

# **The Namibian Resident's Guide to Integrity in Local Government**

The purpose of this booklet is to educate Namibian citizens and residents about issues relating to integrity as well as about anti-corruption measures that can be taken at local authority level. In this regard, it explains what *corruption* is, identifies what the responsibilities of local authorities are, provides examples of corruption at local authority level, and reviews the options available to citizens and residents that want to get involved in fighting corruption at local authority level.

The booklet forms part of a joint programme implemented by the Namibia Association of Local Authority Officers (NALAO), Management Systems International (MSI) and the Namibia Institute for Democracy (NID) to strengthen integrity systems in local authorities in Namibia.

© May 2003  
NALAO, MSI, NID

All rights reserved.

No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means without the prior written permission of the copyright owner.



NAMIBIA INSTITUTE  
FOR DEMOCRACY (NID)  
PO Box 11956  
Windhoek  
Namibia  
Tel. (061) 229 117/8  
Fax (061) 229 119  
nid@mweb.com.na  
www.nid.org.na



NAMIBIA ASSOCIATION OF LOCAL  
AUTHORITY OFFICERS (NALAO)  
PO Box 59  
Windhoek  
Namibia  
Tel. (061) 290 2593  
Fax (061) 290 2344  
nalao@windhoekcc.org.na



MANAGEMENT SYSTEMS  
INTERNATIONAL (MSI)  
600 Water Street, SW  
Washington, DC 20024  
USA  
Tel. (00-1- 202) 484 7170  
Fax (00-1- 202) 488 0754  
msi@msi-inc.com  
www.msiworldwide.com

# Contents

<b>1. Introduction to Integrity in Local Government</b> .....	1
<b>2. What is <i>Corruption</i>?</b> .....	2
<b>3. What are Specific Examples of Corruption at Local Authority level?</b> .....	3
<b>4. What are the Causes of Corruption at Local Authority level?</b> .....	8
(a) <i>The absence of rules, regulations and policies</i> .....	8
(b) <i>The absence of transparency</i> .....	9
(c) <i>The absence of accountability</i> .....	9
(d) <i>The absence of a watchdog institution</i> .....	9
<b>5. What are the Costs of Corruption?</b> .....	10
(a) <i>Waste of resources</i> .....	10
(b) <i>Distortion of allocations</i> .....	11
(c) <i>Moral costs</i> .....	12
<b>6. What can You do to Combat Corruption?</b> .....	13
(a) <i>The Association for Local Authorities in Namibia (ALAN)</i> .....	15
(b) <i>The Namibia Association of Local Authority Officers (NALAO)</i> .	16
(c) <i>The Ministry of Regional and Local Government and Housing</i> .	16
(d) <i>The Office of the Ombudsman</i> .....	16
(e) <i>Watchdog agencies</i> .....	17
(f) <i>The Office of the Auditor-General</i> .....	18
(g) <i>The Office of the Prosecutor-General</i> .....	18
(h) <i>The Office of the Attorney-General</i> .....	19
(i) <i>The Namibian Police</i> .....	19
(j) <i>The Media</i> .....	20
(k) <i>Non-governmental Organisations</i> .....	21
<b>7. Your role in a Corruption-free Local Authority</b> .....	22
a) <i>Your role as a resident</i> .....	22
b) <i>Your role as an elected Local Authority Councillor or municipal staff member</i> .....	23
c) <i>When in doubt</i> ... ..	24



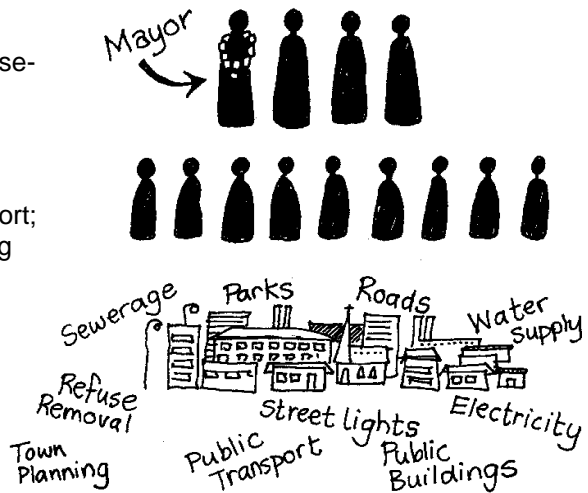
# 1. INTRODUCTION TO INTEGRITY IN LOCAL GOVERNMENT

A local authority can, depending on its size, govern a city, a town, or a village. Examples of local authorities can be a City Council, a Town Council, or a Village Council. Together, these are known as *Local Authority Councils*.

A city like Windhoek would be governed locally by a City Council. Places like Oshakati and Katima Mulilo are considered towns and would be governed by Town Councils, whereas Gibeon and Kamanjab are examples of villages and would have Village Councils.

