

TANZANIA

TANZANIA'S NATIONAL ANTI-CORRUPTION STRATEGY EXECUTIVE SUMMARY

Corruption is as old as human history itself. However in Tanzania, it can be traced back to about 1980, some twenty years after self-rule. It grew to such an extent that it impacted all social and economic activities in a most fundamental way, negating development in almost all sectors.

For this reason, the fight against corruption became the election manifesto of President Benjamin William Mkapa in October 1995 who, on coming to power, appointed a commission in preparing a report ("*The Warioba Report*") on the state of corruption in Tanzania. This report was completed in December 1996 and was immediately made public.

The report indicated that corruption both of the "petty type" (e.g. involving traffic police) and of the "grand type" (e.g. involving public tenders) was both widespread and rampant. Worst culprits were in the judiciary and the police. It was a case of corrupt politics impinging on the nation's economic performance.

Efforts to combat corruption in government institutions were therefore put in place and this included, amongst others, removal of corrupt elements who held leadership positions. In addition, significant strengthening of the Prevention of Corruption Bureau was put underway. It was soon realised that an holistic approach involving all other stakeholders was needed. To demonstrate political will the head of state appointed a Minister of State responsible for Good Governance who, I believe, is here with us

today. This is in clear testimony of his endorsement of the anti-corruption measures being presented here.

By March 1999 the Tanzanian Government embarked on formulating a National Anti-Corruption Strategy through involvement of government ministries, NGOs, the private sector, civic associations, donors, the media, religious organisations and so forth. This strategy document sets out an anti-corruption programme covering all sectors and dealing with key elements of prevention, enforcement, raising public awareness and institution building.

The strategy is predicated on a steadfast political will as well as sufficient resource allocation for implementation. It needs crucial support from the donor community, the media, the civil and the private sector. Above all, for the strategy to succeed, the political will and the support has to be sustained throughout the implementation phase.

In regard to donors, we welcome their support and in particular we are much encouraged by the stance of the World Bank Group. Indeed, it is worth mentioning that some months ago, Mr. James Wolfensohn, the World Bank president circulated a discussion draft of a paper entitled "*A Proposal for a Comprehensive Development Framework*" to board, management and staff of the World Bank group. This document singled out corruption as a major development constraint in most developing countries including Africa.

The countries of Southern Africa Development Countries (SADC) have already held round table meetings on anti-corruption measures which are needed. Also, the Organisation for African Unity (OAU) is on the forefront in co-ordinating a regional approach to home-grown anti-corruption initiatives in all countries of Africa.

In June 1999, at a stage when Tanzania's National Anti-Corruption Strategy was well advanced, the World Bank Institute invited from Tanzania a team of 5 members (the "Country Team") drawn from government, media, business and civic associations to meet in Washington their counterpart Country Teams from BENIN, ETHIOPIA, GHANA, KENYA, MALAWI and UGANDA. The meeting was in the form of a course in Controlling Corruption through an Integrated Strategy. Thereafter, video-conferencing sessions took place in respective countries to cover *Rule of Law*, *Financial Management & Procurement*, *Customs*, and *Civil Service*. These deliberations brought out the need to apply diagnostic tools and procedures designed to control corruption. They also highlighted the importance of coalition building through forging alliances and partnerships by involving all the stakeholders so as to have an integrated approach on problem areas of corruption. These include Reform of Public Sector Institutions, competition through De-monopolisation, & Privatisation, Financial Discipline, Rule of Law, enhancing Public Awareness, assuring delivery of Public Services etc. Several quick-wins were also identified.

The similarity of the state of corruption in these seven African countries was astounding.

The course in Washington and the subsequent V-C sessions emphasised the importance of taking the concept of "political

will" as one which transcends top leadership so as to include all the stakeholders through an empowerment process.

These very same sentiments were echoed in a Workshop convened last month to internalise Tanzania's Anti-Corruption Strategy by giving ownership to civil society and the private sector. During this Workshop, coalition building, stakeholder involvement and use of diagnostic survey results were seen, through political will, as key elements which underpin an integrated approach to control corruption.

