuss ways to move forward with plans to develop a voluntary code of business conduct for the Namibian private sector.

Participants to the Seminar were business executives drawn from various business enterprises in Namibia.





ACC Director addressing the participants of Business Action against Corruption Breakfast Seminar



Mr Benedicto Chinsakaso of AICC-Malawi addressing the participants of Business Action against Corruption Breakfast Seminar

The Right Honourable Prime Minister, Mr. Nahas Angula, who was the guest of honour, did the keynote address. Other speakers during the seminar were Mr Paulus Noa, the ACC Director, who called upon the business community to work with the Commission in fighting corruption; Mr Tarah N. Shaanika, CEO of the NCCI who expressed the readiness of the private sector in working with the government in fighting corruption; and Mr Benedicto Chinsakaso from AICC-Malawi, who presented a case study on how business enterprises were working with the Malawi Government to fight corruption. Through the Malawi's Business Action against Corruption, business enterprises formulated a *"Business Code of Conduct for Combating Corruption in Malawi"*.

At the conclusion of the seminar, participants felt that there was need for the private sector to regulate themselves in promoting ethical conduct by businesses. The ACC, NCCI and AICC were called upon to continue the dialogue with a view to reach a consensus on what business enterprises can do to fight corruption and come up with tangible actions for private sector-led anti-corruption programmes.

#### ACC MEETS MEMBERS OF NAMIBIA EDITORS' FORUM

On 25 January 2008, the Anti-Corruption Commission hosted a seminar for members of Namibia Editors' Forum in Windhoek. This was part of the process of building strategic alliances with various stakeholder groups in the country. The Editors from various media houses were targeted as it is an undeniable fact that the media plays a critical role in exposing corrupt practices and keeping the public informed on matters of public interest such as corruption related issues.

The speakers at the seminar were the ACC Director, Mr Paulus Noa; the Prosecutor-General, Adv Martha Imalwa; the ACC Deputy Director, Adv Erna van der Merwe; the South African Press Ombudsman, Mr Joe Thlolo; and the Chairperson of the Namibia Editors' Forum, Mr Eberhard Hoffman.

Participants at the seminar were mainly editors from various media houses in Namibia.



Depicted above are representatives from the various media houses in Namibia who attended the Seminar for the members of the Editors' Forum



Depicted above from left to right are the South African Press Ombudsman, Joe Tholoe; the Chairperson of the Namibia Editors' Forum, Eberhard Hofmann; the ACC Deputy Director, Erna van der Merwe; the ACC Director, Paulus Noa; and the Prosecutor-General, Martha Imalwa. (Source: Henry van Rooi of The Namibian - 29 January 2008)

#### ACC PARTAKE IN THE INDUCTION PROGRAMME OF UNAM

The ACC was invited to partake in the University of Namibia's First Year students' induction programme. The ACC accepted the invitation and addressed the first year students at UNAM on 13 February 2008 on various anti-corruption issues. The ACC was confident that these students, after having been sensitized on the role and mandate of the Commission and their own role as responsible citizens, would share the anti-corruption message with others and take a strong stance against corruption.

#### WINDHOEK VOCATIONAL TRAINING CENTRE OPENS ITS DOORS TO THE ACC

On 14 February 2008 the Windhoek Vocational Training Centre opened its doors to the ACC. At this occasion officials of the ACC addressed staff members and students of the Windhoek Vocational Training Centre. Students and lecturers abandoned lectures for a few hours to get to know more about the ACC and how they could get involved in the national quest for a corrupt-free society.



Depicted above are the media students of the Polytechnic listening attentively to the ACC's presentation

#### ACC ADDRESSES MEDIA STUDENTS AT THE POLYTECHNIC OF NAMIBIA

On 26 February 2008 the ACC addressed the First Year Media students of the Polytechnic. Apart from sensitising the students on corruption, the mandate and operations of ACC, the lecture also covered aspects such as how the would-be journalist and communication officers could assist in the fight against corruption. In order to enhance the students' interest, the Deputy Head of the Department of Media Technology, Ms Amakali, gave the students an assignment question on the lecture on which they would be formally assessed.