The members of Local Authority Councils are elected by residents from the relevant city, town or village during Local Authority Elections, which are held every five years. A City, Town or Village Council is headed by a Mayor/ Mayoress, who is elected by the Council itself. Each local authority also has permanently employed staff, whose main duty is to implement the local authority's development strategies. Local authorities have many functions, including –

- supplying water to households and businesses;
- removing refuse;
- building roads;
- supplying electricity;
- providing public transport;
- building and developing public venues and structures; and
- encouraging and enabling investors to establish job-creating businesses in the area of the local authority's jurisdiction.



In terms of the Namibian Government's Decentralisation Policy, the duties and responsibilities of local authorities are set to increase, depending on their size and capacity.

Local authorities are accountable to the residents of the city, town or village they govern, in respect of their duties to uplift and develop the local authority area. This means that Councillors and staff need to manage their Local

Authority Council to the best benefit of each and every resident. It is important that all Councillors and staff carry out their work in a manner characterised by a high degree of ethics, integrity and honesty, to ensure that corruption cannot take place.

It is the duty of every resident in a local authority area to help ensure that there is integrity – moral uprightness and honesty – at all levels in their local authority, in order for corruption to be avoided. It is also up to every resident to behave with integrity when it comes to dealings with local authorities, and not be found guilty of leading staff into temptation through bribery – which could lead to widespread corruption.

## **2. WHAT IS CORRUPTION?**

The *Concise Oxford dictionary of current English* (1995) defines being *corrupt* as being “morally depraved, wicked”, and “influenced by or using bribery or fraudulent activity”. In the specific context of local government, *corruption* means “the abuse of public power by officers in order to make private profit”. In the Public Service, therefore, corruption involves behaviour on the part of officers – whether politicians or civil servants, whether on national, regional or local level – in which they unlawfully and improperly enrich themselves or those close to them through misusing the power entrusted to them.

In simple terms, corruption occurs when an individual uses his/her authority in a negative way, which is for personal gain and at the expense of other people. Corruption brings unfairness, crookedness, and in its most serious form, puts the lives and properties of the community at stake. Corrupt conduct by a public officer involves a breach of public trust and leads to inequality and wasted public money, amongst other resources, which could have been used for the benefit of all residents. Corruption commonly involves the dishonest or preferential use of one's power or position that causes one person or agency gaining an advantage over another. Corrupt conduct may involve any of the following:

- the dishonest or partial exercise of an officer's functions;
- a breach of public trust; or
- the misuse of information or material acquired in the course of an officer's functions.

Two categories of corruption can be identified, namely *petty corruption* and *grand corruption*:

1. **Petty corruption:** This is found in cases where underpaid officers depend on small "contributions" from the public to meet their own basic needs.



2. **Grand corruption:** This is found in cases where public officers in high positions (such as Councillors), in the process of making decisions of significant economic value, routinely demand bribes or kickbacks or ensure that tenders or jobs are awarded to family members or friends.



The areas of local authority activity that are most vulnerable to corruption include –

- public procurement and contracting;
- the granting of licences and permits;
- the allocation of land; and
- the appointment of staff.

### 3. WHAT ARE SPECIFIC EXAMPLES OF CORRUPTION AT LOCAL AUTHORITY LEVEL?

Due to the large amount of duties and functions that a local authority may be responsible for, the scope for corruption is vast. The following are examples of some corrupt practices that residents may encounter and ways in which they might be prevented:

- Sometimes people have to travel long distances in order to settle their local authority bills, e.g. paying for water and electricity. These trips may be very expensive for some to make, or they may be too old and weak to travel. Often, they will approach a local authority officer that lives nearby and give him/her the money to settle their bill. A corrupt officer will not pay the bill, will pocket the money and will deny ever having received it.

*Therefore, it is better to be sure that you can trust someone with your money.*

- Cashiers at pay points may also be corrupt. They may receive your payment, **but not provide you with a printed receipt, or may provide you with a handwritten receipt.** They never complete the rest of the transaction that involves entering the transaction on a computer and printing out a receipt to give to you. Instead, they pocket your money and your bill remains unpaid.



*Therefore, always insist on a printed receipt for any payments that you make at a municipality.*

- Corrupt officers may also **forge signatures on cheques or other documents that can be used to enrich themselves.** The forgery takes place by the officer signing the cheque him/herself, instead of having the authorised Accounting Officer's signature on the cheque.

*Therefore, when being presented with a cheque payment, always ensure that the signature on the cheque is correct.*

- In some instances, for example when paying a water and electricity bill, only receipts printed by a computer are considered proof of payment. A corrupt cashier may **fake a problem with the computer**, either saying that the machine is broken or currently off-line (not connected to the network); or s/he could claim that, while entering your information, s/he made a mistake that cannot be rectified and, therefore, a receipt cannot be printed. The cashier then proceeds to write false information with a pen or pencil on the receipt as proof of payment. What you may not know is that such a receipt has no value: because it is not computer-printed, it is not a valid proof of payment. The corrupt cashier does not enter your payment on the computer system, but pockets the cash instead. In effect, your account remains unpaid. If you should contest this fact and present the receipt completed with a pen or pencil, the cashier can deny you ever made the payment, and accuse you of trying to cheat – that you wrote out the receipt yourself in order to avoid paying the bill.