The outcome of all these is a form of Strategy Matrices. These provide a summary of the main problem areas of the anti-corruption measures given in the National Anti-Corruption Strategy setting out actions already taken, as well as prioritisation of actions needed to be taken to yield expected results on short, medium and long terms.

These matrices therefore need to be taken up in follow-on workshops and these are planned for the implementation, monitoring and evaluation tasks ahead. It is important to note that in every problem area, the beneficiaries are the corrupt whereas the innocent, the poor and the weak lose out. At a national level, corrupt elements both exploit poverty and maintains it. However, corruption is not confined to national or regional boundaries. It is global.

In global terms, Grand Corruption is already a "big business" in which greedy business leaders and high-ranking government officials collude with increasing sophistication. Tanzania's National Strategy seeks to dismantle this "big business" on the premise that petty corruption will die a natural death.

This is a daunting task requiring sustained application of strong curative and preventive anti-corruption measures in

partnership with regional and international initiatives. It will also need substantial resource utilisation including the upliftment of the Prevention of Corrupt Bureau as a strong autonomous state organ.

Backed as we are by top national leadership, with much of the background diagnostic survey work already completed and with a homegrown National Anti-Corruption Strategy also in place, we believe that Tanzania is well set to take on the scourge of corruption.

I will now very briefly highlight the priority areas of the Tanzania's Strategy Matrices as follows:

- **Rule of Law:** to create conditions which can restore confidence in the judiciary services and law enforcement agencies.
- **Financial Discipline:** reduce siphoning of public funds and increase revenue collection to enable financing social services.
- **Procurement:** strict adherence to and transparent administration of tendering procedures.
- **Public Awareness:** to create awareness of how corruption harms the economy and ultimately transforms the fabric of society.
- **Public Service:** to recognise that public officers are not "masters" but "servants" accountable for their actions (who therefore deserve a fair remuneration package).
- **Media:** to report corrupt elements without fear or favour and to publicise the harm they do to the innocent, the poor and the weak in Tanzania.

<i>Problem</i>	<i>Who benefits from the problem?</i>	<i>Who loses?</i>	<i>Actions already taken</i>	<i>Actions to take</i>			<i>Expected results and by when?</i> (1) = short-term (2) = medium term (3) = long term
				<i>Government</i>	<i>Civil Society</i>	<i>Team</i>	
Rule of Law and the legal framework	<ul style="list-style-type: none"> The corrupt 	<ul style="list-style-type: none"> The innocent The poor The weak 	<ul style="list-style-type: none"> On-going dismissal of corrupt law enforcement officers and magistrates and subsequent arrests to face criminal charges Establishment of Judicial Disciplinary Boards Establishment of Commercial Courts Pilot project in Alternative Dispute Resolution (ADR) Identification of problem areas (Film-up) Regular amendment of legislation to match changing environment that is conducive to corruption 	<ul style="list-style-type: none"> Strengthening the judiciary (both infrastructure + trained personnel) Strengthen law enforcement agencies (Police, Anti-Corruption Bureau, DPP) Improve salary & pension benefits for judiciary and law enforcement officers Creation of Human Rights Commission Amend constitution to provide for separation of powers of the Chief Justice & the President of the Court of Appeal Establish clear doctrine in the constitution on the separation of powers & the Rule of Law Provide for constitutional amendment & clear demarcation of duties & responsibilities between politicians & civil servants 	<ul style="list-style-type: none"> Initiate public education on legal rights of citizenry Mobilise groups for ADR, conciliation, arbitration and mediation alternatives to litigation Legal Aid for the indigent Provide machinery through which action could be taken against the corrupt 	<ul style="list-style-type: none"> Initiate the carrying out of diagnostic survey on Police, judiciary, AG's office with World Bank-funded expertise Make out a case for public hearings Organise workshop to address legal entitlements to public 	<ul style="list-style-type: none"> Avail fair delivery of justice (1) Reduce "mob justice" (2) Reduce unnecessary litigation & reduce delays in judicial service delivery (2) Restore confidence in judicial system (3) Gov't increased legitimacy

