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**BRIEFING PAPER
THE NAMIBIAN ANTI-CORRUPTION STRATEGY
2016-2019: AN OVERVIEW AND ANALYSIS**



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“Namibians increasingly believe that the government cannot stem the tide in the fight against corruption.”

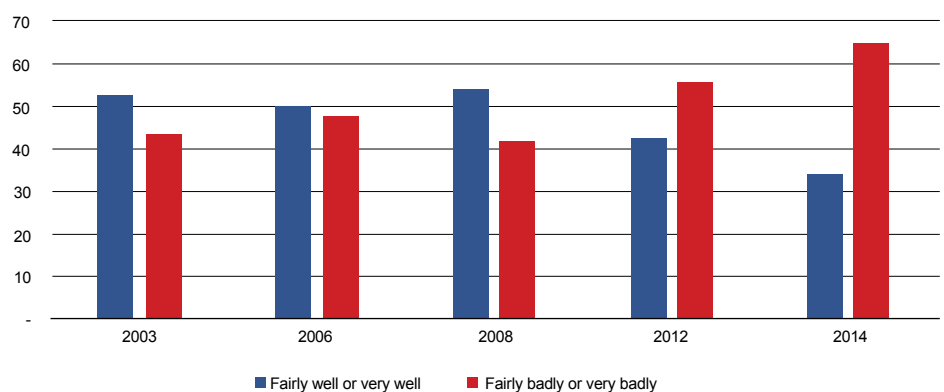
INTRODUCTION

In late 2016, the Anti-Corruption Commission (ACC) launched its *National Anti-Corruption Strategy and Action Plan*, a document which “aims to bring all stakeholders under one roof” in coordinating a strategy “which consolidates Namibia’s commitment” to fight corruption, per the document.¹ This strategy forms part of Namibia’s obligations under the United Nations Convention Against Corruption (UNCAC), which requires signatories to have in place “coordinated anti-corruption policies.” The goal does not have to be achieved via a national strategy, but it is a popular method of implementation.

The Namibian strategy begins by outlining existing laws and international agreements that form the legal framework for fighting corruption in Namibia, then summarises the strategic objectives of the plan. Finally, it briefly proposes a structure for implementation and follows this with an action plan which puts actions alongside indicators of success, risk factors, responsible actors, and a time frame for completion, among others.

The new strategy comes at a time when the fight against corruption seems to have stalled. Afrobarometer, a nationally-representative survey, includes questions about corruption that attest to this. When asked in 2014, 63 percent of Namibians felt that corruption had increased “a lot” or “somewhat over the last year – only 32 percent thought it had decreased.² Namibians also increasingly believe that the government cannot stem the tide in the fight against corruption. This is evident from further Afrobarometer results, illustrated in the graph below. When the survey first asked (in 2003) how the government was handling the fight against corruption, most Namibians believed it was succeeding at least somewhat. After several years of patience, however, since 2012 an increasing number of respondents were dissatisfied with the government’s performance.

How well is government handling the fight against corruption?



The Afrobarometer has also uncovered doubts about the Anti-Corruption Commission’s abilities more specifically. In 2012, 43 percent of Namibians agreed that the ACC “avoids politically important suspects.”³ The ACC’s own survey found that only 31 percent of Namibians thought that corruption had decreased since the inception of the authority.⁴

¹ Anti-Corruption Commission, “National Anti-Corruption Strategy and Action Plan 2016-2019” (Anti-Corruption Commission, 2016), 7, <https://www.accnamibia.org/wp-content/uploads/2016/07/National-Anti-Corruption-Strategy-and-Action-Plan-2016-2019.pdf>.
² “Summary of Results: Afrobarometer Round 6 Survey in Namibia, 2014” (Afrobarometer, 2015), 31, <http://afrobarometer.org/publications/namibia-round-6-summary-results-2014>.
³ Afrobarometer, “Round 5. Namibia,” 2013.
⁴ Anti-Corruption Commission, “National Corruption Perception Survey Report 2016” (Anti-Corruption Commission, 2016), 33, <https://www.accnamibia.org/wp-content/uploads/2017/01/National-Corruption-Perception-Survey-Report-2016-Part-01.pdf>.



