THE UNITED REPUBLIC OF TANZANIA

The Enhanced National Anti-Corruption Strategy and Action Plan (NACSAP II) 2008 -2011

President's Office
Good Governance Coordination Unit

State House
Dar es Salaam
May, 2008
PREFACE

The Fourth Phase Government officially launched the Second Phase of the National Anti-Corruption Strategy and Action Plan (NACSAP II) on December 10, 2006. Preparations of this implementation strategy that was to be implemented for the period 2007-2010, involved all stakeholders of the anti-corruption struggle in extensive consultative meetings and dialogue. However, soon after the official launch, several key developments necessitated a need for review of some aspects of the NACSAP II document. Some of our partners suggested that NACSAP II needed certain improvements in its design, content and approach. The idea was to make NACSAP II more focused, robust, relevant and inclusive. The review was proposed in order to allow for necessary adjustments so as to speed up its implementation of the strategy and build a general consensus on the objectives and goals of the strategy.

NACSAP II also needed to be revisited and up-dated to take cognizance of some changes that have taken place and thus reflect a correct picture of the prevailing circumstances in the anti-corruption landscape. This included:

- The enactment by Parliament of the Public Procurement Act No. 21 of 2004 being operationalized.
- The approval by Government, in June 2007, for the PCCB to conduct the National Governance and Corruption Survey in the country.

The NACSAP II review process was carried through most of the year (2007), through joint meetings between the PCCB, GGCU, DPP and other key government Ministries and the UNDP. The reviewed NACSAP II document was shared with Development Partners and Other Stakeholders and general consensus was reached between them and the Government side. This revised and enhanced NACSAP II has been formally
approved by the Government as a strategic policy and action framework for preventing and combating corruption in the country for the period 2008 - 2011. One of the key objectives of this enhanced NACSAP II is to complement the other core public sector reforms (PFMRP, LGRP, LSRP) in strengthening governance, instituting good governance, transparency, accountability, integrity, efficiency and improved of public service delivery.

The new NACSAP II is also aimed at encouraging strategic partnership between the Government and the private sector, civil society, media and Development Partners in combating corruption and enhancing good governance in Tanzania. It sets out clearly stated strategic NACSAP goals that would be achieved through the implementation of, again, clearly stated activities. An Annual National Anti-Corruption Forum for Stakeholders of the anti-corruption struggle is also envisaged where they discuss NACSAP implementation and exchange ideas and experiences.

The Government believes that the enactment of the new anti-corruption legislation in 2007, taking into account the best practices in the international and regional conventions against corruption, will go a long way in enhancing the war against corruption in the country and the NACSAP process in general. However, the war against corruption is an uphill task: patience, commitment and support from all stakeholders are necessary and a must.

Dar es Salaam
27th June, 2008

Phillemon L. Luhanjo
CHIEF SECRETARY
Introduction

The overarching purpose of the Second Phase of implementing the National Anti-Corruption Strategy and Action Plan (NACSAP II), to be implemented within the framework of the National Anti-Corruption Policy is to strengthen the mechanisms and processes for the prevention and combating of corruption in Tanzania. It seeks to create enabling conditions for effective anticorruption strategies, to strengthen the state’s anticorruption agencies, and enhance domestic accountability systems by expanding the scope of NACSAP I which was implemented between 2001 and 2005.

A key objective of this enhanced NACSAP II, to be implemented between 2008-2011, is to complement the other core public sector reforms (PFMRP, LGRP, LSRP) in strengthening governance, instituting good governance, transparency, accountability, integrity, efficiency and improved public service delivery.

