

**THE NATIONAL ANTI-CORRUPTION
STRATEGY AND ACTION PLAN - II (NACSAP II)
IMPLEMENTATION REPORT**



2009

ii

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PREFACE

The National Anti-corruption Strategy and Action Plan - Phase II (NACSAP II) established the annual National Anti-Corruption Forum (NACF) in November 2008 with the aim of providing a platform for dialogue among all stakeholders on matters of corruption in public conduct. The forum meets annually and includes all state integrity institutions, local government authorities, civil society, private sector, media and development partners.

In this forum all stakeholders will review and discuss reports and other related matters related to corruption implemented by them for the period of January to December 2009. The NACF also seeks to inform the general public on stakeholder's achievements, challenges and the way forward.

This report has got 10 chapters as follows:-

Introduction

- Chapter 1 Implementation of NACSAP II- Ethics Secretariat
- Chapter 2 Implementation of NACSAP II- National Electoral Commission
- Chapter 3 Implementation of NACSAP II –GBS/MKUKUTA REPORT
- Chapter 4 Media role in the fight against corruption in Tanzania
- Chapter 5 Implementation of NACSAP II – DPP's Office
- Chapter 6 Implementation of NACSAP II – Judiciary
- Chapter 7 Implementation of NACSAP II – Local Government Authorities
- Chapter 8 Implementation of NACSAP II – National Audit Office
- Chapter 9 Implementation of NACSAP II – Private Sector
- Chapter 10... Implementation of NACSAP II – Civil Society organizations

- **M & E Report NACSAP II**
- **Conclusion**

The following are major highlights in this report:

1. There is need to intensify our interventions in regards to the establishment of Integrity Committees (ICs) and training of IC members to ensure that they are energized and functional.
2. The fight against corruption should not be left alone to the PCCB. The fight is for all stakeholders and thus cooperation amongst stakeholders is crucial in order to exercise collective responsibility. In the fight against corruption, there is no single institution that has exclusive right to own the process. It is an inclusive process to reduce the effects of corruption in our society.
3. More funding is needed in order to meet the challenges and opportunities we face in the implementation of NACSAP II.

In the context of NACSAP II, each sector is measured by its performance to achieve the objectives set in each goal. We hope that the year 2010 will bear more fruits in the implementation of our strategies and action plans. In this year's NACF, we are thankful for the cooperation extended by all institutions presenting their reports to the Annual Forum for discussion.

We hope that in the next NACF the following institutions which are important stakeholders and were unable to submit their reports will do so, namely: GGCU, The Leadership Forum, Office of the Registrar of Political Parties, Commission of Human Rights and Good Governance, Legal Sector Reform Programme and President's Office – Public Service Management.



Dr. Edward G. Hoseah
Chairperson-NACSAP Steering Committee
May, 2010

INTRODUCTION

The National Anti- Corruption Forum for this year discusses the Implementation of NACSAP II for the year 2009. The discussion will be based on the following Stakeholders paper presentation:

Implementation of the NACSAP II by the Ethics Secretariat; Implementation of NACSAP II and How does National Audit Office contributed; NACSAP II Implementation report 2009 from DPPs Office; GBS/ MKUKUTA implementation report 2009; Annual progress report on the implementation of NACSAP II for the year 2009 for Private Sector; Media role in the fight against corruption in Tanzania-2009; NACSAP II implementation report for 2009 from Judiciary; NACSAP II Implementation Report 2009 from NEC; NACSAP II implementation report 2009 from Local Government Administrations; and Monitoring and Evaluation of NACSAP II.

Theme for this year National Anti- Corruption Forum is '***COALITION BUILDING IN THE FIGHT AGAINST CORRUPTION***'

ABBREVIATIONS

APNAC	African Parliamentarian Network against Corruption
CSOs	Civil Society Organizations
DPP	Director of Public Prosecution
DPs	Developments Partners
GBS	General Budget Support
GGCU	Good Governance Coordinating Unit
LGAs	Local Governments Administrations
MDAs	Ministries, Departments and Agencies
MKUKUTA	Mpango wa Kupunguza Kiwango cha Umaskini Tanzania
NACF	National Anti – Corruption Forum
NACSAP II	National Anti - Corruption Strategy and Action Plan Phase II
NAO	National Audit Office
NEC	National Electoral Commission
NSC	National Steering Committee
PCCB	Prevention and Combating of Corruption Bureau
PETS	Public Expenditure Tracking System
PPRA	Public Procurement Regulatory Authority

CHAPTER 1

REPORT ON THE IMPLEMENTATION OF THE NACSAP II BY THE ETHICS SECRETARIAT

Introduction

The official launching of the second phase of the National Anti-Corruption Strategy and Action Plan (NACSAP II) on the 10th of December 2006 put in place another four years revitalized effort to combat corruption and other related vices in the country.

The key objective of this enhanced NACSAP II to be implemented for four years from 2008 to 2011 is to strengthen and institute good governance, transparency, accountability, integrity, efficiency, rule of law and improved public service delivery. In order to achieve the objectives of the NACSAP II and in implementing its strategic plan, the Ethics Secretariat has continued to promote ethical behavior and compliance to the Public Leadership Code of Ethics by public leaders as follows:-

1. COMPLIANCE TO THE PUBLIC LEADERSHIP CODE OF ETHICS

The Public Leadership Code of Ethics requires among others, that public leaders submit their wealth declarations to the Commissioner of Ethics as soon as they take public office, namely within thirty days and thereafter at the end of each year and when they leave public office. The reasons for filing declarations are twofold; transparency and accountability mainly to avoid conflict of interest.

Between October and December, 2007 and 2008 respectively the Ethics Secretariat issued Declaration Forms to 14,937 Public Leaders to enable them comply with the requirements of the provisions of Section 9(1) (c) of the Public Leadership Code of Ethics Act No 13 of 1995. The legal provision requires every public leader to file with the Ethics Commissioner his/her Declaration of Assets and Liabilities on or before 31st December each year. For the year 2008 a total of 5,053 public leaders out of 7485, which is about 67.5%, submitted their Declarations to the Ethics Commissioner on time. Comparatively, this was 32.74% increase in the number of the Declarations submitted in 31st December, 2007 as only 2,591 public leaders, which are about 34.76% out of 7,452 public leaders, submitted their wealth declarations.

Reminders were sent out to those public leaders who had not submitted their declarations requiring them to give reasonable cause for the delay. By end of February 2009 a total of 1,008 out of 2,432 public leaders who had not submitted their Declarations, filed their Declarations giving various explanation/reasons for the delay. The reasons advanced include illness, out of country official travel at the material time, forgetfulness, misplacement of Declaration Forms, etc.

In the year 2009 a total of 7,819 public leaders were issued with Declaration Forms and 3,664 public leaders about 46.86%, submitted their Declarations to the Ethics Commissioner timely, i.e. 31st December, 2009. Reminders were again directed to those leaders who failed to beat the deadline. By end of February 2010 a total of 2,013 (48.4%) out of 4,155 public leaders who failed to submit their Declarations by 31st December 2009, filed their Declarations giving both genuine and non plausible explanations. Leaders who failed to submit as well as those who submitted without assigning reasonable cause have been booked for sanctioning. The sanctions provided under Section 8 of the Code include: warning and caution, demotion, suspension, dismissal, resignation from

the office, etc. It is noted that most of the public leaders who fail to submit their Declarations on assets and liabilities are from the lower cadres on the political and public service categories, namely, the Councilors and Primary Court Magistrates.

One of the Ethics Secretariat's strategies is to raise the level of awareness on the Code of Ethics on the part of these public leaders through seminars and radio programs.

2. PHYSICAL VERIFICATION OF ASSETS AND LIABILITIES OF PUBLIC LEADERS

As a measure to ensure compliance, the Ethics Secretariat has been conducting physical verifications on the assets and liabilities of public leaders to determine the truthfulness and correctness of the Declarations submitted to the Ethics Commissioner. The Ethics Secretariat has since 2006 to date carried out physical verifications on 1,466 public leaders' assets and liabilities as the table below shows:-

YEAR	PUBLIC LEADERS' ASSETS AND LIABILITIES VERIFIED
2006	193
2007	260
2008	204
February 2009	412
October 2009	397
TOTAL	1,466

The Public Leaders whose assets and liabilities were physically verified included Ministers, Judges, Members of Parliament, Senior Army and Police Officers, Regional Commissioners, District Commissioners, Councilors, Permanent Secretaries as well as Chief Executives in Public Corporations. In the course of conducting these physical verifications the Ethics Secretariat has also been able to carry out surveys, to determine areas with prevalence of ethical breaches. On the other hand members of the public have also commended the Ethics Secretariat for the physical verification exercise as means to raise integrity among public leaders, as well to demonstrate transparency and accountability.

Through this physical verification exercise, the Ethics Secretariat has also been able to learn the extent to which public leaders involve themselves in the affairs of the people in their constituencies as well as the cooperation extended to the Ethics staff who had to travel extensively across the country in course of carrying out the verification exercise.

Over all the physical verification exercise has not revealed major differences between the contents in the Declarations submitted and those on the ground. A few cases have been noted which entailed further investigations and explanation from the respective public leaders. The exercise is a permanent agenda on the Secretariat's operations.

3. ETHICS PROMOTION AND AWARENESS CREATION

The Ethics Secretariat has been participating in various activities related to ethics promotion and awareness creation both among public leaders and the public in general. Since 2006 the Ethics Secretariat has conducted a number of seminars on the Public Leadership Code of Ethics to 871 Councilors in 68 District, Towns and Municipal Councils in the country.

In addition, the Ethics Secretariat has been conducting awareness programs through TV Graphics/Commercials through TBC1 and ITV Stations. Radio programs have also been aired in 10 different Radio Stations country-wide. Furthermore the Ethics Secretariat has been participating in Public Exhibitions, i.e. Public Service week and Nane Nane as means of carrying out public awareness and promotion of the Code of Ethics, as well as the mandate and functions of the Secretariat.

4. INVESTIGATIONS OF COMPLAINTS ON ETHICAL BREACH

Between 2006 – 2009 the Ethics Secretariat has received a total of 757 complaints from the public on alleged breaches of the Public Leadership Code of Ethics by public leaders. Initial investigations conducted established that 560 complaints did not squarely fall under the mandate of the Ethics Secretariat, while 197 complaints related to the Leadership Code of Ethics. Out of the 197 complaints, 168 complaints have been investigated and determined while 29 complaints are still under investigation. In the meantime the 560 complaints were forwarded to relevant public institutions for necessary action.

The complaints received by the Secretariat involved misuse of public property, abuse of public office, conflict of interest, theft, violation of rules and regulations, unequal treatment in tender awards, favoritism, nepotism, cheating, corruption, denial of human rights, denial of justice in cases before Courts of law etc. To effectively and efficiently dispose of the complaints on alleged breaches of ethics, efforts are being made through proper training, to equip the Ethics Secretariat's investigation staff with necessary expertise, tools and resources. The challenge, however, remains on the inadequacy on human and financial resources.

5. THE FACILITY FOR ETHICS, ACCOUNTABILITY AND TRANSPARENCY (FEAT)

The Facility for Ethics, Accountability and Transparency a component under the Accountability, Transparency and Integrity Project (ATIP) is aimed at strengthening Oversight and Watchdog Institutions (OWIS), Professional Associations and Civil Society Organizations, supporting, in particular, the drive to combat corruption and improve coordination, monitoring and evaluation of government's programs in order to enhance transparency and integrity that will ultimately improve accountability and good governance in the country. In addition, the Facility supports the capacity and development of Professional Associations in the improvement of ethical environment in both public and private sector by raising the level of ethics of their members, using self regulatory mechanism, continuing education programs and IEC programs that target the public at large.

The Facility, funded by World Bank is to be implemented for five years from 2006 to 2011. It is housed in the Ethics Secretariat and is managed by the Ethics Secretariat. FEAT activities are mainstreamed within the Ethics Secretariat, and the implementation of the planned activities are integrated into the daily operations of the Secretariat; thus the Secretariat has a vital role in supervising the activities of the Facility and provide administrative support to ensure its proper and better performance.

5.1 Since its inception in 2006 the following activities have been implemented:-

1. Awareness Creation of FEAT Activities

This has been implemented by using both electronic and printed media. A documentary was prepared and aired through TBC1. This brought about great awareness to the public about the objectives, functions and target beneficiaries of FEAT as well as the achievements that have been realized

so far. Other IEC materials were also prepared and disseminated for awareness creation; they include brochures, Calendars, FEAT Brochures and Newsletters.

Moreover, the official inauguration of FEAT activities which was officiated by The Vice – President of the United Republic of Tanzania Hon. Dr. Ali Mohamed Shein on 29 September 2007 was a momentous event that gave the Facility the desired publicity and a good beginning. A Steering Committee composed of seven members was set up to consider and approve grant applications.

2. Receiving and Evaluation of applications for grants from Stakeholders

The Facility has been receiving applications from eligible applicants throughout the country since 2007. A total of 420 applications for grants have been received, screened, and submitted for determination by the Steering Committee. A total of 37 applications have been approved upon meeting the criteria for funding. A total amount of Tshs. 1,575,396,200 has been approved for disbursement to the successful grantees whose approved projects are at various stages of implementation. The thirty seven grantees include the Prevention and Combating of Corruption Bureau, the Human Rights Commission, the Public Service Commission, the Institute of Development Studies of the University of Dar es Salaam, the Tanzania Education Authority, the Tanzania Non Governmental Organization, the Tanzania Council for Social Development (TACOSODE), Medical Women Association, and Maadili Center of Arusha.

The Ethics Secretariat staffs together with the FEAT staff are jointly carrying out the monitoring and evaluation of the various projects of the grantees. Indeed the Secretariat, through the Facility, has increased its engagement with the Civil Society as well as its cooperation with other institutions with similar agenda.

Despite the achievements realized, the implementation of FEAT has not been without challenges; the biggest challenge is budget constraint to run FEAT activities as planned. The budget allocated for operation for the five years of the project period is only USD 600,000.00. To date about 85.5 percent of the running expenses has been spent; while the 14.5 percent of the remaining budget is not adequate to oversee, monitor and evaluate the on going grantees' projects on one hand and screen and consider the applications for grants on the remaining grant money totaling about two billion shillings by the end of the project in December, 2011.

WAY FORWARD

The Government of Tanzania has been employing different strategies to promote Ethics as one of the effective way (means) of fighting corruption and other related vices. It is an undisputed fact that public leaders play a significant role in decision making processes which is important in promoting democracy and good governance for better utilization of national resources for development. Ethical conduct, transparency and accountability of the public leaders provide a basis for enhancing public confidence.

The Ethics Secretariat underscores the importance of cultivating ethical principles in societal culture because leaders are groomed from the society. If ethics will be entrenched in societal culture it widens the possibility of getting ethical leaders in the future who will promote good governance and sustainable development. National culture thus, is of paramount importance in making ethical codes a reality.

Currently countries which are in the forefront in the fight against corruption and other related vices are advancing the following slogan: "Ethics: Your first line of defense against corruption" Indeed without Ethics there is

no civilization and; Ethics is the basis for Good Governance.

In the revised Medium Term Strategic Plan for the Ethics Secretariat the articulated Vision is: “To be the center of excellence for effective promotion and enforcement of Public Leadership Ethics” while the new Mission Statement is “To provide leadership in promoting and enforcing the standard of ethical behavior and conduct among the public leaders as specified in the Public Leadership Code of Ethics and actively seeking support and partnership with all stakeholders.”



CHAPTER 2

REPORT OF THE NATIONAL ELECTORAL COMMISSION ON THE IMPLEMENTATION OF THE NATIONAL ANTI- CORRUPTION STRATEGY AND ACTION PLAN (NACSAPII)

1. INTRODUCTION

The National Electoral Commission (NEC) is established in accordance with Article 74 of the Constitution of the United Republic of Tanzania 1977. Constitutionally, NEC is an independent Department that consists of the Chairman, Vice Chairman and five Commissioners, and the Secretariat headed by the Director of Elections who is also the Secretary to the Commission.

The Vision of NEC is to be an efficient organization that strengthens democracy through the delivery of free, fair and trust worthy Presidential and Parliamentary Elections in the United Republic of Tanzania and Councilors' elections in Mainland Tanzania. On the other hand, its Mission is to safeguard democracy and maintain integrity of the Electoral system in the country by coordinating and supervising voter registration, constituency demarcation and election related activities that are supported by partnership with all stakeholders.

Furthermore, both the Vision and Mission of the NEC are implemented by observing its core values of Integrity, Professionalism, Trust, Independence, and Transparency.

The Purpose of this Report is to explain NEC's implementation of its function in promoting good governance through conducting free, fair, and transparent elections with integrity.

2. FUNCTIONS OF THE NEC

The entrusted functions of the NEC are:-

- (a) To supervise and co-ordinate the registration of voters in the Presidential and Parliamentary elections in the United Republic, and Councilors Elections in Mainland Tanzania;
- (b) To Provide voters' education, co-ordinate and supervise Persons who conduct such education;
- (c) To supervise and co-ordinate the conduct of the Presidential and Parliamentary elections in the United Republic, and Councilor Elections in Mainland Tanzania;
- (d) To review the boundaries and demarcate the United Republic into various constituencies for the purposes of parliamentary elections;
- (e) To declare elected Members of Parliament for women special Seats;
- (f) To declare elected councilors for women special seats.