Give this crucial moment in public confidence, it is imperative the strategy effectively carries out its purpose. This paper aims to initiate a conversation about this topic. It begins by explaining the best practices in drafting a national anti-corruption strategy as identified by the United Nations Office on Drugs and Crime. Then, it summarises the Namibian strategy, outlining not just its strategic objectives but also briefly detailing specifics of implementations. Finally, the paper provides an initial analysis of the strategy, keeping in mind UN best practices and the experiences made by other countries with national anti-corruption strategies.

The Namibian strategy contains some commendable ideas, but several aspects of it – from drafting to implementation – raise concerns. It appears that the process of drafting the strategy did not include all implementation partners to the extent recommended by best practice guidelines. Some of the goals of the strategy may be too broad to be very useful. Meanwhile, implementation is a real concern: there is little indication that those who are supposed to carry out activities under the plan will be compelled to do so, timelines seem unrealistically optimistic, and there is no substantial plan for Monitoring and Evaluation.

BEST PRACTICES IN DRAWING UP A STRATEGY⁵

The United Nations Office on Drugs and Crime has compiled a guide to drafting national anti-corruption strategies. The mere presence of a strategy does not guarantee a reduction in corruption. Indeed, an analysis of existing strategies found that while some times strategies resulted in progress at other times “impressive strategies had little or no impact on the situation on the ground.”⁶ To avoid the latter scenario, drafters of strategies would do well to follow best practices regarding the drafting process and content of the strategy.

The report notes that there is no unified set of specific recommendations, “particularly given that different countries have very different legal, cultural and political traditions and face very different challenges, opportunities and constraints.”⁷ Still, there are general guidelines that, when followed, can increase the likelihood of the strategy bearing fruit. The report outlines “five key aspects of an effective national anti-corruption strategy,” which are summarised below.

1. Drafting Process

According to the UN, the process of drafting the strategy should be assigned to a small group that has a fair degree of autonomy. This should be chaired by “an individual with sufficient stature, legitimacy and political influence” who can champion the committee’s work and liaise with other leaders, bodies, and the public.⁸ The process should receive the endorsement, and involvement, of senior political leaders.

A good strategy includes wide-ranging consultations. All bodies of government that will be affected should be included: they have expertise that can improve the strategy, can provide budgetary information important to implementation, and – crucially – will have to carry out parts of the strategy, making their participation and ‘buy-in’ essential should the strategy succeed. Opposition parties should also be consulted, as they can have insight into particular communities’ issues, and indeed consultations should be so broad as to include “all sectors of society,” including business, civil society, the media, and more. Drafters should also look to other countries for expertise. Finally, it is key that the process itself is transparent to the public.

⁵ The following section is based on: United Nations Office on Drugs and Crime, “National Anti-Corruption Strategies: A Practical Guide for Development and Implementation” (United Nations, 2015). Verbatim quotes are cited separately.

⁶ Ibid., 2.

⁷ Ibid.

⁸ Ibid., 5.



2. Preliminary Diagnosis of Corruption and Situation Analysis

As the first step towards drafting an anti-corruption strategy, it is essential to conduct an investigation of the types and extent of corruption that occur. Put simply, “it is impossible to combat a problem that is not understood.”⁹ An understanding of where corruption occurs, who is involved, how severe it is, and who suffers will allow drafters to target resources to areas where they are most needed and deliver a strategy that addresses the actual situation, rather than a generic document.

This analysis should not just look at the extent of corruption, but also look at how well the country has performed in fighting corruption. Among others, this should include an evaluation of law enforcement, investigation, and the co-ordination of various institutions and bodies tasked with fighting corruption.

3. Formulating Anti-Corruption Measures

The advice here is fairly straightforward. First, the strategy should be “tailored to” the earlier conducted analysis of the major issues surrounding corruption. According to the UN guidelines, each proposed measure in the plan should be explicitly tied to the problem it is meant to address. The UN acknowledges this might seem obvious, but points out that “few strategy documents reviewed for this Guide even attempted” to link problems and solutions in the document.¹⁰

More general advice follows: plans should be “ambitious but realistic,” identify specific measures rather than broad goals, and explain what each goal will achieve as well as how it will be completed. Plans should consider the costs and benefits of goals, how much support or opposition they will confront; and pay attention to the prioritization and sequencing of goals for optimal effectiveness. Finally, and crucially, the guidelines stipulate that the strategy should explicitly stipulate timelines for the implementation of various goals

4. Implementation

After plans have been drawn up, they need to be implemented. In Namibia, the implementation stage is where many excellent plans have faltered in the past. Implementation is a complex undertaking; it requires co-ordination and cooperation by a wide variety of actors, many of whom may have a stake in maintaining the status quo rather than pushing reform.

