

The Success of The National Anti-Corruption Strategy Requires A Coordinated Approach in The Fight Against Corruption

21 August 2020

Introduction

The effects of corruption in Zimbabwe manifest through the failed public service delivery, widening unequal distribution of income and wealth and extreme poverty. The fight against corruption must therefore remain a priority for the Government of Zimbabwe if the country is going to achieve the Sustainable Development Goals (SDGs) and the country's Vision 2030 (Upper-Middle Income Economy by 2030).

The success of anti-corruption efforts is partly hinged on the effective coordination of anti-corruption agencies and stakeholders. However, the diversity of institutions, intersecting mandates, competing agendas, lack of institutional clarity and the varying level of independence makes it extremely difficult for these institutions to coordinate their efforts. Bouckaert et al (2010) define coordination in a public sector inter-organizational context as: "The instruments and mechanisms that aim to enhance the voluntary or forced alignment of tasks and efforts of organizations within the public sector. These mechanisms are used in order to create a greater coherence, and to reduce redundancy, lacunae and contradictions within and between policies, implementation or management."

One of the reasons why Zimbabwe's anti-corruption efforts have always been fragmented is the lack of co-ordination amongst the various anti-corruption stakeholders. This has resulted in anti-corruption agents blaming each other for failing to achieve anti-corruption goals. Equally, citizens have at times been unclear as to where to direct their corruption related concerns. It is therefore commendable that on the 11th of July 2020, the country adopted its first ever National Anti-corruption Strategy (NACS) which seeks to address inter-alia, the co-ordination of anti-corruption efforts by different stakeholders. The NACS is currently the main framework for coordinating anti-corruption efforts in

Zimbabwe. It mandates the Zimbabwe Anti-Corruption Commission (ZACC) to establish a National Anti-Corruption Strategy Steering Committee (NACSSC). The NACSSC made up of various stakeholders oversees the implementation of the NACS and ensures periodic meetings are held and regular reports are to be made available to the public. The framework for coordination allows for non-duplication of roles, appropriate use and allocation of resources and overall strengthening of institutions responding to corruption. In conceptualizing this, it is important to understand the key state actors and their roles in the fight against corruption. An effective anti-corruption intervention requires strategic coordination with clearly laid out objectives, understanding of stakeholder's roles and levels of influence as well as the allocation of resources to advance the fight against corruption. It is against this background that this week's Weekend Digest looks at the National Anti-Corruption Strategy and explores the role of the main state anti-corruption agencies in the fight against corruption.

The National Anti-Corruption Strategy (2020-2024)

The NACS can be described as the country's main anti-corruption policy document which coordinates the national anti-corruption actions. It is in line with regional and international anti-corruption frameworks such as Article 5 of the United Nations Convention against Corruption (UNCAC) to which Zimbabwe is a signatory to. Article 5 of the UNCAC requires State Parties to develop and implement well-coordinated anti-corruption policies, strategies and practices that promote the participation of society, both the public and private sectors. The NACS define the country's priority and objectives to prevent and combat corruption for the next five years. It includes actions plans and a monitoring and evaluation plan to track progress of the implementation thereof. For the next five years, Zimbabwe action plan to dealing with the endemic and rampant corruption will be guided by the following Strategic Objectives as outlined in the NACS:

1. Support citizen empowerment and awareness of their rights and responsibilities relevant to the fight against corruption.
2. Enhance the structures for deterrence, detection, adherence, and enforcement through improved compliance with anti-corruption and integrity management obligations and mechanisms across sectors.

3. Increase public demand for transparency and accountability and rejection of corruption in government offices, ministries, agencies and State-owned enterprises (SOEs)/parastatals, public institutions, media houses and the private sector.
4. Ensure protection of whistle-blowers and victims of corruption, thereby encouraging active participation in anti-corruption efforts by members of the public.
5. Recover assets and proceeds from corruption crimes, and compensate damages inflicted on the state and corruption victims.
6. Increased level of political parties' transparency, political will, and accountability.

State Anti-corruption Agencies and Independent Commissions

There are several state actors that play a role in the fight against corruption in Zimbabwe. These include the Zimbabwe Anti-Corruption Commission, the National Prosecuting Authority, the Zimbabwe Republic Police, the Auditor General and the Procurement Regulatory Authority of Zimbabwe.