#### WINDHOEK NATIONAL HEALTH TRAINING CENTRE SENSITISED

The Commission addressed three groups of staff members and students of the Windhoek National Health Training Centre on 26 February 2008, 28 February 2008, and 7 March 2008, respectively. The presentations were part of a nationwide anti-corruption sensitisation campaign that the Commission had embarked on. The National Health Training Centre is of a strategic importance to the country as it trains the would-be medical professionals who are to provide essential services to the public.



#### ACC VISITS NEUDAMM COLLEGE OF AGRICULTURE

Neudamm College of Agriculture is one of the public education institutions that plays a crucial role in the development of the country. Like other institutions, the College is not immune to corrupt practices. This is why on 5 March 2008 the ACC sensitised the staff members of the College on corruption and how they could assist in fighting corruption.



The photos above depict some of the scenes during the presentations at the Windhoek National Health Training Centre, Windhoek

#### FIRST REGIONAL ANTI-CORRUPTION SEMINAR HELD IN THE ERONGO REGION

On 6 March 2008, the ACC held its first Regional Anti-Corruption Seminar in the Erongo Region. The Seminar took place in Swakopmund. The ACC initiated a programme to visit all the Regions in Namibia to sensitise public officials and the general public on corruption. With the on-going decentralization process, Regional Councils have the tremendous responsibility of implementing development programmes, which programmes may have limited impact if not properly implemented and managed due to corrupt practices.



In the picture below, the Regional Governor, Honourable Nuuyoma, is seen addressing the Erongo Regional Anti-Corruption Seminar Participants.



The Governor is seen exchanging a few words with the ACC Director, Mr. Paulus Noa, during the event



Depicted above are the participants in the Erongo Regional Anti-Corruption Seminar in Swakopmund

## NAMIBIA DEFENCE FORCE NOT LEFT BEHIND IN THE FIGHT AGAINST CORRUPTION

Corruption is not confined to any specific sector of the economy. It affects all facets of our daily lives. This is why the Namibia Defence Force's, Leopard Valley Military Base, requested the Commission to address the three Units of its 12 Infantry Brigade comprising 482 soldiers on anti-corruption issues. The Commission heeded to their request and held a one-day sensitisation seminar on 11 March 2008 at the Leopard Valley Military Base on the outskirts of Windhoek.



The picture above shows some of the Namibia Defence Force soldiers who attended the Anti-Corruption Sensitisation Seminar at the Leopard Valley Military Base







# NATIONAL AND INTERNATIONAL SUPPORT AND ENGAGEMENTS

## Financial Support

### UNITED NATIONS DEMOCRACY FUND (UNDEF) GRANT

The United Nations Democracy Fund (UNDEF) awarded a grant in respect of a project aimed at strengthening the capacity of the Anti-Corruption Commission. The project commenced during the first quarter of 2007. It was executed by the Anti-Corruption Commission in partnership with the United Nations Development Programme.

With this UNDEF financial support the ACC undertook the activities mentioned hereunder during the period under review.

- **ACC study tour to the Zambian and Kenyan Anti-Corruption Authorities**

The ACC organised a study tour to the Zambian and Kenyan Anti-Corruption Authorities to learn from their best practices in fighting corruption and to obtain info on their organizational structures. The study tour took place from the 30<sup>th</sup> of July 2007 to the 3<sup>rd</sup> of August 2007. The study tour delegation of ten consisted of representatives of the ACC, the Namibian Police, the Office of the Prosecutor-General, the Public Service Commission, the Office of Prime Minister and the United Nations Development Programme (UNDP). The study tour was funded from the grant the ACC received from the United Nations Democracy Fund (UNDEF).