As a general guideline, the implementation of the strategy should be led by a “single, high-level entity.” One note here is that the Anti-Corruption Commission is often not suitable to the task, as it “may have neither sufficient resources nor adequate power to compel other departments and agencies” to implement the plan.¹¹ Instead it may be better to entrust a high-level ministry, or to create a commission chaired by a high-ranking official with members from all coordinating bodies.

Regardless of the form it takes, the body charged with implementation needs to be vested with the authority to carry out the plan – it should have a clear legal mandate and vocal support from government. Crucially, the guidelines stipulate that each body involved in carrying out the plan should explicitly agree on the measures it will take to implement the anti-corruption strategy, and on how its performance will be evaluated.

5. Monitoring, Evaluating and Reporting

This last aspect is often neglected, but absolutely vital to achieving success. Monitoring and Evaluation should happen on an ongoing basis, allowing us to see which aspects are working and which are not, informing changes that need to be made. Countries should monitor and evaluate both implementation and impact – that is, whether the plan is being carried out properly, and whether these interventions are having the desired effect.

⁹ Ibid., 13.

¹⁰ Ibid., 27.

¹¹ Ibid., 34.



To monitor evaluation, countries should break down reforms into separate steps, and select suitable, meaningful indicators of progress. Each indicator should have a baseline against which progress can be measured, and a timeline for implementation. (The report contains more details on the criteria for selecting indicators and how to guard against manipulation).

Monitoring impact also presents a challenge. Year-to-year changes in corruption rankings, for example, are not a useful measure of progress. Instead, countries have to select their own indicators, and consider strategies such as randomised controlled trials. More generally, the guide recommends involving civil society, academics and the public in the evaluation process.

Finally, the guide stresses the importance of publishing reports on the implementation of the strategy. While internal reports enable a clear view of the progress made, and reporting to the executive and/or parliament ensures oversight of the process and increases accountability, public reporting maintains pressure for implementation, and “monitoring and evaluation reports should therefore be aggressively publicised, shared with media outlets and civil society organizations and posted on the Internet.”¹²

OVERVIEW: THE 2016-2019 STRATEGY

The Namibian Anti-Corruption Strategy and Action Plan were drafted by the Anti-Corruption Commission of Namibia with specific reference to the stipulations of UNCAC mentioned above.

In broad terms, the strategy seeks to focus on:

- “prevention, which includes vulnerability assessments and integrity systems;
- education, and awareness;
- deterrence, including investigation, prosecution and adjudication; and
- collaboration between stakeholders and institutions nationally and internationally”¹³

To achieve this, the strategy focuses on six strategic objectives, namely:

1. “To increase the level of political accountability;
2. to prevent corruption in government offices, ministries, agencies and State-owned enterprises;
3. to strengthen efforts to deter corruption;
4. to conduct extensive anticorruption education;
5. to prevent corruption in the private sector; and
6. to engage civil society and the media in combating corruption”¹⁴

These are in turn broken down into specific objectives, and actions which contribute towards these specific objectives. The latter half of the strategy document contains a table which lists these actions, indicators used to measure progress, responsible actors, resources for the completion of the objective, and – importantly – the time frame in which the objective is to be completed. The strategic objectives and some of their specific actions are now summarised in order, though space constraints prevent a comprehensive treatment.

1. Increasing the level of political accountability

The ACC states that, “political parties ought to demonstrate an exemplary standard of accountability.”¹⁵ This section makes repeated reference to the Electoral Act of 2014, which introduced new accountability measures for parties: they should declare assets and liabilities, record contributions, and provide audited financial statements.

¹² Ibid., 51.

¹³ Anti-Corruption Commission, “National Anti-Corruption Strategy and Action Plan 2016-2019,” 12.

