



## ZIMBABWE ANTI-CORRUPTION COMMISSION

*"Refuse, Resist and Report Corruption"*

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### **NACS launch significant milestone in corruption fight**

**By Commissioner John Makamure**

The long-awaited National Anti-Corruption Strategy (NACS) was officially launched by His Excellency President E.D. Mnangagwa on 11 July 2020. The launch coincided with the commemoration of the African Anti-Corruption Day whose theme for this year is *"Fighting Corruption through Effective and Efficient Judicial Systems"*.

Zimbabwe is a State party to the African Union Convention on Preventing and Combating Corruption. This is why the Government saw it fit to launch the Strategy on the day that the whole of Africa was celebrating this important day. The Strategy also fulfils Article 5 of the United Nations Convention Against Corruption (UNCAC), which requires member states to develop, implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.

The NACS six strategic objectives and actions incorporates the five pillars of the UNCAC, which are preventive measures, criminalization and law enforcement, international cooperation, asset recovery, and technical assistance and information exchange.

It took the 4<sup>th</sup> Zimbabwe Anti-Corruption Commission, ably chaired by Justice Loyce Matanda-Moyo, less than 12 months to spearhead development of the Government strategy. Previous commissions dimly failed to come up with this important document that serves as a guide for Government agencies and institutions, private sector, civil society and stakeholders across the board to ramp up and coordinate their efforts towards curbing corruption which has no doubt brought havoc to societal well-being.

The official launch was attended by the following key partners in the anti-corruption fight:

- The Public Service Commission represented by its chairperson Dr. Vincent Hungwe;
- National Prosecuting Authority represented by the Prosecutor-General Hon. Kumbirai Hodzi;

- Ministry of Justice, Legal and Parliamentary Affairs represented by its Permanent Secretary Ms Virginia Mabhiza;
- Judicial Service Commission;
- African Parliamentarians Network Against Corruption – Zimbabwe Chapter represented by its chairperson Hon. Priscillar Misihairabwi-Mushonga; and
- Transparency International Zimbabwe represented by its Executive Director Ms. Muchaneta Mundopa.

In his speech marking the official launch of the anti-corruption policy blue-print, President Mnangagwa challenged the criminal justice system and those in institutions tasked to fight corruption to improve on the investigation into, and prosecution of, corruption cases. "They must be above reproach and must ensure that all cases of corruption within their rank and file are thoroughly investigated, with corrupt officials punished, he said. "The culture of long, drawn-out prosecutions and the 'catch and release syndrome' must come to an end. The arrest and successful prosecution of corrupt 'big and small fish' alike, must be the new normal," the President added. This is a challenge that the NACS will tackle head-on.

With a vision of "making Zimbabwe a corruption free country where honesty and integrity become the main culture", Transparency International Zimbabwe is indeed correct to point out that this NACS vision can only be achieved by adopting a holistic approach in the fight against corruption, where the government, private sector, independent commissions, civil society and the ordinary citizen coordinate their efforts in cultivating an anti-corruption culture. The Strategy lays the basis for harnessing the efforts of all stakeholders towards zero tolerance to corruption. The fact that the Strategy itself is a product of wide stakeholder consultations with other anticorruption agencies, citizens, the private sector and civil society organisations, cultivates national ownership which augurs well for its successful implementation.

It is an undisputable fact that Zimbabwe has so far done very well in putting in place the necessary policy and legal framework to fight corruption. Of course further improvements are always important. This is why the Commission has moved with speed to propose changes to the Anti-Corruption Commission Act and incorporate in the same Act a comprehensive section on whistle blower protection.

The Commission is learning from other countries like Hong Kong with an effective anti-corruption legal system. Hong Kong continues to constantly review existing anti-corruption legislation to ensure that perpetrators do not get off the hook as a result of deficiencies in the law. This explains why the country managed to realise a high score of 76 out of 100 on the Transparency International Corruption Perception Index for 2019. It was also ranked number 16 out of 180 countries assessed globally.

Malaysia is another success story. The Malaysia Anti- Corruption Commission (MACC) is responsible for spearheading the fight against corruption in Malaysia. The Agency is assisted by stakeholders from the public and private sector. The country scored 53 out of 100 on the Transparency International Corruption Perception Index in 2019. It was ranked number 51 out of 180 nations. In promoting the collective efforts in combating corruption the MACC established the following structures:

- *Integrity units* set up at various levels including at grassroots level.
- *Corruption Prevention Secretariat* put in place in Institutes of higher learning and teacher education. This strategy is advantageous in strengthening mainstreaming of anti-corruption initiatives across sectors in Malaysia.
- *MACC Training and Technical Assistance* meant to capacitate anti-corruption practitioners within and beyond Malaysia. To date, several developing nations have benefitted from the Malaysian Technical Cooperation programmes.

Singapore has some good practices as well. Its Corrupt Practices Investigation Bureau (CPIB) has the mandate to fight corruption. The Bureau is highly credited for its comprehensive approaches/strategies in combating corruption. No doubt the country managed to achieve a high score of 85 out of 100 on the Transparency International Corruption Perception Index. It was ranked number 4 out of 180 countries. Some of the good practices from Singapore include the following:

- '*Catch the big fish first philosophy*'- this is a top bottom approach, which is founded on the assumption that once you catch the big fish, the rest will fall away.
- *Capacitation of institutions of learning* - This initiative makes use of educational institutions in disseminating information as well as empowering them to be able to participate meaningfully in reporting corruption.
- *Anti- Corruption Engineering Model (ACEM)* - This model aims at strengthening public and private systems and processes. The model is founded on the need to be all-inclusive in fighting corruption.

The country that scored 1<sup>st</sup> in the anti-corruption fight in 2019 is Denmark. The country places major emphasis on prevention through massive public education programmes. The Danish Criminal Code forbids active and passive bribery and most other forms of corruption offences contained in international anti-corruption conventions. The private sector has a vicarious responsibility to combat corruption at the work place. Individual companies are held criminally liable for corrupt practices by their employees which forces them to rigorously implement anti-corruption measures.

Now that the NACS is officially in place, ZACC is more than prepared to spearhead its implementation in order to ensure that anti-corruption measures are consistent and focused, and that the participants are committed to the cause. The goal must be a society where corruption cannot take hold or go unnoticed. The National Anti-Corruption Strategy Steering Committee, chaired by ZACC, is the core body that is being set up to spearhead implementation of the Strategy. Also in place will be monitoring groups for the six NACS strategic objectives of citizen empowerment and awareness; strengthening structures for deterrence and detection; enhancing transparency and accountability in public and private sectors and non-state actors; protection of whistle blowers; recovery of assets; and increased levels of political parties transparency, political will and accountability.

Let me conclude by saying the Strategy will see the light of day if citizens continue to refuse, resist and report corruption. Experiences have shown that a joint effort of several authorities, businesses and organisations is required to combat corruption successfully. We are in this journey together until victory is achieved.

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