Zimbabwe Anti-Corruption Commission

The Zimbabwe Anti-Corruption Commission (ZACC) is an independent commission established in terms of Section 254 of the Constitution of Zimbabwe Amendment (No.20), Act 2013 as read with the Anti-Corruption Commission Act [Chapter 9:22] of 2004 as amended. ZACC is one of the key agents mandated to combat corruption together with the National Prosecuting Authority under the constitution. The relationship of ZACC with other actors at a formal level is articulated by its functions which are stated in section 255 of the constitution as follows:

- a) to investigate and expose cases of corruption in the public and private sectors;
- b) to combat corruption, theft, misappropriation, abuse of power and other improper conduct in the public and private sectors;
- c) to promote honesty, financial discipline, and transparency in the public and private sectors;
- d) to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;

- d) to direct the Commissioner-General of Police to investigate cases of suspected corruption and to report to the Commission on the results of any such investigation;
- f) to refer matters to the National Prosecuting Authority for prosecution;
- g) to require assistance from members of the Police Service and other investigative agencies of the State; and
- h) to make recommendations to the Government and other persons on measures to enhance integrity and accountability and prevent improper conduct in the public and private sectors.

National Prosecuting Authority

The National Prosecuting Authority (NPA) is established under section 258 of the constitution. Like the ZACC, it is one of the institutions under Chapter 13 established to combat corruption and crime. The NPA is responsible for instituting and undertaking criminal prosecutions on behalf of the State. Thus, the NPA has the role of ensuring that perpetrators of corruption (regardless of status or political inclination) are effectively prosecuted.

Judicial Service Commission

The Judicial Service Commission (JSC) is established under section 189 of the constitution. One of the functions of the JSC is to promote and facilitate the independence and accountability of the judiciary and the efficient, effective, and transparent administration of justice in Zimbabwe. Effective prosecution of acts of corruption before a competent, impartial, and independent court is the hallmark in the fight against corruption. It is only when perpetrators of corruption are held liable for their acts through the justice system that progress in the fight against corruption can be achieved.

The Zimbabwe Republic Police

The Zimbabwe Republic Police (ZRP) is established in terms of section 219 of the constitution. Its functions include but not limited to detecting, investigating and preventing crime; preserving the internal security of Zimbabwe; protecting and securing the lives and property of the people; maintaining law and order; and upholding the constitution and enforcing the law without fear or favour. All the above functions relate in one way or the other to the function of combating corruption since the impact of corruption include lawlessness, insecurity, and loss of property. The ZRP has also established an anti-corruption unit dedicated

to investigating corruption complaints, that is, the Police Anti-Corruption Unit whose mandate is to suppress, investigate and detect corruption and all other economic crimes committed within or against parastatals, statutory bodies and the private sector.

The Auditor General

Although not explicitly stated as an institution mandated to fight corruption, the AG is an important stakeholder in the fight against corruption. The Auditor General has the responsibility of overseeing governments' revenue and expenditure and taking measures to rectify defects in the management and safeguarding of the country's public resources/funds. In this regard, the Auditor General acts as the watchdog of the country's public financial management and has an important role in the fight against corruption.

The Financial Intelligent Unit

The Financial Intelligent Unit (FIU) exists as a unit in the administrative establishment of the Reserve Bank of Zimbabwe (RBZ), but has its own governing statutes, giving it a mandate distinct from that of the Central Bank. The Unit bears the primary responsibility of ensuring anti- money laundering and /combating of financing terrorisms (AML/CFT) compliance. It works in close cooperation and coordination with supervisory or regulatory bodies including the NPA, ZACC, Zimbabwe Revenue Authority (ZIMRA), and ZRP to ensure that the regulated entities comply with their AML/CFT obligations.

Procurement Regulatory Authority of Zimbabwe

The Procurement Regulatory Authority of Zimbabwe (PRAZ) formerly, the State Procurement Board (SPB) was created through an Act of Parliament, Public Procurement and Disposal of Public Assets Act [Chapter 22:23]. The mandate of the PRAZ is to supervise public procurement to ensure that it is in line with the principles of transparency, fairness, honesty, cost-effectiveness, and competition as required by section 315 of the constitution. In this regard, PRAZ has an important role in combatting corruption through detecting leakages and wastages in public procurement.

Conclusion

Zimbabwe's National Anti-Corruption Strategy has as its vision "to make Zimbabwe a corruption free country where honesty and integrity become the

main culture.” This vision will only be realised if there are collaborated efforts between state agencies and an understanding of how each institution contributes to the fight against corruption. It is also imperative that the state agencies share an understanding of what corruption is, and understand its devastating effects. Next week’s Weekend Digest will focus on non-state anti-corruption actors and highlight the importance of coordinated efforts between all stakeholders in the fight against corruption.

Resist, Reject and Report Corruption!

