

Zero Tolerance for **Corruption**

Namibia's Zero Tolerance for Corruption Campaign



A research report
by the



Actual Instances of **Corruption** **2008-2009**

As Reported in the Namibian Print Media
compiled by Justine Hunter

Foreword

This report, which falls under the Namibia Institute for Democracy's (NID's) integrity-related activities, is based on the findings of a survey that focused on actual instances of corruption as reported on in the Namibian print media between 1 April 2008 and 31 March 2009. (For a more detailed description of campaign elements, please refer to Section 2.) The report aims to identify trends in the occurrence of corruption and in the print media's reporting on actual cases. It follows on four previous studies which focused on the periods 1990 – 2004; 2004 – 2006; 2006 – 2007; and 2007 – 2008. The NID therefore now has data on the print media's reporting on corruption for the first 19 years of Namibian independence.

The media survey was conducted in three phases. Firstly, photocopies were made of relevant articles on corruption that appeared in Namibia's daily and weekly newspapers during the research period. In the second phase, a code sheet and a variables sheet were compiled. This enabled the contents of the articles to be sorted according to pre-selected indicators and categorised on the basis of various dimensions of corruption. Various aspects of the cases, and of the manner in which they were reported on, could therefore be assessed.

The NID would like to thank the main data collectors, Sophie Mukenge Kabongo and Nicola Muranda, for their diligence in assembling and processing the media reports. In addition, the NID would like to express its appreciation to the National Archives, the Media Institute of Southern Africa and the newspapers which made their archives available to the data collectors. The NID would furthermore like to thank Dr Christoph Stork, who assisted with the interpretation of the data and prepared the charts and graphs for this publication.

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Acronyms and initialisms

ACC	Anti-corruption Commission
CPI	Corruption Perception Index
NBC	Namibian Broadcasting Corporation
NDC	Namibia Development Corporation
NDF	Namibian Defence Force
NHE	National Housing Enterprises
NID	Namibia Institute for Democracy
MET	Ministry of Environment and Tourism
SSC	Social Security Commission
UNDP	United Nations Development Programme
ZTfCC	Zero Tolerance for Corruption Campaign

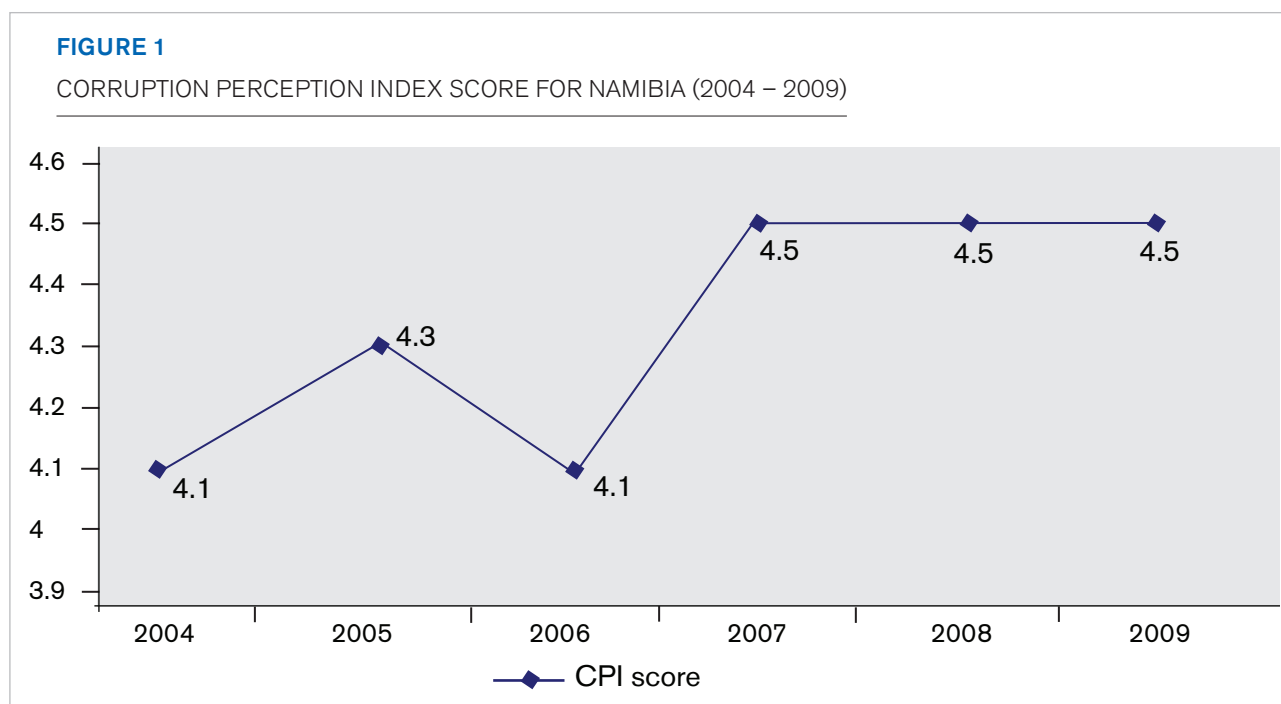
1 Introduction and methodology

In recent years, while awareness of the need for measuring corruption has grown, traditional means of such measurement have been challenged, and in response, numerous more refined and appropriate governance and corruption measurement tools have been developed. In this regard, the United Nations Development Programme (UNDP) has decided to give priority to developing the capacity of national actors to measure and monitor corruption in their respective countries. In the view of UNDP, corruption assessments most effectively improve transparency and accountability when they are grounded in a nationally owned process (Global Integrity/UNDP 2008).

This media survey follows the recent trend in the field of governance and corruption measurement in that it relies on local expertise and knowledge sources. This shift underscores the growing recognition that corruption measurement tools need to be more relevant and accessible to a country's stakeholders, as locally generated assessments render corruption surveys more legitimate and trustworthy to a local audience. As a result, nationally owned assessments are regarded as being more likely to engender "buy-in" from governments (Global

Integrity/UNDP 2008:24-29). Although such nationally owned assessments are becoming more common, however, international perception-based surveys such as Transparency International's Corruption Perception Index (CPI) continue to be widely used, for example by development agencies. The CPI has extensive global coverage and its results are widely reported in the media. Nevertheless, global measurements such as the CPI seem to enjoy less credibility with critical governments than do local assessments.

The CPI scores countries on a scale from 0 to 10, with 0 indicating high levels of perceived corruption and 10 low levels of perceived corruption. **Figure 1** below shows that Namibia's CPI score improved slightly between 2004 and 2005 but then deteriorated somewhat between 2005 and 2006. It noticeably improved in 2007 and thereafter levelled at a CPI score of 4.5. The improvement may to a large degree have been in response to greater transparency and accountability brought about by the establishment of the Anti-corruption Commission (ACC). It seems, however, that Namibia has been stagnating, and the fact that other African countries such as Botswana (5.6), Mauritius (5.4), Cape Verde (5.1), Seychelles (4.8) and South Africa (4.7) have received better ratings than Namibia suggests that there is still much room for improvement.



Source: www.transparency.org

Unlike the CPI, which is a cross-country assessment tool, this media survey is country-specific. In the absence of comparable data from other countries, this study stops short of making assertions regarding what “acceptable” levels of corruption for a country like Namibia might be, or where Namibia stands in relation to other countries.