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Financial Management	<ul style="list-style-type: none"> The corrupt 	<ul style="list-style-type: none"> The innocent The poor The weak 	<ul style="list-style-type: none"> Value-Added Tax (VAT) introduced Tanzania Revenue Authority (TRA) formed State's National Park of Commerce privatised and debtors compelled to return loans Controller and Auditor General (CAG) given enhanced resources Minimisation of discretionary powers in tax and duty assessment Introduction of computerised integrated financial mgmt system in all public service institutions 	<ul style="list-style-type: none"> Operationalise a system of regular internal and external audits Develop specialised skills with CID & DPP in areas of economic and syndicated crimes Institute open hearings of CAG reports Keep efficient and secure financial records, registries and reports Provide legal basis & mechanism for institutions On-going tax simplification & provision of tax info to the public Improved remuneration to TRA Contracting of pre-shipment of inspection cos. 	<ul style="list-style-type: none"> Form coalition for vigilance on all aspects of public accounts & public financial mgmt Form pressure group(s) on follow-up as CAG findings Initiate tracking studies of budgetary allocations to sectors complemented by hard data 	<ul style="list-style-type: none"> Promote public discussion between gov't organs & civil society on financial mgmt Initiate the carrying out of diagnostic survey on work of TRA, CAG with World Bank-funded expertise 	<ul style="list-style-type: none"> Improved revenue collection (1) Decreased siphoning of public funds (2) Improved allocation of financial resources to gov'ts various public service delivery agencies (2) Ability to offer equitable terms of pay for public servants (3) Unearth accounting faults Adhered financial discipline

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Procurement	<ul style="list-style-type: none"> • The corrupt decision-makers • Dishonest suppliers/tenderers 	<ul style="list-style-type: none"> • The honest supplier/tenderer • The public 	<ul style="list-style-type: none"> • Drafted new Procurement Law and regulation • Improved monitoring of tendering practice within Central & Reg'l Tender Boards, as well as Ministerial Committees • Replacement of corrupt members of public procurement & tender bodies 	<ul style="list-style-type: none"> • Approve/pass the law • Continue monitoring & replacement of corrupt elements • Establish a cadre of procurement specialists in Central & Reg'l Tender Boards, as well as Ministerial Tender Committees • Limit tenure of Tender Board membership • Publicise tender results • Introduce appeals mechanism re: tender awards • Publicise economic justification of major "investment" projects • Publicise all contracts of significant implication • Minimise bureaucratic intervention in procurement • Reduce procedures for small values purchases 	<ul style="list-style-type: none"> • Voice well-researched comments on all tender awards through a coalition of procurement specialists • Arrange public workshops on procurement procedures • In-depth surveys of public contract & awarding officials, firms • Monitoring entire bidding process & give quotation in bids 	<ul style="list-style-type: none"> • Arrange periodic open meetings between panelists drawn from civil society, private sector and Central/ Regional Tender Boards or Ministerial Tender Committees • Design participatory workshops for consensus and collective action in procurements 	<ul style="list-style-type: none"> • Lower tender prices on goods & services (1) • Savings in public expenditure on goods & services (1) • Honest supplier/tenderer will be solvent (2) • Promotes competition through transparency(2) • Economy in gov't acquisitions • Fair contract awards • Increased transparency in procedures for tendering • Enhanced efficiency in procurement by minimising bureaucratic interventions • Less fraud in concessions & contracting

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Public Awareness & Participation	<ul style="list-style-type: none"> The corrupt 	<ul style="list-style-type: none"> The innocent The poor The weak 	<ul style="list-style-type: none"> Distribution of Warioba Report to all libraries country-wide (Kiswahili + English) More frequent media coverage of events on corruption Weekly radio programmes (Saturdays) aired by Radio Tanzania Dar es Salaam (RTD) Gov't departments, NGOs, civil society, etc. asked to fill in matrix of suggested A-C measures Tanzania's Nat'l A-C Strategy document finalised 	<ul style="list-style-type: none"> Follow-up on Tanzania's Nat'l A-C Strategy Undertake service delivery surveys to assess effectiveness of A-C measures 	<ul style="list-style-type: none"> Consolidating formation of civic associations having a transparent agenda to combat corruption NGOs participation in adult A-C programs Launch projects to train volunteers to conduct A-C campaign to disseminate information in A-C endeavours 	<ul style="list-style-type: none"> Organising a workshop to bring together civil society & private sector to internalise Nat'l A-C Strategy in all its component parts through fellowship and partnership Mobilise theatrical groups Mobilise fund & channel it to enhance civic education 	<ul style="list-style-type: none"> Informed society (1), (2), (3) Zero tolerance to corruption (3) Transform corruption from a low-risk to a high-risk undertaking (3) Workshop in Dar es Salaam in Sept. 1999 (1) Receive feedback & present in future workshops (2), (3) Enhancement of moral, social & ethical standards Promote the ideals for a good, efficient & corruption-free administration Arouse a sense of good citizenship by encouraging the public to report corruption with no fear of revenge