A group photo of the study tour entourage at the Zambia Anti-Corruption Commission (ZACC) Office in Lusaka, Zambia. Seated from left to right are: Zambia ACC Director-General, Mr Nixon Banda; Namibia ACC Deputy Director, Adv Erna van der Merwe; Zambia ACC Deputy Director-General, Ms Rosewin Wandt; and Namibia ACC Director, Mr Paulus Noa.



Depicted above are the Namibian study tour entourage with the Management of the Kenya Anti-Corruption Commission (KACC) at the Headquarters of the KACC

In addition to meetings with the different divisions within the Zambian and Kenyan Anti-Corruption Authorities, the delegation visited and had discussions with the Directors of Public Prosecutions (Zambia and Kenya), the Zambia Business Forum and the Transparency International-Zambia Chapter, the Kenya Minister of Justice and Constitutional Affairs, the Kenya Public Service Commission and the Kenya Revenue Authority.

- **National Anti-Corruption Week and Commemoration of the International Day against Corruption**

The ACC designated 3 to 7 December 2007 as the *National Anti-Corruption Week* under the theme: *Join the Fight Against Corruption*. This was done to give special significance to the International Day against Corruption which is internationally commemorated on 9 December of every year. The ACC organized various activities for the week such as a panel discussion, radio interviews and a public event at the UN Plaza in Katutura.

The panel discussion under the theme: “*Join the Fight*” took place on Thursday, 6 December 2007 at the Polytechnic Hotel and Tourism School. It was jointly organised by the Anti-Corruption Commission (ACC) and the Namibia Institute for Democracy (NID) in partnership with the Konrad Adenauer Stiftung (KAS). The panelists for the discussion were the ACC Director, Mr Paulus Noa; the Auditor-General, Mr Junias Kandjeke; the Editor of the Namibia Insight Magazine, Mr Tangeni Amupadhi; and Ms Carola Engelbrecht representing Citizens for an Accountable and Transparent Society.

Namibia celebrated the International Day against Corruption on the 5<sup>th</sup> of December 2007 to accommodate the programme of the Head of State, His Excellency President Hifikepunye Pohamba, who delivered a keynote address at the event held at the UN Plaza in Katutura. The event was also graced with the attendance of the Founding Father of the Namibian Nation, His Excellency Dr Sam Nujoma. Amongst the presenters were the then Honourable Minister of Youth and Sport, Willem Konjore, who acted as Director of Ceremonies; Reverend Dr Matthew Kapolo, who did the opening prayer; the then UN Resident Coordinator, Mr Simon Nhongo, who spoke about the role of donor agencies in fighting corruption; the then General Secretary of the Council of Churches in Namibia (CCN), Reverend Phillip Strydom, who spoke about the role of the church in fighting corruption; the Chief Executive Officer of the Namibia Chambers of Commerce and Industry (NCCI), Mr Tarah Shaanika, who spoke about the role of the business community in fighting corruption; the Executive Director of Women Action for Development (WAD), Ms Veronica de Klerk, who focussed on how the government could work together with the civil society in fighting corruption; the then Director of Botswana’s Directorate on Corruption and Economic Crime (DCEC), Mr Tymon Kattholo, who shared his country’s experience in fighting against corruption; the ACC Director, Mr Paulus Noa, who spoke about the role and mandate of Namibia’s Anti-Corruption Commission; and the ACC Deputy Director, Adv Erna van der Merwe who did the vote of thanks on behalf of the ACC.



Depicted above from left to right are the Executive Director of WAD, Ms Veronica de Klerk, UN Resident Coordinator, Mr Simon Nhongo, the Head of State, His Excellency President Hifikepunye Pohamba, the ACC Director, Mr Paulus Noa, the Founding Father of the Namibian Nation, His Excellency Dr Sam Nujoma, the Director of Botswana’s Directorate on Corruption and Economic Crime (DCEC), Mr Tymon Kattholo, the ACC Deputy Director, Adv Erna van der Merwe and Reverend Mathew Kapolo.