Despite the lack of comparability across countries, however, this measurement tool enables its users to assess corruption in Namibia over time, as the component sources have remained almost identical since Independence. This research report follows on from four previous publications (NID 2005; Hunter 2006; Hopwood 2008; Hunter 2009) which used the media as a public record for corruption cases.¹ In the same way, the current report presents findings on the occurrence and nature of corruption in Namibia between 1 April 2008 and 31 March 2009, as well as on the reporting thereon. This report distinguishes between petty and grand corruption and presents data on the number of cases, the volume of reports, the agencies involved, the nature of the offences, and the judging agencies and verdicts handed down. The report concludes with a section providing more detailed information on the key cases in the time period under review.

The daily and weekly newspapers which were reviewed for this purpose were the English daily *The Namibian*, the state-owned *New Era*, the Afrikaans daily *Republikein*, the German daily *Allgemeine Zeitung*, and the weeklies *Windhoek Observer*, *Namibia Economist* and *Informanté*. Political party publications (*Namibia Today*), regional newspapers (*Southern Times*) and monthly magazines (*Big Issue*, *Insight Namibia*) were excluded. Although the monthly current affairs magazine *Insight Namibia* does undertake investigative reporting and serious critical analysis, for the sake of consistency with previous research reports it had regrettably to be excluded. For the sake of cost-effectiveness, other media types such as radio and television news broadcasts were also excluded. Newspaper coverage in Namibia is fairly comprehensive, however, and it is therefore unlikely that corruption cases

¹ The conceptual framework for this study, which uses media reports as sources of “hard data” on corruption cases in Namibia, was initially developed by Christiaan Keulder.

covered by television (Namibian Broadcasting Corporation (NBC), One Africa Television) or radio (NBC radio channels, community and private radio stations) would have escaped the print media’s notice. This study only includes newspaper articles on actual cases. Reports on corruption in general, public speeches and events dealing with corruption and relevant legislation were excluded, as were editorials and readers’ letters on the topic.

This survey uses objective indicators that are constructed from generally undisputed facts. Media surveys provide fairly objective “hard data”, which differ markedly from subjective indicators such as citizens’ or experts’ perceptions and opinions regarding corruption levels. The potential gap between actual cases of corruption that are reported on in the print media and the actual state of affairs must, however, be noted. This study is limited in that it includes only corruption cases that were reported on in the print media. In many cases, especially in rural settings, corruption might be commonplace but difficult to detect, and as a result, may go unreported. As a result, one has to assume that “corruption stories featuring in the print media are only the ‘tip of the iceberg’ in terms of the prevalence of corrupt activities in Namibia” (Hopwood 2008:5). It must also be borne in mind that this survey excludes all articles with unconfirmed reports. Nevertheless, the risk remains that the information provided in newspaper articles is inaccurate, and caution must therefore be exercised.

Consequently, the objective data generated from print media reports and subjective data based on perceptions of citizens and experts should be seen as being complementary (Global Integrity/UNDP 2008:22-23). Whatever the case, however, corruption remains difficult to measure, and an increase in the number of newspaper articles on corrupt practices does not necessarily prove a higher incidence of corruption. While this might be the case, it is also possible that an increase in the number of articles results from greater transparency and accountability brought about by the establishment of anti-corruption institutions. Similarly, citizens’ perceptions regarding an increase in corruption might be brought about by more frequent reporting on corruption cases in the media, or by the involvement of

well-known political figures and the staggering amounts of money involved in some cases.

In addition to being an indicator of actual levels of corruption, newspaper articles also themselves reflect on the prevailing quality of journalism. Due to the lack of special investigation desks, rather than undertaking investigative reporting, most newspapers only report on demonstrably apparent events such as accusations levelled and legal proceedings instituted (Links 2006:15). Among the challenges newspapers face are understaffing and the lack of skilled journalists, low salaries, and the fact that public servants and private firms tend to deny journalists access to information (Hunter 2006:17-18; Amupadhi 2008:15-25). Another concern is that Namibia's print media scene has become more competitive and that an increase in tabloid-style reporting has the potential to undermine the reliability of reporting (Hopwood 2008:5).

This study used media content analysis as its main methodological approach. This is a quantitative method that delivers data expressed numerically and in percentages. The content of media reports is summarised by counting various aspects of the cases. However, a balanced assessment tool will draw on both qualitative and quantitative corruption measurements. The NID consequently complemented the media content analysis survey, which is based on quantitative data, with qualitative comments for contextualisation. In this regard, individual key cases that occurred during the period under review are described in Section 5.

2 The NID's Zero Tolerance for Corruption Campaign

The NID launched the Zero Tolerance for Corruption Campaign (ZTFCC) with the aim of reinforcing efforts to arrest corruption in Namibia and maintaining the good reputation Namibia enjoys regionally and internationally with regard to transparency and integrity. Since its inception, the ZTFCC has been funded by the Embassy of Finland, the United States Agency for International Development, the Swedish International Development Agency, the Netherlands Consulate and the Pupkewitz Foundation. The ZTFCC was

officially launched by the President of the Republic of Namibia, His Excellency Hifikepunye Pohamba.



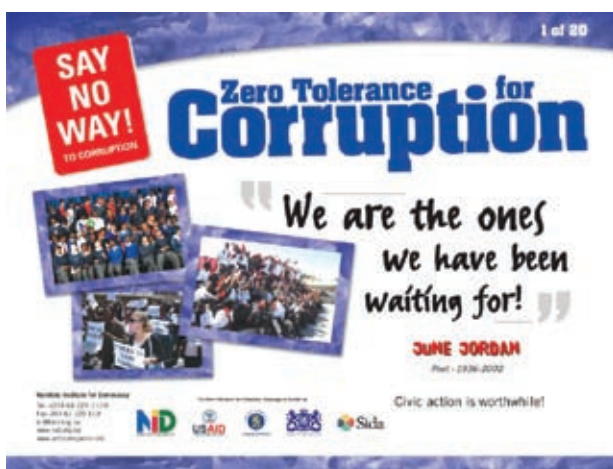
His Excellency. Hifikepunye Pohamba delivering the keynote address at the launch of the ZTFCC.

The programmes conducted within the scope of the ZTFCC relate mainly to public awareness activities that complement the effective functioning of the Anti-corruption Commission (ACC). These include integrity-related training courses that the NID has been offering to civil society members to strengthen their capacity to act as watchdogs on corruption and to engage constructively with selected government institutions on local, regional and national levels. Through grassroots education workshops conducted in indigenous languages, the ZTFCC reaches out to communities located in remote rural settings. Cooperation with traditional and local authorities ensures local ownership of the interventions. The NID also offers anti-corruption training courses to representatives of faith-based organisations who regularly serve as confidants and spiritual caregivers to the members of their congregations. As they have a regular audience and moral authority, they are likely to be ideal multipliers. Furthermore, the NID has been conducting integrity-related workshops for schoolchildren

throughout the country, reaching out to more than 9 000 pupils in 2008 and at least 6 000 in 2009. To strengthen investigative journalism skills among Namibian journalists and media students, the NID commissioned Gwen Lister (the editor of *The Namibian*) and Tangeni Amupadhi (the editor of *Insight Namibia*) to conduct tailor-made training courses.