Statement of the National Anticorruption Policy

Corruption in public life undermines good governance and economic growth, distorts national development, and retards the general welfare of citizens, particularly the poor and the vulnerable in society. Considering these ill effects, the Government of Tanzania will maintain zero tolerance for all acts of corruption, petty or grand, in the use of state resources, create public awareness, and engage all stakeholders in preventing and combating the vice. The state’s anticorruption agencies are empowered and directed to employ all the appropriate legal instruments and actions to stem these acts, whenever and wherever they occur through the application of the Prevention and Combating of Corruption Act, 2007, following the due process of law.
The overall lead implementation institutions of this policy are the Prevention and Combating of Corruption Bureau (PCCB) and the Good Governance Coordinating Unit (GGCU), working in close collaboration with the Office of the Director of Public Prosecutions. Guided by law, these agencies will be strengthened to enable them to carry out their responsibilities in achieving the policy goals. Other Government Institutions (MDAs), Local Government Authorities (LGAs) as well as non-state actors are also charged with the responsibility of combating corruption in their areas of jurisdiction.

Background

The Government of Tanzania’s policy of zero tolerance for corruption dates back to 1996 when the Warioba Commission was appointed to examine the magnitude of corruption and recommend ways for addressing the vice. In response to the Warioba Report—which established the prevalence of corruption in Tanzania and recommended radical ways to combat it— the National Anti-Corruption Strategy and Action Plan (NACSAP) was introduced in 1999 as a strategic policy and action framework.

Envisaging a holistic approach, the NACSAP was designed to focus on “preventing future corruption, correcting negative effects and changing systems rather than indulging in witch-hunts.”¹ The plan was aimed at achieving the following:-

- Comprehensive anti-corruption legislation,
- Identification of areas of government activity most prone to corruption and redress them,

• Identification of legal and administrative corruption remedies that provide adequate deterrence,
• Provision of a creative partnership between government and civil society including the private sector, professions, and religious organizations in fighting corruption.

The NACSAP further sets out four basic principles to guide its implementation. The first principle, *prevention*, recognized that to reduce opportunities for corruption, government programs and procedures should be simplified, demystified, depersonalized, made transparent and publicized through public awareness campaigns, and that officials were paid a living wage and monitored. Secondly, the plan stresses the need for stringent *enforcement* of the rule of law and for relevant institutions to be capacitated to investigate and prosecute cases of corruption. The third principle of *public awareness* emphasized the need for public education on the ill effects of corruption, channels for registering complaints, and citizens’ responsibility to report corrupt officials. Finally, NACSAP stated the need for *institution building* for the key law enforcement and oversight institutions.

With the support of Development Partners, the institutional framework for implementing NACSAP was created with the establishment of the Good Governance Coordinating Unit (GGCU) in 2000. The GGCU was tasked to educate, inform and communicate to all stakeholders, as well as the general public progress on the anticorruption agenda. The NACSAP provided the strategic policy framework for addressing the problem of corruption. Designed to “guide the policymakers, legislators, judicial officers and implementers,” the plan adopted a two-pronged approach: institutional reforms and raising public awareness. Focusing primarily on the public sector, “focal points” were created at selected ministries, departments and agencies (MDAs) with “focal persons” whose duty it was to

---

2 Ibid. p. V.
submit reports to GGCU. The MDAs were assisted to formulate action plans and implement strategic activities. Additionally, the project involved assisting the Prevention of Corruption Bureau (PCB), in conjunction with civil society organizations and the media, to increase public awareness and perform anti-corruption studies. These remained the foremost mechanisms for NACSAP implementation.

**Some Achievements**

Several significant achievements were made during the five-year (2001-2006) implementation of NACSAP. Among them were the following:-

- Offices of the Prevention of Corruption Bureau were established in all districts of the country.

- New oversight and watchdog institutions, the Human Rights and Good Governance Commission, and the Ethics Secretariat were established.

- The Prevention of Corruption Act, 1971 was reviewed and a comprehensive anticorruption legislation was introduced, taking into account the best practices from international conventions and regional instruments against corruption. Also, a new Financial Act [Cap.348 R.E 2002] and Public Procurement Act [Government Notice no 98 of 2005] were passed.