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Public Service Reform	<ul style="list-style-type: none"> • The corrupt senior public officials • Unscrupulous business leaders 	<ul style="list-style-type: none"> • The honest public officials • Uncompromised business leaders 	<ul style="list-style-type: none"> • Weeding out of corrupt elements in gov't • On-going privatisation • Introduction of pay reform, pension schemes, etc. • Enacted civil service pension scheme (2/99) 	<ul style="list-style-type: none"> • Complete meaningful privatisation process • Avoid reappointment of corrupt officials • Black-list corrupt business entities • Pay a living wage and offer retirement benefit terms to public officials • Recruitment system to be merit-based • Introduce performance mgmt • Decentralisation of decision-making process • Ensure the functioning of civil service pension scheme • Assess the institutional and organisational capacity of the central & local public service institutions 	<ul style="list-style-type: none"> • Monitor public appointments and report corrupt practices • Discourage business dealings with corrupt entities • Make privatisation a success • Take keen follow-up on the privatisation of parastatal organisations 	<ul style="list-style-type: none"> • Facilitate discussions between private and public sector employers 	<ul style="list-style-type: none"> • Boost morale of public service officers (1) • Enhanced efficiency of the public service (2) • Attract talented personnel to join public service (3) • Uplift image of public servants (3)

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Whistle-blowers & Witness protection	<ul style="list-style-type: none"> • The corrupt 	<ul style="list-style-type: none"> • The innocent • The poor • The weak • The Gov't 	<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • To amend Act No. 16/71 & provide for a provision for whistle blowers and witness protection programme • Make provision to amend political parties act regarding reporting of all contributions by source • Ensure that sources of info are not discouraged • Give incentives to whistle blowers to bring to PCB info of significant importance 	<ul style="list-style-type: none"> • Campaign for whistle-blowers law to be intensified • Pressure amendments of PCA to capture for the protection of witnesses & whistle blowers 	<ul style="list-style-type: none"> • Organise dialogue and discussions on whistle-blowers and witness protection • Facilitate a dialogue on matters pertaining to confidentiality to those who report corrupt practices 	<ul style="list-style-type: none"> • Expose corrupt elements • Instil confidence in the system that fights corruption • Increase support of the citizenry (2000 – on-going) • Increased flow of info to PCB • Assured security & minimised hazards of revenge

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Media	<ul style="list-style-type: none"> • The corrupt 	<ul style="list-style-type: none"> • The innocent • The poor • The Gov't 	<ul style="list-style-type: none"> • Training in investigative journalism 	<ul style="list-style-type: none"> • Amend all legislation on media and allow media freedom • Legislate the right to be informed under the Information Act • Invest in media training 	<ul style="list-style-type: none"> • Pressure gov't to amend the law • Hold public discussion on the role of the media • Support initiatives to volunteer info 	<ul style="list-style-type: none"> • In mid-Sept. 1999, hold a workshop on the role of the media and civil society to combat corruption • Encourage other stakeholders to initiate home-grown reforms • Team-up with other stakeholders to address adequately on matters of free access to info & freedom of the press 	<ul style="list-style-type: none"> • (1) 2000–June • (2) 2005 • (3) On-going • The expected results are increased awareness among the citizenry and exposure of corruption • Public exposure of the corrupt & ill-gotten transactions • Having an informed press, free & independent • Reduce the presumption of secrecy • Enhanced freedom of info