Since its inception, the ZTFCC has also conducted integrity-related training workshops for public servants, ministry officials and members of the Namibian Defence Force (NDF). The NID's activities also aim at establishing and maintaining commitment to ethical and professional standards on the part of local authority officials through technical support to the Namibian Association for Local Authorities, thereby enhancing the standard, transparency and integrity of local government administration.

An effective communication campaign furthermore raises awareness among the citizenry about corruption-related issues and shapes people's attitudes. In 2009, the NID drafted a series of twenty advertorials for bi-monthly publication in three Namibian daily newspapers. The series featured well-known Namibians from government institutions, the business sector, civil society, faith-based organisations and sports codes as advocates on integrity-related issues. As part of the social marketing initiatives, the NID also places a monthly insert entitled *Graft Watch* in Namibia's current affairs magazine, *Insight Namibia*.



The first of the ZTFCC advertorials

In addition to training manuals (e.g. NID 2007) and volumes (e.g. Hopwood 2007) on corruption in Namibia, the NID produced a series of four publications on *Actual Instances of Corruption as Reported in the Namibian Print Media* as a local assessment tool. The media surveys aim at enhancing public access to comprehensive, accurate, relevant and up-to-date information on corruption and at stimulating the overall capacity and willingness of Namibians to become involved as citizens and to participate with collaborative structures together with the government and other civil society organisations in order to ensure transparent governance characterised by a superior level of integrity.

3 Definition and dimension of corruption

According to Global Integrity/UNDP (2008:6-10), there is no international consensus on the meaning of corruption. Nevertheless, a commonly adopted means of differentiating corruption cases is on the basis of their scale:

- **Petty corruption** refers to street-level, everyday corruption that ordinary citizens experience as they interact with public officials in places like schools, hospitals, border posts, police departments and other bureaucratic agencies.
- **Grand corruption** (or political corruption) generally involves much larger sums of money and well-known public figures, and normally affects the country as a whole.

The most commonly used definition of corruption is "the abuse of public office or public position for private gain". However, corruption does occur in the private sector, for example where private businesses pay bribes to public officials and public servants to secure some advantage. Global Integrity/UNDP (2008:18) identifies government-to-business relations as "a major fuel for corruption". The area of private sector-to-private sector corruption has been recognised by some international agencies, but has not yet been adequately defined or assessed.

For the purposes of this study, we have identified the following dimensions of corruption:²

² This categorisation of corruption is based on an anti-corruption programme that was hosted by the NID and presented by Janette Minaar-van Veijeren.

- **Bribery** involves the promise, offering or giving of a benefit that improperly affects the actions or decisions of a public servant, political party or government agency.
- **Embezzlement** involves the theft of resources by persons entrusted with authority over and control of such resources.
- **Abuse of power** involves a person using his/her vested authority to improperly benefit another public servant or other person, or using such vested authority to improperly discriminate against another public servant or other person.
- **Conflict of interest** involves someone acting (or failing to act) in his/her official capacity regarding a matter where his/her judgement and impartiality are compromised, because he/she (or another person close to him/her) is directly affected by whatever decision is taken.
- **Insider trading / abuse of privileged information** involves the use of privileged information and knowledge that a person possesses by virtue of his/her position to provide an unfair advantage to another person or to obtain a benefit for himself/herself.
- **Favouritism** involves the decision to provide services or resources to individuals on the basis of shared personal affiliation (ethnic, religious, party political etc.) rather than objective merit.
- **Nepotism** involves a public servant ensuring that family members are appointed to public service positions, or that family members receive contracts from state resources.

4 Research findings

4.1 Actual number of cases and volume of reports

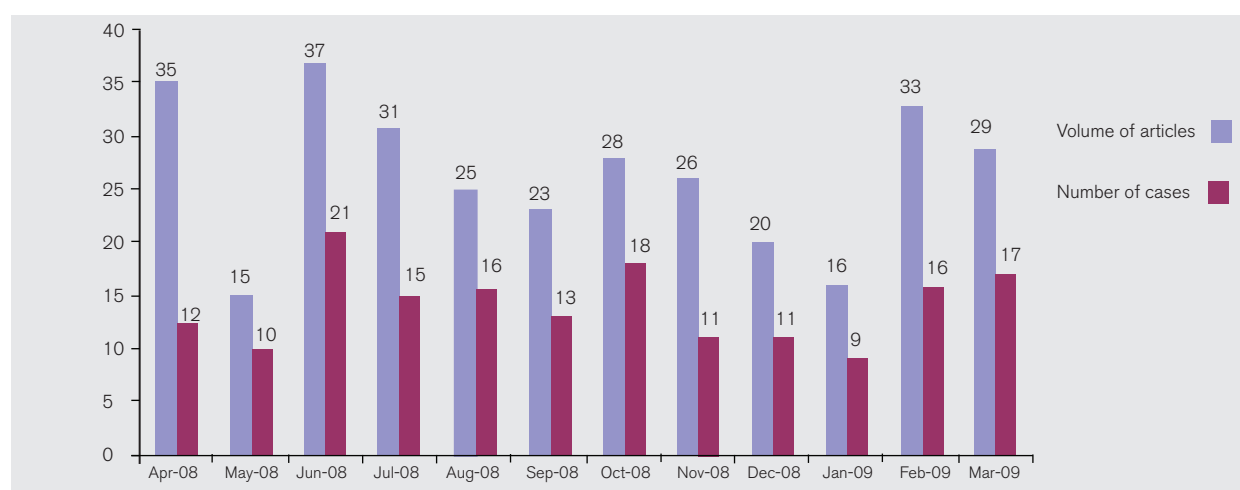
Between 1 April 2008 and 31 March 2009, the newspapers studied within the scope of this research project published a total of 318 articles covering 117 cases of corrupt activities, as shown in **Figure 2**.

The previous study, covering the 2007 – 2008 period, featured a total of 458 articles and 138 cases (Hunter 2009:8); the 2006 – 2007 study analysed 709 articles on 240 cases (Hopwood 2008:7); the 2004 – 2006 study analysed 682 articles on 92 cases (Hunter 2006:6). These figures reflect a substantial increase on the average for the first 15 years following Independence (1990 to 2004), during which there were an average of 83 articles and 31 cases per year (NID 2005:9).

Hence, there is a sharp increase in the number of newspaper articles on corruption cases until 2007, whereafter there is a slight but steady decline. There are several possible explanations for the number of articles having initially increased by 88%. For example, corruption might indeed have increased following Independence; detection of corruption cases might have improved; and newspapers might have accorded higher priority to the coverage of corruption than they had previously

FIGURE 2

VOLUME OF ARTICLES AND NUMBER OF CASES BY MONTH (2008 – 2009)



done. Likewise, there are also several possible explanations for the number of reports having declined between 2007 and 2008 by 35%, and between 2008 and 2009 by 33%. Initially, high expectations brought about by the creation of the ACC in February 2006 might have resulted in an increase in the number of reports on corruption. More recently, however, a degree of disillusionment may have taken root in Namibian newsrooms, and other topics such as the upcoming parliamentary and presidential elections in November 2009 may have been regarded as being more newsworthy. Finally, the findings might be ascribed to an overall decrease in the actual incidence of corruption.