- Improved transparency and accountability in the public service delivery through measures such as: widely advertised tenders, Public tender opening, widely advertised vacant posts in Government, decentralized public procurement, and publication of government allocations.
Some Weaknesses

However, a strategic evaluation of NACSAP in 2004 exposed several weaknesses in the anticorruption strategy. As indicated in the Evaluation Report,\(^3\)

- The scope of stakeholders’ involvement was narrow and excluded some key actors and considerations for corruption in local governance.
- NACSAP had not only failed to engage non-state actors effectively, but their role was not well defined or clarified: civil society, the media and private sector and other critical state actors were left out.
- The supply-side of corruption was overlooked.
- Implementation was also hampered by weak human, institutional and organizational capacities of the key executing agencies.
- Absence of effective structures for national dialogue over corruption.

Subsequently, some key objectives of the plan were not met.

Cognizance of the rising perception and alleged cases of grand corruption in recent times, the Government is desirous of strengthening further the national anticorruption strategy. The upswing of national concerns about corruption could indirectly be a reflection of the success of NACSAP that has occasioned greater awareness and openness that enables the media to publish and discuss freely allegations of grand corruption. Nonetheless, the Government takes such allegations seriously enough to have taken the following measures:-

---

\(^3\) UNDP Tanzania, Evaluation of Project URT 00/006 and URT 00/06 Strengthening Capacities to Combat Corruption in Tanzania, Dar es Salaam, July 2005
The approval in June 2007 to conduct the National Governance and Corruption Survey, the results of which will feed into the anticorruption strategy,

- Passing the Public Procurement Act, No. 21, 2004
- Passing the new Prevention and Combating of Corruption Act in June 2007,
- Engagement of stakeholders including Development Partners in dialogue over anticorruption, particularly in the review of NACSAP,

The Strategic Thrusts of NACSAP II

Considering that preventing and combating corruption is necessarily a long and tedious undertaking that requires patience, regular reviews and innovations, the Government has decided to introduce a more robust and comprehensive NACSAP II national implementation strategy for the period 2008-2011. The strategy will encourage strategic partnership between the private sector, civil society and the Government in combating corruption and enhancing good governance in Tanzania. Furthermore, NACSAP II would create adequate space for Local Government Authorities, enable follow-up actions on reports of the Controller and Auditor General and the Public Accounts Committee of Parliament, enable the monitoring of potential areas of grand corruption and also institute structures for dialogue between Government and stakeholders on corruption. In short, the new national anticorruption policy has the following strategic thrusts:-

- Increase public awareness of anticorruption
- Widen the scope of the “war” against corruption
- Improve and strengthen public service delivery
- Strengthen watchdog institutions
- Foster transparency, integrity and accountability in the conduct of public affairs
- Empower non-state actors – private sector, NGOs, civil society organizations and the Media – to participate effectively in the fight against corruption.

Furthermore, NACSAP II would aim at supporting the enforcement of the National Procurement Law and complementing the ongoing national reform processes in the areas of public service (PRSP), legal sector (LSRP), public financial management (PFMRP) and local government administration (LGRP). It would also seek to enhance Cluster 3 (Accountable Governance) of the National Strategy for Growth and Reduction of Poverty (NSGRP) – popularly known by its Swahili acronym MKUKUTA.

Expected Benefits of NACSAP II

As a consequence of NACSAP II several benefits are expected to ensue. Among them will be the following:-

- Corruption at the ministries, departments and agencies of Government will be monitored and reported for appropriate actions to be taken.
- Corruption within Local Government Authorities will be monitored and reported for appropriate actions to be taken.
- With the establishment of Integrity Committees in a number of institutions including; MDAs, LGAs, Secondary Schools and tertiary institutions, and the engagement of civil society, the media and the private sector, Public Awareness will be greatly enhanced which will strengthen demand for domestic accountability.
- The strengthening of the key anticorruption agencies including the PCCB and the Office of the Director of Public Prosecution will enhance the capacity to investigate and prosecute petty or grand corruption cases.
The integration of NACSAP II with the other core reform processes will not only broaden the scope of coverage, but also widen and deepen the war against corruption.

