Background Information

1. Please enter country name in the space below
   NAMIBIA

2. Name of the agency
   ANTI-CORRUPTION COMMISSION

3. Date of establishment (please include any predecessors if relevant)
   2006

4. Contact Information
   +264 61 435 4000

5. Website
   www.accnamibia.org

Legal Framework

6. What are the main anti-corruption laws in your country? (please include year of entry into force)
   - Anti-Corruption Act No. 8 of 2003, entered into force in 2005
   - Banking Institutions Act No 2 of 1998 - 1998
   - Exchange Control Regulations, 1961
   - Tender Board of Namibia Act No. 16 of 1996 - 1996
   - Electoral Act of 2014 - 2014
   - Financial Intelligence Act No. 13 of 2012 - 2012
   - Public Service Act No. 13 of 1995 - 1995
7. Does your Government have a single or primary anti-corruption strategy? When was it last updated?


8. Does your country have right to information legislation?

〇 Yes  X No

9. Does your country have conflict of interest legislation?

〇 Yes  X No

10. Does your country have a financial disclosure system to help prevent conflicts of interest?

X Yes  〇 No

11. Does your country have statutory or constitutional provisions granting immunity from criminal prosecution to elected or appointed officials?

〇 Yes  X No

12. Is your agency protected from political interference by law?

〇 Yes  X No

13. What functions does your agency perform?

Please check all that apply

〇 Research  X Prevention  X Investigation  〇 Prosecution  X Forensic  X Auditing  X Policy

14. Is there one agency in charge of coordinating AC efforts across agencies?

X Yes  〇 No

If yes, please specify: Anti-Corruption Commission is the lead agency in the fight against corruption.

15. Does your agency have the ability to share information or data with

(a) Other agencies within your Government, and

X Yes  〇 No

(b) Government partners from other countries?

X Yes  〇 No

16. Please enter the current size of permanent staff. Do you have secondees? If so, are they counted separately?

71 No secondees
17. Number of prosecutors (if applicable)  

N/A

18. Number of investigators including legal advisors (if applicable)  

19

19. Number of support staff (if applicable)  

30 + 22 Public Education & Corruption Prevention Officers

20. Are staff positions permanent? Or subject to periodic renewal? What percentage of each?  

Yes, permanent

21. Does your agency keep records on its investigative activity? If it does not, go to question 22. If yes, please show the information you have on the following  

a. Number of complaints received

5 222 since 2006

b. Number of investigations conducted

1 705  

NB The remaining complaints were either not relevant or referred to other authorities for internal administrative investigation and action.

c. Number of investigations completed

1 485

d. Number of cases recommended for prosecution

439

e. Number of cases prosecuted by – i) Your agency  ii) DPP, AG, or other separate office

120

f. Number of convictions

80

22. Please state the number of learning activities and outreach events organized by your agency (if applicable)  

Many outreach events
23. Please state the value of assets recovered by your agency (if applicable)

Applications for recovery of assets are done by Prosecutor General in terms of the Prevention of Organized Crime Act.

24. Please enter the names of other agencies with similar functions as this ACA

Prevention of Organised Crime Unit of the Namibian Police Financial Intelligence Centre.

25. Does your agency have a system to monitor performance of staff?

X Yes    ○ No

26. Are human resource management actions, i.e., recruitment, promotion, and termination based on staff integrity and professionalism?

X Yes    ○ No

27. Are new vacancies for your own agency announced publically?

X Yes    ○ No

28. Are the results of these recruitment processes announced publically by your agency?

○ Yes    X No

29. Who appoints the head of your agency?

Parliament

30. Who has the authority to remove the head of the ACA?

Parliament

31. To whom does the head of your agency report to?

Parliament
32. Is there any term limit for the head of the ACA?
   X Yes  ○ No
   If yes, please specify: Five years renewable

33. Is the agency subject to judicial review?
   ○ Yes  X No
   Agency is a law enforcement body.

34. Is the agency subject to expenditure reviews?
   X Yes  ○ No

35. Does your agency measure "performance"?
   X Yes  ○ No
   If yes, against which indicators?
   X Number of investigations conducted
   ○ Number of investigations concluded
   ○ Ratio of number of investigations/staff
   ○ Percentage of total budget allocated to outreach activities and communication.
   X Number of outreach activities delivered
   Others, please specify

36. In practice is your agency protected from political interference?
   ○ Yes  ○ No
   N/A

37. Does your agency keep a comprehensive skill list of its staff?
   ○ Yes  X No

38. Is the staff provided with regular training and refresher training to ensure that their skills are up-to-date?
   X Yes  ○ No

39. What training has your agency received from foreign organizations or international agencies in the past year?
   Forensic investigation, management

40. Are employees protected by law from recrimination or other negative consequences when reporting corruption (i.e. whistleblowing)?
The Act says “No action or proceedings of a disciplinary, civil or criminal nature may be instituted or maintained by any person or authority against any informer who has assisted the Commission…”

41. Does your agency have a communication strategy?
   ○ Yes  X No

42. Does your agency have a comprehensive corporate plan?
   X Yes  ○ No  
   Strategic Plan

43. Is there a strategy for formulating a partnership with outside agencies to fight corruption?
   X Yes  ○ No

44. Is there a strategy for dealing with the media?
   ○ Yes  X No

45. In practice does your agency has sufficient powers to carry out its mandate?
   X Yes  ○ No

46. Has your agency requests for additional powers or authorities pending in the parliament or before the executive?
   ○ Yes  X No

47. Does your agency have budgetary autonomy?
   X Yes  ○ No

48. What is the annual budget of your agency?

49. The annual budget is determined by (please choose the answer(s) that best fit(s) your agency)
   X Number of staff
   X Number of investigations
   ○ Budget is constitutionally mandated
   X Other, please specify Programs to be carried out

50. Is there any receive any financing from donors?
51. Does your agency use a computerized system to handle cases?

X Yes  ○ No

If yes, was it developed especially for your agency or was it purchased off-the-shelf? Are you willing to recommend to others? What is its name and where did you obtain?

GoCase developed by the UNODC

Social Framework

52. Does your agency provide a mechanism for citizens to report complaints anonymously or provide information on corrupt activities?

X Yes  ○ No

53. Does your agency or government provide a hotline to report corruption?

X Yes  ○ No


X Yes  ○ No

Annually

Innovation

55. Does your agency use any IT tools to

a. Facilitate reporting of corruption and fraud by citizens (like www.Ipaidabribe.org)  X

b. Share information with citizens about its own activities  X

c. Share and/or obtain information for its own investigations  

d. Other – please explain

56. Does your agency use social media to raise awareness on corruption among the public?

○ Yes  ○ No

Not yet