

Anti-corruption Authorities Initiative: Survey on the Effectiveness of Anticorruption

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
- ◆ Prevention of Organised Crime Act No. 29 of 2004--,-2009
- ◆ 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?

Yes, 2015. National Anti-Corruption Strategy 2015 - 2019

8. Does your country have right to information legislation?

Yes No

9. Does your country have conflict of interest legislation?

Yes No

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

Yes No

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

Yes No

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

Yes No

Institutional Framework

13. What functions does your agency perform?

Please check all that apply

Research Prevention Investigation Prosecution Forensic Auditing Policy

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

Yes 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

Yes No

(b) Government partners from other countries?

Yes 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?

Yes No

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

Yes No

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

Yes No

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

Yes 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?

Yes No

If yes, please specify: Five years renewable

33. Is the agency subject to judicial review?

Yes No

Agency is a law enforcement body.

34. Is the agency subject to expenditure reviews?

Yes No

35. Does your agency measure "performance"?

Yes No

If yes, against which indicators?

- Number of investigations conducted
- Number of investigations concluded
- Ratio of number of investigations/staff
- Percentage of total budget allocated to outreach activities and communication.
- 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 No

38. Is the staff provided with regular training and refresher training to ensure that their skills are up-to-date?

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)?

Yes No

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 No

42. Does your agency have a comprehensive corporate plan?

Yes No
Strategic Plan

43. Is there a strategy for formulating a partnership with outside agencies to fight corruption?

Yes No

44. Is there a strategy for dealing with the media?

Yes No

45. In practice does your agency has sufficient powers to carry out its mandate?

Yes No

46. Has your agency requests for additional powers or authorities pending in the parliament or before the executive?

Yes No

Resource Mobilization

47. Does your agency have budgetary autonomy?

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)

<input checked="" type="checkbox"/>	Number of staff
<input checked="" type="checkbox"/>	Number of investigations
<input type="checkbox"/>	Budget is constitutionally mandated
<input checked="" type="checkbox"/>	Other, please specify Programs to be carried out

50. Is there any receive any financing from donors?

Yes No

51. Does your agency use a computerized system to handle cases?

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?

Yes No

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

Yes No

54. Does your agency produce regular public reports of its activities? Annually? More frequently? Less?

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)
- b. Share information with citizens about its own activities
- 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