¹⁴ Ibid.

¹⁵ Ibid., 14.

“Countries should monitor and evaluate both implementation and impact – that is, whether the plan is being carried out properly, and whether these interventions are having the desired effect.”



“The plan states that preventing corruption in government institutions “will receive the highest priority.”

Three specific actions are mentioned. Annual reviews on parties’ compliance with the Act’s provisions will be published. The second objective tasks the Electoral Commission with ensuring that parties comply with the Act. Thirdly, reports containing potential legislative improvements will be compiled and published after every election. More broadly, the strategy states that parties will be “made aware” of the transparency regulations.

2. Preventing corruption in government offices, ministries, agencies and public enterprises

This strategic objective stands out among others in the plan. It contains more specific objectives and more actions than any other goal – about half, in fact, of all the action items in the plan. This abundance of initiatives underlines its importance: the plan states that preventing corruption in government institutions “will receive the highest priority,”¹⁶ and one of the innovations envisioned in this section (the creation of integrity committees, discussed below) is specifically highlighted in the document’s introductory remarks by the Director of the Anti-Corruption Commission.¹⁷

The first specific objective seeks to implement preventative measures to address **public institutions’ vulnerabilities**. The plan imagines a “periodic review of public sector systems,” as well as the design and implementation of a pilot “risk-assessment test on corruption vulnerabilities” in three institutions. Institutions will design and adopt an integrity pledge and implement compulsory annual ethics training. Meanwhile, all Offices, Ministries, Agencies, and Public Enterprises will appoint an integrity committee, which produce annual ethics and transparency reports and oversees the implementation of anti-corruption systems.

Notably, the plan claims that “greater public oversight will play a key role” in preventing corruption in government, and several actions make reference to the public. The risk-assessment test pilot studies will be published, as will “reports and integrity plans based on assessments” after a wider rollout.

The second specific objective aims to **increase transparency** by making more public data available. Sub-actions include the passing of access to information legislation, continuous improvements in e-governance, and civic education programmes to promote ethics and access to information.

The third objective targets **Public Enterprises** (formerly known as State-Owned Enterprises), which have long been hotbeds of tender scandals and suspected corruption. Sub-actions concern the standardisation of regulations and policies, and mandate that “reports and data on the conduct and performance” of these enterprises should be made public.

The fourth objective seeks to strengthen the “integrity and transparency of the **judiciary**.” According to the plan, there will be an analysis of the judicial management system to see whether data generated is used to make the judiciary more effective. Another goal is to ensure the judiciary is adequately resourced.

The plan also mentions the “integrity and transparency” of Parliament. Again, adequate resources are mentioned. In addition, **Parliament** should publish a report on compliance with its asset disclosure rules, facilitate training courses and hold public events on best practices regarding integrity.

Public procurement has a reputation for corruption, and the plan acknowledges this, noting that the government introduced new legislation in 2015 which, among other things, replaces the institutions in charge of reviewing and evaluating tenders. The strategy envisions a public awareness programme on the new system and training courses for officials of the new tender bodies. It aims to require businesses who tender to have internal anti-corruption policies, and says that deliberations of all new tender bodies should be made public.

¹⁶ Ibid., 15.

¹⁷ Ibid., 7.



To improve accountability in the management of the **national budget**, the next specific objective, the national strategy plans to: reduce the amount of resources in non-budgetary accounts; strengthen parliamentary oversight through audits; regularly train MPs; and conduct external audits, among others.

The next objective concerns decentralisation. Among other goals, the plan calls for an analysis of policy gaps and the development of integrity systems for Regional Councils and Local Authorities, as well as annual ethics training for their staff.

The final specific objective for the public service relates to the **disclosure of financial interests and assets** by public officials. Namibia is severely lacking in this regard, as few public officials have to disclose in the first place, and those that do seldom comply.¹⁸ The strategic plan envisions a standardized system covering not just Members of Parliament, but public servants more broadly, including judges, members of the Central Procurement Board, employees of Public Enterprises and other office bearers. Specifically, the plan seeks to conduct consultations to design this system, which will be gradually phased in. In addition, the plan promises training on conflict of interest, and that “submissions will be verified” and violators punished.