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Namibia celebrated the International Day against Corruption on the 5<sup>th</sup> of December 2007

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The following groups performed during the event:

### The Military Brass Band



### The Voices of God Choir



Limbadungla Soweto Cultural Group



Makgona Ngwao Cultural Group



Natlilmani Cultural Group



- **ACC Logo Design Competition**

Since the inauguration of the ACC in February 2006 until 5 December 2007 the ACC had been using the National Coat of Arms of the Republic of Namibia. Through advertisements in July and August 2007 the ACC invited the public to participate in the ACC Logo Design Competition by designing and entering their logos. A total of 178 entries were received. On 5 December 2007 during the Commemoration of the International Day against Corruption at the UN Plaza in Katutura the winners of the ACC Logo Design Competition were announced and the ACC Logo was formally launched by the Head of State, His Excellency, President Hifikepunye Pohamba.



The ACC Logo displayed by the Director of Ceremonies, the then Honourable Minister of Youth and Sport, Willem Konjore, to the audience that attended the Commemoration of the International Day against Corruption at the UN Plaza in Katutura

On 5 December 2007 during the Commemoration of the International Day against Corruption at the UN Plaza in Katutura the winners of the ACC Logo Design Competition were announced and the ACC Logo was formally launched by the Head of State, His Excellency, President Hifikepunye Pohamba.







First Prize of N\$3,000 handed over by His Excellency, President Hifikepunge Pohamba, to Mr. Engenhard Kock



Second Prize of N\$1,000 handed over by His Excellency, President Hifikepunge Pohamba, to Ms. Melissa Brandt



Third Prize of N\$500 handed over by His Excellency, President Hifikepunge Pohamba, to Ms. Ann-Louise Hoff

### The symbols and colours used in the Logo have the following significance:

- o The **Namibian Map and National Colours** demonstrate that the Commission is a national anti-corruption agency;
- o The words “**Anti-Corruption Commission**” and “**Namibia**” inscribed on the circle bring clarity that the logo is for the Anti-Corruption Commission in Namibia. The words “Anti-Corruption Commission” have further been abbreviated to “**ACC**” and superimposed on the map. The three colours in “ACC” represent different meanings and are part of Namibia’s national colours.
- o The **sun in yellow** represents the Commission’s power and mandate. Since the sun illuminates and shines, it also signifies the importance of transparency as a tool for fighting corruption. Like the energy of a bright sunny day, the yellow colour brings hope, clarity and awareness.
- o **Blue, the colour of the sky and ocean**, represents the Commission’s inspiration and determination to fight corruption. The Commission is looking beyond and has a wider and broader perspective in its approach to fight corruption.
- o **Green, the colour representing nature, fertility and life**, signifies the wealth the country has. The country can maximize the benefits from the resources it has if corruption is controlled. Green also connotes that the Commission, as an independent and impartial body, takes a balanced approach when executing its work.
- o The **red** colour **represents the Namibian people, their heroism and their determination** to build a future of equal opportunity for all. This requires peoples’ determination to guard against harmful or dangerous effects of corruption and hence take action against it.



- o The **white** background **represents** 'purity' which has to be the ultimate goal of all Namibians. People's purity of heart will lead to openness and trust.
- o The **arrow** on the circle goes anti-clockwise denoting that the Commission's mandate is to fight against corruption, i.e. it is an anti-corruption agency which stands for a zero tolerance for corruption.



Young ACC supporters that attended the Commemoration of the International Day against Corruption at the UN Plaza in Katutura



The ACC Director and Deputy Director having a discussion with His Excellency, Dr Sam Nujoma during the Commemoration of the International Day against Corruption at the UN Plaza in Katutura



Depicted above are some of the dignitaries that attended the Commemoration of the International Day against Corruption at the UN Plaza in Katutura, dignitaries such as the then Honourable Minister of Defence, Charles Namaloh; the Honourable Speaker, Theo-Ben Gurirab; the then Botswana High Commissioner to Namibia, His Excellency, Norman Molebogo; the US Ambassador, Her Excellency, Denise Mathieu; the then USAID-Namibia Mission Director, Gary Newton; the then Honourable Henties Bay Councillor, Gisella Cramer; the Auditor-General, Junias Kandjeke; and the then Chief Executive Officer of the Namibia Financial Institutions Supervisory Authority (NAMFISA), Mr Rainer Ritter

## ACC ATTENDANCE OF AND PARTICIPATION IN INTERNATIONAL EVENTS AND TRAINING COURSES

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The purpose of the “Train the Trainer Course on Anti-Corruption Public Campaigns” was to develop and enhance the skills and capacity to conduct effective public campaigns against corruption.