Reduction of corruption, particularly in the rich areas for revenue collection namely, natural resources, will enhance domestic resource mobilization for national development and reduce donor dependency.

Reduction of corruption in public service delivery will enhance efficiency and public trust in the government and civil servants.

The compliance by state institutions with the Public Procurement Act 21, 2004 will minimize if not eliminates corruption in public procurement and save funds for development.

Strategic Goals and Activities

The NACSAP II will be the main vehicle for carrying out the intent of the National Anti-Corruption Policy. The implementation strategy that should span four years (2008-2011) provides an opportunity to translate the Government's anticorruption policies, aspiration and perspectives into practical and actionable terms. By the end of the implementation period, eight key strategic goals of the national anticorruption policy would have been achieved through the implementation of NACSAP II activities as listed below:

Goal 1: Combat corruption in a more scientific way and by addressing its root causes

- Establish the use of National Governance and corruption Surveys conducted at regular intervals as diagnostic instrument for identifying in which functions of government and in which MDAs, Regions and Districts corruption occurs
• Use the results of the Government and corruption Surveys to focus other NACSAP interventions, to educate and sensitize the public and to identify other areas for scientific research into corruption
• Institutionalize the use of Public Expenditure Tracking Surveys for all major public services, especially education, health, water, sanitation and agriculture
• Use the results of the PETS both as an instrument of accountability and as a means to target the MDAs and LGAs that need to strengthen their public financial management including public procurement
• Draw systematically upon the findings of the National Audit Office, the Public Procurement Regulatory Authority, the Public Accounts Committee and the Local Government Accounts Committee as a means to target anti-corruption interventions

Goal 2: Strengthen anticorruption mechanisms at all the MDAs

• Establish and build capacity of “Integrity Committees” at all the MDAs
• Develop monitoring and reporting systems for the Integrity Committees
• Establish “complaint handling mechanisms” and link with Integrity Committees
• Educate staff on the Public Procurement Act and monitor application and compliance.
• Conduct mid-year and end-of-year review workshops
• Strengthen Client Service Charter at MDA
• Publish and publicize anticorruption Bi-Annual Reports
• Introduce and encourage the use of Whistle-blowing and hotline systems
Goal 3: *Introduce systems of integrity, accountability and transparency in Local Government Administration (LGAs)*

- Introduce Council Integrity Committees.
- Build capacity of LGA Integrity Committees to monitor and report on corruption and promote good local governance.
- Develop and produce articles and brochures on ethics at the workplace.
- Hold regular integrity monitoring group meetings.
- Develop public education programs on corruption, good governance and the rights and responsibilities of citizens in local communities.
- Build capacity of Council Tender Boards on procurement system and procedures.
- Introduce and encourage the use of whistle blowing and hotline system.
- Introduce Clients Service Charters in all LGAs.
- Build capacity of community-based organizations, service deliverers and outlets for combating corruption.

Goal 4: *Mainstream and empower the Private Sector into anticorruption*

- Identify potential Business and Corporate associations and build their capacity for anticorruption initiatives.
- Convene a national forum for the Business Sector to identify interests and goal-setting for anticorruption.
- Build capacity of the Private Sector for Corporate Governance to complement ongoing national reform processes.
- Promote corporate social responsibility at both local and central levels.
• Introduce an “Integrity Pact” and get Business and Corporate entities to sign to commit to transparency and accountability in financial transactions.
• Institute and sponsor annual Forum on Anticorruption for the Private Sector
• Create Public-Private Partnerships and dialogue to include central government and LGAs to fight corruption and monitor results
• Establish an Annual Award to honor Business and Corporate entities for upholding integrity and good corporate governance.