In the implementation of the above functions, the NEC is governed by the Constitution, the Elections Act No. 1 of 1985, the Local Authorities (Elections) Act No. 4 of 1979, Regulations and other laws pertaining to electoral process.

3. IMPLEMENTATION OF NACSAPII AND CHALLENGES

With regards to the key objective of the National Anti-Corruption Strategy and Action Plan (NACSAP II) 2008 -2011 which 'is to complement the other core public sectors reform in strengthening governance, instituting good governance, transparency, accountability, integrity, efficiency and improved public service delivery' NEC is part and parcel of the same objective.

From 2008 to date NEC is in the Preparation process of the 2010 Presidential, parliamentary and Councilors elections and the NACSAPII are being implemented in the NEC functions as follows:-

3.1 Review of the boundaries and demarcation of Constituencies.

The NEC, in accordance to Article 75(4) of the Constitution, is currently undertaking a review of the boundaries of constituencies in order to demarcate the United Republic of Tanzania in various constituencies for the 2010 Parliamentary election. Election Stakeholders, including the Zanzibar Election Commission, are all involved through meetings, and sending their opinions/recommendation for NEC's deliberations based on the guidelines provided by NEC. The objective is to minimize the inherent constituencies' disproportions in Tanzania and enhance effective governance.

Currently there are 232 constituencies whereby 50 are in Zanzibar and 182 in Tanzania Mainland. Moreover there are 75 Seats for Parliament Special Seats for Women. On the other hand there are 2552 Wards in Tanzania Mainland and 988 Seats for Councils' Special Seats for Women. This is a good number not only for peoples' democratic representation but also in enhancing good governance in a developing country like Tanzania.

Challenges on the implementation of the process of demarcation of constituencies are great demand for more constituencies against meagre resources for the same, limited capacity of the Parliamentary building, great constituencies' disproportional as regards to population, physical size, and development and political will on the part of politicians.

3.2 Supervision and co-ordination of the registration of voters and up date of the National Permanent Voters Register.

The National Permanent Voters Register (NPVR) was established with 15,935,493 registered voters and used in the 2005 Presidential, Parliamentary and Councilors Elections. Since then it was up dated in

2007/2008 whereby 2,079,174 new voters were registered and it is also now being updated for use in the forthcoming 2010 General Election. It is expected that about 21,000,000 voters will be in the NPVR. This is a resounding success in enhancing political right of the citizen of Tanzania for use in democratic and governance process. The objective is to have a credible up to date NPVR and avail the citizenry opportunity to actively participate in democratic process.

The process is undertaken in a transparent manner as major election stakeholders are involved in one or another way. Political Parties are being represented at registration stations by their agents while the Media, Religious and other Non – Government Organizations are all actively involved in dissemination of voter information/ education and act as oversights.

Challenges that are encountered includes; financial constraints, voters illiteracy, unwillingness of people to give information on deceased registered voters, technological changes for capturing and processing of Voters information in the NPVR, failure of many Political parties post their Agent at registration stations due to lack of fund, claims of buying/selling of voters card by voters to political parties and /or candidates, and NPVR not being integrated to that of Zanzibar Permanent Voters Register.

3.3 Provision of voter education, co-ordination and supervision of Persons and institutions that conduct voter education

Active participation of voters in the electoral process depends much on being informed. Voter education is among mechanisms/ methodologies through which the public in general and/or voters in particular get informed on the electoral process.

The NEC has been providing voter education during all hitherto conducted by-elections since 2008 up to 2009. The provision of voter education is conducted through production of leaflets, posters, calendars, and use of print and electronic media.

Challenges faced on the effective implementation of dissemination of voter education are lack of sufficient resources, vastness of the country and poor infrastructures.

3.4 Supervision and co-ordination of the conduct of Parliamentary and Councilors' by-Elections.

People's representation is a major political right of the populace in a democratic society and government that collect taxes from the public, Tanzania being one. Thus, the NEC conduct parliamentary and/or Councilors' by-elections whenever any seat fall vacant.

Since 2008 to date the NEC has conducted 43 Councilors and 4 Parliamentary by-elections. There is no election petition filed during that period as a result of NEC's inefficient and ineffective election management.

However, NEC encountered some challenges such as voter apathy, some registered voters not appearing in the NPVR, conflicts during election campaigns, lack of trust from political parties on NEC's engagement of officials from Local Government Authorities, and lack of sufficient funds.

3.5 Declaration of Elected Members of Parliament/Councils for Women Special Seats

During the period of 2008 to 2009 all casual vacancies of members of parliament and councilors for Women Special Seats were declared elected by NEC after due process to ensure full peoples' representation in governance.

3.6 Other Generic Functions

3.6.1 Personnel and Administration

The implementation of NEC's function requires human resources for the achievement of its objectives. After identifying the Manpower needs, the NEC developed Human Resource Plan which consequently resulted into having a Human Resource Development Plan in order to get professional election management officials.

In between 2008 and 2009 NEC successfully sponsored 19 employees for long term training within the country and, nine and fifteen employees for short term training within the country and abroad respectively. Furthermore, it employed 107 staff in permanent terms and 336 in temporary terms. Moreover the Recruitment Secretariat has been established to undertake recruitment of personnel.

Challenges experienced by NEC are receiving too many applications per vacancy, lack of office accommodation/building, and not having election officials of its own in regions and districts.

3.6.2 Procurement and storage of Election Materials

Procurement of election materials is implemented by adhering to the Public Procurement Act, 2004 and the Tender Evaluation Guidelines - Procurement of Goods or Works, and other international Tendering Guidelines. The NEC stores its election materials in go downs.

Challenges inherent in the procurement of election materials and storage are the presence of too many bidders including irresponsible, incompetent, and fraudulent once, and stringent legal requirement as on duration of tendering process.

3.6.3 Accounting and Auditing

The NEC is legally required to receive its fund from the Consolidate Fund as provided for in Section 122 of the Elections Act, 1985. However, it only gets its fund by way of Exchequer as approved by the Parliament. NEC is fully accountable for funds disbursed by the Government and/ or funded by donors.

Challenges experienced by NEC are lack or insufficiency of fund resulting in late conduct of by-elections, inadequate accountants and internal auditors, and stringent legal requirement of compiling, and submission of Final Accounts and Reports to relevant government authorities.

3.6.4 Legal Support

Legal framework, consisting of the Constitution and Election Acts, normally supports the efficiency operations of the NEC in the implementation of its entrusted responsibilities. The advisory role of legal officials is crucial in ensuring adherence to legal requirements in undertaking electoral process.

Challenges being experienced by NEC are, among others, inadequate experienced electoral legal officers, unconsolidated election laws, lack of legal enforcement mechanisms, and late amendment of electoral laws.

3.6.5 Systems Management/ ICT

The 21st Century is experiencing information technologies that are rapidly changing or improved and consequently becoming obsolete most often. Since the establishment of the NPVR in 2005 the NEC has been using modern technologies and programs/software, more specifically in registration of voters, up dating of NPVR, Warehouse, logistic, and election result to enhance speedy accomplishment and transparency.

Challenges being encountered by NEC include rapid changes in technology, lack of experience in managing permanent voters Register, large quantities of voters' data, and illiteracy.

3.6.6 Public Relations

The public and Stakeholders expect from NEC timely and accurate information about the election process in general and more so registered voters, election time table, nominated candidates, overall progress during election, election results, and election reports. The NEC furnishes these information through posters, press releases, print and electronic media, and reports.

Challenges that are experienced include lack of sufficient resources, and vastness of the country.

4. NEC STRATEGIES

During the 2008 and 2009 the NEC has re-focus its energies to ensuring that the highest standards of good governance are upheld in conducting and supervising the electoral process professionally and with integrity in order to meet national and international expectations and satisfaction.

In this context the NEC has reviewed its Strategic Plan of 2006/07 – 2010/11 and its Client Service Charter; identified Criteria for Demarcation of Constituencies, developed Voter Education Strategy; prepared a Comprehensive Election Plan; submitted Election Budget and Recommendation on Electoral Laws Amendment to the Government; and is up dating the NPVR in order to overcome some of the above noted challenges.

Furthermore the NEC is preparing a draft of Code of Conduct for political parties, government and itself for deliberation by all the three signatories in order to level the political playing field during 2010 elections and henceforth build a peaceful atmosphere. It is expected that all political parties will sign and adhere to the code of conduct.

However, the success of NEC in implementing its functions and responsibilities depend much on the effective collaboration and facilitation by Government and other Stakeholders.

5. WAY FORWARD

In 2010, Tanzania will hold its Presidential, Parliamentary and Council elections. As it is with modern democracies these elections should not only be, but ought to be seen to be free, fair and efficiently managed to reflect a high level of integrity. This virtue is in keeping with expectations of the citizenry and the international community at large, in regards to legitimacy and good governance. The NEC is realigning itself to effectively implementing its functions by upholding democratic and good governance principles.

NEC shall take into account emerging trends in our operating environment as well as to re-focus our strategies and energies towards a more outcome based electoral management process for the upcoming 2010 General Elections. Moreover, NEC shall continue to involve political parties and other stakeholders virtually in all Committees to advance transparency and partnerships with them. These Committees are: International Organizations and Observers; Press and Public Relations; Civic Education and Non Governmental Organizations; Supplies and Logistics; Government and Political Parties; Electoral Authorities and the Electoral Process; Coordination; And Code of Conduct.

6. CONCLUSION

Multiparty election is normally characterized by tendency of competing political parties and/or candidates to applying any means including all forms of corrupt practices to win election.

NEC will make sure that it upholds its core values of integrity, professionalism, trust, independence and transparency in the implementation of its responsibilities and commit itself to its vision and mission for the sake of safeguarding good governance.

CHAPTER 3

GBS / MKUKUTA IMPLEMENTATION REPORT

The GBS Annual Review Meeting was thus held jointly with MKUKUTA and PER Annual Consultative meetings in the “Annual National Policy Dialogue” from 19 – 25 November 2009. The review was the culmination of a yearlong process of dialogue between the Government of Tanzania and its Development Partners. NACSAP II as one of the core reform embedded in the GBS/MKUKUTA process was also assessed.

A: MKUKUTA

In the MKUKUTA process NACSAP II falls into Cluster 3 of Governance and Accountability. The MKUKUTA assessment results under cluster three were summarized on the basis of the four broad outcomes on MKUKUTA, namely; good governance and rule of law, accountability of leaders and public servants, democracy and political and social tolerance and peace, political stability, national unity and social cohesion deepened.

Goal 1: Structures and systems of governance

The assessment observes several achievements. These include increased percentage of population with birth certificates (20% increases in 2007/8 as compared to 18% in 2004/5). However, disparities exist between urban/rural, regions and communities with different income levels.

Gender equity is also noted in the increase of women representatives in Parliament (attaining the MKUKUTA target of 30%). However representation in Local Government Authorities remains low with only 5% councilors being women. There has been an increase of women in senior positions in public service (from 20% in 2004/5 to 22% in 2008/9,

specifically in positions of Judges, Permanent Secretaries, Deputy Permanent Secretaries and Regional Administrative Secretaries). The government intends to increase scholarships for women to attend postgraduate training and other capacity building opportunities.

Citizen surveys indicate an increased participation of people in local governance institutions and processes. Participation is better in rural areas than in urban areas. It is assumed that perhaps the exercise of engaging communities in the O&OD may have contributed to the increase.

There is an increase in information dissemination and accountability of LGAs. About 40% of LGAs posted fiscal information on their public notice board. The challenge is to make reports user friendly to all people.

Goal 2: Equitable Allocation of Public Resources

The assessment shows an increase in revenue collection nationally. Tax collection by TRA as a % target has mostly surpassed targets, but there could be some over estimation of collection due to the exchange rate. Budget allocation to LGAs (mostly from the central government) has increased over time. LGAs are, however, challenged by limited absorption and spending capacity.

LGAs are increasingly complying with the Public Procurement Act. The number of LGAs with clean reports increased from 9% in 1999 to 81% in 2006/7, but decreased to 54% in 2007/8. The number of MDAs with clean reports increased from 34% in 2004/5 to 76% in 2006/7, but also decreased to 71% in 2007/8.

Goal 3: Effective Public Service Framework

The assessment of MKUKUTA implementation shows increased satisfaction of citizens with government service provision. For example,

education has increased from 59% in 2001 to 81% in 2008 and health increased from 50% in 2001 to 64% in 2008. Water decreased from 46% in 2003 to 42% in 2008.

Goal 4: Rights of Poor and Vulnerable Protected

The number of court cases pending between 2004-2008 nearly doubled from 59,926 in 2004 to 106,190 in 2008, of which 27,545 (in 2008) were pending for two or more years. The number of prisoners on remand for 2 or more years compared to all prisoners has fallen consistently from 16% in 2005 to 5% in 2008. No data is available to indicate the number of districts with a team of trained paralegals

Goal 5: Reduction of political and social exclusion

The number of cases filed for infringement of human rights has increased in recent years. It is not clear whether the increase of human right infringement is due to the increase in violation of human rights or improvement in data collection.

Goal 6: Improve Personal and Material Security

There is reduced fear of citizen's security in their homes, but trust in police and court of law has remained a challenge, especially in recent years.

The assessment of the cluster on governance and accountability has been constrained by data limitations for several indicators and remains a challenge. Public opinion surveys such as citizens' perception has improved the qualitative aspects of monitoring. Participation in LGA decision making has improved since the introduction of LGR. Satisfaction with efforts against crime was also noted to be high. MKUKUTA II is currently being drafted and expected to be launched in June 2010.

B: GENERAL BUDGET SUPPORT PROCESS

In the GBS process the NACSAP II was assessed as Satisfactory and recorded the following achievements:

* Grand corruption cases increased from 14 cases that were reported last 2008 GBS Annual Review to 17 cases in 2009. This is an increase of 21.4%.

- PCCB Statistics (to September 2009) shows that in 2009 so far 158 new cases have been filed in courts (2008: 147 and 2007: 196). In 2009 a total of 426 cases has been prosecuted, an increase on previous years (2008: 416 and 2007: 352). Out of 82 completed cases up to September 2009 35 has been convicted and 47 acquitted, so far a drop in the number of cases completed compared to previous years (2008: 37 were convicted and 71 acquitted and in 2007: 35 were convicted and 45 acquitted).
- Tanzania has ratified and domesticated the UNCAC, 2003 (United Nations Conventions against Corruption) and a Country Review Report has been produced.
- Building Ethics to the younger generation starting from secondary schools:
- So far a total of 3435 Anti-corruption clubs have been established in secondary schools in Mainland Tanzania. This is equal to 90.4% of all secondary schools. After establishing the clubs, students have been engaged in interactive debates, open discussions on corruption.
- PCCB Cultural troop established to sensitize the public on corruption through songs, drama, poems and so on. So far 5 regions of the Mainland Tanzania have been covered by the cultural troop and a total number of 3505 citizens have been reached.
- Mobile digital billboard on raising public awareness on corruption during local government election was used. 8 regions were covered and reached a total number of 54,822 citizens, out of this total target 65% are male and 35% are female.

- PCCB participated in the local government election process by educating the public on the evils of corruption in election and election campaign. A total of 1248 wards out of 2575 wards were covered. A total of 4322 Mtaa and villages were reached in 24 regions of the Mainland Tanzania. A total number of 390,671 citizens were educated on evils of corruption in election. Out of this 57% were male and 43% were female.
- Ethics Infrastructure training delivered to:
 1. Integrity committees from 28 different Ministries, 35 independent departments and 68 agencies and institutions.
 2. 8 Higher Learning Institutions integrity committees.
 3. Members of African Parliamentarians Network against Corruption (APNAC) and members of the Parliament of United Republic of Tanzania.
 4. 25 CSOs concerns with governance issues.
 5. 11 representative of the association of private sectors.
 6. 5 Faith based organizations (FBOs).

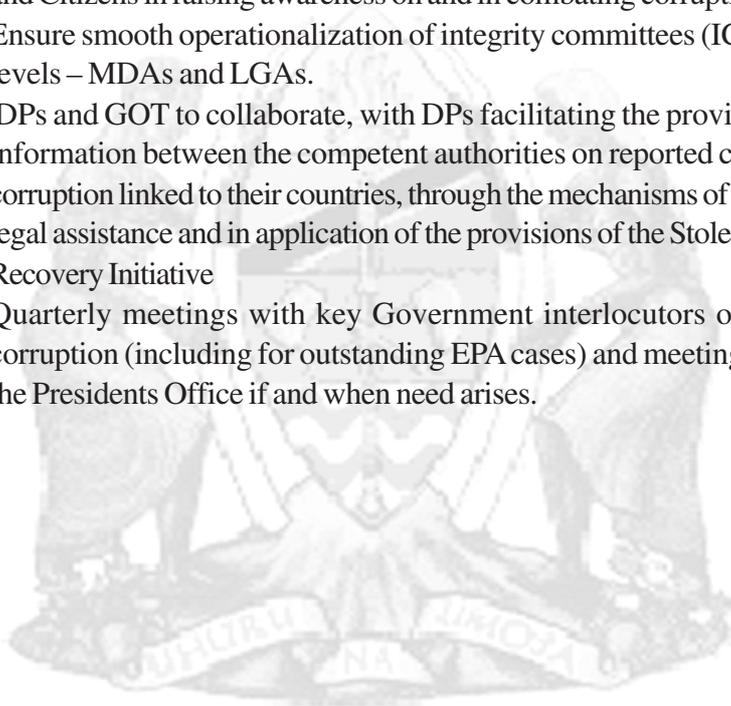
Challenges:

- Funding for implementation of NACSAP II activities.
- Submission of NACSAP II implementation quarterly reports.
- Capacity of watchdogs, oversight institutions and NSAs to fully participate in NACSAP II implementation.

