



THE UNITED REPUBLIC OF TANZANIA

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# **THE NATIONAL ANTI- CORRUPTION STRATEGY AND ACTION PLAN FOR TANZANIA**

President's Office  
State House  
Dar es Salaam, Tanzania

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# The National Anti- Corruption Strategy and Action Plan for Tanzania

## CONTENTS

CONTENTS	PAGE
TABLE OF CONTENTS	iii - iv
EXECUTIVE SUMMARY	
INTRODUCTION	<
CAUSES OF CORRUPTION	
<b>OBJECTIVES AND PRINCIPLES OF THIS STRATEGY</b>	5
Objectives	5
Principles	7
1 Prevention	7
2 Enforcement	8
3 Public Awareness and Participation	8
4 Institution Building	9
<b>THE POLITICAL WILL</b>	9
<b>THE SEVEN PRIORITY AREAS OF THIS STRATEGY</b>	10
The Rule of Law and legal Framework	10
Financial Discipline and Management	10
Procurement	10
Public Education, Awareness and Sensitization of their Rights	10
Public Service Reform	11
Whistle Blowers and Witness Protection	11
Media	11
<b>IMPORTANT FACTORS IN IMPLEMENTING THIS STRATEGY</b>	11
<b>FACTORS INFLUENCING THE SUSTAINABILITY OF THE STRATEGY</b>	12
Policy support	12
Appropriate Technology	12
Institutional and Organisational Capacity	13
Socio-Economic Factors	13

## **AN ANTI-CORRUPTION STRATEGY AND ACTION PLAN FOR TANZANIA**

### **EXECUTIVE SUMMARY**

Tanzania, like most African countries, is faced with corruption in its public and private sectors that has assumed endemic proportions. The government views this scourge as public enemy number one. Therefore, a number of initiatives have been taken over the years to deal with this problem. This strategy document is a continuation of the government's efforts to provide a policy framework to address this menace in a more systematic and holistic way.

To deal with corruption effectively, it is important to appreciate its basic causes, namely, greed and poverty. The prevalence of these factors gives rise to an operating atmosphere in the public and private sector that is amenable to corrupt practices. People are, then, compelled to "procure" services and favours in order to have their needs attended to. The unscrupulous individuals take advantage of such a situation to amass ill-gotten wealth. Consequently, the economy of the country suffers telling negative effects.

This national anti-corruption strategy and sectoral action plan are intended to guide the policy makers, legislators, judicial officers and implementers. The National Anti-Corruption Strategy contains

two approaches, namely, analytical and proactive. The analytical approach emphasises institutional reforms. The proactive approach focuses on raising public awareness. The important element in this strategy is the integrated framework (analytical and practical) that

## INTRODUCTION

Since the first multi-party general elections in 1995 one of the main priorities of the Government of Tanzania has been the improvement of the economy of the country. To achieve this objective the Government has embarked on a number of radical reforms including privatisation, liberalisation of the economy and restructuring and improvement of the efficiency of the public service delivery.

However, one of the major constraints that have hampered the Government's drive towards achieving improvement in the economy has been the widespread corruption that flourishes at all levels of the society. It has led to massive economic losses in terms of reduced income from taxes, revenues and other fiscal charges, loss of income from natural resources and losses through misappropriation of Government assets. It has also resulted in general mistrust of the public administration and the judiciary by members of the public. Under these circumstances the government finds it absolutely imperative to institute drastic measures to deal with the scourge.

The Government's policy on the fight against corruption is zero tolerance. This is evidenced by the Government's efforts to fight corruption. In 1966 it established the office of Permanent Commission of Inquiry (Ombudsman), the first of its kind in Africa. Its aim was to check abuse of power by the Government officials in its agencies. This was followed by the establishment of an Anti-corruption Squad in 1975 after the legislature had enacted Act no. 16 of 1971 - the Prevention of Corruption Act.