Goal 5: **Mainstream and empower CSOs and other non-state actors into the anticorruption processes**

• Stimulate the formation of “Civil Society Anticorruption Coalition” and institutionalize regular interface with state anticorruption agencies
• Build capacity for advocacy of identified non-state integrity organizations
• Support Political Parties to develop internal anticorruption mechanisms
• Encourage and support Faith-based organizations in anticorruption advocacy
• Include Secondary Schools and tertiary institutions in anticorruption process
• Build capacity of the Media for investigative and responsible journalism and improved reporting on corruption

Goal 6: **Raise public awareness of anticorruption**

• Develop an effective and sustained public communication strategy for anticorruption, to include the extensive use of the Media
- Introduce anticorruption public education activities in local communities (LGAs) through the District Bureau Chiefs of PCCB
- Introduce anticorruption curriculum as part of national Civic Education program
- Develop high public profile on NACSAP and other anticorruption initiatives and successes, such as launching national reports
- Strengthen public education and citizens’ empowerment
- Establish a National Anticorruption Forum for annual stakeholders’ review of NACSAP
- Create a forum for leaders of the core reform processes (LGRP, LSRP, PFMRP and PSRP) to interface regularly on anticorruption.

**Goal 7: Build synergy between NACSAP and Legislative and Judicial integrity programs**

- Mechanisms introduced for regular interface of APNAC with its primary constituencies, locally and internationally
- APNAC supported technically and materially to build capacity for anticorruption
- Relevant Parliamentary Committees supported technically and materially to perform their oversight roles
- NACSAP linked to the LSRP through ATIP to enhance integrity in the Judiciary
- NACSAP liaise with the Public Procurement Regulatory Authority on application of the National Procurement Act.
- NACSAP liaise with TAMISEMI (PMO-RALG) and National Audit Office
- Half-yearly Forum instituted for Integrity Program Leaders to share information and ideas on improving the general anticorruption agenda.
Goal 8: Enhance the capacity of PCCB, GGCU and Director of Public Prosecution to deal with corruption, manage and implement NACSAP

- Build organizational capacity of PCCB, GGCU and DPP
- Improve logistical support for PCCB, GGCU and DPP
- Improve human capacity of PCCB, GGCU and DPP for data collection, analysis and reporting on corruption
- Establish systems for data collection, analysis and reporting
- Undertake periodic National Diagnostic Studies of Governance and Corruption
- Corruption in natural resource exploitation monitored by PCCB
- Effective monitoring and evaluation of NACSAP

The overarching aim of the seven goals is to reduce corruption, particularly grand corruption to the barest minimum in Tanzania through public awareness, deterrence, investigations, prosecutions and judicial convictions.

Implementation Arrangements

The ensure inclusiveness, popular ownership and effective implementation, a broad-based National Steering Committee will be established to provide overall policy and strategic guidance to the implementation of NACSAP II. An Implementation Unit, to be headed by a Program Manager will be established within the PCCB to manage the day-to-day implementation processes. The Unit will develop annual work plans based on the prescribed strategic goals and activities, engage and assist all implementing partners (Councils, private sector, civil society) in developing their work plans, and produce the required reports. The GGCU will relate to the MDAs and other Executive agencies in the implementation processes and produce the bi-annual reports. Details of the implementation arrangements follow.
A National Steering Committee will be constituted to give overall policy and strategic guidance to NACSAP implementation. The Chair of the Committee will be appointed by Government and membership will include the Coordinator of GGCU, Director General of PCCB, and a representative each from civil society, the media, the private sector, PMO-RALG, LSRP, PFMRP, PSRP, LGRP, MKUKUTA Secretariat, UNDP and Development Partners. The Committee will review and approve annual work-plans and budgets. Detailed responsibilities of the Steering Committee will be spelled out in a Terms of Reference.

A NACSAP Implementation Unit will be created within the PCCB to be responsible for the day-to-day management of the program implementation. A Program Manager will lead the Unit. Personnel of the Unit will be given specialized training in project management, monitoring and evaluation. The Unit will liaise with all implementing partners and the PCCB District Bureau Chiefs who will be directly responsible for NACSAP implementation in Local Government Authorities. The Unit will coordinate and prepare reports from the District Bureau Chiefs relating to the implementation processes. Detailed responsibilities of the Unit will be spelled out in a Terms of Reference.