Key messages emerged from the Anti – Corruption session during the GBS AR:

1. Implementation of the agreed actions from the GBS AR 2008 will continue and will be followed up in the GBS AR 2011. These agreed actions include: Legislation, M&E framework, and Mutual Legal Assistance.

2. Relevant GoT institutions to take necessary actions to speed up the process in bringing corruption cases to trial.
3. Focus on both petty and grand corruption including a strategic response and action plan based on the findings and recommendations of the National Governance and Corruption Survey final report.
4. Need to strengthen collaboration between the MDAs, LGAs and NSA and Citizens in raising awareness on and in combating corruption.
5. Ensure smooth operationalization of integrity committees (IC) at all levels – MDAs and LGAs.
6. DPs and GOT to collaborate, with DPs facilitating the provision of information between the competent authorities on reported cases of corruption linked to their countries, through the mechanisms of mutual legal assistance and in application of the provisions of the Stolen Asset Recovery Initiative
7. Quarterly meetings with key Government interlocutors on anti-corruption (including for outstanding EPA cases) and meetings with the Presidents Office if and when need arises.



CHAPTER 4

MEDIA ROLE IN THE FIGHT AGAINST CORRUPTION DURING 2009

INTRODUCTION

The Second Phase of implementing the National Anti-Corruption Strategy and Action Plan (NACSAP II) aims to strengthen the mechanisms and processes for the prevention and combating of corruption in Tanzania.

In seeking to create enabling conditions for effective anticorruption strategies and actions, it envisages to involve all important actors within the framework of the National Anti-Corruption Policy.

Those actors include public and private sectors, civil society and media whose complementary efforts will help implement the Plan between 2008 and 2011.

Apparently, the decision to effectively engage media in anticorruption strategies through NACSAP II has come at a time when media, on its own volition, is actively playing important role in improving the quality of governance in Tanzania, doing that as watchdog to society.

This despite the fact that independent and truly free media in Tanzania is non-existent, due to repressive and outdated media laws whose impact is to restrain access and dissemination of news to the public.

It is also due to shaky economic functions upon which many media houses are built. During 2009, media outlets, though at different levels of involvement, were actively engaged on exposing and following up corruption issues in Tanzania.

POSITION OF MEDIA

The PCCB recognizes that it cannot work alone, the reason NACSAP II states that media is one of the main partners in preventing and fighting corruption in Tanzania. Media does so in its assumed capacity of fourth estate, given its explicit capacity of advocacy and implicit ability to articulate political issues.

More importantly, media has traditionally become the best tool to inform people on corruption. The NACSAP II will closely depend on responsible media to correctly enlighten people and to present them with true information that leads to revelation of fraud and to expose the dishonest.

PAST DILEMMA

In the view of the Millennium Challenge Account Building Organizational Networks for Good Governance (MCA-BONGA), only five years ago journalism in Tanzania was going down and digging its own grave. This was due to the fact that an overwhelming number articles being published were based on press releases, press conferences, public rallies and advertisements.

The MCA-BONGA is a capacity building program for Tanzanian advocacy and media organizations focusing on anti-corruption and good governance, supported by the USA. The dominance of so called 'laptop journalism' in Tanzania's media industry, in place of watchdog and investigative journalism is what prompted MCA-BONGA to train journalists on investigative journalism (IJ) to unearth corruption and good governance issues throughout the country.

The aim was to ensure increased coverage and advocacy over the social vice so that the level of corruption in the country goes down. The program ended 2008, though its impact is still being felt to-date.

The US-Government intervention should not be construed that there was nothing to write, or IJ skills on handling corruption were totally lacking in Tanzanian media industry but because journalists asked themselves: “Why should we bother?” Yes, we tried to uncover some malpractices, but then no steps were taken against the accused, the situation got worse, and the journalists themselves became a laughing stock.

The reality of the matter is MCA-BONGA efforts simply complemented other continuing IJ training activities by the Media Council of Tanzania (MCT), MISA-Tan and the World Bank.

However, the MCA-BONGA programme was sharply focused, going beyond media reportage to involving other important information stakeholders like civic society, thus increasing levels of understanding and application of IJ in Tanzania.

It was no wonder that since then, plus the fact that more IJ-media outlets were on stream, Tanzanian public started to witness increased number of high level corruption reports, with follow-ups going all the way to 2009. Those activities, as briefly outlined below, constitute media’s anti-corruption efforts during 2009.

MEDIAANTI-CORRUPTION CRUSADE DURING 2009

Role of Traditional Media

Vibrant Reporting of Parliamentary Debates

Tanzania’s traditional media (print and electronic) was quite aggressive in covering parliamentary debates, much so after the tabling of the Controller and Auditor General (CAG) report on Government spending. CAG report often attracts the wrath of MP’s sentiments over exposure of serious shortcomings in the financial management of several ministries, agencies and state-run organizations. The Richmond scandal also enjoyed media currency of unprecedented levels.

PCCB saves 87bn corruption money

The media reported that Prevention and Combating of Corruption Bureau (PCCB) saved and recorded money and assets worth Tsh87 billion in corruptions cases investigated and successfully concluded by the bureau. This money is approximately equivalent to USD 80 million. The money was recovered from corruption cases handled between the periods of 1995 to 2009. The largest amount of money and assets recovered was in 1999 when the bureau recovered Tsh 14,795,169,650. The year 2008 alone saw a recovery of a whopping Tsh13, 203,459,357.

Tanzania slips on TI Corruption Index

A good number of media outlets reported Transparency International's (TI) 2009 report which showed that Tanzania was losing ground in its war against grand corruption. According to the Germany based TI report, Tanzania slipped by 24 places in 2009's Global Corruption Perception Index (CPI). The country dropped from 102 in 2008 to 126 in 2009. However, with the exception of Rwanda, it performed better than Kenya, Uganda and Burundi in East Africa.

This year's score was the worst performance in the last five years. Tanzania's best ranking was 94 in 2007 when Tanzania passed a law established the Prevention and Combating of Corruption Bureau (PCCB). In an attempt to balance such news, PCCB was mostly contacted and disputed the TI score findings, dismissing them as mere 'perceptions' based on parameters and feelings held by researchers at the time of the study and not reflective of the general trends over a long time.

Corruption silently Killing donors

Various media outlets reported on an audit which revealed that TZS: 39billion (USD30million) donated to various projects belonging to the Ministry of Natural Resources and Tourism (MNRT) by the Norwegian

government were embezzled. The Norwegian Embassy acknowledged the loss and pressed government to respond to the audit queries. Norway insisted that it was crucial that all funds provided to its partners are accounted for in its extensive partnership with the MNRT on natural resources. Norway was pressing on repayment of embezzled funds.

Abuse of office scandal

Ongoing court case involving two former senior ministers, Basil Mramba and Daniel Yona, along with former treasury permanent secretary Gray Mgonja allegedly for occasioning a loss of over TZS: 11.7 billion to the government still captured media attention.

The Prof. Costa Mahalu's Case

The story on court proceedings involving the former Tanzanian Ambassador to Italy, Prof. Mahalu who is accused of embezzlement of funds set aside to purchase the embassy building in Rome continued to be covered by media during 2009.

Richmond saga

The famous Richmond scandal never missed media's attention, especially when it was debated by the Parliament.

EPA Scandal

The External Payments Arrears Account (EPA) scandal which consists of fraudulent payment of about TZS:133 billion (\$116 million) made by the Bank of Tanzania to 22 companies in the financial year 2005/06 involving the repayment of the country's external debt continued to enjoy frequency in the media.

The 2009 Ibrahim Index of African Governance

The forum on African governance which took place in Dar es Salaam mid October 2009 provided a rare opportunity for debating the 2009 edition of the Ibrahim Index of African Governance. The Ibrahim Index provides a comprehensive ranking of African countries according to governance quality. Funded and led by an African institution, the Ibrahim Index aims to be Africa's leading assessment of governance that informs and empowers citizens to hold their governments and public institutions to account.

The Ibrahim Index measures the delivery of public goods and services to citizens by government and non-state actors using four (4) main indicators: Safety and rule of law; participation and human rights; sustainable economic opportunity; and human development as proxies for the quality of the processes and outcomes of governance.

The Ibrahim Index is significant because development theorists have pointed to a causal link between standards of governance and a wide range of socio-economic outcomes. Professor Robert Rotberg at Harvard's Kennedy School, for example, has marshaled substantial data to demonstrate that when governance improves, every other development indicator improves too – from *child mortality* to adult literacy to *industrial competitiveness*.

During the November 2009 Forum, Tanzania's performance was reasonably well. The media took that opportunity to stimulate debate in a constructive way and establish a framework for good governance in Tanzania.

The table below shows some performance comparisons and contrasts between Tanzania and some eastern and southern African countries.

TABLE

Country	Overall Score	Safety & Rule of Law	Participation & Human Rights	Sustainable Economic Opportunity	Human Development
Tanzania	59.24	64.59	67.55	51.46	53.37
Uganda	53.57	56.03	58.08	50.85	49.33
Kenya	53.74	53.27	58.89	50.49	52.31
Zimbabwe	31.29	28.92	31.99	20.17	44.07
South Africa	9.44	70.28	76.99	62.09	68.41

Emerging Challenges

Though media has shown determination in shifting from laptop to watchdog journalism through aggressive reporting on big-time and petty corruption scandals as outlined above, several professional challenges are still facing media, and if sustainable solutions are not worked out, gains so far attained may be compromised.

Some of the emerging challenges are enlisted below:

Unethical Trends

The media is not a group of angels, and, like other organizations, some sections do face professional and administrative corruption.

There are instances when *media people* become prone to persuasion in many ways such as bribes, patronage and receiving personal gain through their authority or work. In the eyes of the MCT, this is grossly unethical because journalists can use their pens to blackmail people or for the advantage of people they favor, in so doing subduing anticorruption efforts. As an intervention, MCT and partners notably Union of Tanzania Press

Clubs (UTPC) and MISA-Tan are working to increase members of the media's capacity through programs and investigative courses to enhance their ethical values and to help them provide non-biased information.

Media Wars

Media wars were openly fought during 2009, and were mostly taken up by gutter press in violation of all professional and ethical standards.

There were cases of some sections of the media trying to expose grand corruption, only to be followed by launch of opposition media outlets trying all out to dismiss corruption exposes. Character assassination was also common.

And, corruption news dismissals would be done in the most unprofessional manner as corrupt elements tried all that was possible to get media on their sides, sometimes either by threats, buying them or other ways

Job insecurity

Because of the low income of most editors and journalists, sometimes without employment contracts, the media practitioners are sometimes compromised.

This is very dangerous because corrupt journalists will never fight corruption and if this corruption is spread through media outlets, society will lose one of the most important allies in the fight against corruption.

The situation is even worse in the case of freelancers, the men and women who make up more than 60 percent of Tanzania's media personnel, yet without any job description or contract.

It is for this reason MCT commissioned a consultant to undertake baseline survey on freelance journalists in Tanzania. The job is over and results will soon be published.

Shaky Editorial Independence

There are proven instances of media owners and advertisers directly meddling into the professional work of editors, and in so doing compromising editors' and journalists' role of investigating corruption. This depicts the negative side of mass media in which instead of transmitting information and knowledge, media manipulates information for the benefit of few interest groups.

The 2007 PCCB Act

Since 2007 when the Prevention and Combating of Corruption Act was passed, the eleven members forming the 'Coalition for Advocacy of Freedom of Information and Expression' condemned that legislation from right away.

The Coalition, under MCT's lead, has so far argued that the Act infringes on freedom of the press because it prevented the media or individual persons from reporting alleged offences under investigation by the PCCB.

The Act does not describe procedures that are to be followed to make officials of the Bureau responsive when they announced cases or names of people under investigation. It would therefore be very difficult for any person, including journalists, to know that a particular issue was under investigation.

They further stated that ordinary people would be denied the right to give information and it would be difficult for the PCCB itself to get information on people who were engaged in corrupt practices for the fear that at the end of the day, the informants would be taken to task for contravening the Act!. The Act also prohibits MP's from discussing people they suspect may have been involved in corruption.

Rising Media Costs

Due to global economic crisis spreading from 2008 to 2009, printing costs for newspapers and books increased by 40 percent.

General inflation has also pushed costs for running electronic media, thus leading to escalation of running costs, advertisement costs as well as costs for special programs. This somehow constrained the ability of media to support anti-corruption investigative journalism during 2009.

Anti Corruption New Media

Several new media outlets, in the form of blogs and dedicated websites were active against corruption during 2009. For the purpose of this Forum, *Tanzania Corruption Tracker System* is worth mentioning. This Anti Corruption Tracker System (CTC) is hosted and managed by Agenda Participation 2000, a Tanzanian Non Governmental Organization working to promote a culture of Good Governance and Democracy in Tanzania is a unique civil society initiative in the fight against corruption.

It has been keeping track record of publicly available information on presumed or confirmed cases of corruption in order to increase accountability and responsiveness in the fight against corruption.

CTC work involves collection of information and synthesis of publicly available information on cases of corruption as reported or provided by the relevant government bodies, media and civil society.

It collaborates with institutions like PCCB, Ethics Commission, Media institutions and leading CSOs that are currently engaged in the fight against corruption.

Besides the Online electronic bulletin a series of activities are proposed for dissemination of this information. This inter alia may include, public discussions, joint sensitization activities with PCCB, celebration of an anti corruption day etc. The system comprises of website, an electronic monthly bulletin and an electronic archive. The contents are regularly updated to the best of our ability and anybody can receive the regular update and bulletin by subscribing online for a free electronic copy by filling the text boxes under subscription title and click on the subscribe icon on the left hand side bottom corner.

The system comprises of a website <http://www.corruptiontracker.or.tz>, which is very resourceful as it carries current issues, media reviews on corruption, newsletter, an archive, photo gallery, publications and reports, as well as useful web links.

Increasing Media Opportunities

Good Governance Media Awards

During 2009, the Media Council of Tanzania (MCT) introduced Journalist of the Year Awards in Tanzania (JOYAT) and one of the categories for competition is good governance. The awardees in this category is a journalist who demonstrates exemplary efforts through investigative journalism, ending in uncovering practices of bad governance leading wastage of public resources or trust.

This initiative will provide an added incentive for journalists to delve into corruption tips and so hold authorities to public accountability.

Tanzania Media Fund (TMF)

This is a new fund that seeks to promote independence and quality in media, with a particular focus on public and investigative journalism. It also supports quality journalism by improving the skills and capacity of journalists and media institutions.

It is expected that these efforts will ultimately lead to increased quantity and quality of investigative and public interest journalism.

MISA-Tan engagement

The Media Institute of Southern Africa Tanzania Chapter (MISA-Tan) monitored the reporting of corruption and good governance in Tanzania during 2009. Improvement was noted but more professional strengthening was needed.

MISA-Tan as well conducted Governance and Anti-Corruption video conferences early February 2009 during which various investigative skills on uncovering corruption practices were learned by participants.

CONCLUSION

Because corruption affects us all, it is our common enemy. We therefore all have a duty to report corruption whenever we come across it.

It is important that NACSAP II considers, most aptly working with MCT on developing guidance document on anti-corruption reporting.

That tool will provide practical guidance on a broad set of reporting elements without deviating from existing IJ reporting practice.

The guidance or a “Corruption Reporting Manual” will equip journalists with a practical means to report on anti-corruption policies and actions comprehensively and effectively, as well as safely and ethically.

Likewise, that Manual will become training kit for media trainers on Corruption Reporting, as envisages by NACSAP II.

CHAPTER 5

DPPs OFFICE NACSAP II IMPLEMENTATION REPORT- 2009

INTRODUCTION

The office of the Attorney general is one of the stakeholders in the implementation of the National Anti-corruption Strategy and Action Plan (NACSAP II). The Implementation of NACSAP II is focused on the Persecution and Combating of Corruption in Tanzania can only be achieved by instituting good governance, transparency, accountability Integrity, efficiency and improved public service delivery. Thus the government has established Integrity committees to be the focal point on matters related to the prevention of corruption and control of unethical behavior.

ACHIEVEMENTS

In the year 2009 a lot of achievements were met in terms of remuneration and increase motivation in the office of Attorney General. Opportunity for further training was offered to the State Attorneys and it included long and short courses domestically and abroad. About 27 State Attorneys attended short courses abroad and the rest in each zone attended course here in Tanzania. For the long course only 4 State Attorneys studied abroad and 5 here in Tanzania. Promotions were given to the Attorneys at different positions and also the salaries were improved and adjusted. A good number of State Attorneys and supporting staff were employed.

The office of the Attorney General is on the process of installing case docket management system. Plans are underway to install LAN System which will facilitate communication with the Zonal offices in terms of monitoring the cases which are filed in the court.

Our office also fights corruption in the working place so as to meet our vision which is “Timely and Accessible Justice for All“. Training on anti-corruption and Good Governance has been conducted to the staff at all levels at the Headquarters and some at Dar es Salaam Zonal office. Corruption being across cutting issue training will also be conducted in the Zonal offices. This will depend on the availability of funds of the financial year 2010/2011.