*Therefore, if you are told that computers are off-line, rather come back to pay the following day. Alternatively, ask to speak to the cashier's supervisor and try to find out if something is, indeed, wrong with the computer.*

- Water and electricity meter readings also provide fertile ground for corrupt practices. **Meter readers may take or even demand bribes.** For example, a meter reader may record a reading lower than the real one in exchange for a bribe. Say, a corrupt homeowner uses N\$1,000 worth of water, but bribes the meter reader with a cash payment of N\$300 in exchange for recording a reading for N\$400. In another example, a corrupt meter reader may threaten an old lady with a higher reading, unless she pays him/her a certain amount of money. This is called *extortion* and is a crime.

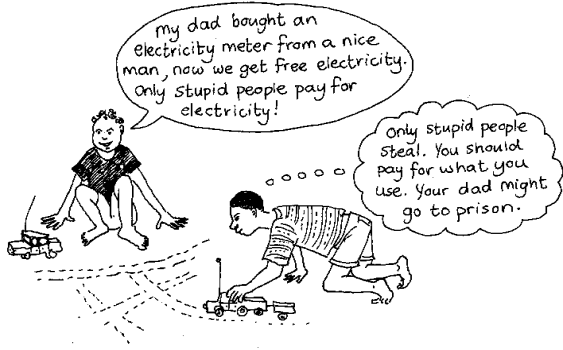


*Therefore, never pay a meter reader to record a lower reading, as this is a crime. Always check the reading on your meter and compare this reading with the reading recorded by the meter reader.*

- In order to counter the theft of electricity, some local authorities have begun to install pre-payment electricity meters, where people buy units of electricity before they use them. This has also created problems, however, because it is possible to bypass the mechanism that regulates the flow of electricity from the meter during installation. The meter is supposed to cut off the flow of electricity when the meter reading hits zero. Unfortunately, some corrupt homeowners have been known to bribe municipal technicians to bypass the electronic mechanism that shows a zero reading, and so gain a free supply of electricity.

*It is easy to tell whether a meter has been bypassed: the building has access to electricity, but the electricity unit-count on the meter reads zero. You should report such cases to your local authority.*

- Another problem relating to pre-paid electricity is the theft of the meters from local authority stores. These stolen meters are then secretly fitted at homes or businesses and the control mechanism bypassed in order to gain access to a permanent electricity supply.



*It is easy to tell whether a meter has been stolen and unofficially installed: the building has access to electricity, but the electricity unit-count on the meter reads zero. You should report such cases to your local authority.*

- Some people bribe local authority officers to have services such as water and electricity reconnected when they have been cut off due to unpaid accounts. Local authorities are entitled to cut off services to residents when they run up large debts. Rather than negotiate a repayment scheme with the local authority, these individuals resort to bribery.

*Do not bribe a local authority officer to reconnect your water or electricity supply. Such bribery amounts to a crime and you may be criminally prosecuted.*

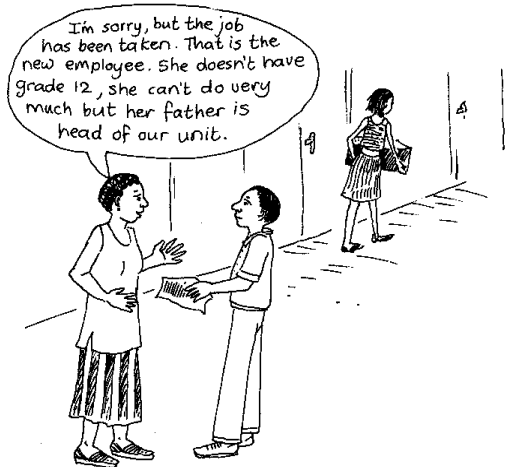
- In some local authorities, there is a waiting list for the allocation of plots of land. Some officers have been known to accept bribes in order to move certain names closer to the top of the waiting list.

*Bribery is a crime and you may be criminally prosecuted if found guilty of this offence.*

- Another area where corruption may be prevalent is in awarding tenders. (A *tender* is an offer to carry out a service or provide goods and/or equipment at a stated price.) In a normal tender procedure, individuals or businesses try to outbid one another to provide the goods or services required by the local authority concerned at competitive prices. In order for a tender to be awarded, certain criteria need to be met. Once a tender

is accepted, the individual or business signs a contract with the local authority to provide the goods or services in question. However, by **manipulating the criteria for awarding tenders**, corrupt officers could create a situation advantageous to their family or friends, or receive bribes for doing so. Granting an unfair advantage to family or friends through the abuse of the powers of public office is called *nepotism*.

- **Nepotism** remains a problem when it comes to the selection and recruitment of new officers. It undermines quality control, since the officers appointed are not necessarily the ones with the most merit, but rather ones that are family members or friends of local authority officers.