3. Strengthening Efforts to Deter Corruption

The first specific objective concerns “**strengthening the Anti-Corruption Commission**.” Actions include conducting a study on the delays in the justice system when dealing with corruption cases, as well as several broad goals related to improving the effectiveness of ACC staff.

The second objective seeks to **strengthen anti-corruption legislation**. The plan calls for amendments to several laws (for example, amending the Anti-Corruption Act to include embezzlement in the private sector), proposes the introduction of witness protection and whistle-blower protection legislation as well as an audit bill. In addition, it calls for the creation of a ‘blacklist’ of companies that may no longer bid for government work due to past misconduct, and envisions lifestyle audits and other measures of combating illicit enrichment.

The third objective points to **public institutions’ vulnerability to corruption**, and calls for an amendment to Public Service Staff rules so that corrupt practices are now considered “major offences.”

4. Conducting extensive anti-corruption education

This ACC’s advocacy work on corruption can perhaps be considered one of its most successful projects, and this objective seeks to continue this legacy by targeting both government institutions and the public at large.

For **public institutions**, the plan envisions periodical trainings on ethics, as well as the incorporation of integrity modules into other management development programmes.

In terms of the **public**, the plan foresees anti-corruption public debates at various levels, anti-corruption being taught in schools as part of the civil life skills subject, and a training programme on ethics for teachers. The ACC will develop a communication strategy, and work with NGOs on projects.

5. Preventing Corruption in the Private Sector

Specific focus is given to the **extraction of natural resources**, including fisheries. As the previous report in this series reports, the regulatory framework for resource extraction in Namibia is severely deficient,¹⁹ and the strategic plan aims to address several related issues.

The plan includes, among other action items, a review of and amendment of legislation to bring it in line with international standards, the development of

¹⁸ See Maximilian Weylandt, “Asset Declarations in Namibia” (IPPR, August 2016).

¹⁹ Maximilian Weylandt, “Transparency in the Namibian Extractives Sector” (Institute for Public Policy Research, 2017).



transparent mechanisms for extraction licences and fishing quotas, compliance with international standards such as EITI when it comes to transparency, and including specific references to extractive industries in access to information laws.

The strategy also seeks to support **transparency in private enterprises** more broadly. In conjunction with the Namibia Chamber of Commerce and Industry, the ACC will conduct an assessment with the aim of simplifying the bureaucracy, and assist businesses to develop their own integrity systems.

6. Engaging civil society and the media in combating corruption

The last strategic objective seeks cooperation with civil society and media, who are “uniquely positioned to assist the Government to bring to light cases of corruption.” To support **transparency in civil society** the ACC will engage CSOs for the purpose of civic education and research on anti-corruption, to create a new system of voluntary CSO registration, and to help develop CSO codes of conduct and integrity systems.

The second specific objective envisions **supporting the role of the media**, noting the “vital role” played by media in fighting corruption. The plan imagines training of investigative journalist and internal media codes of conduct, as well as – more vaguely – building “an enabling environment for free media.”

Implementation and Monitoring

A newly-convened *National Anti-Corruption Steering Committee* is tasked with overseeing the coordination and implementation of this plan. The plan states that the Prime Minister should convene the first meeting and invite representatives from a variety of government and non-government institutions.²⁰ Going forward, the ACC chairs the meetings and reports back to the public. The Steering Committee can create sub-committees, coordinate “with public sector agencies, the private sector and civil society,” develop and carry out a plan for monitoring and evaluation, and compile an annual progress report.

ANALYSIS

This section compares the Namibian National Anti-Corruption Strategy and Action Plan to the best practice guidelines provided by the UN Office on Drugs and Crime. Many recommendations from the UN are so broad that they are difficult to evaluate – deciding whether a target is realistic, or whether enough time was allocated to the drafting process, for example, will eventually be a judgment call. In addition, both UN recommendations and the Namibian Strategy are extensive, preventing a comprehensive treatment. Thus, this section focuses on some specific recommendations for which we were able to ascertain the level of adherence.

The Drafting Process

As the guidelines recommend, political parties – including opposition parties – were included in consultations, which is commendable. In addition, the technical committee which drew up the plan itself included many representatives from civil society organisations – though it is not clear how large of an impact these organisations had in determining the contents of the strategy.