As shown in **Figure 3** between 2004 and 2006 the media dedicated on average more than seven articles to each case. This was because an extremely high number of articles related to certain key cases. During this period, two of the most important corruption cases since Independence, the Avid/Social Security Commission (SSC)/Namangol case and the Offshore Development Company/Namibia Development Corporation (NDC)/Great Triangle Investments case, made the headlines (Hunter 2006:14-16). Following the inauguration of the ACC, the print media broadened their focus to include a variety of cases. As a result, between 2006 and 2009 the average number of newspaper reports for each corruption case decreased to slightly more than three.

Figure 4 below presents the total number of articles by newspapers. With 117 articles, *The Namibian* was far in the lead, followed by the German daily *Allgemeine Zeitung*, with 63 articles (an increase of 33% compared to the previous year). Since Independence, *The Namibian* had carried the greatest number of articles on corruption, apart from the 2007 – 2008 period, during which *Republikein* took the lead. During the period under review, *Republikein* only published 59 articles, which constitutes a significant decline of 59%. The government-owned *New Era* retains fourth place with 51 articles on corrupt activities. A distinct decline is also observable with the weekly *Informanté*, which undertakes investigative journalism and seeks sensational stories. *Informanté* published 70 articles on corruption in the 2007 – 2008 period, but only 20 articles in the period under review.

Figure 5 confirms that the degree of prominence given to corruption cases, as measured by front page placement, does not correlate with the total number of articles on corruption published by a newspaper. Although the newspapers continued to give high prominence to corruption cases, the average percentage of front page placements (31.1%) decreased from the previous year (33.6%) and the year before (42%) (Hunter 2009:9; Hopwood 2008:9). The newspapers that regarded corruption cases as most deserving of front-page placement were the weekly *Windhoek Observer* (57.1%), the government-owned *New Era* (39.2%) and *The Namibian* (37.6%).

FIGURE 3
VOLUME OF ARTICLES AND NUMBER OF CASES (1990 – 2009 AVERAGE)

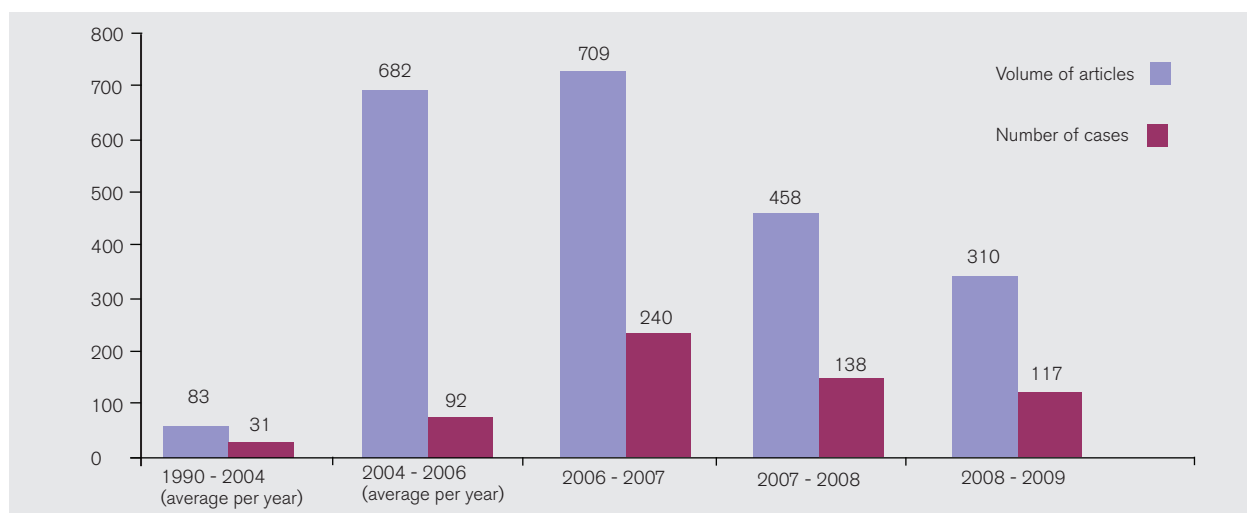


FIGURE 4

NUMBER OF ARTICLES BY NEWSPAPER

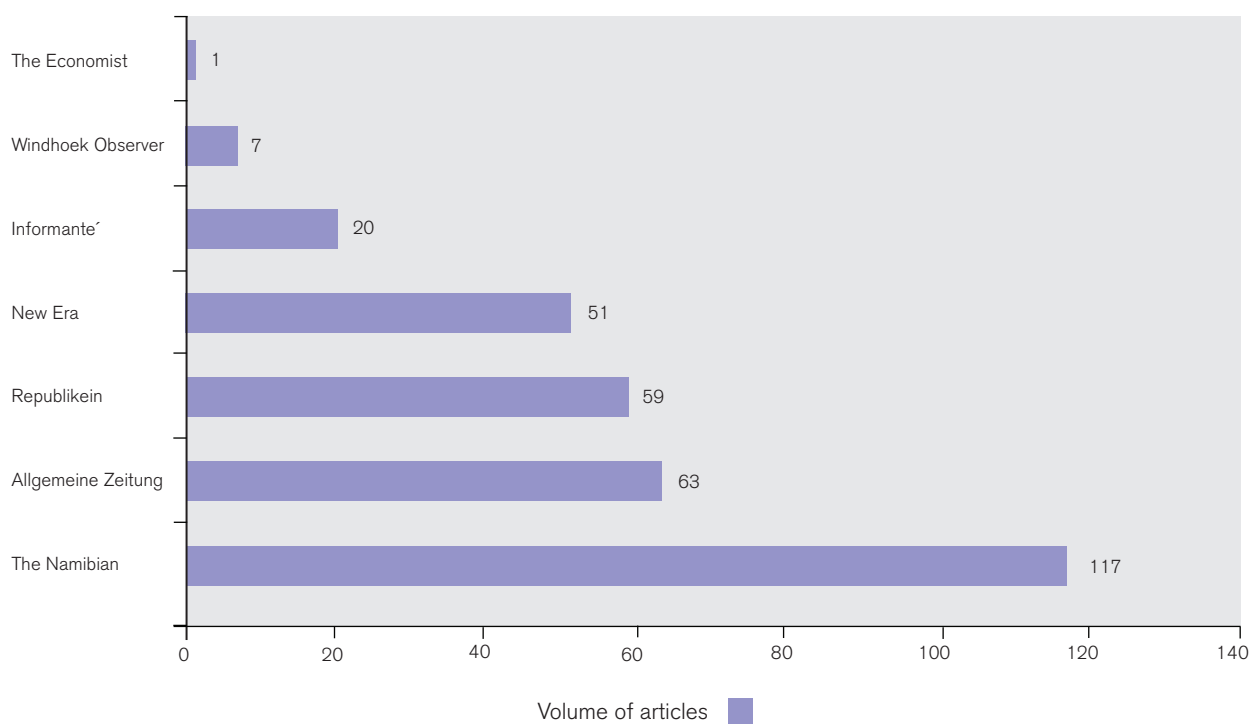
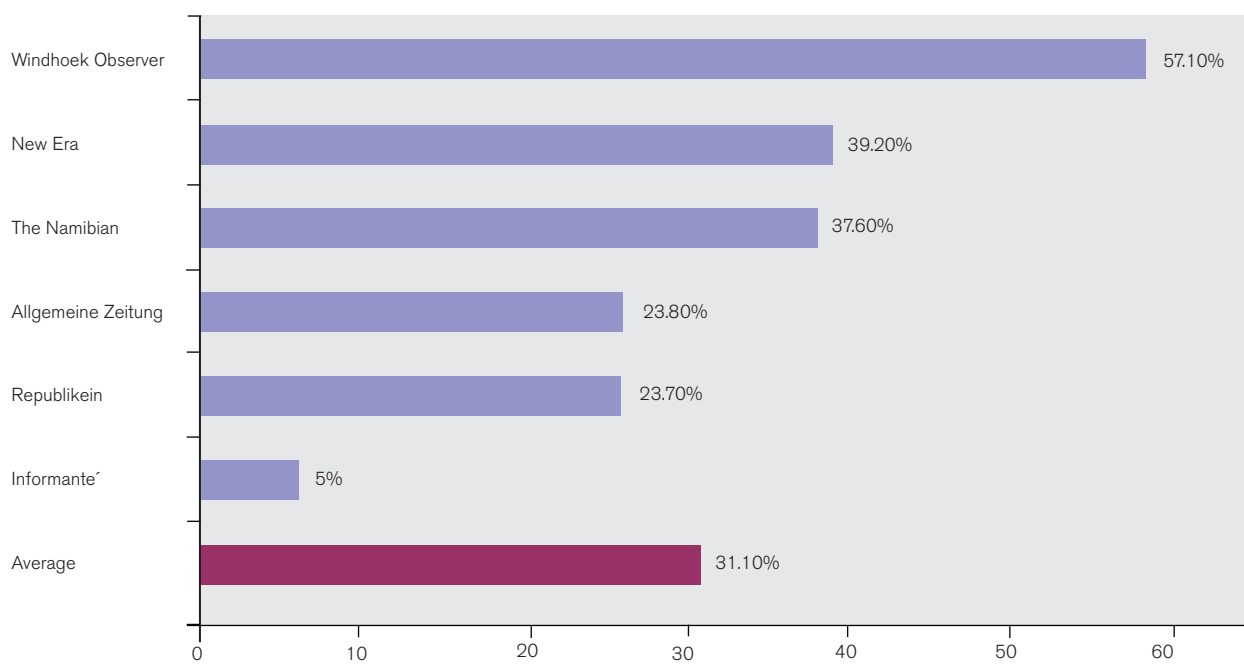