- In order to reduce costs, local authorities have begun to outsource certain services to local contractors. An example of this is the awarding of tenders to keep the roadside clean. A corrupt officer could create "**ghost**" **contractors**, which means they could pretend to have contracted more people than were actually needed or who actually did the work. The corrupt officer then pockets any amounts allocated to the "ghost" contractor.
- Another corrupt scheme relating to the outsourcing of services involves the **allocation of the bulk of tenders to a single contractor**. That contractor then sub-contracts the work out at much cheaper rates and shares the profit of the original contract with the local authority officer(s) involved. Both the contractor and the officers are defrauding the government in this way, because the tenders could have been granted to cheaper contractors in the first place.

- The **abuse of public property** by local authority officers is another form of corruption. One such a problem area is the use of official vehicles for private purposes. To use a local authority vehicle without due permission and for private reasons is a crime: it represents the theft of taxpayers' money. The petrol in the vehicle costs money, the servicing and maintenance of the vehicle costs money, and, due to additional wear and tear, the vehicle would have to be replaced much sooner than it should.



*Therefore, anyone found abusing a local authority's property should be reported to that local authority or to the Police.*

#### 4. WHAT ARE THE CAUSES OF CORRUPTION AT LOCAL AUTHORITY LEVEL?

The causes of corruption may vary from one local authority to another. Factors that contribute to a corrupt environment on local-authority level include those outlined below.

##### (a) *The Absence of Rules, Regulations and Policies*

Local authorities, like all enterprises or organisations, need to have rules, regulations and policies that guide management and other employees in terms of what is and what is not allowed. Without rules and regulations, one cannot tell whether people are misbehaving. In these circumstances, people often do exactly as they please. Corruption flourishes in an environment where rules do not exist. Rules, regulations and policies are not there to oppress people: they are there to help organise them, steer them in working



towards a common goal, and ensure that everyone is treated fairly and equally. For example, policies and regulations prevent people from claiming privileges they are not entitled to, or from misusing their positions for personal gain. Corruption is more likely to flourish in a local authority that does not have a wide range of rules, regulations and policies that guide Councillors and other officers in their work.

### *(b) The Absence of Transparency*

Where there is no transparency in a local authority, i.e. where things are done in secret and are not open to examination by other government officers or the public, the opportunity for corruption increases. In a democracy, transparency is expected in the way public officers make decisions. This is why it is important that residents in general, and the media (radio, television, newspapers) in particular, are guaranteed the right to freedom of speech, in the sense that all actions by public officers can be reported on in the media. In this way, residents in a local authority area can be informed of any action by a local authority officer that might be corrupt in nature, and may remove such corrupt officers from public office. If officers know that their colleagues, the media and the public are watching them, they will think twice about doing something that is corrupt.

### *(c) The Absence of Accountability*

In a democracy, public leaders and officers have to be accountable to the people they serve. Being *accountable* means that public leaders and officers have to be able to give a logical and acceptable explanation of their actions to the people that they serve. Local authority officers and Councillors should at all times be transparent about what they do, and be accountable (responsible) to the community for their actions. However, if you, as a resident, do not demand that your local authority remains accountable to the community, corruption may flourish. Rules, regulations and policies only have meaning if they are enforced. If they are not, there is no accountability – which leaves the field wide open for corrupt practices. Residents ensure their local authorities remain accountable by keeping a check on them to ensure that corrupt practices do not take place.

### *(d) The Absence of a Watchdog Institution*

If a local authority does not have an internal body that investigates cases of corruption or that acts on complaints that relate to corruption, officers may take advantage of the fact that the chance of being caught doing something corrupt is remote. Even if the officer is caught, the consequences would probably be minimal if the system has no watchdog function.

## 5. WHAT ARE THE COSTS OF CORRUPTION?

There is a very high price to pay for corruption. Although corruption affects every resident of Namibia, the ones that suffer most are the poor and the elderly.

**Corruption is damaging, because it leads to decisions that are not made for the sake of the benefit of all the residents in a local authority area.** A corrupt officer, while having to take decisions that should be for the public good, takes decisions that are instead based on considerations of his/her own private gain, and little attention is paid to the effects of those decisions on the community. By its very nature, corruption is a selfish act. It places the interest of an individual or special group before those of the community in general.

Corruption weakens the economy and undermines democracy. It does this mainly in three ways:

1. It wastes resources;
2. It distorts resource allocations; and
3. There are moral costs.

### a) *Waste of Resources*

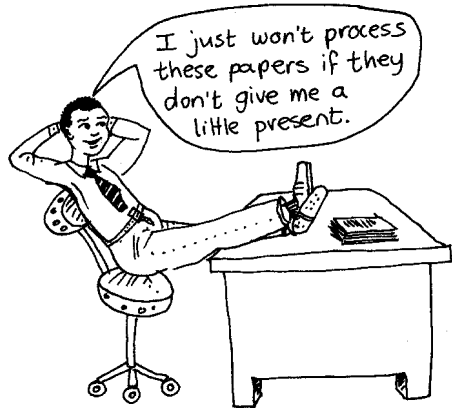
**If the procurement process is corrupted, taxpayers' money may be misdirected towards funding unnecessary and inappropriate projects.**

For example, a local authority may decide to construct a building, not because it is needed, but because they want to help to make business for a construction company owned by the families of senior local authority officers.