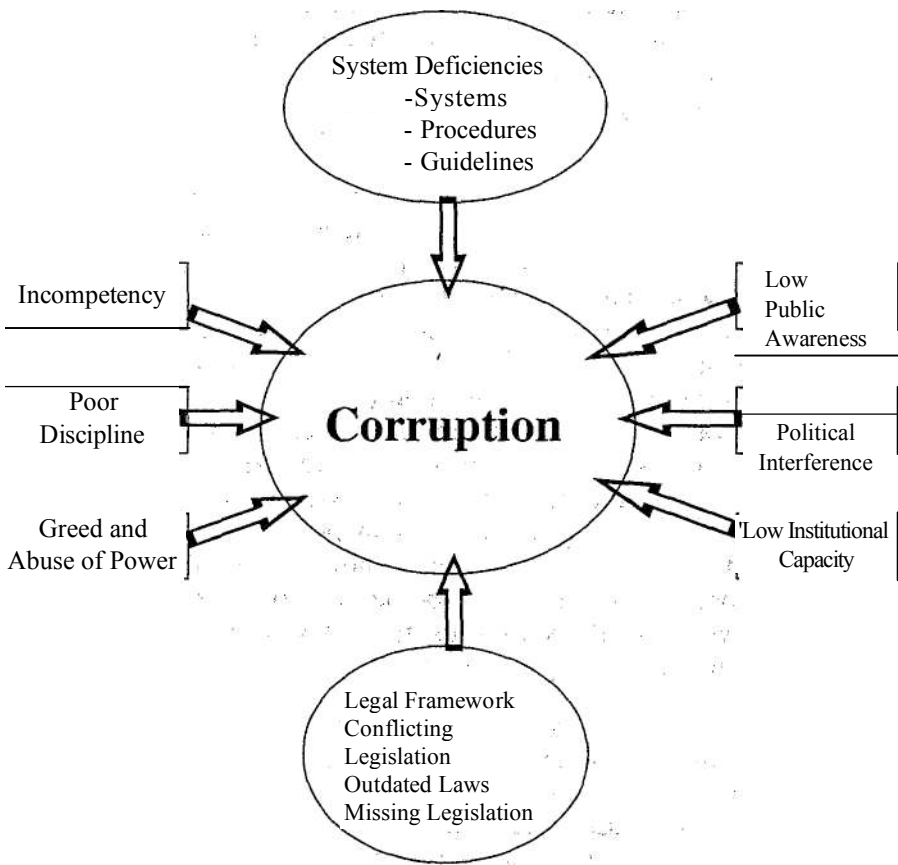
In 1983 the Legislature, in addressing the problem of corruption and impunity, enacted a law known as the 1983 Economic Sabotage Act. This law was short-lived and was quickly repealed and replaced by the Economic and Organised Crimes Control Act of 1984. This Act incorporated offences under the Prevention of Corruption Act as economic offences.

There is also evidence of political resolve to deal with corruption. The

2. CAUSES OF CORRUPTION-

For the purposes of this strategy, it is important to be conversant with the basic causes of corruption. *In* any society there are two notable factors that influence people to engage in corrupt practices: greed and poverty. The prevalence of these factors gives rise to:

CAUSES OF CORRUPTION  
ANALYTICAL PERSPECTIVE



Diminished respect for authority

Loss in productivity as time and energy are devoted to ripping off the system rather than to enhancing its objectives.

A mockery of the country's judicial system

Decisions being weighed in monetary terms rather than human values or

Reduced foreign investment.

Clearly, the effects of corruption are far reaching and its costs essentially incalculable. It is also clear that total"-eradication of corruption is a Utopian goal. The Third Phase Government's determination in fighting corruption has%een dnwaverihg" since coming in power. However, it is vitally important to design strategies that stress a structured approach to minimise >and prevent the gratuitous occurrence of both *petty* and *grand* corruption.