FIGURE 5

PERCENTAGE OF ARTICLES ON FRONT PAGE



4.2 Agencies involved

All articles were analysed and coded on the basis of the agencies involved in corrupt activities. As in the previous reports, the extensive list of agencies has been condensed and recoded for further analysis. **Figure 6** shows the eleven types of agencies that were prime locations for corruption in 2008 and 2009. Compared to the previous report (Hunter 2009:11), the number of agencies where offences were committed diminished. State hospitals, private schools, civil society organisations, judicial institutions, regional councils and sports codes do not feature as agencies involved in corrupt activities in the period under review. However, border posts joined the list.

For the period under review, the top four types of agency measured by the number of times they were the subjects of newspaper articles on corruption are the same as they were in 2004 – 2006 (Hunter 2006:9), 2006 – 2007 (Hopwood 2008:19) and 2007 – 2008 (Hunter 2009:11). Whereas in the previous study the private sector had replaced parastatals as the prime location for corruption, however, during the period under review the private sector (22%) and parastatals (22.2%) shared the lead. Local authorities came third, featuring in 16.9% of all reports, and government ministries fourth, with 16.2%. As was the case in previous studies, a breakdown of the agencies involved confirms that corruption is present in all sectors of Namibian society, including police and prisons (5.1%), the tertiary education sector (2.7%), and government schools (1.4%).

It should be emphasised that multi-faceted cases involve different kinds of agencies in corrupt activities, such as private sector companies with strong political connections. As mentioned above, Global Integrity/UNDP (2008:18) recognises public sector-to-private sector relations as “a major fuel for corruption”. During the period under review, several business people and public servants were the targets of allegations of corruption or investigations, while at the same time criminal proceedings into older cases were followed up.

4.3 The nature of the offences

Each article was analysed with a view to identifying the nature of the offence involved. The definitions outlined in Section 3

above were used to categorise the various dimensions of corruption. It should be noted that some multi-faceted cases included different types of corruption, for instance both abuse of power and embezzlement. During the period under review, abuse of power (41%) was identified as the most prevalent form of corruption (see **Figure 7**), followed by embezzlement (30%), which had previously been identified as the most frequently occurring form of corruption (NID 2005:10; Hunter 2006:12; Hopwood 2008:13; Hunter 2009:12).

Interestingly, favouritism (10%) featured in third place. This is a remarkable finding as in previous studies favouritism was identified as a form of corruption which might be difficult to prove. Favouritism might therefore have been common, while remaining unreported. It seems that dimensions of corruption which are widespread but difficult to verify are increasingly being reported upon. When asked to comment on the difficulties associated with defining favouritism, nepotism and conflict of interest in Namibia, the Director of the ACC, Paulus Noa, responded: “Who does not know who in this country?” This response is consistent with the widespread view that because of Namibia’s small population and skills base, it is extremely difficult to avoid creating the impression of there being a conflict of interest and of acting on the basis of favouritism³. As it is a criminal offence, however, favouritism should not be made light of.

Figure 8 indicates that most corrupt transactions involved cash. Articles on corruption cases involving both cash and services amounted to 38% of all articles; those involving only cash to 27%; and only services to 18%. This report therefore concludes that 65% of all articles were about cases involving some kind of monetary benefit. Comparison with the 2007 – 2008 study (Hunter 2009:12), which found that only 29% of all articles involved services, also makes it clear that services narrowed the gap on cash transactions, as 56% of all articles featured corrupt activities where services were offered.

³ <http://www.insight.com.na/article/full/612/03-06-2008/.html> (accessed 11 December 2009)