**Corruption slows down economic growth, by increasing the time to get something done.**

For example, local authority officers may drag their feet in awarding someone a licence to open a business, in the hope that someone will pay them some money to get the licence processed more quickly. The more time it takes for a licence applicant to get a business licence, the longer it will be before s/he can start operating and create new jobs and economic opportunities.



**Corruption increases the cost of government projects, while reducing their productivity.**

If many bribes or kickbacks have to be paid over and above the costs of the project, those projects will be much more expensive than planned for. Large projects are more likely to encourage corruption, since they involve large sums of money spent over a number of years. Money spent on paying bribes and kickbacks could in these cases rather have been spent on developing the infrastructure of a town, such as building an additional clinic or a school.

*(b) Distortion of Allocations*

**Corruption causes decisions to be weighed in terms of money, not human need.**

Corrupt local authority officers may approve only those development projects where they can get the most kickbacks for themselves. For example, a project to build housing for the poor may not be approved because the poor cannot afford to pay the local authority officers bribes or kickbacks to get it done.

**Corruption increases poverty and hardship.**

Resources spent by the local authority that should find their way to the poor in the form of housing, education, health care, etc. instead find their way into the bank accounts of corrupt officers, their families, or friends. The poor continue to suffer while the corrupt officers prosper. They live lifestyles above their status, buying expensive cars and taking expensive holidays.

(c) *Moral Costs*

**Corruption leads to a loss of confidence and trust in local government.**

The more that residents resent and distrust local government officers, the more difficult it becomes to persuade residents to obey the law and cooperate with officialdom. Local residents may intentionally start breaking the law, by becoming corrupt themselves, and by taking the law into their own hands.

**Corruption demoralises the public.**

Residents want to be proud of their town. However, if you are constantly confronted with the corruption of public officers, not only will you begin to lose faith in your local authority, but your belief in the potential of your town and hope for a better life in the future will diminish. You may even withdraw from public life, feeling that any effort to improve matters in your community is a waste of time, since any enhancements will, sooner or later, be undermined by corruption. Other residents may decide to leave the town or even go and live in another country.

**Unchecked corruption breeds more corruption.**

The most demoralising aspect of corruption is that people who want to be honest are forced to become corrupt, either out of desperation, frustration, or circumstance. Once corruption becomes a way of getting things done, little option remains but to partake in corrupt practices. It becomes a matter of "If you can't beat them, join them". A situation is reached where honesty and integrity are punished, rather than rewarded. Once a society reaches this point, it is on a road to nowhere.

**Corruption reduces private investment.**

Honest business people think twice about opening a business in a town where they know corruption abounds. Corrupt people within a business will cost it considerable sums of money, which reduces profit and forces the business to sell its products or services at a higher cost to the public. Corrupt local authority officers may also cost business people money when they refuse to provide kickbacks. Businesses may lose out on



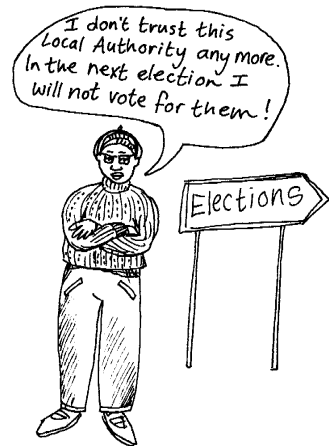


lucrative local authority contracts or they may be refused certain essential licences. Corrupt officers may also make it difficult for businesses to buy municipal land, e.g. to set up a factory. The more time a business spends fighting the bureaucracy that is supposed to serve them, the more money it loses. Eventually, businesses may decide to invest their money in another town where they feel there is less corruption. The town's residents all lose, because there would then be fewer jobs and less money flowing into the local economy.

### **Corruption undermines democracy.**

Corrupt people wish to keep their activities secret. Some may even go so far as to claim that what they are doing is in the interest of the country and, therefore, requires secrecy. Secrecy goes against the idea of democracy. *Democracy* is rule by the people. This means that all citizens have a right to know what the government is doing at all times. In a democracy there needs to be transparency and accountability. If corrupt people get away with hiding their activities behind a wall of secrecy, then they have succeeded in undermining the foundations of democracy. It took a long, hard and bloody struggle to bring the Namibian democracy into existence. All Namibians can now vote in local authority elections. Elected

officers that are corrupt are betraying the trust of the Namibian people and robbing them of the benefits that a democracy brings. They are also betraying that trust if they are not committed to fighting corruption.



## **6. WHAT CAN YOU DO TO COMBAT CORRUPTION?**

An organised community is very important in fighting corruption. As a first step, this means that all local residents need to be adequately aware of what corruption is and what they can do about it. Knowledgeable residents need to educate others in the community in this regard. In this way, a local authority can be closely monitored for any signs of corruption. Therefore, the most important thing you can do to combat corruption is to know what corruption is, to educate others on it and to take action to prevent corruption. Your fellow residents should be encouraged to come forward if they believe that they have witnessed a case of corruption.

