



## ZIMBABWE ANTI-CORRUPTION COMMISSION

### *"Refuse, Resist and Report Corruption"*

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SUNDAY MAIL

#### **National Anti-Corruption Strategy to galvanise stakeholders in the fight against the scourge**

**By Commissioner John Makamure**

The Zimbabwe Anti-Corruption Commission is finalising the development of a National Anti-Corruption Strategy that is expected to be officially launched by His Excellency President Emmerson Mnangagwa before the end of the first quarter of this year. The strategy serves as a joint declaration by all stakeholders against corruption in any form, and herald a resolute commitment to an ethical and accountable state, and clean governance in business and civil society sectors. It will also signal a commitment by those in positions of power to act with integrity, while inculcating a society where citizens are aware of their rights and responsibilities, respect the rule of law and are empowered to hold those in power to account.

What has motivated the development of a National Anti-Corruption Strategy is that the scourge of corruption still thrives despite the country's advanced Constitution, which provides a comprehensive fundamental framework for creating good governance and a high standard of ethics and integrity in the public service; and its many laws that regulate public financial management and procurement; that criminalise corruption; and that establish several institutions to fight corruption.

The development of this strategy followed a wide stakeholder consultative process that was conducted in all the country's 10 provinces in November and December last year. The strategy is therefore born out of a highly inclusive process, and fully complies with the dictates of the United Nations Convention against Corruption and the AU and SADC anti-corruption protocols that Zimbabwe is party to.

The United Nations Convention against Corruption is a comprehensive international instrument intended to combat the scourge of corruption around the world. As observed in the preamble to the Convention, corruption not only threatens the stability and security of societies, the institutions and values of democracy, ethical values and justice, sustainable development and the rule of law, but is also a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and control it essential. With ratification by 186 States parties, the Convention strives for the elimination of corruption as a global aspiration.

States parties to the United Nations Convention against Corruption are required to undertake effective measures to prevent corruption (chapter II, articles 7 to 14), criminalize corrupt acts and ensure effective law enforcement (chapter III, articles 15 to 42), cooperate with other States parties in enforcing anti-corruption laws (chapter IV, articles 43 to 50) and assist one another in the return of assets obtained through corruption (chapter V, articles 51 to 59).

Moreover, in addition to calling for effective action in each of these specific areas, article 5 imposes the more general requirements that each State party: (a) develop and implement or maintain effective, coordinated anti-corruption policies; (b) establish and promote effective practices aimed at the prevention of corruption; and (c) periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption. Furthermore, under article 6, each State party is required to ensure the existence of a body or bodies, as appropriate, that prevent corruption by implementing the policies referred to in article 5 and, where appropriate, overseeing and coordinating the implementation of those policies.

Thus, one of the most important obligations of States parties under the Convention, and to which they are to be held accountable under the Mechanism for the Review of Implementation of the Convention, is ensuring that their anti-corruption policies are effective, coordinated and regularly assessed. The National Anti-Corruption Strategy will therefore ensure that these important components of policy effectiveness, better coordination between various agencies and periodic monitoring and evaluation of the anti-corruption drive are realised.

The National Anti-Corruption Strategy fully recognises that the country cannot rely on one single agency to fight corruption. Everyone in the community, and every institution has a role to play. ZACC realises the importance of adopting a partnership approach to mobilize all sectors to fight corruption together. The key strategic partners of the Commission are the government agencies. All heads of government agencies should appreciate that it is their solemn responsibility to clean their own house. Other important partners include the business community, professional bodies, civil society in its various shapes and sizes and community organizations, educational institutions, mass media and international organisations.

ZACC would like to emulate the example of South Korea where the public sector, the business sector and civil society joined hands in forming a coalition called Korea-PACT. Over 800 organizations signed the PACT and undertook to implement the agreed action plan. The progress was reviewed annually by an international evaluation team.

The National Anti-Corruption Strategy will include actions to ensure effective enforcement of anti-corruption measures. An effective public complaint system will be put in place to encourage reporting of corruption by members of the public and referrals from other institutions. This means a 24-hour report centre and a highly publicised telephone hotline to facilitate public reporting has become a necessity. We are moving with speed to put in place a quick response system to deal with public complaints requiring prompt action. We would like to reach a stage whereby at any time, there is an investigation team standing by, ready to be called into action.

The Commission is for the people. So as long as there is reasonable suspicion, all reports of corruption, irrespective of whether it is serious or relatively minor in nature, will have to be properly investigated. A check and balance system to ensure all investigations are professionally and promptly investigated, and free from political interference will be a component of the National Anti-Corruption Strategy.

The Strategy will place equal emphasis on systems and compliance checks in public and private entities to ensure strong internal control and corporate governance systems are adhered to. We would like to emulate the examples of countries like Philippines, where an expert team goes through the government ministries one by one to carry out a comprehensive integrity audit check, and to make recommendations on what measures the respective government ministries should implement to combat internal corruption problems. In the Philippines, all public procurement in government

ministries should be conducted through a “Bids and Award Committee”, and lay observers should be appointed to represent the public in monitoring the decision making process.

I have been asked questions around the investigative and arrest powers of the Commission, and whether these will not be abused to settle personal scores. My response is that the National Anti-Corruption Strategy will put in place an elaborate check and balance system to prevent abuse of such powers. Hong Kong is considered a good practice in that regard. One unique feature is the Anti-Corruption Commission’s Operations Review Committee. It is a high powered committee, with the majority of its members coming from the private sector. The committee reviews each and every report of corruption and investigation, to ensure all complaints are properly dealt with and there is no “whitewashing”. It publishes an annual report, to be tabled for debate before Parliament, thus ensuring public transparency and accountability. In addition, there is an Independent Complaint Committee where members of the public can lodge any complaint against the Commission and/or its officers, and there will be an independent investigation. It also publishes an annual report to be tabled before Parliament.

ZACC is excited about the development of the National Anti-Corruption Strategy, especially against the background of failure by previous commissions to develop one. The strategy signals Government’s commitment to take the anti-corruption fight to another level.

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