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### The Global Forum V on fighting corruption and safeguarding integrity (GFV)

The Director of the ACC represented the ACC at the Global Forum V on fighting corruption and safeguarding integrity (GFV) held from 2 to 5 April 2007 in Johannesburg, South Africa. The GFV was organized by the Government of South Africa in cooperation with the African Organising Committee and the International Organising Committee. It focused on the implementation of anti-corruption commitments made over time, including regional commitments. The GFV also provided an opportunity to discuss, amongst others, anti-corruption good practices, policies and measures and to leverage support for continued anti-corruption initiatives. The air ticket of the Director was sponsored by the United Nations Office on Drugs and Crime (UNODC).

### Train the Trainer Course on Anti-Corruption Public Campaigns

An ACC Investigating Officer, Ms Hendrina Shikudule, participated in the above-mentioned course held in Pretoria, South Africa from 16 to 20 April 2007. The course was sponsored by the Human Rights Trust of Southern Africa (SAHRIT). The purpose of the course was to develop and enhance the skills and capacity to conduct public campaigns against corruption so as to enable anti-corruption institutions to develop and implement effective anti-corruption campaign strategies.

### International Cooperation Workshop for Technical Assistance for the Implementation of the United Nations Convention against Corruption

The ACC was represented at the above-mentioned workshop held in Montevideo, Uruguay from 30 May to 1 June 2007, by the Director of the ACC and an investigator, Ms Hendrina Shikudule. The main purpose of the workshop was to contribute to mutual understanding of the United Nations Convention against Corruption among development assistance practitioners and legal experts.



Depicted above are the ACC Director, Paulus Noa, and ACC Investigating Officer, Hendrina Shikudule, attending the International Cooperation Workshop for Technical Assistance for the Implementation of the United Nations Convention against Corruption

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The theme for the 7<sup>th</sup> SAFAC Annual General Meeting was “Regional Co-operation for the Effective Implementation of the SADC Protocol against Corruption”.

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#### 7<sup>th</sup> Global Forum on re-inventing Government , Vienna, Austria

The Director of the ACC was part of a delegation of seven that attended the 7<sup>th</sup> Global Forum on re-inventing Government from 26 to 29 June 2007 in Vienna, Austria. The Namibian delegation was led by the Honourable Deputy Prime Minister, Dr Libertine Amathila.

#### 7<sup>th</sup> SAFAC Annual General Meeting, Victoria Falls, Zimbabwe

An invitation was extended by the Southern African Forum against Corruption (SAFAC) to the ACC to attend the above meeting held from 6 to 8 August 2007 at the Elephants Hill Hotel in Victoria Falls, Zimbabwe. The Director of the ACC represented the ACC at the meeting. The theme for the meeting was “Regional Co-operation for the Effective Implementation of the SADC Protocol against Corruption”. Member countries also had to present country reports that focused mainly on cases of interest and anti-corruption strategies put in place.

#### Civil Society Interfacing with Government and Inter-Governmental Institutions on the fight against Corruption Workshop

The ACC was represented by Ms Seleste Baulet at the above-mentioned workshop held in Johannesburg, South Africa from 27 to 28 August 2007. The

workshop was sponsored by Transparency International – Zimbabwe. Ms Baulet's air ticket was also sponsored by them. The purpose of the workshop was to strengthen the regional anti-corruption efforts.