FIGURE 6

TYPE OF AGENCY INVOLVED

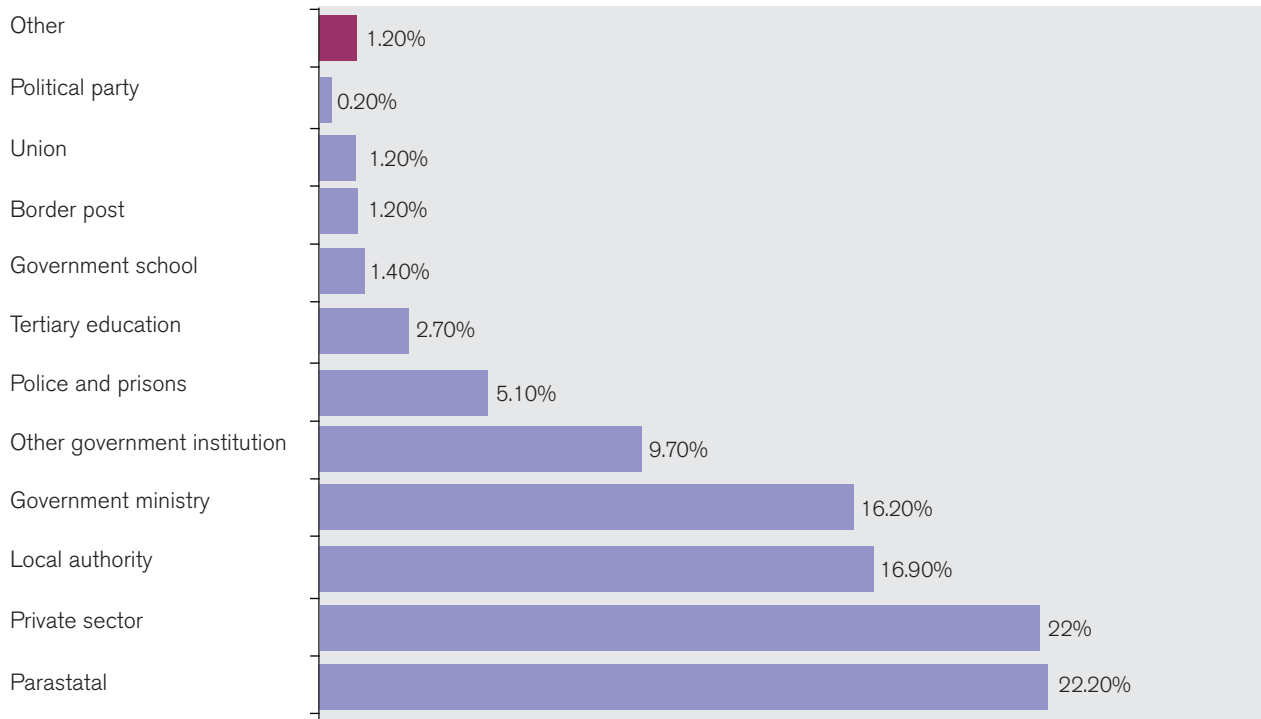


FIGURE 7

NATURE OF OFFENCES

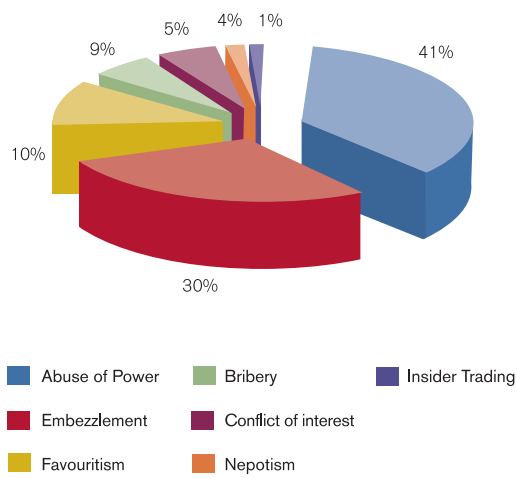
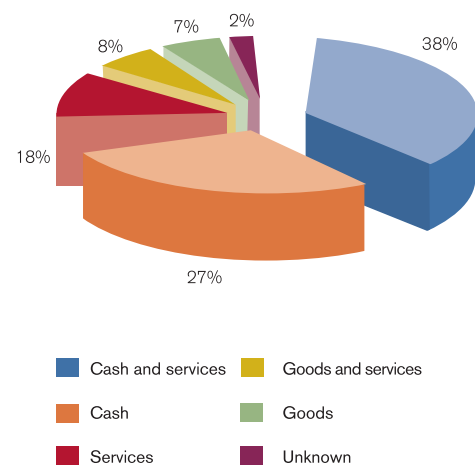


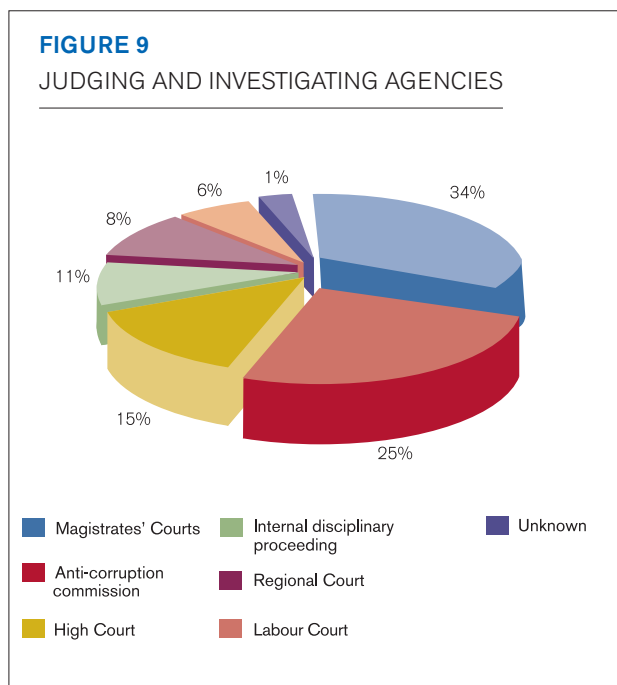
FIGURE 8

NATURE OF CORRUPT TRANSACTIONS



4.4 Judging agencies and verdicts handed down

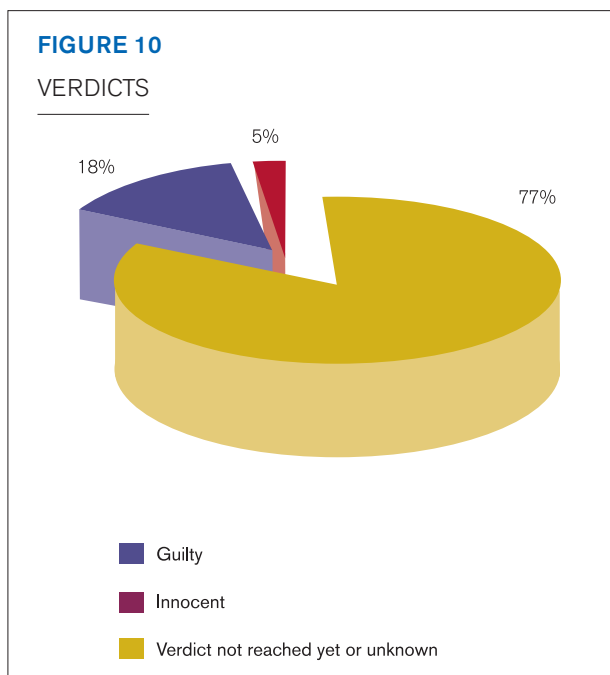
The information contained in the newspapers showed that in 34% of all cases, judging agencies were magistrates' courts (Figure 9). During the 2007 – 2008 period (Hunter 2009:13), only 8% of corruption cases were handled by the ACC, a figure not much different from the previous report (8.2%) (Hopwood 2008:14) In the period under review, however, 25% of cases were being dealt with by the ACC, which suggests that the ACC was actually becoming a force to be reckoned with. In conclusion, it seems that among the Namibian citizenry there is growing confidence and trust in the ACC.



As was the case with the previous studies, verdicts had not been reached yet or were unknown for the overwhelming majority of corruption cases reported on during the period under review. Figure 10 shows that a verdict had not been reached in 77% of reports on cases; in 18% guilty verdicts had been handed down; and in only 5% of cases had the accused been found not guilty. (It might be the case that in multi-layered cases more than two people were accused of corruption, and that some of the accused were acquitted.)