Public demonstrations and marches against corruption can also be held.

Another way to make your voice heard is to get as many community members as possible to sign a petition against corruption, which can be handed over to the Local Authority Council. Since elections for local authorities are held every five years, you can make it clear to the Councillors that their re-election depends on how effectively they combat corruption.



Regular public meetings between a local authority and residents of the community it governs should be organised to ensure that information on local authority projects is shared as often as possible. Such meetings can also serve as forums where the public can lay their complaints about any perceived corrupt behaviour by local authority officers. Through such interactive meetings, residents can participate in the development of an efficient and honest system of service delivery by the local authority.

You should regularly discuss perceived cases of corruption with fellow residents and be involved to fight corruption in your local authority. Never attempt to bribe a corrupt officer, or condone attempted bribes by others, as this is illegal and provides a breeding ground for further corruption.

Report perceived cases of corruption and ensure that such cases are investigated and solved. First, try to deal with the problem within the department of the local authority where the person or persons you suspect of corruption work. Approach their Department Head, explain your suspicions, and ask him/her to investigate the matter. Try your best to provide conclusive evidence.

You can choose to remain anonymous, that is, no one need know that you initiated the investigation. The investigation should reveal whether a criminal case should be opened with the Police, or if an internal disciplinary hearing should be held.

If you feel that your complaint has not been dealt with satisfactorily, approach the local authority's Public Relations Officer. If s/he cannot or is unwilling to help you, consider approaching the Internal Auditor, if the local authority has one. If not, take your complaint to the Chief Executive Officer. If this does not help, approach the leadership of the Local Authority Council. Make an appointment with one of the Councillors, explain your suspicions, and ask him/her to investigate. As the last resort, see the Mayor.

If you are still not satisfied with the investigation of your complaint, you should approach one or more of the following institutions:

*(a) The Association for Local Authorities in Namibia (ALAN)*

ALAN is an umbrella body for Local Authorities in Namibia. It aims to support the development of effective government at local level by interacting with regional and international partners in order to address socio-economic issues that drive sustainable development. ALAN brings together individual Local Authority Councillors to represent their interests and priorities.

You can contact ALAN at the following address:

The Executive Director  
Association for Local Authorities in Namibia  
PO Box 2721  
Windhoek  
Namibia  
Tel. (061) 240914/5  
Fax (061) 240929  
alan@iway.na

*(b) The Namibia Association of Local Authority Officers (NALAO)*

NALAO is a professional body of local authority staff. This organisation aims to enhance local government administration. Its contact details are as follows:

The Executive Director  
Namibia Association of Local Authority Officers  
PO Box 59  
80 Independence Avenue  
Windhoek  
Namibia  
Tel. (061) 290-2593  
Fax (061) 290-2344  
nalao@windhoekcc.org.na

*(c) The Ministry of Regional and Local Government and Housing*

All local authorities report to the Ministry of Local and Regional Government and Housing. All complaints need to be addressed, preferably in writing, to the Permanent Secretary of the Ministry. The Permanent Secretary's contact details are as follows:

The Permanent Secretary  
Ministry of Regional and Local Government and Housing  
Private Bag 13289  
Government Office Park  
Cluster D1 West  
Luther Street  
Windhoek  
Tel. (061) 297-5111  
Fax (061) 226-049

*(d) The Office of the Ombudsman*

One of the tasks of the Ombudsman is to investigate cases of corruption and the misappropriation of public funds by officers. If you would like the Ombudsman to launch an investigation into a suspected case of corruption, you will need to file a complaint with the Office of the Ombudsman. After

having investigated the complaint, if the Ombudsman finds there is reason for further investigation, he/she will send a report to the Office of the Auditor-General. If there are grounds for prosecution, the Ombudsman will send a report to the Office of the Prosecutor-General. The Ombudsman will also ensure that you remain anonymous during the investigation if you request this.

The contact details for the Office of the Ombudsman are as follows:

The Ombudsman Private Bag 13211 Robert Mugabe Avenue Windhoek Tel. (061) 207-3111 Fax (061) 220550 ombudsman@ombudsman.org.na
---

### (e) *Watchdog agencies*

At the time of writing this booklet, Parliament is in the process of preparing legislation that will deal with corruption. Anti-corruption legislation will make provision for a watchdog agency, the Anti-Corruption Commission, whose task it will be to investigate cases of corruption and to eradicate it wherever it occurs.

Some local authorities have their own watchdog agencies. For example, the City of Windhoek has two watchdog institutions that do not form part of any departmental structures. These are the Internal Audit Division and the soon-to-be-established City Police. Both have the responsibility to monitor corruption within the local authority's various departments, and report directly to the Chief Executive Officer.

The Internal Audit Division ensures that accurate financial and operational controls are in place. It serves to safeguard all Council assets. It also ensures that all internal control systems (rules and regulations) comply with government policies, procedures, laws, and regulations. The Internal Audit Division also operates the only municipal fraud hotline in the country. Currently, the hotline serves Windhoek residents only. The caller will reach an answering service where information on alleged fraudulent activity can be left anonymously.