A Program Manager will be appointed by the Steering Committee upon the recommendation of PCCB/GGCU and attached to the NACSAP Implementation Unit. He/She will be dedicated fully to the project to help strengthen leadership and compensate for any absorptive capacity deficits of the PCCB and GGCU. Responsibility for Civil Society Organizations, the Media and the Private Sector that are now fully absorbed in the implementation of NACSAP II will lay with the Program Manager and the Unit. The PM will oversee, coordinate and provide guidance for the implementation of NACSAP II among these non-state actors and liaise with the GGCU. He/She will also be the main liaison between the non-state implementing bodies,
Development Partners and would facilitate key meeting opportunities for all parties to identify issues and advance solutions, and assess the entire flow of anticorruption activities including supporting partners in getting responses from Government. The PM will supervise the collection, collation and analysis of data from the bodies and send reports to feed into the preparation of GGCU bi-annual Reports. Details of responsibilities will be spelled out in a Terms of Reference.

A National Anti-Corruption Forum will be established to provide a platform for dialogue among all stakeholders on matters of corruption in public conduct. The Forum will meet annually and will include all state integrity institutions, local government authorities, civil society, the private sector, and development partners. The GGCU in collaboration with the NACSAP Implementing Unit will be responsible for facilitating the Forum.

Consultative Processes

To make NACSAP II truly nationally-owned, the draft was subjected first to critical reviews by the heads of the key state stakeholders, namely, PCCB, GGCU, DPP and the Anti-Corruption Focal Point of the Governance Working Group/Development Partners. Following their inputs, the revised drafts was shared with a wider circle of state stakeholders including selected heads of ministries, departments and agencies, the Secretariat of the MKUKUTA and Coordinators of the core reforms areas, namely, LSRP, LGRP, PFMRP, and PSRP. This round of review ensured that the strategy is sound and reflects adequately the current demands for effective anticorruption actions.

The second phase of consultations involved all the actors in program implementation, namely, local government authorities, Civil Society groups, the Private Sector, Parliament and the
Judiciary. Draft copies of the strategy were sent for their reviews and comments. Taking into account the comments, a revised draft was produced.

The third and final phase of consultations involved representatives of both state and non-state stakeholders at a two-day national validation workshop. Following critical comments by participants, the document was formally approved. The final version was sent to Government for final approval.

The National Anti-Corruption Forum that will be instituted will serve as a permanent mechanism for continuous consultations and dialogue between Government and stakeholders on corruption.

Review

This strategy will be reviewed after two years of its commencement. The PCCB and GGCU will initiate the review process by commissioning experts for initial but critical review and subjecting reviews and recommendations to the National Anti-Corruption Forum.

Accountabilities

Responsibility: The Director General of PCCB shares the primary responsibility for the implementation of NACSAP II with the Coordinator of GGCU and the Director of Public Prosecution. They will be given overall strategic guidance by the Steering Committee. The Program Manager and NACSAP Implementation Unit will be responsible for the day-to-day management of implementation.

Implementation Plan: An implementation plan detailing the various activities to be undertaken and indicating by whom and when the activities will be undertaken (work plans) will be drawn
by the NACSAP Implementation Unit for the approval of the Steering Committee.

**Training Plan:** To ensure that the staff of the implementing agencies will become aware of, be conversant with and understand the policy/strategy and/or procedures as well as be able to apply them appropriately, the Implementation Unit will develop a training program for them.

**Ensuring Compliance:** To ensure compliance with the policy, the key-executing agency, PCCB is directed to implement NACSAP and enforce the Prevention and Combating of Corruption Act, 2007.

**Effectiveness of the Strategy:** The NACSAP Implementation Unit is directed to develop and outline the performance indicators relevant to this strategy as part of Annual Work Plans and Results Matrices.