#### 2<sup>nd</sup> Annual Conference and General Meeting of the International Association of Anti-Corruption Authorities (IAACA)

The ACC received an invitation from the President of IAACA to attend the above conference and general meeting in Bali, Indonesia from 21 to 24 November 2007. The Director of the ACC represented the ACC at the conference and general meeting. The theme of the Bali Conference was "Efficient Preventative Measure in the Fight against Corruption". A key objective of the meeting, in addition to revising IAACA's constitution and elections for its Executive Committee, was to formulate a further development plan for IAACA on the basis of comprehensive discussions focused on best practices in preventative measures in the fight against corruption.

#### Post Graduate Certificate Course in Corruption Studies

ACC Investigating Officers, Messrs William Lloyd and Joseph Mulimina, successfully completed a Post Graduate Certificate Course in Corruption Studies that was presented from 6 to 26 November 2007 in Hong Kong. All expenditure related to their attendance of the course was defrayed from a grant received from the United Nations Democracy Fund (UNDEF) through the United Nations Development Programme (UNDP). The objective of the course was to enable the officials to better understand the cause and effect of corruption and its impact on organisations and society in general; to formulate and design strategies and action plans within an organisation; and to acquire technical knowledge and competence in corruption investigations, prevention and education.

#### Training Workshop for Anti-Corruption Investigators and Prosecutors

The ACC Investigating Officers, and designated officials of the Namibian Police Force and Prosecutor-General's Office attended a workshop that was conducted and sponsored by the Commonwealth Secretariat in Windhoek, Namibia from 26 to 28 November 2007. The purpose of the workshop was to equip investigating officers and prosecutors with the necessary knowledge and skills to investigate and prosecute cases of corruption.



William Lloyd  
Anti Corruption Commission - Namibia



Josef Kasera Mulimina  
Anti Corruption Commission - Namibia





Delegates that attended the Training Workshop for Anti-Corruption Investigators and Prosecutors held in Windhoek from 26 to 28 November 2007

#### 2<sup>nd</sup> Session of the Conference of State Parties to the United Nations Convention against Corruption

An invitation was extended to Namibia to participate in the 2<sup>nd</sup> Session of the Conference of State Parties to the United Nations Convention against Corruption in Bali, Indonesia from 28 January to 1 February 2008. The Director of the ACC represented the ACC at the 2<sup>nd</sup> Session of the said Conference that included a Ministerial Workshop of Asset Recovery, a Parliamentary Forum as well as a Stolen Asset Recovery (STAR) Workshop. The Namibian delegation was led by the then Honourable Deputy Minister of Justice, Uutoni Nujoma.



Corruption presents a serious threat to the basic principles and values of a democratic society. It undermines the confidence of citizens in democracy, erodes rule of law, constitutes a denial of human rights and hinders social and economic development.

The fight against corruption needs to be multi-disciplinary. When the Namibian Government signed and ratified the SADC Protocol against Corruption, the African Union Convention on Preventing and Combating Corruption and the United Nations Convention against Corruption, it in fact made the undertaking, on behalf of the Namibian Nation, to fight corruption. It is this undertaking that binds all of us together and that will ensure that we confront corruption in an effective and coordinated manner.

It is a common knowledge that corruption is generally committed in illicit transactions by civil servants and individuals from the private sector for their own benefit. Preventive and punitive measures should therefore be combined in fighting corruption. Well-designed policies, practical and regular campaigns need to be given priority if we really want to curb the scourge of corruption.

Corruption is a crime against social justice. It hurts everybody without discrimination. It is therefore a wrong committed against everybody irrespective of your position in the society.

Every citizen of this country has an indispensable role to play in the fight and prevention of corruption. The battle against corruption must be owned by all Namibians. Through this way, we can take Namibia to greater heights of



## I blow the whistle on corruption.

"As a proud and loyal citizen of Namibia, I am equally guilty of corruption if I look the other way when corrupt practices are being committed. I consider it my duty to speak out against corruption".

Corrupt activities result in the state losing millions of dollars that could have been better used to provide for Namibians. Take a stand against corruption now – it's time out for corruption!