²⁰ The stakeholders the Prime Minister should invite are: the Office of the President; The Office of the Prime Minister; The Office of the Attorney-General; Ministry of Safety and Security (NAMPOL); Ministry of Information and Communication Technology; Ministry of Public Enterprises; The Ministry of Justice; The Ministry of Finance; The Ministry of Urban and Rural Development; The Parliament; The Office of the Ombudsman; The Auditor-General; The Anti-Corruption Commission; The Media Ombudsman; The Editors Forum; The Namibia Chamber of Commerce and Industry; The Namibia Employers' Federation; The Financial Intelligence Centre; The National Youth Council; The Council of Churches in Namibia; NANGOF.



The technical committee also included representatives from some government agencies, for example representatives from the Prime Minister's Office and from the Ministry of Justice. However, the guidelines recommend that all agencies that will implement the plan should be included in its drafting.

Contrary to the guidelines recommended by the UN, the strategy document contains almost nothing in terms of analysing the current issues concerning corruption in Namibia. This is a common problem with anti-corruption strategies: only 13 of the 53 strategies reviewed in drawing up the UN guidelines contained "a detailed discussion of the state of corruption in the country."²¹ A lack of analysis hampers the strategy from the beginning: an "accurate assessment of the problems and challenges"²² faced by the country is indispensable for crafting a strategy to fight corruption. Otherwise, one is left with a generic document that misses important issues. The ACC did conduct a nationwide corruption perception survey, which could have provided some insights (as could its previous research, including more localised surveys). However, the survey was only conducted by the time the strategy was already complete, according to the head of the technical committee.²³

The Contents of the Strategy

There are certain aspects of the strategy that should be commended. The strategy envisions creating key components of an anti-corruption framework, such as a comprehensive regime of asset disclosure, the importance of which the IPPR has highlighted before.²⁴ It considers many different aspects of the fight against corruption, ranging from public education to specialised training, to internal processes and legislative changes.

The proposed legislative changes stand out as being particularly comprehensive – perhaps not coincidentally an area highlighted by the UNCAC progress report on Namibia. In fact, many of the laws identified by the strategy as needing drafting or amendment were mentioned explicitly in that report.²⁵ Legislation is also an area that highlights the possible gap between intention and execution. Because even if Parliament passes a bill concerning anti-corruption matters, there is still the question whether its contents will actually aid this fight.

Take the Whistleblower Protection Bill, a very real example of this dynamic. One goal of the strategy foresees the implementation of this bill – an admirable goal, seeing as whistleblowers are essential in the fight against corruption and need an encouraging environment to come forward. But the bill tabled in Parliament in the beginning of 2017 had several glaring issues. It threatened to punish intentionally false disclosures with a fine of up to N\$100,000 and/or a prison term of up to 20 years – thus certain to deter some potential whistleblowers fearing retaliation. Even more worryingly, it would allow protection to be revoked if the disclosure "principally involves questioning the merits of government policy," a potentially unconstitutional clause that could effectively be used to prevent criticism of government.²⁶ This example shows how it is possible that a goal of the strategy can be technically met by passing a law that makes it harder to report corruption, therefore countering the intention of the strategy.

²¹ United Nations Office on Drugs and Crime, "National Anti-Corruption Strategies: A Practical Guide for Development and Implementation," 13.

²² Ibid.

²³ Communication with the consultant heading the technical committee, 21.02.2017.

²⁴ See Maximilian Weylandt, "Asset Declarations in Namibia"; Maximilian Weylandt, "Asset Declarations in Parliament: Too Little, Too Late?" (Institute for Public Policy Research, October 2015), <http://ippr.org.na/publication/asset-declarations-in-parliament/>; Ellison Tjirera, "Asset Disclosure: The Need for Reform and Enforcement" (Institute for Public Policy Research, August 2012), <http://ippr.org.na/publication/asset-disclosure-the-need-for-reform-and-enforcement/>.

²⁵ Including whistleblower and witness protection bills, the issue of illicit enrichment, adding embezzlement in the private sector to the Anti-Corruption Act, and more. Compare Links (2016) pp.5-6 to the National Strategy pp.

²⁶ ACTION Coalition, "Media Release: MPs Urged to Refer Whistleblower Protection Bill to Standing Committee," July 3, 2017.