### **3. OBJECTIVES AND PRINCIPLES OF THIS STRATEGY 3.1**

#### **OBJECTIVES**

An effective anti-corruj>tidn strategy must be coherent and holistic. Hence this strategy recognises a need for commitment by political leaders to combat corruption wherever it occurs. It requires that leaders always be willing to submit themselves to scrutinyv In addition, it focuses more on preventing future corruption correcting negative effects and changing systems rather than indulging in witch-hunts. It is national in its outlook and sectoral in its focus<sup>5/r ' ^</sup>

This strategy, therefore outlines short term and long'term national *objectively* It addresses *prevention, enforcement, public awareness and institution building* with the aim of achieving the following:

- Comprehensive anti-corruption legislation
  - Identification of areas of government activity most prone to corruption arid redress them.
  - Identification of legal and administrative corruption remedies which provide adequate deterrence
  - Provision of -a creative partnership betweeni government and civil society including the private sector, professions arid religious organisations in fighting corruption.
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Strengthening the law enforcement agencies, namely, the Prevention of Corruption Bureau, the Police, the Ethics Secretariat and the Permanent Commission of Enquiry  
Promoting the interface between the civil society and the Government in at partnership to fight corruption.  
Inculcating' in society the belief that transparency, integrity and accountability \_ are virtues of good government and necessary bulwarks against corruption.

## PRINCIPLES:

### .1 Prevention

vention of corruption calls for simplifying, demystifying, and personalising government programmes and procedures so that opportunities for corruption are reduced. It involves minimising or-trolling areas of discretion; Where retained, clear written delines for exercising such discretion must be published The lic must be made aware of available mechanisms that offer speedy \_ effective reviews of contentious decisions within the ministrative machinery and the judiciary.

vention is greatly enhanced where civil service workers are *paid a* *ing wage* in line with reasonable needs and expectations. Rewards achievement should be implemented, with good performance ognised and rewarded and role models acclaimed. Mechanisms for olving civil society should be established and should feed into a tinuous process of review. The public should be *polled* *odically* for its perception of what has changed. In addition, the ome, assets and liabilities of officials with decision-making vers should be *monitored effectively* to ensure *consistency with* *wn earnings and reasonable expectations*.

ation of open, genuinely competitive and transparent system of lic procurement is imperative. The reporting of *all gifts and* *vitality* received with a value above the minimum set in the course ublic services by government officials should be required.



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corruption and the fact that the corrupt are stealing the public's money. The public needs to be educated about their rights to service given price or no cost at all. They also need to be made aware of their duty to complain and procedures for doing so when officials have corruptly in specific cases.

#### 4 Institution Building

relevant law enforcement institutions that are at the centre of the fight against corruption must have adequate and competent staff and other resources such as sharpened tools to combat corruption. Clear ethical guidelines and rules of conduct should be formulated and disseminated. Continuous training should be provided for civil servants at all levels.

Internal financial management systems must be reviewed to ensure their adequacy and effectiveness. The Central Tender Board and the Comptroller and Auditor General should increase their vigilance as independent oversight agencies of government contracting and public tendering and procurement activities. Procurement must be professionalised by ensuring that both at the central and local government levels competent and honest staff are in place. Best practices and the transparent systems must be observed at all times.

Decision-makers should be pooled with no predictability as to who will be involved in any particular exercise. Speedy decision-making should be enforced to eliminate delays during which corruption can take place.

#### POLITICAL WILL

To achieve a sustainable and effective anti-corruption strategy the political will is a critical and paramount starting point. *Political Will* refers to demonstrated intent of political actors such as is the case here in Tanzania<sup>3</sup> to attack perceived causes and effects of corruption at a systemic level. This corruption refers to an environment that involves the bureaucratic elite, politicians, businessmen and workers embezzling public money at a large scale through various dubious means. The existence of *Political Will* leads to the promulgation of appropriate legislation and creation of effective institutional networks to fight corruption. Political Will in broader context includes Public Service Reform (Capacity Building) and to recognise that public officers are not "masters" but "servants" accountable for their actions who therefore, deserve a fair remuneration package.