There are a number of possible explanations for the comparatively low number of verdicts reached. Firstly, newspaper coverage

might be incomplete, and cases might not have been reported on through to their legal conclusions. Secondly, the responsible judging agencies might not have ensured that cases were concluded. The former explanation would suggest that the media had failed to be consistent and consequent in their coverage of corrupt activities; the latter would suggest that the judging agencies dealing with corruption had been remiss. Then thirdly, and most plausibly, it is possible that no verdicts had been handed down because the corruption cases had not yet run their legal course. Generally speaking, very few cases in Namibia are resolved expeditiously. In particular, internal investigations and government disciplinary hearings may be drawn out for several years. Moreover, the Avid/SSC/Namangol case has made headlines since 2004 kept on featuring in newspaper articles during the 2008 – 2009 period, although to a lesser extent (6.9%) than in previous studies. Cross-border offences such as those committed in the Avid/SSC/Namangol case are typically associated with continued delays and prolonged investigations. According to the Prosecutor General, Martha Imalwa, investigations into cases like the Avid/SSC/Namangol and Offshore Development/NDC/Great Triangle Investment cases required highly specialised financial investigators, who were in short supply.⁴

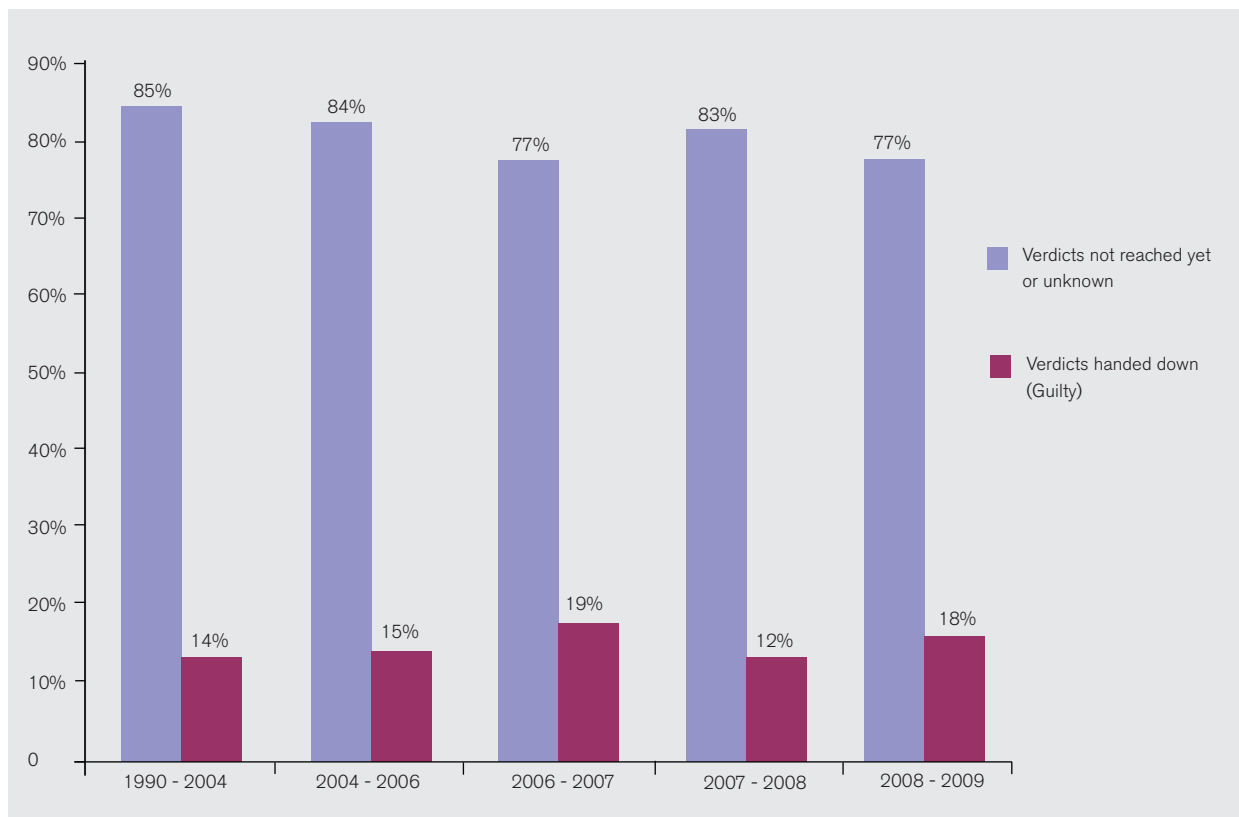


⁴ www.insight.com.na (accessed December 8th, 2009 and December 11th, 2009).

As outlined in **Figure 10**, however, the percentage of cases that had run their legal course and resulted in a guilty verdict (18%) increased notably compared to the 2007 – 2008 study (12%). This seems to be attributable to the higher number of cases handled by the ACC and President Hifikepunye Pohamba’s pledge of zero tolerance for corruption, both of which served to bring public scrutiny to bear on the issue of

corruption. Nevertheless, as outlined in the previous study (Hunter 2009:15), high profile arrests and prosecutions still need to be made, and the ACC still needs to secure a conviction against a well-connected person to convince the public that it is indeed a meaningful force in the fight against corruption at all levels

FIGURE 11
VERDICTS NOT YET REACHED OR UNKNOWN (1990-2009)

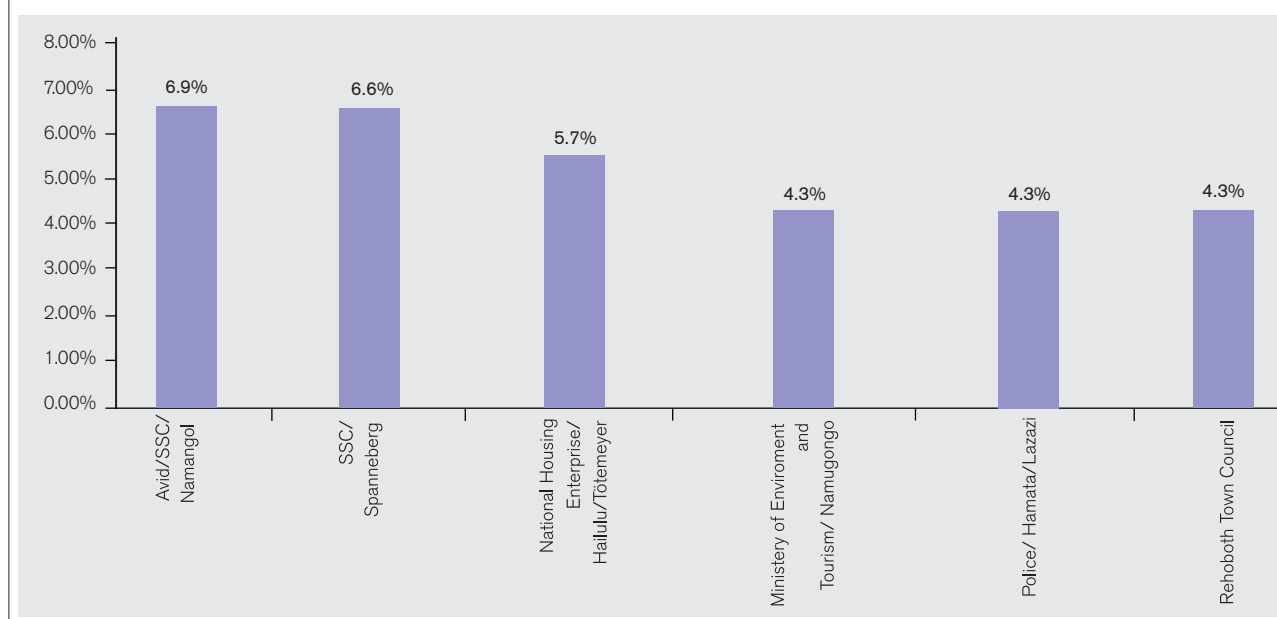


5 Key cases 2008 – 2009: An overview

During the period under review, the trend of coverage being spread more widely over a range of cases continued. No single case accounted for more than 7% of published newspaper articles. Consequently, the media did not often deem specific key cases to be more important than others.