Apart from training the Staff, Public awareness in terms of legal and Judicial procedures and support to people were also conducted. Public awareness on legal matters will reduce corrupt activities as people will know their rights. Journals and Newsletters will soon be published and distributed so that the Public at large to enable it to know the office of Attorney General its divisions and functions.

In order to improve the working environment for public servants working tools and equipment were provided. Some computers and modern furniture’s were purchased for our offices. The exercise is an ongoing one as the office is expecting have Regional offices up to the district level. Very soon the office of Mara and Lindi will be opened.

As regards professional code of ethics seminars were conducted to the State Attorneys and supporting staff at the headquarters and the Zonal State attorney in-charges. The committee is monitoring the unethical behaviour of the employees and up to now no such cases of unethical behaviour has come up or reported.

CHALLENGES

The challenges we are facing at the moment is the expansion of the offices of the Attorney General from the zones down to the regions and the district level...there is a problem of office buildings which are not there to hire.

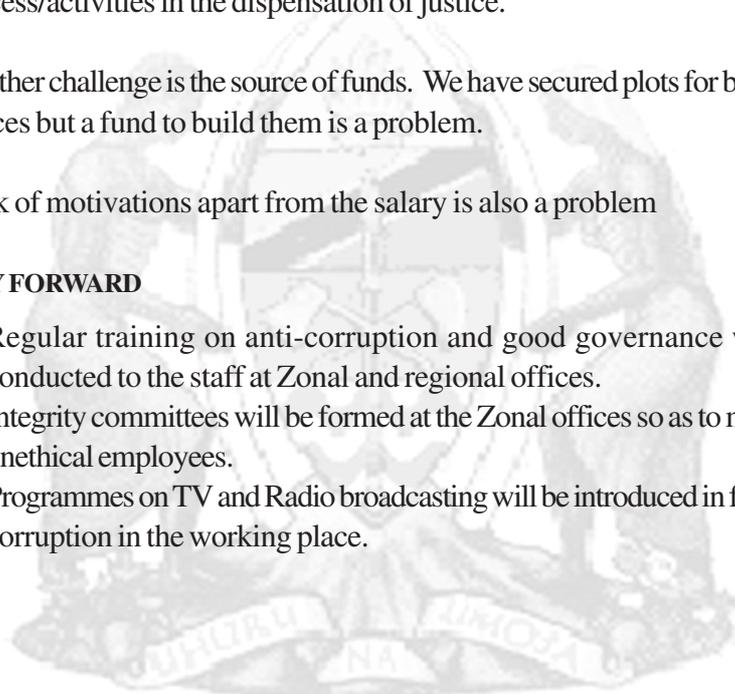
A number of plots have been secured both in the regions and at the district level in which we have to build offices the civilianization of prosecution services means that all the cases will be prosecuted by the State Attorneys or Public Prosecutors who will be appointed by the Director of Public Prosecutions. The investigative organs will specialize on the investigation only. The whole process aims at among other things reducing corruption process/activities in the dispensation of justice.

Another challenge is the source of funds. We have secured plots for building offices but a fund to build them is a problem.

Lack of motivations apart from the salary is also a problem

WAY FORWARD

- Regular training on anti-corruption and good governance will be conducted to the staff at Zonal and regional offices.
- Integrity committees will be formed at the Zonal offices so as to monitor unethical employees.
- Programmes on TV and Radio broadcasting will be introduced in fighting corruption in the working place.



CHAPTER 6

JUDICIARY NACSAP II IMPLEMENTATION REPORT

INTRODUCTION

The Judiciary of Tanzania is a creature of the constitution of the United Republic of Tanzania, 1977 as amended. The judiciary has its foundation under Article 107(1) and 107B of the Constitution which vests the authority and responsibility to administer justice in the Judiciary of Tanzania.

The role of the Judiciary is to interpret the laws of the land fairly and to dispense justice impartially, without fear of favor between individuals and between individuals and state. As per this role, judiciary is a very important partner in the implementation of the National Anti Corruption Strategy and Action Plan (NACSAP) that aims to help set up, organize and mainstream a sustainable mechanism and response against corruption across all sectors.

Generally, courts are required to meet very high standards of independence, courage, impartiality, integrity, propriety as well as competence and diligence. This is because courts are the ultimate forum for condemning and punishing all other forms of corruption.

However, these days as commented in many jurisdictions in the world, an increased number of persons regard courts as corrupt and they cannot offer a forum where the poor and the powerless can stand with all others as equal before the law. The less fortunate in society, with increasing frequency, choose to avoid the legal system altogether rather than face intimidation, delay, and escalating legal and emotional costs.

This situation also exists in Tanzania and that is why there have been a number of initiatives from the Judiciary and the Government which has

worked some formulas like NACSAP with the aim of preventing and fighting corruption. NACSAP is an effective course of action to implement Government's zero tolerance policy on corruption and rectification of the existing situation in institution like judiciary.

SITUATION ANALYSIS

The society of Tanzania expects the judicial system where.

- Courts are simple, accessible with clear court processes that allow good representation.
- There is a good governance and administration of justice.
- There is a fair and timely justice.
- There is a proper administration of justice.
- There is equality before the law.

An analysis of the stakeholder and their expectations made by the judiciary under its Medium Term Strategic Plan 2004-2009 led to the development of the key performance outcomes or seven key result areas and these are:-

1. Fair and timely disposition of cases.
2. Easy and equitable access to judicial services and administration.
3. Competent and independent judiciary (non-partisan).
4. Availability of law reports.
5. Capacity of the judiciary to effectively carry out its function.
6. Management information system.
7. Financial, resource management and accountability.

These are the areas that the judiciary has been concentrating on since 2004-2009 under guidance of the vision and mission. The vision of the judiciary is "Timely and Accessible Justice for all" and the mission are to carry out the administration of justice by interpreting laws and deciding cases timely.

The key result areas desegregated into goal/strategic objectives, strategy and service delivery targets. There are twenty four strategic objective and eleven goals.

For the purpose of this report, the first key result area, the first goal and the second strategic objective of the judiciary Medium Term Strategic Plan are relevant.

The second strategic objective is there to ensure a corrupt free zone within the judiciary. The key performance indicators under this area are:-

- Customer satisfaction.
- Number of complaints.
- Number of corruption cases filed against judicial staffs.

There have been strategies and service delivery targets used to ensure this strategic objective is well met. These strategies, in terms of the NACSAP are judiciary activities in anti corruption as pointed out in its seventh key strategic goal (key result area/objective).

I shall now endeavor to show the status of key corruption activities and anti corruption key performance indicator that covers the period under which the second phase of the National anti Corruption Strategy and Action Plan was officially launched to date

EVALUATION OF THE JUDICIARY ON THE NACSAP IMPLEMENTATION STATUS.

Judiciary is the main player in the Legal Sector Reform Program which entails Accountability, Transparency, and Integrity Program (ATIP). The second phase of the National anti Corruption Strategy and Action Plan which was officially launched by the Government of the United Republic of Tanzania on December 10, 2006 links with the Legal Sector Reform Program (LSRP) through ATIP to enhance integrity in the judiciary.

A table below attempts to show the status of key corruption activities and anti corruption key performance indicators implemented in tandem with the NACSAP link.

STRATEGIC OBJECTIVE	KEY ANTI-CORRUPTION ACTIVITIES	ACHIEVED OUT PUTS	KEY PERFORMANCE INDICATORS
To ensure a corruption free zone within the Judiciary	i. Training on the adherence to professional and judicial ethics.	NACSAP trained 11 judges of the High Court and Court of Appeal as presented in the NACSAP physical performance report at page 31.	Rate of complaints against Judicial officers before various Ethics Committee and Judicial Boards
	ii. Sensitization seminars for judicial officers and supporting staff	Three seminars conducted by the LSRP to the following participants; <ul style="list-style-type: none"> • 45 accountants (at ESRF in 2006). • 30 Magistrates (at Sea Cliff in 2006). 	High sensitization on corruption practices.
	iii. Enhancement of salaries and other allowances.	New salary scale for Judicial officers.	Decrease of corruption practices in the Judiciary.
	iv. Strengthen supervision mechanism within the courts.	Confidentiality has been strengthened. There is a tacit and credible assurance that truthfully report submitted by judicial officers about their subordinates will not leak and they will in fact be considered with due seriousness.	Decrease of complaints from staffs to the Ethics committees.
	v. To ensure that Judicial Service Commission and other committees such as Judges Ethics Committees, Judicial Officers Ethics Committee, Regional and District judicial boards are functioning well for the adherence of judicial and public code of ethics.	80 complaints received since 2006. 42 Magistrates acquitted, 22 suspended, 6 retired for public interest and 6 complaints awaiting the decision. 2,468 employees attended seminars in a total of 8 High Court zones.	Decrease of corruption cases filed against judicial staffs.

	vi.	Raising public awareness as mechanism of anti corruption.	A newsletter of the Judiciary of Tanzania entitled 'HAKI BULLETIN'. Law day them on the fight and prevention of corruption.	Decrease of perceived corruption.
	vii.	Timely hearing and disposal of cases	Timeless of decision making.	Decrease of perceived corruption.

KEY CHALLENGES

1. The number of judicial officers and supporting staffs that have been trained to date is small.
2. There is no strong Legal Aid literacy Network.
3. Most of the training focused to the higher Judiciary.
4. Ethics committee that deals with the supporting staffs
5. Change of culture
6. Perceived corruption
7. Cooperation with other stakeholders in the fight against corruption

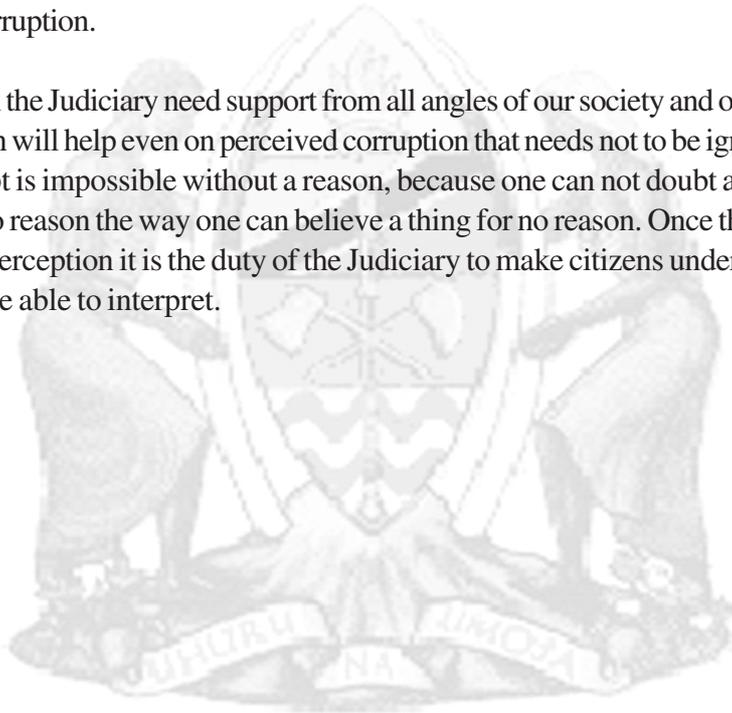
THE WAY FORWARD

1. There is a need of more training
2. To strengthen cooperation with other stakeholders
3. To strengthen the Legal Aid Literacy Network
4. Seventy percent of training to the lower Judiciary
5. To strengthen ethical and moral values in a bid to development and anti corruption culture
6. To eradicate doubts that causes perceived corruption through information dissemination.

CONCLUSION

There is now greater need than any other time of strengthening a synergy between NACSAP and Judiciary integrity programs for a successful fight against corruption. This is because Judiciary is an important partner in combating corruption and enhancing good governance in our country. Judiciary is an ultimate forum for condemning and pushing all other forms of corruption.

We in the Judiciary need support from all angles of our society and outside which will help even on perceived corruption that needs not to be ignored. Doubt is impossible without a reason, because one can not doubt a thing for no reason the way one can believe a thing for no reason. Once there is bad perception it is the duty of the Judiciary to make citizens understand and be able to interpret.



CHAPTER 7

LOCAL GOVERNMENT SECTOR REPORT ON THE IMPLEMENTATION OF NACSAP II

1. BACKGROUND

The present Local Government system in the country has its basis in the Constitution of the United Republic of Tanzania Cap. 145 and 146 which clearly define the need for the establishment and the roles of the Local Government Authorities. The Local Government Acts. Nos. 7 and 8 of 1982 respectively re-established the District and Urban Local Government Authorities with specific mandates that all aim at fostering and facilitating the citizen's development efforts within their areas of jurisdiction.

The Local Government Authorities were vested with mandatory and permissive functions. The basic 3 mandatory functions are:

- (a) To maintain and facilitate the maintenance of peace, order and good government within its area of jurisdiction;
- (b) Promote social welfare and economic well-being of all persons within its area of jurisdiction; and
- (c) Subject to the national policy and plans for rural and urban development, to further the social and economic development of its area of jurisdiction.

In the NACSAP II document, one of the Key Result Areas is Goal No. 3 which aims at introducing systems of integrity, accountability and transparency in Local Government Authorities. Through the implantation of this key result area, NACSAP II aims at including built-in integrity systems, measures to build and sustain public trust, and systems for monitoring and evaluating performance.

In order to achieve the above objectives, the following activities were planned for implementation under the period under review.

- 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 systems and procedures;
- Introduce and encourage the use of whistle blowing and hotline systems
- Introduce Client Service Charters in all LGAs;
- Build capacity of community based organizations, service deliverers and outlets for combating corruption.

2. THE IMPLEMENTATION STATUS

- a) The establishment of Integrity Committees has been accomplished in 132 LGAs out of the 133 accounting for 99.2%. The only LGA that has not established IC being the Tarime District Council in Mara region.
- b) A total of 308 Integrity Committee members from 101 LGAs were trained on corruption and ethics infrastructure representing 57.9% of all LGAs Integrity Committee members. Out of 101 LGAs only 33 LGAs managed to have all their IC members trained; 21 LGAs managed to train only 3 members each; 20 LGAs trained only 2 members each and 14 LGAs trained only 1 member each. 32 LGAs are yet to receive training. Gender wise, of those trained, 31% were women and 69% men.
- c) In terms of Client Service Charter, 60 LGAs have accomplished the task of introducing those representing 45% of the expectations.
- d) 32 LGAs have prepared Anti-Corruption Action Plans representing 24% of the expectations;

- e) All LGAs have suggestion boxes and Complaint Officers in place;
- f) All LGAs have signboards at their head quarters and service outlets like dispensaries and health centers, etc with “This is a Corruption Free Zone” words;
- g) All LGAs have notice boards displaying the amount of funds received as grants and the expenditure reports. This is done at Council, Ward and Village/Mtaa levels.
- h) All LGAs have sign boards at different Council levels’ projects displaying the names of the projects, the amounts involved, government contribution, donor’s contribution and the community contributions. Those without such sign boards at the project sites become penalized during the Assessment for qualification for Development Grants.

3. CHALLENGES

Number of trained members of ICs is lower than the number of members expected due to the following reasons:

- Transfers;
- Retirements;
- Abscondments; and
- Dismissals
- Some LGAs appointed junior staff who cannot handle confidential issues related to corruption and ethics;
- Some LGA Directors do not make immediate replacements in case of vacant posts of IC members;
- It is difficult for PMO-RALG to make follow-ups on the operationalization of ICs since the quarterly reports are submitted directly to Chief Secretary – GGCU without copying to PMO-RALG
- Composition of IC members is not well known to Council Directors;
- Issues raised show clearly that the roles and responsibilities if IC members are not well understood.

4. OPPORTUNITIES

- The existence of ICs in LGAs contribute to existence of good governance (integrity, accountability and transparency) in LGAs
- Identification of unethical behavior in LGAs
- Decrease of corruption practices in LGAs
- Increased output in LGAs
- Decreased public complaints against Council Staff

5. THE WAY FORWARD

- PCCB in collaboration with PMO-RALG, LGAs, and other stake holders should organize training on ethics infrastructure for the second phase;
- PMO-RALG and ALAT will have to continue reminding LGAs on the need to strengthen ICs and appoint members for the vacancies that occur as soon as it is possible;
- LGAs in collaboration with PCCB district bureau should submit the quarterly reports to PMO-RALG and PCCB without fail;
- PMO-RALG, LGAs, PCCB, ALAT and other stakeholders have a duty to strengthen the ICs in order to succeed the fight against corruption in LGAs and in the public sector in general;
- * There is need for PCCB to facilitate members of the Steering Committee to visit a number of LGAs to see the operationalization of ICs.

6. CONCLUSION

- Integrity Committees in LGAs are very important instruments in ensuring adherence to principles of Good Governance (integrity, accountability and transparency) and in enhancing ethical behavior and standards of performance in the public service.
- In this regard, PMO-RALG, PCCB, ALAT, LGAs and other stakeholders need to work very closely in order to build capacity of ICs to perform their duties as required.

CHAPTER 8

THE IMPLEMENTATION OF NASCAPI II (NATIONAL ANTI-CORRUPTION STRATEGY AND ACTION PLAN)

HOW DOES NATIONAL AUDIT OFFICE CONTRIBUTE?

1. INTRODUCTION

The National Audit Office

The office of the Controller and Auditor General also known as the National Audit Office of Tanzania is an independent department of the Government and is the Supreme Audit Institution in the Country. It is established under Article 143 of the Constitution of the United Republic of Tanzania of 1977 (Revised 2000).