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Will it Work? Implementation Concerns

This illustrates a broader concern: neither the ACC nor the Steering Committee tasked with implementing the Strategy have much real power to ensure the strategy is carried out effectively. In the case of legal review, they cannot force ministries to draft laws, or the National Assembly to pass them, and they certainly cannot control the content of the laws. Perhaps as much should be expected for legislation, the production of which is inherently messy and left to Parliament for good reasons. But a review of the strategy shows that many, if not most of the goals rely on actors whose support is far from guaranteed.

The ACC is responsible for about half of the actions outlined in the plan, most in coordination with other bodies – it is the sole responsible institution for only three. This is not in itself a bad thing. Any comprehensive strategy requires cooperation from all sorts of institutions and actors, ranging from citizens to private and public institutions. However, there are serious concerns about whether these other actors will carry out the tasks they are supposed to. Many were not involved in the process of drafting the document, and therefore have little ‘buy-in’ from the get-go. Further, the implementing bodies have not signed agreements compelling them to carry out the tasks assigned to them in the strategy, and the Committee tasked with the implementation of the strategy does not have the legal power to compel cooperation.²⁷

Regarding this concern, the ACC simply noted that, “The Strategy is an anti-corruption policy mechanism approved by the Cabinet. The responsible institutions are under obligation to implement the strategy.”²⁸ But the UN reminds us this isn’t enough: “A number of strategies have been adopted in the past on the assumption that high-level support from the Head of Government would suffice to ensure effective and coordinated implementation of the strategy. However, although high-level support is necessary, it is rarely sufficient over the longer term.”²⁹ Instead, as discussed above, UN guidelines suggest that the authority of the implementing body be anchored in law and that each implementing body should sign an agreement explicitly committing to timelines for implementation.

Even if the various institutions are committed to carry out the strategy, the deadlines set by the action plan would condemn them to failure on many counts. Many of the timelines suggested are overly optimistic at best. Consider that more than two-thirds (in fact, almost three-quarters) of the actions in the plan were either due to be completed, or had first deadlines in 2016 – the same year the plan was launched. While it is impossible to determine the status of each goal, it is already clear that several goals have failed.

Take the establishment of “integrity committees,” one of the most-touted features of the new strategy. According to the plan, these were supposed to be set up beginning in the second quarter of 2016. Yet the ACC confirmed in early 2017 that this deadline had passed, and that the process would not begin until it had finalised an ethics guide for the public service.³⁰ This tardiness will cascade through the plan, as several other actions rely on integrity committees to be carried out. For example, there were presumably no consultations on designing an asset disclosure system by the fourth quarter of 2016, as the Integrity Committees are one of the responsible parties in the plan.

Another area of concern is the lack of a substantial plan for Monitoring and Evaluation in the Plan. The UN guidelines discussed above make it very clear that M&E is absolutely vital. The people in charge of implementing the strategy need to know what is working and what is not, so they can adjust the plan for maximum efficiency. And at the end of the period covered by the strategy, we need to be able to draw lessons from this strategy to influence the next.

²⁷ Communication with Paulus Noa, Director of the Anti-Corruption Commission, 16.02.2017

²⁸ Communication with Paulus Noa, Director of the Anti-Corruption Commission, 16.02.2017

²⁹ United Nations Office on Drugs and Crime, “National Anti-Corruption Strategies: A Practical Guide for Development and Implementation,” 33.

³⁰ Communication with Paulus Noa, Director of the Anti-Corruption Commission, 16.02.2017