In order to exemplify and contextualise corrupt activities or allegations of corruption in Namibia, however, actual cases with more than 4% of newspaper articles published are regarded as key cases for the purposes of this study (**Figure 12**). This also serves the purpose of complementing this media content analysis survey, which is based on quantitative data, with a qualitative assessment of the various types of corruption cases in Namibia.

FIGURE 12
KEY CASES (2008 – 2009)



During the period under review, the following cases made headlines ⁵:

- Avid/SSC/Namangol:** In May 2008, the prosecutor in the Nico Josea case said that the police had finished their investigation, almost three years after Josea was arrested for fraud in connection with the Avid/SSC/Namangol scandal. In the following month, seven people appeared in court in connection with their alleged involvement in the matter. Former Deputy Minister and SWAPO Party Youth League Secretary Paulus Kapia, retired NDF Brigadier Mathias Shiweda, former parliamentarian and National Youth Council Acting Secretary Ralph Blaauw, his wife lawyer Sharon Blaauw, Ministry of Labour and Social Welfare official Otniel Podewiltz and former Avid Chairperson Inez /Gases joined Nico Josea in the dock. They faced a range of charges including fraud, corruption and giving false evidence. News of the disappearance of an SSC investment of N\$30 million, which had been placed with the politically well-connected Avid Investments, had already broken in 2005 ⁶.

⁵ Cf. "GraftWatch" (April 2008 to March 2009) at www.insight.com.na (accessed December 8th, 2009 and December 11th, 2009).

- SSC/Spanneberg:** The case against SSC employee Maxwell Spanneberg and 63 others was postponed for a final time. Spanneberg stands accused of defrauding the SSC by arranging for false sick leave claims in the names of his co-accused to be paid out. The claims totalled N\$432 270. Maxwell Spanneberg was arrested in November 2006.
- National Housing Enterprise (NHE)/Hailulu/Töttemeyer:** The ACC arrested NHE Chief Executive Officer Vincent Hailulu on charges concerning his New Paradigm Consultancy, which he ran with NHE Chairperson Professor Gerhard Töttemeyer. It was alleged that Töttemeyer's subsistence and travel allowance rate as NHE Chairperson had been increased by Hailulu to N\$1 500 per day instead of the approved amount of N\$400 per day. Hailulu was also accused of using a company credit card to pay for his and Töttemeyer's accommodation during an official trip to Beijing, China, while both had received adequate daily allowance payments.

⁶ Cf. Hunter (2006:15-16) for further details on the Avid/SSC/Namangol case.

- Ministry of Environment and Tourism (MET)/ Namugongo:** MET Deputy Director Sackey Namugongo went on trial on fraud and corruption charges. He was accused of accepting payments of N\$365 000 between March and September 2006 from eighteen people who wanted to apply for gambling house licenses. At the time, a moratorium on the granting of gambling licenses was in place. Namugongo pleaded not guilty to twenty charges of corruption, alternatively theft, and an additional twenty counts of fraud, alternatively forgery and uttering.
- Police/Hamata/Lazazi:** Two officers of the Namibian Police, Warrant Officers Susanna Hamata and Alex Lazazi, made an appearance in the Magistrate's Court in Windhoek charged with corruption. The two were alleged to have recruited their relatives while disregarding proper recruitment procedures. ACC Director Paulus Noa claimed that the two police officers replaced screened and short-listed candidates with their relatives, who had not even been short-listed. In other cases, the police faced several accusations of nepotism and favouritism concerning the appointment and promotion of relatives and friends of senior police officers. Among the examples cited were the appointment of Beata Haulyondjaba, the wife of former Oshana Regional Commander Elise Haulyondjaba, as a warrant officer; the appointment of Uti Amupolo, the wife of a senior NDF official, Colonel Kayambu Amupolo, as a warrant officer; and the promotion of Cornelia Ekandjo, the wife of police Deputy Commissioner Joseph Ekandjo, to a similar position. Skilled officers were reportedly leaving the force as a result of such unfair appointments. The Namibian Police claimed that the appointments had been based on merit.
- Rehoboth Town Council:** The Rehoboth Town Council suspended its Chief Executive Officer, Theo Jankowski, after he revealed alleged tender irregularities and other corrupt practices. The allegations stemmed from a letter Jankowski wrote to the Permanent Secretary of the Ministry of Regional and Local Government,

Housing and Rural Development, Erastus Negonga. Jankowski alleged that the mayor of Rehoboth was blocking attempts to nullify a power supply contract with Jacobs Engineering Consulting, a company he accused of inflating invoices. Jankowski also alleged that the town's mayor sidelined the Tender Board when allocating a sewerage contract to Radoruu Civil Works worth N\$100 316.

6 Conclusion

On the basis of leading Namibian newspapers' reports on corruption cases over the period 1 April 2008 to 31 March 2009, this study reaches five main conclusions:

- The downward trend in both the volume of newspaper reports and the number of cases covered compared with previous years has continued. This can be interpreted in a number of ways: a sense of disillusionment and resignation may have set in amongst Namibian newspapers; the media may have regarded other events, such as the upcoming parliamentary and presidential elections at the end of 2009, as being more newsworthy; or there may have been an overall decrease in the incidence of corruption. It should also be noted that following the inauguration of the ACC in 2006, coverage was spread more widely over a range of cases. Reports on new cases had to compete with articles on progress made in on-going investigations and criminal proceedings relating to well-publicised older cases.
- The total number of corruption cases reported on by newspapers does not seem to correlate with the coverage of corruption in general, or with the degree of reinforcement of articles, for example through their placement on the front page. Another noticeable trend is that the corruption coverage by the *Allgemeine Zeitung* increased by 33% over the previous year, while the number of articles published by the *Republikein* declined by 59%.
- The data confirmed that relations between private businesses and parastatals or government institutions remain prime locations for corruption. There is a growing understanding that corruption does not apply solely to the public service. Compared

to the previous reporting period, however, the total number of agencies where offences were committed diminished.

4. As a dimension of corruption, favouritism caught up with other forms of corrupt activities, occupying third place. This finding should be seen in the context of ongoing debate as to whether or not favouritism, or at least the appearance of favouritism, is inevitable given Namibia's small population and skills base.

5. Finally, it is possible that the ACC, which is identified in 25% of all newspaper articles as the body making the accusation of corruption, is becoming more effective. It seems that there is growing confidence and trust in the ACC among the Namibian citizenry. Nevertheless, high profile arrests and prosecutions still need to be made, and the ACC still needs to secure a conviction against a well-connected person to convince the public that it is indeed a meaningful force in the fight against corruption at all levels.

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