The Office is headed by the Controller and Auditor General (CAG) whose statutory duties and responsibilities are enshrined under article 143 of the Constitution of URT of 1977 (Revised 2000), and further elaborated under section 10 (1) of the Public Audit Act No 11 of 2008 and its Regulations of 2009.

NASCAPI II

This is the second phase of the National Anti-Corruption strategy and Action Plan (NASCAPI II) which was officially launched by the Government of the United Republic of Tanzania on December 10th, 2006. The implementation strategy provides criteria in translating the Government's anti-corruption policies, aspirations, and perspectives into practical and actionable terms through eight key strategic goals (key result areas/objectives as listed below:

- Goal 1:** Combating corruption in a more scientific way and by addressing its root causes;
- Goal 2:** Strengthening anti-corruption mechanism at all Ministries, Departments and Agencies of the Government;
- Goal 3:** Introducing systems of integrity, accountability and transparency in Local Government Administration (LGA)
- Goal 4:** To mainstream and empower Private Sector into anti -corruption.
- Goal 5:** To mainstream and empower Civil Society Organizations and Non State Actors into anti - corruption processes.
- Goal 6:** To raise public awareness of anti-corruption.
- Goal 7:** To build synergy between NASCAP and legislative and judicial integrity Program.
- Goal 8:** Enhancing the capacity of PCCB, GGCU and Director of Public Prosecutions to deal with corruption, manage and implement NASCAP II.

2. HOW DO THE CAG'S DUTIES AND RESPONSIBILITIES CONTRIBUTE IN THE IMPLEMENTATION OF THE NASCAP II?

The duties and responsibilities of the CAG which are stipulated under Article 143 of the Constitution of the URT as revised (2000) and amplified in the Public Audit Act No 11 of 2008 and its Regulation, 2009, effectively compliments the NASCAP II, objectives in tandem with the goals as follows;-

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

Pursuant to Article 143(2) (c) of the Constitution of the URT the Controller and Auditor General shall at least once in every year audit and give an audit report in respect of the accounts of the Government of the United Republic, the accounts managed by all officers of the Government of the United Republic and the accounts managed by the clerk of the National Assembly.

In the process of fulfilling this responsibility the CAG reports reveals various weaknesses associated with illegitimate use of public funds, poor governance, and weak internal control which invariably can be of existence of fraud. The annual reports of the CAG as well as special audit report are prepared in accordance with Regional and International Auditing Standards. Therefore, these reports are of acceptable quality and are tabled in Parliament for use by oversight Parliamentary committee to hold accounting officers accountable for collection and use of public resources.

Moreover, the enactment of the Public Audit Act No 11 of 2008 has broadened the scope of audit to be conducted by the NAOT, besides regularity and performance audits; the CAG under this legislation may carry-out forensic, environmental and special audits as needs may arise. These gives the CAG more mandate in enforcing financial controls and thus assists the Government in enhancing accountability.

In addition, this legislation enables the CAG to provide the necessary independence assurance of Parliament concerning such issues as accountability, transparency and probity in the use of public resources particularly as to whether such resources have been effectively spent with due regard to economy, efficiency and effectiveness as intended and appropriated by the parliament.

Further, section 27 of the Public Audit Act No 11 of 2008 has been amended to provide for a more robust provision dealing with the probity and enable the NAOT to work more closely with the PCCB. This section states that NAOT auditor or CAG representative in the course of conducting any audit; in case he/she come across any issues of fraud or are of a corrupt nature should immediately report to the Controller and Auditor General before finalization of such audit. The CAG will determine the matter and if he realizes that there is a need for more investigation he will immediately report such matter to the respective bodies including PCCB. This provision is intended to fight corruption as and when is detected, within our MDAs, LGA and PA and OBs

Furthermore, Section 44(2) of the Public Procurement Act No 21 of 2004 and Reg. 31 of the Public Procurement (Goods, Works, Non-consultant services and Disposal of Public Assets by Tender) Regulations (G.N 97) of 2005 requires the CAG in his annual audit report to state whether or not the audited entities have complied with the provisions of the Law and its Regulations. For about three years now the Controller and Auditor General has not been satisfied with the compliance of the Public Procurement Act by MDAs/RAS.¹ It has been said that about 70% of Government budgets are spent on procurements transaction used in Public Procurement² It is expected that the findings of the CAG particularly in procurement will be the starting point for PCCB and PPRA to carry profound investigations aiming at combating, preventing fraud and corruption.

Goal 2: Strengthening anti-corruption mechanism at all Ministries, Departments and Agencies of government.

The Controller and Auditor General, through his various reports he issues such as annual general reports, performance audit reports and special reports, he provides recommendations on how to strengthen various controls in the MDAs, LGAs and PA & OBs for the purposes of reducing the possibilities of corruptive practices.³ We have tracking mechanism to follow-up his recommendations and again reports whether have been implemented or not.

Additionally, the CAG, reports on non - compliance with various Laws, Rules and Regulations and on weaknesses of Internal Control System across the public entities including LGA's. This contributes enormously into strengthening anti-corruption efforts in the MDAs and LGAs. The move is aimed at complementing as well as challenging the accounting officers in the implementation of system of internal control and gives an assurance of compliance.

Also the law requires the CAG to provide professional advice as Section 12 of the Public Audit Act No 11 of 2008 states that;

'the Controller and Auditor General for the purposes of (a) preventing or minimizing unproductive expenditure of public monies (b) maximizing the collection of public revenues (c) averting loss by negligence, carelessness, theft, dishonesty, fraud, corruption relating to public monies and resources, make such recommendation and submit such proposals to the Minister as he considers necessary for better management of public monies and resources including the revision of any regulations, directives or instructions issued under relevant laws.'

Apart from audit reports, The Controller and Auditor General has been providing recommendations to the Government on various issues, through diverse forms, for instance the unprocedural extension of the TICTS contract period from 10 to 25 years is one of the many issues he dealt with.

Goal 3: Introducing systems of integrity, accountability and transparency in Local Government Administration (LGA)

The Controller and Auditor General assists in many ways in introducing systems of integrity, accountability, and transparency in LGAs, through auditing the CAG reviews whether these systems have been established. He gives recommendations on the systems which have been established with the aim of improving them.⁴

Goal 4: To mainstream and empower Private Sector into anti-corruption.

Although not directly, but indirectly the CAG's reports as well as various recommendations he provides touch to some extent on the need to mainstream and empower the Private Sector into anti-corruption strategies, because through his various reports and various recommendations the CAG requires the Government to strengthen its operations in various ways in which the Private Sector will be expected to follow those laws, rules and regulations.

Moreover, the Government of recently has engaged into the policy of Public Private Sector Partnership which requires the Government to work closely with the private sector in serving the public. Thus it should be taken into account that when the Controller and Auditor General advices and

⁴ See the CAG reports on the Central government, local government, public Authorities and other bodies as well as Performance Audit in the NAOT website www.nao.go.tz you will find those reports for the year ended 30th June 2009

recommends various issue for the purposes of strengthening the Government operations it automatically also benefits the private sector. For instance the Public Procurement Law No 21 of 2004 requires the CAG in his reports to state whether the MDAs and LGAs have complied with the laws and regulations. The Law is used by the Private Sector in bidding to supplies to do business with Government, so if such laws are improved arising from the CAG recommendations, it end up serving both the Government, the private sector and the general public.

Goal 5: Mainstream and empower Civil Society Organization and Non State Actors into anti corruption processes.

The Civil Society Organizations as well as Non state Actors do use the CAG reports in the implementation of their strategies, for instance HAKI ELIMU, which is among the Non states Actors, has been using the CAG reports to educate the public on how their Government is working. It is also used by these organizations to let Donors know how the Government is performing so that the donors can make informed decisions whether or not it is worth to continue investing on the Tanzanian Government.

Goal 6: Raise public awareness of anticorruption.

Through the CAG Reports, the public have been informed on the issues of anticorruption on how the Government is dealing with the matter and how it has been addressed. After the CAG report has been tabled, the CAG calls for press conference or issues a press release to explain on his submitted report in order to let the public know what prevailed in the reports and that the Government can go through and be aware of those issues. The ongoing EPA cases being prosecuted in our courts of law which emanated from a special audit investigation done by the CAG is another manifestation of raising public awareness of the Government anticorruption crusade.

Goal 7: Build synergy between NASCAP and legislative and judicial integrity Programmer.

Over the years, the CAG and his officers have found themselves being called in court as witnesses of the corruption or fraud cases. Such evidence is normally derived from the CAG reports.

Goal 8: Enhance the capacity of PCCB, GGCU and Director of Public Prosecutions to deal with corruption, manage and implement NASCAP II

In the implementation of the NASCAP II, the PCCB, GGCU and DPP uses the CAG reports as the starting point of either conducting more investigation or in raising awareness to the Public. Hence it enhances the capacity of those institutions because they get information through the CAG reports and thus assist in the implementation of the Goals set out in the NASCAP II.

3. ACHIEVEMENTS IN THE IMPLEMENTATION OF NASCAP II

There has been impressive achievement in the implementation of NASCAP II through CAG duties and responsibilities. The CAG has managed to issues the annual statutory reports each financial year timely. This is a remarkable achievement, since it assures accountability to the public.

Also the CAG has been providing recommendations on different issues which have helped the Government in serving its citizens in better and more effective manner.

4. CHALLENGES FACING NAOT IN THE IMPLEMENTATION OF THE NASCAP II

Although there are remarkable achievements in the implementation of the NASCAP II, there are some challenges which can be noted at the National Audit Office. These are hereunder summarized as follows:-

Lack of enough staff to carry out the auditing work as would have been required. Despite the continuous recruitment of new staff almost every year, the scope of auditing activities that requires the services of National Audit has also been expanding at a pace that the institution can not keep up with. This is partially due to less number of staffs recruited due to budgetary constraints and cumbersome procedures for recruitment in the Government.

Further, the emerging new fields of auditing, such as forensics, and performance auditing requires highly trained personnel who are few in Tanzania and who are attracted by better salary packages and incentives elsewhere. As a result of this the institution is faced with lack of experts and hence is required to outsource such expertise from other consulting firms

The other challenge relates to low salary packages and unattractive incentives offered in the government compared to other employers, especially to highly trained professionals who are scarce in Tanzania. This has made these experts to either flee from the Government or to be reluctant to join the Government service including NAO. On the other hand such low salary and incentives can tempt unethical employees to involve themselves in corruptive practices.

The other challenge is in relation to inherent existing weakness in detection of fraud or embezzlement of public resources by the Audited institutions, especially where collusion is involved.

Human error is also another challenge facing National Audit office in performance of its day to day activities. There are errors which are human while others are intentional. Detection of these error and exclusion of the feeling that the mistake or error was done intentionally is a challenge.

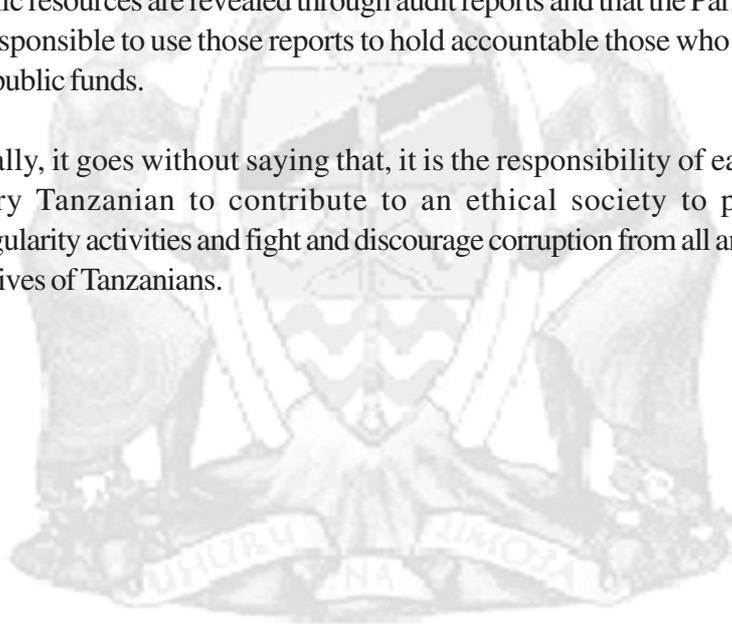
5. HOW TO OVERCOME

The management of the National Audit Office has realized that there is a need to address these impediments and steps have been taken to address these problems.

6. CONCLUSION

The National Audit Office is striving to ensure that public resources are used efficiently, effectively and economically and that all who misuse the public resources are revealed through audit reports and that the Parliament is responsible to use those reports to hold accountable those who misuse the public funds.

Finally, it goes without saying that, it is the responsibility of each and every Tanzanian to contribute to an ethical society to prevent irregularity activities and fight and discourage corruption from all angles of the lives of Tanzanians.



CHAPTER 9**TANZANIA PRIVATE SECTOR FOUNDATION****ANNUAL PROGRESS REPORT ON THE
IMPLEMENTATION OF GOAL NO. 4 OF NACSAPII BY THE
PRIVATE SECTOR FOR THE PERIOD BETWEEN 1ST
JANUARY 2009 AND 31ST DECEMBER 2009****1. BACKGROUND**

Tanzania Private Sector Foundation (TPSF) is collaborating with PCCB to implement Goal number four (4) of the *National Anti-corruption Strategy and Action Plan (NACSAP) II* which specifically focuses on the private sector. The goal's focus is to "Mainstream and empower the Private Sector into Anti-corruption" and has eight (8) main intervention areas as follows:-

- (a) Identify potential Business and Corporate associations and build their capacity for anticorruption initiatives.
- (b) Convene a national forum for the Business Sector to identify interests and goal-setting for anticorruption.
- (c) Build capacity of the Private Sector for Corporate Governance to complement ongoing national reform processes.
- (d) Promote corporate social responsibility at both local and central levels.
- (e) Introduce an "Integrity Pact" and get Business and Corporate entities to sign to commit to transparency and accountability in financial transactions.
- (f) Institute and sponsor annual Forum on Anticorruption for the Private Sector.

- (g) Create Public-Private Partnerships and dialogue to include central government and LGAs to fight corruption and monitor results.
- (h) Establish an Annual award to honor Business and Corporate entities for upholding integrity and good corporate governance.

2. MAJOR ACHIEVEMENTS IN YEAR 2009

- (a) Capacity building for identified business and corporate associations in anti-corruption initiatives. A total of 36 members from 13 identified business and corporate associations from Dar es Salaam, Coastal region, Tanga, Kilimanjaro, Arusha and Manyara were trained on Corruption and Ethics Infrastructure and The role of Private sector in Implementing NACSAP II as part of awareness raising programme.
- (b) A total of 96 women entrepreneurs who are members of Tanzania Women Chamber of Commerce from across the country were sensitized on The NACSAP II -2008-2011 and The Role of Private Sector in implementing NACSAP II.
- (c) Build capacity of the Private Sector for Corporate Governance to compliment ongoing national reform processes. A total of 47 members from 19 identified business and corporate associations across Tanzania were trained on Corruption and Corporate Governance.
- (d) A joint committee between TPSF and PCCB was formed to address issues which affect businesses and try to resolve them jointly. During year 2010 the committee met twice to address the problem of port congestion and the resulting delays as they affect the business community.
- (e) Formation of a National Task Force to oversee the establishment of a system of awarding business corporations that uphold integrity and good corporate governance. The task force is in place but has not made progress because the survey work was supposed to be done by consultant who has not been hired to-date due delay in funding decision.
- (f) Establishment a technical working group to launch Business Action against Corruption (BAAC) movement in Tanzania which will oversee the establishment of a centre to the 10th Principal of the UN Global Compact.

- (g) During the year TPSF in collaboration with UNICEF conducted a high level consultative workshop with the private sector to find out ways of developing Corporate Social Responsibility (CSR) guidelines for the private sector focusing on how the private sector should invest in CSR. During the seminar NACSAPII Goal no 4 was introduced but the focus of the meeting did not cover about how CSR can be embraced to prevent corruption in businesses.

3. CHALLENGES

Implementation of NACSAPII for the private sector has gained an initial momentum during the year under review and therefore significant impact could not be attained because of the following challenges:-

- (i) Many of the awareness raising workshops/seminars for the private could not be done as we had planned due to late release of funds from UNDP and inadequate funds from other stakeholders.
- (ii) TPSF being a members led organizations whose revenue base is derived from members subscriptions and voluntary contributions hence it has no capacity to implement anticorruption activities without external support.
- (iii) Much of the progress could have been made this year if we had contracted consultants needed to conduct various surveys and develop methodology for effectively engaging the private sector into anticorruption. Terms of references for these consultants were submitted to NACSAPII Secretariat for review and allocation of funds.
- (iv) The Committee that was established jointly between TPSF and PCCB to deal with the issue of port congestion especially as it relates to corruption met only twice during year 2009 due to difficulties in obtaining Ports operational data and reports from Dwell Time Committee. TPSF however is encouraged by the pace of resolving the Port congestion problem initiated by the Government.
- (v) The Governance and Business Ethics Committee established at TPSF could not be replicated at the Private Sector Organizations or Business Associations due resource constraints.