#### 5 Whistle Blowers and Witness Protection

Acknowledgement of the fact that informers and citizens who come forward to the law enforcement agencies and report on corruption incidences are not protected. A programme will be developed to achieve that. The intention is to protect them and disseminate a massive programme that would encourage citizens to co-operate.

#### 7 Media

Report corrupt elements without fear or favour and to publicise the harm they do to the innocent, the poor and the weak in Tanzania.

THE FOLLOWING ARE THE IMPORTANT FACTORS  
IN THE IMPLEMENTATION OF THIS STRATEGY: .

## ~~Political Approval of the Strategy~~

is of paramount importance to note that there is strong support from the president and the Government in the implementation of this strategy and that the policy of taking stern measures against politicians and managers in the public service sector will be enforced.

- **Resources for the Implementation, Local Resources**

ensure an effective implementation of the anti-corruption strategy it is necessary that the Government of Tanzania allocate sufficient funds to the involved institutions for implementation of the activities.

- **Donor Community Support**

even the present economic situation in Tanzania it is clear that the government need support from the donor community if it is to proceed in the implementation of the anti-corruption strategy. Commitments are required from a number of bilateral and multilateral donor agencies to support the implementation of the strategy.

### 7.3 Institutional and Organisational Capacity

The establishment of relevant institutional and organisational capacities forms an integral part of the project (ref. Result 1 and 3).

### 7.4 Socio-economic Factors

The implementation of the anti-corruption strategy will have social and economic consequences for many of the lower **placed civil servants'** and other employees who have engaged in petty Corruption to sustain a subsistence living. Adequate pay packages have to be **put** in place which are commensurate with the cost of living. **The civil service reform** is addressing this issue as a matter of urgency **for this strategy** to be meaningful.

### 7.5 Gender Aspects

The anti-corruption strategy addresses a number of **corrupt practices** aimed at victimising female workers, students-and'clients **of public services**.

### 7.6 Financial Capacity

The long-term economic gains from the implementation **of the strategy**"in terms of increased income and reduced.expenditures **for** the government will by far outweigh the costs of implementing **the strategy**. However, on shbft-tSrm basis the government? **will need** financial support from the donor community to ensure an immediate and effective implementation of the activities of the strategy.

## 8. IMPLEMENTATION OF THE STRATEGY;

The implementation of this strategy'is outlined under result 6 in sectidn 10 of this document and in the detailed implemeritalio'n **plan** front page 14 to page29 in annexure I.

The main responsibility for the co-ordination of the strategy **will rest** with the Minister of State, Good Governance in **the President's** ©ffice. The Chief Secretary arid Chief Executive Officers/Permanent Secretaries in the involved ministries, institutions and agencies will be the principal implementers of the policy.

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*The outcome of this result should be an improved confidence by the civil society in the Government agencies and parastatal organisations.*

**Result 3: The institutional and organisational capacity to deliver effective and transparent services established**

Most of the Tanzanian Government agencies and parastatal organisations have either developed from the colonial system or were established during the seventies and eighties to support a different political system. Over the time most of them have developed into very bureaucratic and inefficient organisations giving room for corrupt unequal and unfair practices. This result aim at ensuring that the public institutions possess the relevant institutional and organisational capacity to implement the ant-corruption strategy and to deliver the quantity and quality of public services as required by the government.

The result also aims at establishing the relevant capacity of the public institutions that are charged with the task of co-ordinating, monitoring and supervising the implementation of the anti-corruption strategy. The result includes activities for assessment of the organisational structures, the planning supervision and management capacity, the resources and the infrastructure.