Unfortunately, the strategy does little to inspire faith that it will be effectively monitored and evaluated. While there are indicators (of varying quality) for different actions, no baselines are given against which progress can be measured. As explained above, unrealistic timelines also do not engender confidence. Instead of specifying how it should be monitored and evaluated, the national anticorruption strategy simply tasks the steering committee with coming up and implementing an M&E strategy. Sadly, Namibia is hardly unique in this regard as poor M&E plans form something of a trend worldwide. As the UN notes, “few anti-corruption strategy documents have paid sufficient attention” to the issue.³¹ However, the UN also notes that many newer plans have improved in this regard, and it is unfortunate that Namibia’s is not one of them. According to the Director-General of the ACC, “it would have been inappropriate for the strategy to dictate” the M&E plan to the committee – though he did assure IPPR that reports would be published. It is not clear why the ACC took this stance, as the UN guidelines make it quite clear that a good strategy should include M&E guidelines.³² A different UN report, a review of anti-corruption strategies and their effects in the Asia-Pacific Region found that “the monitoring and evaluation of anti-corruption strategies remains the weakest link”³³ of anti-corruption strategies in practice. Unless the steering committee comes up with an excellent plan from the start, Namibia seems destined to repeat the mistakes others have made before. The plan indicates that the Steering Committee was supposed to have engaged an M&E expert by the second quarter of 2016. As the Committee only had its first meeting in February 2017, it is safe to assume this deadline was not met.

RECOMMENDATIONS

In many aspects regarding its content, the National Anti-Corruption Strategy is a solid document. Our concerns about the drafting process – that not all the implementing partners were involved, most importantly – can no longer be addressed at this point. This leaves the implementation stage of the National Strategy.

1. **The Strategy should be revisited to make timelines more realistic, and to ensure an implementation schedule that can result in success.** The current document condemns actors to failure. Several deadlines have already passed, and it seems more will follow. This risks that the entire process will soon be untethered from the schedule, threatening to unravel further.
2. **The Steering Committee must create a Monitoring and Evaluation plan as a matter of urgency.** This plan should be detailed, and committed to transparency so that the public can get an insight into the implementation of the Strategy.
3. **Implementing actors should commit themselves to carrying out the plan.** If Cabinet has indeed signed off on the plan, it should not be too difficult to convince Ministers and heads of Agencies and Offices to publicly agree to carrying out the plan. Public scrutiny will be a key in ensuring the success of this plan, and the people in charge carrying it out of should welcome this scrutiny.
4. **Civil society and the Namibian public must do their part.** This plan contains many laudable objectives, as well as clear deadlines for their implementation. The media should follow up on progress on this front. Civil Society should act as a watchdog, and support the implementation when called upon – includ-

³¹ United Nations Office on Drugs and Crime, “National Anti-Corruption Strategies: A Practical Guide for Development and Implementation,” 33.

³² see *ibid.*

³³ Narayan Manandhar, “Anti-Corruption Strategies: Understanding What Works, What Doesn’t And Why? Lessons Learned from the Asia-Pacific Region” (United Nations Development Programme, 2014), 27, http://www.asia-pacific.undp.org/content/rbap/en/home/library/democratic_governance/anti-corruption-strategies.html.

“Unfortunately, the strategy does little to inspire faith that it will be effectively monitored and evaluated.”



“While the National Anti-Corruption Strategy and Action Plan contain many worthwhile initiatives and ideas, its implementation is far from guaranteed.”

ing active participation on the Steering Committee. And citizens should demand the plan is properly implemented, for it is they who will ultimately benefit from successful reforms.

CONCLUSION

For a long time, Namibians took pride in the belief that their country had relatively low levels of corruption – at least compared to most other countries on the continent. But in recent years, public sentiment has increasingly turned toward pessimism, both about the fight against corruption more broadly, and the effectiveness of the Anti-Corruption Commission specifically.

The National Anti-Corruption Strategy and Action Plan thus comes at a crucial time in the battle against corruption. It was born out of Namibia’s obligations under the United Nations Convention Against Corruption – but a comparison with best practices recommended by the UN raises concerns.

While the process of drafting the document laudably included a wide variety of stakeholders, not all implementing bodies were included. The strategy contains no systematic review of corruption in the country, raising fears that it could have been better calibrated to the particular challenges Namibia faces.

There are also key questions about implementation: some goals are vague and subject to unrealistic deadlines, while the institutions tasked with carrying them out have not explicitly agreed to do so and cannot be compelled if they don’t. Finally, the lack of a Monitoring and Evaluation strategy raises concerns that progress will not be thoroughly assessed, and implementation therefore hampered.

In short, while the National Anti-Corruption Strategy and Action Plan contain many worthwhile initiatives and ideas, its implementation is far from guaranteed. A real commitment to implementation, public support from the highest ranks of government, and careful scrutiny from civil society will be needed to convert this potential into success.



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