4. WAY FORWARD

[A] NACSAPII IMPLEMENTATION

NACSAPII INTERVENTION AREA

	NACSAPII INTERVENTION AREA	IMPLEMENTATION STRATEGIEY	WAY FORWARD
(i)	Capacity building for identified business and corporate associations in anticorruption initiatives.	Agreed that the process of awareness raising needs to be done initially by PCCB but should later be owned by the Private Sector and therefore in addition to normal workshops, PCCB should train at least 40 private sector champions; 2 from each region who will conduct training jointly with PCCB.	-TPSF will identify these champions who will undertake extensive training by PCCB - PCCB to continue with the facilitation of training of PSO's as part of awareness raising campaign
(ii)	Convene a national forum for the Business Sector to identify interests and goal-setting for anticorruption	National forum to be conducted but with input from a consultant	To engage a consultant who will advise TPSF on how to effectively involve the private sector during the forum
(iii)	Build capacity for Corporate Governance to compliment ongoing national reforms i.e. LSRP, PSRP, LGRP etc	(i) To use the consultant to advise TPSF on the entry point for building capacity for corporate governance. (ii) To continue with training to raise awareness on Corporate Governance	Engage consultant to provide support during the forum
(iv)	Promote Corporate Social Responsibility at both local and central levels	To use the consultant under (iii) above to advise on the methodology for raising awareness on CSR within the private sector	Engage consultant to provide support during the forum
(v)	Establish an 'Integrity Pact' that will commit businesses and corporate associations to transparency and accountability in financial transactions"	TPSF has the view that "Integrity Pacts" is the final output after implementing all the activities under Goal 4, National coalition on business ethics and governance is important through establishment of Ethics and Governance Committees (integrity committees) in each of the PSO's that will make their members commit to sign and implement.	Awaiting engagement of consultant once approved by NACSAPII Secretariat

(vi)	Institute and sponsor annual Forum on Anticorruption for the Private Sector	The forum for the private sector was deliberately delayed to allow for more awareness raising workshops to be conducted. In this way a more informed private sector will ensure that the forum is effective and produce concrete deliverables	Scheduled to coincide with the first award to be given to the most ethical business.
(vii)	Create Public-Private Partnerships and dialogue to include central government and LGAs to fight corruption and monitor results	TPSF is still deliberately on the proper format of the dialogue	Scheduled for July 2010
(viii)	Establish an annual presidential award to honor businesses and corporate entities for upholding integrity and good governance at a national forum on anti-corruption for the Private Sector.	To form a national task force that will oversee the establishment of the Annual Presidential Award on Integrity but decisions will be based on the consultant's input.	The award system is expected to be ready by July 2010 and the first award by early 2011.

[B] OTHER INTERVENTIONS

(i) Port Congestion Problem

The TPSF/PCCB committee which was formed in 2009 will continue to work together in year 2010 to address the issue of Port congestion especially by identifying Port procedures that are exploited by corrupt officials in the Port system in order to resolve Port problem on sustainable basis.

(ii) Mainstreaming of Anticorruption Activities into TPSF Plans

TPSF is intending to mainstream anticorruption activities into its annual work plans for the purpose of enhancing ownership and accountability even though it will continue to rely on NACSAPII funding.

CHAPTER 10

REPORT ON THE IMPLEMENTATION OF THE NACSAPI II BY THE CIVIL SOCIETY ORGANISATIONS

INTRODUCTION

There are so many civil society organizations in Tanzania doing governance and anti-corruption related activities, in 2009 a range of activities were done countrywide but because of lack of coordination mechanism and institution it becomes difficult to capture all of them in the form of the annual report. The activities range from training, capacity building, awareness creation, education, production of education materials, research and studies. We will attempt to report very few activities that we were able to come across and most of the activities they are covering the whole nation and was done by organizations based in Dar es Salaam as follows:-

CSOs INFRASTRUCTURE TRAINING

Ethics infrastructure training for Civil Society Organizations was conducted for two days by PCCB at White sands Hotel in Dar es Salaam, about 27 CSOs leaders out the invited 30 participants attended from across the country. The training was very successful and it empowered civil society organizations leaders with the necessary knowledge and skills

1. CIVIL SOCIETY ORGANIZATIONS ACTIVITIES

1.1. CIVIL SOCIETY ANTICORRUPTION NETWORK (TACN)

From 2nd to 3rd November 2009 with the support of PCCB, 30 civil society organizations convened in Morogoro and formed the so called Tanzania Anti-Corruption Network (TACN). They elected the board

consisting of 11 members representing all zones of Tanzania mainland. The network got its official registration certificate on 12th March 2010.

Ongoing activities of TACN for 2010 are as follows:

- 1.1.1. Marketing the Strategic Plan Document 2010-2012
- 1.1.2. Identify Partners to carry forward and implement SP 2010-2012 (Fundraising)
- 1.1.3. Construct a website of TACN
- 1.1.4. The Board members visit Uganda for a learning tour to Anti Corruption Coalition of Uganda (ACCU)
- 1.1.5. Hire a Coordinator and other supporting staff
- 1.1.6. Hire an independent office space
- 1.1.7. Convene board meetings and AGM for 2010
- 1.1.8. Recruit new members

2. CORRUPTION PERCEPTION SURVEY (CPS) BY FORDIA

In 2009 Concern for Development Initiatives in Africa (ForDIA) was able to conduct and publish a Corruption Perception Survey (CPS) which was funded by The Foundation for Civil Society (FCS). The survey generated a heated debate in society especially the ranking of districts as most and least corrupt districts in Tanzania. But it also showed which public institutions or corporations or government departments are least and most corrupt.

3. CORRUPTION OFFENCES IN ELECTIONS

Policy Forum in collaboration with PCCB published and launched a second Swahili booklet called “Makosa ya rushwa katika chaguzi” which was extracted from three different laws namely local government elections Act no. 4 of 1979, National Election Act no 1 of 1985 and Prevention and Combating Corruption Act (PCCA) no.11 of 2007. This is a second joint publication, the first one being the popular version of PCCA which was published in 2007.

4. ANNUAL PETS CONFERENCE 2009/2010

In 2009 civil society organizations working in the area of Social Accountability and Public Expenditure Tracking Surveys (PETS) in collaboration with PCCB had planned to conduct a PETS conference for 2 days but due to some technical problems, it was postponed until 2010

The PETS conference objectives are as follows:-

- i. To take stock and evaluate on PETS in Tanzania;
- ii. To share experiences on challenges and achievements;
- iii. To chart out a way forward on scaling-up PETS in Tanzania.

5. CIVIL SOCIETY ORGANIZATIONS (CSOs) ENGAGEMENT IN MKUKUTA CLUSTER III

Few Civil Society Organizations (CSOs) have been engaged in MKUKUTA Cluster III working group on Governance and Accountability and in the MKUKUTA review and consultations throughout 2009 and 2010. To name a few that are always attending these cluster meetings are:-

1. The Leadership Forum
2. Agenda Participation 200
3. Foundation for Civil Society (FCS)
4. Policy Forum
5. Action Aid

6. 2009 LOCAL GOVERNMENT ELECTION MONITORING

During 2009 Legal and Human Rights Centre (LHRC) monitored local government elections in 100 districts, among other things corruption was as well monitored among the irregularities in the elections.

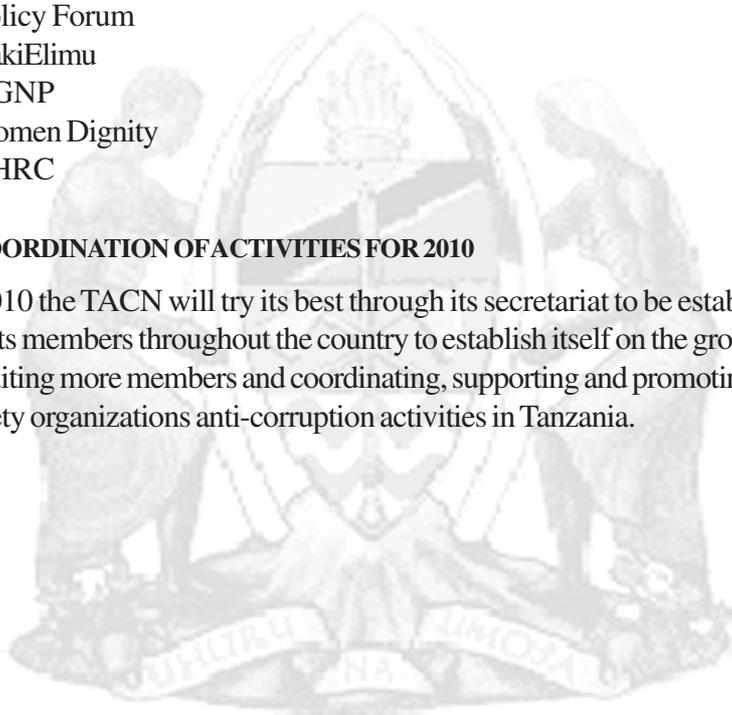
7. PUBLIC AND CIVIC EDUCATION

Several civil society organizations have continued to conduct public and civic education through different forms such as media, producing publications and conducting training on human rights. These are some of the few that are visible:-

1. TAMWA
2. Policy Forum
3. HakiElimu
4. TGNP
5. Women Dignity
6. LHRC

8. COORDINATION OF ACTIVITIES FOR 2010

In 2010 the TACN will try its best through its secretariat to be established and its members throughout the country to establish itself on the ground by recruiting more members and coordinating, supporting and promoting civil society organizations anti-corruption activities in Tanzania.



NACSAP II MONITORING AND EVALUATION FRAMEWORK

Rationale for M&E Framework:

- Need accurate and reliable data to sustainably track record and build on lessons learned.
- M&E results to ensure effectiveness, transparency, accountability and efficiency.

Framework approach:

- Utilize data that may already be available
- Allow for integrated of M&E
- Enhancing the networking and collaboration
- Allow for flexibility of parameters and indicators.

Current M&E Set-up:

- NACSAP is compiling reports from all players and making close liaison with GGCU for policy direction.
- NACSAP Zone coordinators are collecting quarterly reports from Local Governments.
- All other NACSAP goals especially CSOs, LGAs, Judiciary and DPP are sharing reports with NACSAP;
- Penalties for any entity that do not submit reports to GGCU/NACSAP.
- Institutionalize the Integrity Committees in MDAs, LGAs;
- Mainstream the anticorruption into the national budget;
- Build capacity of GGCU, PCCB, PMO-RALG to monitor activities and sustain M&E Framework;

Recommendations on the Current M&E Set-up:

- Ensure reporting motivation for private sector and the CSOs.
- Monitor the activities of Integrity Committees through quarterly review meetings. One for Ministries, one for parastals and regional for LGAs.

NACSAP M & E Framework: Basic Components

- Definitions in Monitoring and Evaluation;
- Clarification of the NACSAP Objectives, goals and activities;
- Objectives and scope of the M and E in NACSAP II;
- Monitoring indicators for each goal and beyond;
- Sources of information, Responsibilities, Mode/methods of collecting information for each indicator (matrix); Frequencies of data collection, analysis, and reporting (matrix);
- Baselines and targets for each indicator (matrix);
- Data Management and Progress Reporting;
- Mechanisms for feedback and follow-up actions (matrix and guide);

Objective and scope of Monitoring and Evaluation in NACSAP:

The objective of Monitoring and Evaluation in NACSAP is to ensure that progress in the anticorruption initiatives of the country is periodically measured using reliable and accurate performance indicators in order to enhance public confidence in the country's accountability systems.

This will be achieved through the establishment of a Monitoring and Evaluation Framework that will:

- Track and record the on-going implementation of national anti-corruption efforts to continuously assess progress;
- Build on lessons learned, achieve, accountability; efficiency, effectiveness, impact and sustainability of anti-corruption initiatives;

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

Some key indicators for this goal are:

- % reduction of corruption (from survey);
- Interventions re-focused through an action plan.
- Impact of PETs (including actions sanctioned)
- Usage of (NAO, PPRA, Parliament reports);
- Improved public perception of corruption

Indicators from the NAO, PPRA & APNAC

Indicators from the NAO

- MDAs and LGAs with serious procurement queries;
- MDAs, LGAs, RAs with adverse and qualified audit opinions;

Indicators from the PPRA

- People trained in Procurement Act
- % of procurement entities audited (out of 357);
- Procuring entities complying with the rules using the set criteria; (All 10 indicators scored out of 100)

Indicators from APNAC

- Refer to APNAC Strategic Plan
- Issues raised in PAC

Goal 2: Strengthening Anticorruption mechanism at all MDAs.

- Strategic objective is to improve public services delivery
- Have implementable actions plans.

This goal shall therefore, concentrate on:

- Functionality and impact of Integrity Committees;
- Functionality and impact of complaints handling mechanisms;
- Existence and impact of Codes of Ethics; Client Service Charters; action plans; and Whistle blowing mechanisms;
- Robustness of the internal procurement processes;
- Ability to report on time.

Goal 3: Key monitoring aspects

- Existence and functionality of the LGA ICs (establishment, training and meetings);
- Existence and functionality of the Complaints Handling Mechanisms (by type);
- Existence and functionality of the Client Service Charter and Code of conduct/ethics (qualitative data from questionnaire);
- Good procurement management (% compliance by LGAs);
- Number of LGA activities in civic engagement and awareness;
- Civil Society involvement in anti-corruption at District level;
- Timely production of reports/ timely action on issues raised,
- Overall Reduction of corruption in the LGAs.

Goal 4: Mainstream and empower the Private Sector into anti-corruption.**Key aspects to be monitored in the private sector:**

- Capacity building in corruption and anti-corruption ethics, and corporate governance;
- Cooperate Social responsibility and impact;
- Existence and functionality of corporate governance principles and or goals/strategies that are anti-corruption focused;
- Existence and functionality of codes of ethics/conduct ;

- Compliance to tax payments;
- Impact of the Private Sector Forum on anticorruption;
- Impact of the Private Sector Integrity Pact; and
- Private sector perception of the Private Sector corruption.

Goal 5: Civil Society in Anticorruption

Key focus areas for monitoring are:

- Impact of training on the CSOs,
- Impact and effects of the Civil Society Coalition against corruption;
- Impact and effects on Support to political parties; Support to the media; and Support to FBOs;
- Impact of Anti-corruption clubs and associations in schools (secondary and tertiary);
- Impact of Civil Society organisations involved in integrity issues (governance) at local level
- Impact of sensitisations, awareness and IEC.

Goal 6: Key monitoring Indicators

- Communication strategy produced, implemented and monitored;
- Materials produced and distributed by type (dairies, calendars, leaflets, newsletter, press conferences, radio programmes, press releases, television programmes, print media articles etc);
- The impact of the materials on the target groups (sporadic surveys)
- Impact of the materials on reducing corruption.
- Overall reduction of corruption.

Goal 7: Build Synergy between NACSAP and Legislative and Judicial Integrity Programmes.

- Synergy between NACSAP II Parliament of Tanzania (Bunge) (the Standing Committees and APNAC);
- Synergy between) NACSAP II and The Judiciary (LSRP is the context of the ATIP.

- Synergy between NACSAP II and DPP;
- Three organizations key to this are NACSAP, Parliament, and DPP

Indicators from Parliament:

- Level of NACSAP support to staff/MPs (training etc).
- Timely discussion of Audit Reports;
- Number of corruption case from the audit reports;
- Indicators from the APNAC Strategic.

Goal 7: Indicators for this goal**Indicators from Judiciary:**

- Cases submitted for prosecution;
- Cases referred back for further investigations;
- Pace of case handling (longest case recorded);
- Cases successfully prosecuted and finalized; and
- Cases acquitted (by reason of acquittal)

Indicators from DPP:

- Case received;
- Cases returned;
- Cases charged;
- Cases remaining.

Goal 8: Performance Indicators

- PCCB, DPP and GGCU staff trained;
- The M&E Framework in place and functional;
- Regular reports on corruption and anticorruption;
- Timely reports from DPP and to GGCU;
- Timely action on reports;
- Annually diagnostic surveys conducted;

- # of cases, reported and dealt with by PCCB;
- Improved corruption perception.

Additional Indicators from the Ethics Secretariat and CHRAGG

- Percentage compliance to asset/liability declaration by the Dec Deadline.
- Serious deviations from the assets/liability routine inspections;
- Complaints received and dealt with against leaders listed in the act.
- Complaints received and processed by the CHRAGG (including the Tribunal existence)

CONCLUSION AND RECOMMENDATIONS

NACSAP becomes the hub of data gathering from and within all the agencies doing anti-corruption work in the country i.e.

From MDAs directly, from LGAs through Zone Coordinators from CSOs through the coalitions, from Private Sector through the Associations, from Schools through the District Bureau Chiefs.