*The outcome of this result should be an improved capacity of the government agencies and parastatal organisations to deliver efficient and high quality services to the public and to the business,*

**Result 4: A legal and administrative framework ensure effective, equal, fair and transparent execution of public services established**

The judiciary and the legal system are the backbone in the government) effort to ensure equal rights and fair treatment of all citizens in the country. However, outdated laws and non-transparent and complicated directives and regulations have made the legal system prone to inefficiency and corrupt practices. This result aims at reviewing and updating the legal and administrative framework to reflect the governments policy of transparent, equal, fair and effective treatment and; provision of services to the public. The result-also includes activities aiming at establishing a framework of legal and administrative provisions to deter the leaders and employees of the

11. A CONSOLIDATED AND DETAILED  
IMPLEMENTATION PLAN

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				<ul style="list-style-type: none"> <li>• Identified out-dated Acts.</li> <li>• Acts to be reviewed identified &amp; prioritised.</li> <li>• Ineffective existing legislation currently embodied in Prevention of Corruption Act being amended..</li> </ul>	<ul style="list-style-type: none"> <li>• Make provision to amend the constitution and provide for a clear demarcation of the . duties and responsibilities between politicians and civil servants.</li> <li>• Make out a Case for public hearings.</li> <li>• Organise workshop to address legal entitlements to the public.</li> <li>• Initiate the carryings out of diagnostic survey on police, Judiciary A.G.'s office, with World Bank funded expertise.</li> <li>• Enforcement of all laws, regulations, procedures and standing 'orders.</li> <li>• Review' further Acts and legislations</li> <li>• Review the existing Civil Service Regulations, Disciplinary Procedure and the Standing Orders and publish revised versions.</li> </ul>		
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				<ul style="list-style-type: none"><li>• On-going tax simplification and provision of tax .. information to the public.; Improved remuneration to Tanzania Revenue Authority (TRA) employees. • Contracting of pre-shipment of inspection companies.</li><li>• Streamlined tax regime (Act No. 27 of 1997).</li><li>• Simplified mineral trading licensing (The Mining Act. 1998).</li><li>• Task Force on review of Income Tax Act.</li></ul>	<ul style="list-style-type: none"><li>• Promote public discussion between government organs and civil society on financial management.</li><li>• Initiate the carrying out of diagnostic survey on work of TRA, CAG with World Bank funded expertise.</li><li>• Harmonise taxes on minerals &amp; fuel products with neighbouring countries.</li><li>• Review direct and indirect taxes on fuel products.</li><li>• Curb smuggling, illegal trade and illegal imports.</li><li>• Tighter control on transit traffic.</li><li>• Tariff revision and widening the tax base.</li><li>• Adopt GATT valuation techniques.</li><li>• Harmonisation of tax appeals machinery.</li></ul>		
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				<p>. All valid quotations/bids to be sealed and opened only by tender Committee.</p> <ul style="list-style-type: none"> <li>• Office supplies being acquired from Government stores Department or their appointed agents.</li> <li>• Registration boards for Contractors and Consultants formed.</li> </ul>	<p>i Make public economic justification of major "investment" projects.</p> <ul style="list-style-type: none"> <li>• Publicise all contracts of significant implication.</li> <li>• Minimise bureaucratic intervention in procurement.</li> <li>• Reduce procedures for small values purchases.</li> <li>• Arrange periodic open meetings between panelists drawn from dbnbiv civil society, private sector and</li> <li>* Central/Regional Tender Boards or Ministerial Tender Committees.</li> <li>• Prepare black-list of suppliers of goods and services.</li> <li>• All tendering to be open to public by press advertisement</li> </ul>	<p>t Design participatory workshops for consensus and collective action in procurements.</p>	
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					<ul style="list-style-type: none"> <li>• Print posters and leaflets to bring out rights of citizens and to condemn corruption in any form.</li> <li>• Holding regular pitss conferences on all major issues affecting the public sector.</li> <li>• Disclosure of audit irregularities.</li> </ul>	<ul style="list-style-type: none"> <li>• Mobilise theatrical groups and use them to Mobilize fund&amp; channel it to enhance civic education.</li> <li>• Demand declaration of assets of leaders in Government and business sectors.</li> </ul>	<ul style="list-style-type: none"> <li>• Arouse a sense of good citizenship by encouraging the public report corruption with no fear to revenge - (3).</li> </ul>
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