The municipal fraud hotline in Windhoek is (061) 290-3000.

*(f) The Office of the Auditor-General*

The Office of the Auditor-General is tasked with the responsibility of reviewing (auditing) the accounts of all government offices, ministries and agencies – whether these are at central, regional or local level – and of semi-government organisations (parastatals). An audit is a very time-consuming process. It involves checking all of an organisation's financial records and interviewing people to clarify uncertainties.

The Auditor-General and his/her staff have the right to question local authority employees with regard to any financial irregularities detected during an audit.

The contact details for the Office of the Auditor-General are as follows:

The Auditor-General Private Bag 13299 Metropolitan Building Dr. Frans Indongo Street Windhoek Tel. (061) 285-8000 Fax (061) 224-301
---

*(g) The Office of the Prosecutor-General*

The Office of the Prosecutor-General forms part of the Ministry of Justice. The Prosecutor-General is the only person in Namibia with the authority to put another person on trial for criminal activities.

The Prosecutor-General is assisted by a staff of eighteen State Advocates stationed at the High Court and Supreme Court in Windhoek. More than sixty State Prosecutors are assigned to Magistrates' Courts across the country. If you are uncertain of how to initiate an investigation into corruption within your local authority, you could approach a State Prosecutor for advice.

The contact details for the Office of the Prosecutor-General are as follows:

The Prosecutor-General Private Bag 13191 Windhoek Tel. (061) 292-1111 Fax (061) 221-127
---

*(h) The Office of the Attorney-General*

The Office of the Attorney-General also falls under the supervision of the Ministry of Justice. Some of its duties involve the prevention of unlawful conduct by public officers. Lawyers from the Office are assigned to investigate malpractice in government ministries, to chair commissions of inquiry, and to act as investigating officers in complex public disciplinary proceedings.

The contact details for the Office of the Attorney-General are as follows:

The Attorney-General Private Bag 13345 Marie Neef Building Independence Avenue Windhoek Tel. (061) 281-2243 Fax (061) 222-428 / 253-845
---

*(i) The Namibian Police*

There are two units within the Namibian Police (NAMPOL) with experience in investigating corruption, even though neither is specifically tasked with investigating corruption. These are the Commercial Crime Investigation Unit, and the Special Branch. Both units are based at the Namibian Police Headquarters in Windhoek.

The Commercial Crime Investigation Unit (CCIU) is divided into three sub-units, namely the Commercial Fraud Unit, the Fraud Syndicate Unit, and the General Fraud Investigation Unit. The CCIU can only launch an investigation once a complaint has been lodged with it.

The Special Branch focuses on gathering information on serious and organised crime. It cooperates with all the other branches of the Police. Therefore, it will assist the CCIU wherever there is a need to share resources and information.

You can lodge an anonymous complaint at the Police Headquarters in Windhoek or your local Police station. You can also call a general Police hotline, which is 10111 from anywhere in Namibia.

The contact details for the Inspector-General of the Namibian Police are as follows:

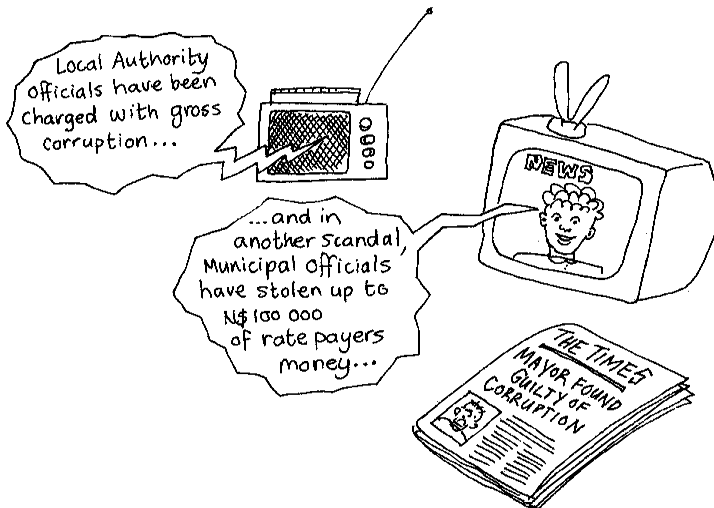
The Inspector-General  
NAMPOL  
Private Bag 12024  
Lazarett Street  
Windhoek  
Tel. (061) 209-3111  
Fax (061) 220-621

Or contact the Police hotline at 10111.

### (j) *The Media*

The media remains a strong ally in ensuring that cases of corruption are publicised. The media play an increasingly important role in exposing criminal and unethical behaviour. Therefore, you can contact any newspaper or radio or television station and ask them to investigate a perceived case of corruption. With enough information at their disposal, journalists will go a long way to expose corruption. This also is a safe route to take, since journalists, on request, are ethically obliged to keep their source of information a secret.

Alternatively, you could write a letter of complaint about corruption to the newspapers, or lodge your complaint via a radio or TV call-in programme.