- From the NACSAP M&E Report GGCU will liaise with NACSAP to develop an action plan to follow up on the critical issues that are lagging behind.
- NACSAP will liaise with GGCU on regular monitoring visits to non-performing MDAs, RAs and LGAs.
- NACSAP will submit to GGCU the Quarterly M&E Progress Report and also submit:
- List of MDAs/LGAs that have not been submitting reports for the past 3 consecutive quarters;
- List of MDAs/LGAs that do not have: adequate complaints handling mechanisms, Client Service Charters and anticorruption action plans;
- List of MDAs/LGAs that have the worst compliance to procurement regulations;

- Action plans from different fora, Coalitions and follow-up to their recommendations;

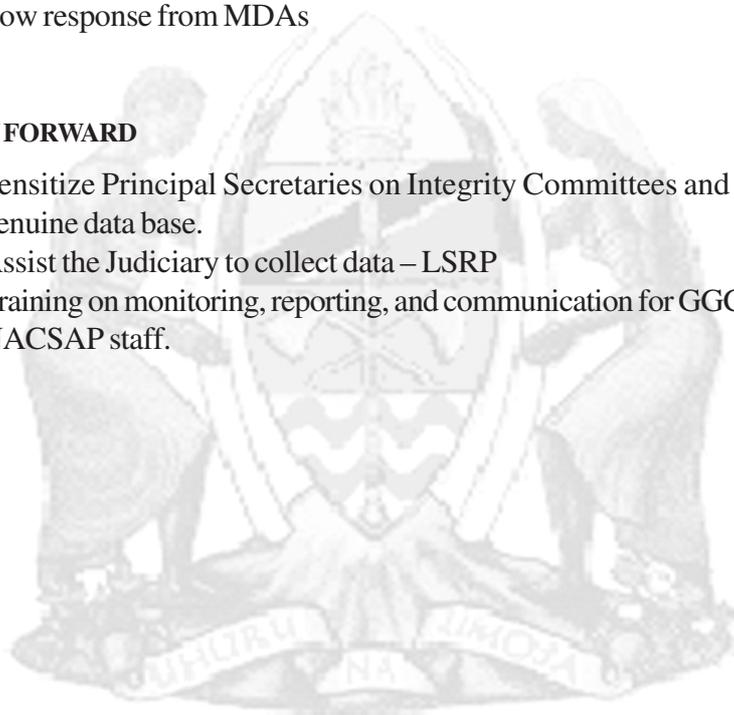
NACSAP II – M&E Framework

Major Challenges to M&E IN NACSAP II:

- MDAs to own the framework and process
- Low response from MDAs

WAY FORWARD

- Sensitize Principal Secretaries on Integrity Committees and have a genuine data base.
- Assist the Judiciary to collect data – LSRP
- Training on monitoring, reporting, and communication for GGCU and NACSAP staff.



CONCLUSION

The National Anti-Corruption Strategy and Action Plan Phase II (NACSAP II) is 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 anti-corruption policies, aspiration and perspectives into practical and actionable terms.

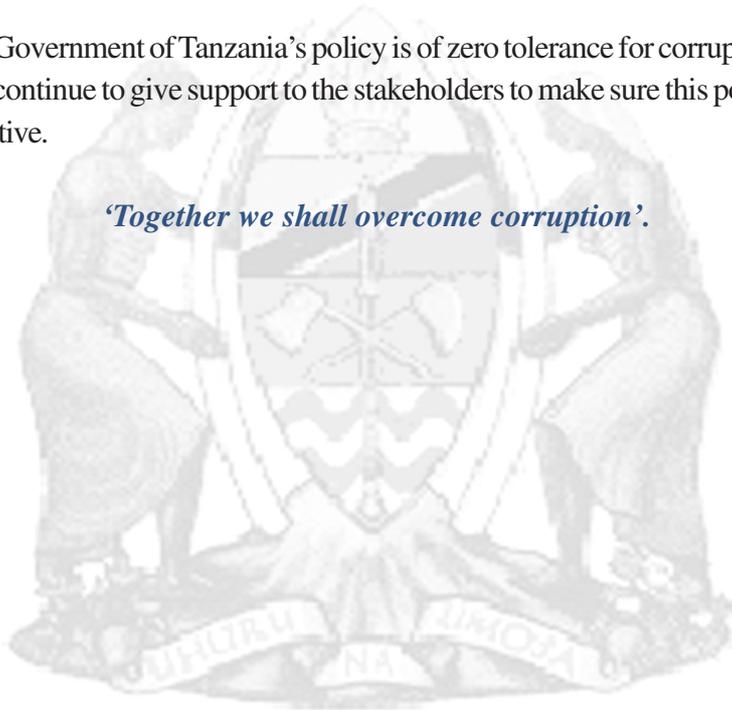
Each sector has a set up according to its goal so by the end of the implementation period, eight key strategic goals of the National Anti-Corruption Policy would have been achieved through the implementation of NACSAP II activities as listed below:.

- Goal 1:** Combat corruption in a more scientific way and by addressing its root causes
- Goal 2:** Strengthen anti-corruption mechanisms at all the Ministries, Departments and Agencies (MDAs).
- Goal 3:** Introduce systems of integrity, accountability and transparency in Local Government Administration (LGAs)
- Goal 4:** Mainstream and empower the Private Sector into anticorruption
- Goal 5:** Mainstream and empower CSOs and other non-state actors into the anticorruption process
- Goal 6:** Raise public awareness of anticorruption
- Goal 7:** Build synergy between NACSAP and legislative and judicial integrity programs
- Goal 8:** Enhance the capacity of PCCB, GGCU and DPP to deal with corruption, manage and implement NACSAP

A NACSAP Implementation Unit which is created within PCCB is responsible for the day to day management of the program implementation. We believe that through this forum where by stakeholders presents their reports, the public will be well informed of the role played by each stakeholder in the fight against corruption in the year 2009 and what plans they have for this year.

The Government of Tanzania's policy is of zero tolerance for corruption. It will continue to give support to the stakeholders to make sure this policy is effective.

'Together we shall overcome corruption'.



ANNEXURES

ANNEXURE 1



**MAELEZO YA MKURUGENZIMKUU WA TAKUKURU
DKT. EDWARD G. HOSEAH KWENYE KONGAMANO LA
KITAIFA LA WADAU WA KUZUIA NA KUPAMBANA NA
RUSHWA NCHINI, 03/05/2010**

Mhe. Samwel Sitta, Spika wa Bunge la Jamhuri ya Muungano wa Tanzania,

Waheshimiwa Mabalazi,

Mwakilishi kutoka UNDP,

Waheshimiwa Wabunge mliohudhuria,

Viongozi mbalimbali wa Serikali,

Wadau wote mnaohudhuria kongamano hili,

Mabibi na Mabwana.

Awali ya yote napenda kukushukuru Mhe. Spika wa Bunge la Jamhuri ya Muungano ya Tanzania kwa kukubali wito wetu wa kuwa mgeni rasmi licha ya majukumu mengi uliyonayo. Tunakushukuru sana.

Vilevile napenda nitoe shukurani za dhati kwa wenzetu wa Mpango wa Maendeleo wa Umoja wa Mataifa (UNDP) kwa kufadhili Mkakati wa Kitaifa wa Dhidi ya Rushwa na Mpango wa Utekelezaji (NACSAP II) tangu uanzishwe hapa nchini.

Napenda pia kuwashukuru wadau na waalikwa wote kwa kukubali kuacha majukumu yenu mengi na mazito na kuamua kuja kujumuika nasi hii leo katika Kongamano la Mwaka kwa Wadau wa Kuzuia na Kupambana na Rushwa Nchini (Annual National Anti-Corruption Forum). *Asanteni sana.*

Mhe. Mgeni Rasmi.

Dhana ya Kongamano hili ni kupokea taarifa za utekelezaji wa Mkakati wa Kitaifa Dhidi ya Rushwa na Mpango wa Utekelezaji kutoka katika sekta zote kwa mwaka wa 2009.

Hatukuweza kukutana mwaka jana kutokana na nchi yetu kuendesha zoezi la Uchaguzi wa Viongozi wa Serikali za Mitaa na hivyo kulazimika kufanya Kongamano hili hii leo.

Kongamano kama hili la kupokea taarifa za utekelezaji wa Mkakati wa Kitaifa Dhidi ya Rushwa kwa mwaka 2010 litafanyika mwezi Novemba 2010.

Kama tunavyofahamu Mhe. Mgeni Rasmi, Jukumu la kuzuia na kupambana na Rushwa nchini si la TAKUKURU peke yake bali ni jukumu la kila mmoja wetu na ndio maana Mkakati wa Kitaifa Dhidi ya Rushwa umezihusisha sekta zote katika mapambano haya.

Mhe. Mgeni Rasmi.

Mbele yako ni washiriki wapatao 200 kutoka sekta zote ambao tumekuwa tukishirikiana nao katika utekelezaji wa NACSAP II. Wadau hawa wanatoka katika Wizara, Idara na Wakala za Serikali (MDAs), Bunge, Tawala za Mikoa na Serikali za Mitaa (LGAs), Wadau wa Maendeleo (DPs), Sekta Binafsi (Private Sector), Asasi za Kiraia (CSOs) pamoja na Vyombo vya Habari (MEDIA). Wadau hawa wote wana uwakilishi katika Kamati Tendaji

(National Steering Committee) ya NACSAP II, ambayo imekuwa ikikutana mara kwa mara, kujadili na kuweka mikakati ya pamoja ya kuzuia na kupambana na rushwa kama ilivyoainishwa kwenye malengo ya Mkakati wa Kitaifa Dhidi ya Rushwa na Mpango wa Utekelezaji (NACSAP II).

Mhe. Mgeni rasmi,

Katika Kongamano hili, kila sekta itapewa fursa ya kuueleza umma nini imefanya, changamoto zipi walizokumbana nazo, namna gani wamekabiliana na changamoto hizo na ni mipango ipi wamejiwekea kwa mwaka 2010 katika kutekeleza Mkakati wa Kitaifa Dhidi ya Rushwa na Mpango wa Utekelezaji. Tunafanya hivi tukiamini kuwa mwananchi wa Tanzania ana haki ya kufahamu jitihada zinazofanywa na Serikali yake pamoja na wadau wengine katika kuzuia na kupambana na tatizo la rushwa nchini ikiwa ni moja ya jitihada za kumuondolea mwananchi huyo umasikini.

Mhe. Mgeni rasmi,

Kabla sijakukaribisha ili uzungumze nasi na hatimaye kufungua rasmi Kongamano hili, naomba nitoe dakika chache kwa Mhe. Balozi wa Sweden pamoja na Mwakilishi kutoka UNDP ili waweze kutoa salamu zao.

Mhe. Mgeni Rasmi,

Kwa heshima na taadhima naomba sasa nikukaribishe rasmi ili uweze kuzungumza nasi na hatimaye kufungua rasmi Kongamano letu.
Karibu Mhe. Spika.



ANNEXURE 2

**HOTUBA YA MHE. SAMUEL J. SITTA (MB), SPIKA WA
BUNGE, KWENYE UFUNGUZI WA KONGAMANO LA
KITAIFALA WADAU WA KUZUIA NA KUPAMBANA NA
RUSHWA NCHINI UBUNGO PLAZA, TAREHE 3 MEI, 2010**

Dr. Edward Hoseah,

Mkurugenzi Mkuu wa TAKUKURU;

Waheshimiwa Mabalazi;

Waheshimiwa Wabunge mliohudhuria;

Mwakilishi kutoka UNDP;

Viongozi mbalimbali wa Serikali;

Wadau wote mliohudhuria Kongamano hili;

Mabibi na Mabwana:

Nawashukuru waandaaji wa kongamano hili – Taasisi ya Kuzuia na Kupambana na Rushwa (TAKUKURU) kwa kuwezesha kongamano hili. Aidha, kwa namna ya pekee namshukuru Mkurugenzi Mkuu wa TAKUKURU, Dr. Edward Hoseah kwa kunialika kuja kujumuika nanyi asubuhi hii ya leo. Nawapongeza pia wadau wote mliopo hapa leo hii. Kujitokeza kwenu kwa wingi kuja kushiriki kwenye Kongamano la Wadau wa Kuzuia na Kupambana na Rushwa kwa mwaka huu wa 2010 ni ishara njema kwa Taifa letu.

Katika makala yake yenye kichwa cha habari “*Collective action: The tool for fighting corruption, Bw. Anders Mark alitoa ushauri ufuatao kwa Taasisi zinazopambana na rushwa katika Bara la Afrika Afrika: “Anti-corruption agencies require substantial and effective links with civil society, both to utilize citizen report as a major part of their strategy and to build up public support. If little has been done to involve the community in the work of the agency, the inevitable result is that the public comes to distrust the agency and provides no information about what is going on. Without that information, the agency’s investigative powers are useless. Furthermore, its preventive and educational work is likely to be ignored.”*

Mkurugenzi Mkuu, Wageni Waalikwa, Mabibi na Mabwana,

Nimearifiwa kuwa lengo la kongamano hili ni kuwakutanisha wadau wa mapambano dhini ya rushwa – Serikali, Bunge, Asasi zisizo za Kiserikali, Wafadhili, Wanahabari na wananchi kwa jumla ili kutathmini mchango wa kila mmoja katika mapambano dhidi ya rushwa kwa mwaka uliopita wa 2009. Aidha, kongamano pia litajadili na kubadilishana uzoefu kuhusu mafanikio, vikwazo na changamoto mbalimbali zilizojitokeza katika kipindi hicho. Hatimaye, baada ya mjadala, wanakongamano watajiwekea mikakati ya namna ya kuzikabili changamoto hizo kwa mwaka huu wa 2010. Utaratibu huu ni mzuri unaotathmini utekelezaji wa kampeni dhidi ya rushwa wakati hadi wakati na unapaswa kuigwa na Taasisi nyingine za Umma.

Mkurugenzi Mkuu, Wageni Waalikwa, Mabibi na Mabwana,

Rushwa imeendelea kuwa kikwazo kikubwa cha maendeleo hususan kwa nchi maskini kama Tanzania. Aidha, inaelekea kadri muda unavyopita, ndivyo tatizo la rushwa linavyoendelea kuwa kubwa. Hatuna budi kubuni mikakati shirikishi na endelevu ya kukabiliana na adui huyu mkubwa wa

maendeleo. Ni dhahiri kuwa, makongamano kama haya yanatoa fursa adhimu kwa wadau wa mapambano dhidi ya rushwa kubadilishana mawazo, mbinu na uzoefu wa namna ya kukabiliana na tatizo la rushwa nchini na yanayowakutanisha wadau wote wa mapambano dhidi ya rushwa kila mwaka.

Mkurugenzi Mkuu, Wageni Waalikwa, Mabibi na Mabwana,

Baada ya maneno hayo ya utangulizi, sasa naomba kutoa nasaha zangu ambazo zipo kwenye maeneo yafuatayo: -

1. Rushwa na athari zake
2. Umuhimu wa Kujenga Msingi Imara wa Maadili;
3. Bunge na Mapambano dhidi ya Rushwa;
4. Hitimisho.

Rushwa na athari zake:

Mwaka juzi katika Mkutano wa Wabunge wa Afrika, Mbunge mmoja wa Bunge la Shirikisho la Nigeria (Nigeria Federal Assembly) baada ya kuelezea ukubwa wa rushwa katika nchi yake alimalizia kwa kutumia maneno yafuatayo: ***“The day when corruption is stopped will be the very day that we shall wave goodbye to poverty, wars, AIDS and crime.”***

Mheshimiwa mwenzetu huyo Mnaijeria hakuwa mbali na ukweli. Athari za rushwa zinajidhihirisha katika kupunguza uwezo wa nchi kujiendeleza kiuchumi, kujenga matabaka hasimu ndani ya jamii, kufifisha uhuru wa kujitegemea kwa wanyonge ndani ya nchi na hatimaye nchi kutokutawalika.

Kwa hiyo, ingawa Mbunge huyo alizungumzia ukubwa wa tatizo la rushwa katika nchi yake, mtakubaliana nami kuwa hii ndiyo hali halisi katika nchi maskini. Hatuwezi kujinasua katika lindi la umaskini, magonjwa, ujinga na uhalifu bila kwanza kuitokomeza rushwa. Kwa maneno mengine kukithiri

kwa rushwa husababisha hata zile nchi zilizojaliwa utajiri na rasilimali nyingi kuendelea kuwa maskini na hatimaye kukumbwa na machafuko. Hii inatokana na ukweli kuwa rasilimali hizo huwanufaisha wachache katika jamii na kuwaacha wengi katika minyororo ya umaskini. Haishangazi kwamba Mwafrika maarufu Mhe. Kofi Annan, alitamka mnamo mwaka 2000 katika Mkutano wa Wakuu wa OAU, Lome kwamba: ***“Instead of being exploited for the benefit of the people, Africa’s resources have been so mismanaged and plundered that they are now the source of our misery.”***

Umuhimu wa Kujenga Msingi Imara wa Maadili:

Akieleza umuhimu wa maadili ya umma Mwanaharakati wa Haki za Binadamu marehemu Dr. Martin Luther King (Jr) aliwahi kuasa katika hotuba yake aliyeitoa miaka ya 1960 kama ifuatavyo:-

“The most important human endeavour is the striving for morality in our actions. Our balance and even our existence depend on it. Only morality in our actions can give beauty and dignity to life.”

Mtakubaliana nami kuwa njia endelevu ya kutokomeza ugonjwa wa malaria ni kukabiliana na chanzo chake – yaani mbu. Mtu aliyeambukizwa vimelea vinavyosababisha malaria na hatimaye kuumwa ugonjwa wa malaria hupatiwa dawa ya kuviangamiza vimelea hivyo ili apone. Lakini ikiwa mtu huyo ataendelea kuishi katika mazingira ya mbu, basi malaria itamrejea mara kwa mara. Hivyo, rushwa ni mojawapo ya kielelezo cha wazi cha kuporomoka kwa maadili miongoni mwa wanajamii. Vitendo vingine vinavyoashiria kuporomoka kwa maadili ni pamoja na ubadhirifu wa mali ya umma, uzembe kazini, kutofuata na kuzingatia sheria, kanuni na taratibu, utapeli, uhalifu, kuhubiri siasa za chuki na ubabe katika utawala. Hivyo, ili tuweze kulimaliza tatizo la rushwa na haya yote niliyoyataja, hatuna budi kama Taifa kujiweke msingi imara wa maadili. Kuuelimisha umma kuhusu

athari za rushwa na umuhimu wa kuitokomeza ni wajibu wa kila Kongozi. Viongozi wenzetu wanaosema eti dawa ya rushwa ni Mahakama, hawana tofauti na watu wanaopuuzia kinga na kuhubiri tiba katika mazingira ambapo maradhi yanaongezeka kusambaa!