*(k) Non-governmental Organisations*

In Namibia, a variety of non-governmental organisations (NGOs) promote good governance on all levels. You can contact any of the following for guidance on how to report a perceived corrupt practice:

**Namibian Chapter of Transparency International (TI/Namibia)**

PO Box 85  
Windhoek  
Namibia  
Tel. (061) 273600  
Fax (061) 224529  
ndjavera@lorenz.com.na

**Namibia Institute for Democracy (NID)**

PO Box 11956  
Windhoek  
Namibia  
Tel. (061) 229117/8  
Fax (061) 229119  
nid@nid.org.na

**The Namibia Non-Governmental Organisations Forum (NANGOF)**

PO Box 70433  
Windhoek  
Namibia  
Tel. (061) 239469  
Fax (061) 239471  
nangof@iafrica.com.na

## 7. YOUR ROLE IN A CORRUPTION-FREE LOCAL AUTHORITY<sup>1</sup>

### a) *Your Role as a Resident*

#### **As a resident, you should ensure –**

- you act in a fair and unbiased manner at all times
- you conduct yourself in a law-abiding and faultless manner
- you respect the rights of other individuals in the execution of any authority that you may have
- you foster mutual respect, that is, giving as much importance to others' interests as to your own
- you respect the rights and interests of the community in general
- you observe the principles of honesty and integrity, and
- you ask for a receipt for any payment made to a public/private sector employee and make sure that the amount shown on the receipt corresponds with the amount paid.

#### **As a resident, you should avoid –**

- subordinating the truth to other requirements
- trying to obtain any favour which would require fraud and corruption
- participating in any action which would be harmful to your own credibility or to that of another person
- offering — or being solicited directly or indirectly with a view of offering — any gift or bribe whatsoever to a member of the public service, or to any other person who would be capable of being influenced in the performance of his/her duties and the application of his/her judgement, and
- soliciting and receiving directly or indirectly any gift or other favour capable of influencing you in the exercise of your rights and duties, such as when you exercise your right to vote.

#### **Warning signs**

When, in the course of a conversation relating to a transaction at a municipal office, you hear any of the following or other similar warning signs, you should be very careful: the person you are speaking to may be giving you a hint to do something unethical:

- “Presently, your file is right at the bottom of this stack, but ...”
- “Well, maybe just this once ...”
- “Just between you and me ...”

<sup>1</sup> Adapted from Transparency International. 1999. *The corruption fighter's toolkit*. Mauritius: Transparency International.

- “No one will ever know ...”
- “No matter how it gets done as long as it is done.”
- “It will be a lengthy procedure, unless ...”
- “Don’t worry, everyone does it.”
- “We can come to some arrangement, if you are willing ...”
- “This is normal practice here.”
- “Would it help if I send him a box of ...”
- “Shred that document.”
- “We can hide it.”
- “No one will get hurt.”
- “You will not regret it ...”
- “What’s in it for me?”
- “This will destroy the competition.”
- “We did not have this conversation.”

*b) Your role as an elected Local Authority Councillor or Municipal Staff Member*

**As a Councillor or municipal staff member, you should ensure –**

- your top priority is to act in the public interest
- you observe the codes of conduct that apply to everyone who is actively engaged in public life
- you adhere strictly to the rules and regulations of the Local Authority of which you are a member
- you promote a transparent and open culture
- you declare your own direct or indirect personal interests, whether financial or commercial, whenever these may be in conflict with the public interest, and either get rid of such other interests or stay away from any decision that relates to such a conflict of interests
- you remain aware at all times of the fact that you are accountable towards those whom you represent whenever matters of a financial nature are under discussion, particularly when such questions are dealt with during informal meetings and functions
- you facilitate access to information
- you define, clarify and publish all procedures so that they are known to the public in general, and
- you scrupulously follow all the relevant criteria in applying the law and regulations as well as any other procedures.

**As a Councillor or municipal staff member, you should avoid –**

- soliciting or accepting from anybody any remuneration or benefit, other than your official remuneration, in the performance of your duties
- soliciting or accepting any benefit, advantage or promise of future

advantage either for yourself, or for a member of your immediate family, or for any business concern or trust with which you are associated from persons who are in, or seek to be in, any contractual or special relationship with the institution of which you are an elected member

- accepting any gift, hospitality or concessionary travel offered in connection with the discharge of the duties of your office, except as may be permitted under the rules applicable to your office
- using public funds, property, services and information for unofficial activities, and
- standing up for any case in return for which you would receive any payment or favour.

*(c) When in doubt ...*

Whenever you are in doubt about whether your actions are corrupt, ask yourself the following questions:

- “Are my actions legal?”
- “Am I being fair and honest?”
- “Will my action stand the test of time?”
- “How will I feel about myself afterwards?”
- “How will it look in the newspaper?”
- “Will I sleep soundly tonight?”
- “Would I like my child to know what I have done?”
- “Would I be happy for my neighbours to know about this?”
- “Would I mind my community knowing what I have done?”
- “What would my community or traditional leader say about this?”

**If you are still not sure what to do, keep asking yourself these questions until you are certain that you are doing the right thing!**