Ndugu Wanakongamano,

Nimefurahi kuona kuwa katika siku za hivi karibuni baadhi ya Taasisi - husasan zile za elimu ya juu, zimechukua hatua za dhati za kuweka misingi ya kujenga na kurejesha maadili kwa umma.

Mfano mzuri ni Taasisi ya Taaluma za Maendeleo ya Chuo Kikuu cha Dar es Salaam (IDS) ambapo tarehe 10 Aprili mwaka huu nilipata heshima ya kuwa Mgeni Rasmi kwenye uzinduzi wa Mpango wa Urejeshaji wa Maadili kwa Umma (*Public Integrity Restoration Initiative – PIRI*). Aidha, nilielezwa kuwa somo la maadili hivi sasa limeanza kufundishwa kwa wanafunzi wa mwaka wa mwisho na wale wa Shahada ya Uzamili. Naamini kuwa hatua hizi pamoja na makongamano kama haya yatatuwekea msingi imara na endelevu wa kuitokomeza rushwa kwa kukabiliana na chanzo chake.

Bunge na Mapambano Dhidi ya Rushwa:

Mojawapo ya silaha muhimu katika mapambano dhidi ya rushwa ni kuwepo sheria zinazozuia vitendo vya rushwa kwa kutoa adhabu kwa wale wote wanaodhihirika kujihusisha na vitendo hivyo. Kama sote tunavyofahamu, kutunga sheria ni mojawapo ya majukumu makuu ya Bunge. Ni kwa msingi huu, Bunge la Tisa lilipitisha Sheria ya Kupambana na Rushwa (Na. 11 ya mwaka 2007). Wote mtakumbuka kuwa, katika Mkutano wake wa 18, Bunge lilipitisha Sheria ya Gharama za Uchaguzi (Na. 6 ya 2010). Kama wote mnavyofahamu, lengo la Sheria hii ni kuzuia matumizi mabaya ya fedha na kuleta uwazi katika uendeshaji wa chaguzi zetu.

Ndugu Wanakongamano,

Pamoja na kutunga sheria, Katiba pia imelipa Bunge jukumu la kuisimamia na kuishauri Serikali. Hivyo, kupitia Kamati zake na hususan zile za oversight – PAC, LAAC na POAC, Bunge mara nyingi limekuwa likichukua hatua ili kuhakikisha kuwa fedha za umma zinatumiwa kwa kuzingatia sheria na kanuni za fedha na kwa matumizi yale tu yaliyoidhinishwa na Bunge. Aidha, Kamati hizi pamoja na zile za Kisekta zimewezeshwa sasa kutembelea ili kubaini ikiwa kunakuwa na thamani ya fedha (*value for money*) katika utekelezaji wa miradi.

Aidha, kwa kutambua athari za rushwa, Waheshimiwa Wabunge kwa hiari yao walianzisha Mtandao wa Kupambana na Rushwa (African Parliamentary Network Against Corruption – APNAC), Tawi la Tanzania miaka kumi iliyopita. Takwimu zinaonesha kuwa Mtandao huu hivi sasa una wanachama 140. APNAC kwa kushirikiana na wadau wengine imekuwa mstari wa mbele katika kuhamasisha Wabunge kuhusu athari za rushwa na namna ya kupambana nazo kupitia warsha, makongamano na semina. Aidha, mtandao huu umekuwa kiungo muhimu kati ya TAKUKURU na Bunge kwa upande mmoja na Taasisi nyingine za Kimataifa za Kupambana na Rushwa kama GOPAC (Global Organization of Parliamentarians Against Corruption) kwa upande mwingine. Natoa wito kwa wadau wote kushirikiana na mtandao huu ili kufanikisha mapambano dhidi ya adui rushwa.

Hitimisho:

Mwanasiasa wa Kiingrereza wa Karne ya 19 – Edmund Burke alituaa: “*All it needs for evil to triumph is for good men to do nothing.*” Yaani watu wema wakikaa kimya uovu utashamiri. Hatuna budi sote kuunganisha nguvu zetu ili kumtokomeza adui rushwa. Jitihada zetu ni lazima zilenge katika kuwafikisha wananchi kuuona ukweli kwamba rushwa si tofauti na ukoloni. Tena ukoloni wa rushwa ni mbaya zaidi kwa sababu unaliwezesha

kundi dogo la walafi wa mali na madaraka nchini kupindisha kila jema tunalajaribu ndani ya nchi. Katika mazingira hayo, sera za siasa zinakuwa ni debe tupu. Wananchi watadidimia katika umaskini unaoongezeka. Hatimaye badala ya mshikamano wa kitaifa, tutajenga makundi yenye chuki na uhasama ambayo yatahatarisha uhai wa Taifa letu.

Kongamano hili muhimu ni sehemu ya jitihada njema ya kulizindua Taifa ili tujenge Umoja wa Kitaifa kupiga vita rushwa kwa dhati. Hatuna njia mbadala. Tuichukie rushwa kama tulivyouchukia ukoloni. Kwa umoja wananchi waelimishwe kuwachukia walarushwa wakubwa na kuwatambua kuwa ndiyo wakoloni wapya. Na tuipige vita rushwa kama vile wazee wetu walivyopambana kwa nguvu na umoja dhidi ya ukoloni.

Kwa heshima na taadhima, sasa natamka kuwa Kongamano la Wadau wa Kuzuia na Kupambana na Rushwa sasa limezinduliwa rasmi.

Nawashukuru kwa kunisikiliza.

ANNEXURE 3



EMBASSY OF SWEDEN

**Speech by Swedish Ambassador Staffan Herrström at the
National Anti-corruption Forum May 3rd 2010**

Honourable Speaker,

Dear participants,

This forum is gathered to address one of the crucial challenges in most societies – and certainly in the fight against poverty: corruption. I want to thank the Government and PCCB for calling this meeting – this Anti-Corruption Forum, for the second time, and for inviting all important stakeholders to participate. I also would like to thank you for giving me the opportunity to make some remarks on corruption. I am happy to do this both because the theme is very close to the heart of the Swedish Government and all development partners, but also because Sweden currently is co-chairing the DP:s anticorruption network.

Corruption is intolerable and indefensible. There is no room whatsoever for silent acceptance.

This ought to go without saying but it does not: For too long, too many people in too many countries – including developed countries – all over the world had a much too accepting approach. It was possible to hear

comments like: “Well, you must understand that this is the way you make business here”. The time for this type of comment and behaviour is definitively over. The supply side of corruption is as detrimental as the demand side. All of us must show leadership. We must all, at all levels and in all contexts do much more.

Fortunately attitudes in the global society have changed and the change is well illustrated by the fact that we now have a UN convention against corruption – an excellent instrument for this fight. And I am happy to note that Tanzania just has been assessed according to that convention. Please use that report!

Grand corruption and petty corruption are both here around us, and both need to be addressed. Furthermore: They are interlinked: When people feel that there is no impunity for people high up they also know that the fight against corruption is seriously meant, strong, consequent and sustainable. It affects their behaviour. And of course it is the other way around as well: If citizens feel that people in high positions can get away then they might start to act in a less ethical way themselves.

A lot has certainly been done in Tanzania previous years - well known: New anticorruption law. New national audit act. PCCB strengthened. NAO strengthened. Parliament reformed in a commendable way under the leadership of the Guest of Honour today, the Speaker –not least accountability committees – meaning major steps forward being taken for democracy and accountability. Free media. Open debate involving also parliamentarians and a vibrant civil society represented here today. New legislation on election financing. NACSAP reform program, for which an M & E framework is being developed to capture results in the fight against corruption. Tanzania joining the Extractive Industries Transparency Initiative. And not least: While having seen serious grand corruption cases surfacing we have also seen legal measures in action.

At the same time we have seen the message coming out of the Transparency International index – falling two years in a row. You can have different opinions on the root causes for this. But the reality behind the figures is challenging enough: People do not seem to perceive that corruption is decreasing which obviously should be the desired trend. And in other surveys the legal authorities like traffic police, police force and courts are mentioned as especially affected. This should obviously be noted with significant concern – and addressed accordingly. Natural resources is another area that needs to be dealt with. Additionally: You know I hear quite a few people asking what is happening with the remaining grand corruption cases like Kagoda. And I must admit I am myself among those asking that question.

Looking ahead let me summarise my views in five key messages.

Firstly: One of the single most important elements in an environment hostile to corruption is a radically widened right to information making transparency the rule and secrecy the rare exception. The right to information is part of the UN declaration on human rights and thus an important part of democracy itself. But in combination with a free, high quality investigative journalism and protection of whistle blowers it is also an indispensable tool for fighting corruption and outright theft.

That kind of transparency is preventive in itself. When politicians and civil servants know that all their actions must stand to be scrutinised publicly they are likely to think twice before they behave in an unethical or corrupt way. I have seen that effect myself as civil servant in Sweden when I knew that journalists could come and check how we were handling the taxpayers' money, going through our files. And they did. But transparency is also key to an efficient system of holding people to account. Getting a new code of ethics for politicians and civil servants is certainly important, but it should also secure transparency – thus making it possible to see, control and

discuss the issues of integrity. So the message is simple: If you adopt and implement a Right to information act and give legal protection to whistleblowers – then you have taken a huge leap forward.

Secondly and closely related. This day, World Press Freedom Day May 3rd we should remember and acknowledge the indispensable contributions regularly given – also in this country – by brave, professional journalists dedicated to reveal what perpetrators want to hide. Also here legislative reform, doing away with outdated laws like the Newspaper Act from 1976 and thereby repressive instruments like suspension of newspapers still being used, would be a commendable step. And of course very important not only in mainland but also in Zanzibar.

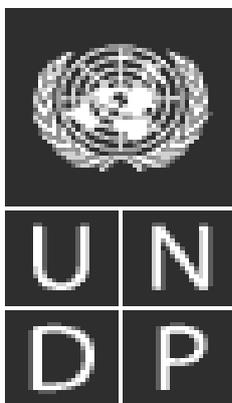
Thirdly: Listen to the Controller and Auditor General. Act decisively when he states that many issues raised previous year have not been addressed. Implement his recommendations. Hold the people having misused taxpayers' money to account. Speed up the reform of public financial management, at present going at a much too low speed. It might sound technical. It is essential. Go for a pay reform especially doing away with the allowance culture. At the same time you should continue to strengthen the key institutions - and strengthen the independence of these key institutions.

Fourthly. Make sure that all cases of corruption – including all the cases of grand corruption – are dealt with legally. Make sure that all these cases are brought forward to their proper legal conclusion, sooner rather than later.

And finally my concluding message: There is no room to be slow. Many things have certainly been done, but there is a need to do even more and at a higher speed of action and reform. Not because there are Development Partners and Ambassadors like me around. But for the welfare of the Tanzanian people and for the so urgently needed success in the fight against poverty in this fantastic country.

ANNEXURE 4

United Nations Development Program



Tanzania

**Second National Anti Corruption Forum
Held at the Blue Pearl Hotel, Ubungo Plaza**

3 May 2010

Statement

Delivered by

Alain Noudehou

UNDP Country Director

Honourable, Samuel Sitta, Speaker of the National Assembly,

Dr. Edward Hoseah, Director of the PCCB,

Excellency, Staffan Herrstrom, Ambassador of Sweden

Invited Guests,

Ladies and Gentlemen.

On behalf of the United Nations Development Program (UNDP) in Tanzania, I am honored to have this opportunity to make a statement on this important occasion of the second National Anti-Corruption Forum.

First let me commend the PCCB for its efforts to organize and convene this Forum, which is an opportunity for stock-taking in the implementation of the country's national anti-corruption strategy. It is encouraging to see the strong involvement of so many stakeholders in the fight against corruption.

Honorable Guest of Honor,

Corruption is a costly vice. And corruption affects poor people more. In a recent message on the International Anti-Corruption Day, the UN Secretary General Mr. Ban Ki Moon, pointed out that:

Quote: "When public money is stolen for private gain, it means fewer resources to build schools, hospitals, roads and water treatment facilities. When foreign aid is diverted into private bank accounts, major infrastructure projects come to a halt. Corruption enables fake or substandard medicines to be dumped on the market, and hazardous waste to be dumped in landfill sites and in oceans. The vulnerable suffer first and worst." End quote.

Unfortunately Tanzania is no exception to this global problem. We are all aware that in Tanzania, corruption, petty and grand, also affects the lives and livelihoods of people. With corruption, access to key essential public goods and services, such as police protection, court hearings, health care and education are denied to many people – and mostly to the poor who can't afford to pay bribes making them even more vulnerable.

Ladies and Gentlemen,

We are all gather here today because we share the same conviction that Tanzania would be a better place without corruption.

I understand that this Forum is an annual event under the second phase of the National Anti Corruption Strategy and Action Plan (NACSAP II). It is encouraging to note that NACSAP II has brought on board Local Government Authorities; created linkages to other core Government reform processes; improved public awareness; and is making progress in establishing an inclusive NACSAP Steering Committee. It is noteworthy that the inclusive NACSAP Steering Committee now includes representation from key players in the fight against corruption, among these, the Ethics Secretariat, the Commission for Human Rights and Good Governance, the Judiciary, the Director of Public Prosecution, the National Electoral Commission, and the Registrar of Political Parties.

The cohesive and sustained engagement of all these different institutions is indeed essential for a successful fight against corruption. As you move ahead, it is my hope that you'll build on the establishment of the inclusive NACSAP steering committee to forge a strong multi-sectoral commitment to address the root causes of corruption and reduce its prevalence.

Honorable Guest of Honor,

Strong leadership and coordination by the Government and other public institutions will bring critical momentum for action and enable the success of NACSAP II.

The Monitoring and Evaluation framework that was recently developed to record and report on results of the national anti-corruption strategy is an important step in this endeavor and the PCCB is to be commended for a very ambitious effort in this regard. We might ask ourselves why it is so important to measure how much progress is being achieved in the fight against corruption. One very simple reason is the standard saying that “what gets measured gets done.” We know that the fight against corruption will not be won overnight. But if we know that we are moving in the right direction, we can stay the course.

We are also aware that 2010 is election year. The recent enactment of the Elections Expenses Act is an important, timely, and much awaited development in the fight against corruption in Tanzania. As the national institution responsible for the prevention and fight against corruption, the role of the PCCB in the implementation of this legislation will be essential for deepening the democratic process in Tanzania.

Ladies and Gentlemen

Beyond the achievements that NACSAP II has already recorded, there are expectations for more. There is a public desire to see more results from the anti-corruption activities, simply because corruption is undermining the chances of ordinary people to lead a decent life.

I spoke earlier about the need for a coordinated approach among the public institutions involved in the fight against corruption. But to make a sustained progress in the fight against corruption, all key actors such the

parliament, the private sector, the civil society and the media should also play an important role.

We know that no sector is free from corruption. We also know that the proliferation of corruption in one sector feeds corruption elsewhere. The fight against corruption therefore requires leadership in all sectors.

My hope is to see in Tanzania the majority of private sector joined together in calling for more corporate accountability: Zero tolerance for corruption among international and domestic enterprise alike.

My hope is to see parliament, continue playing a bigger and stronger oversight role to ensure greater domestic accountability.

My hope is also for the media and the civil society to become more effective in their awareness raising and advocacy to ensure a wider accountability circle in Tanzania.

It is therefore with the concerted efforts of all sectors that we can effectively stop corruption from undermining the development progress that has so far been achieved in the country.

Honorable Guest of Honour, Ladies and Gentlemen

In conclusion, I would like to re-iterate that UNDP's support to the national efforts to prevent and combat corruption is one of our most important priorities in Tanzania. We are committed to this simply because corruption destroys development and makes poverty worse. It is therefore important and critical that all relevant actors fulfill their responsibilities to stop corruption so as to increase the chances of reaching the millennium development goals in Tanzania.

I thank you for your attention.

ANNEXUTURE 5.**MAAZIMIO YA KONGAMANO LA MWAKA KWA WADAU
WA KUZUIA NA KUPAMBANA NA RUSHWA**

Pamoja na mambo mengine wadau wa kongamano hili waliazimia mambo yafuatayo:-

1. Mapambano dhidi ya Rushwa yasichukuliwe kuwa kazi ya TAKUKURU pekee bali yawe ni jukumu la kila mdau na watanzania wote.
2. Rushwa inaua maendeleo na demokrasia ya kweli hivyo sote katika ngazi zote, tuipege vita.
3. Uwazi na ukweli ni njia muhimu ya kuzuia na kupambana na rushwa nchini.
4. Kuwe na gazeti maalum linaloweza kumfikia kila mwananchi hususan vijijini, litakaloelezea masuala ya rushwa.
5. Wadau wote wa kupambana na rushwa, ikiwa ni pamoja na TAKUKURU, wawe na ujasiri, wasiwe waoga. Ujasiri unatakiwa katika kushughulikia wala rushwa. Wala rushwa ni lazima waingiwe na woga pale watakaposhughulikiwa kijasiri.
6. Kuwe na Public Private Partnership katika mapambano dhidi ya rushwa.
7. Mtandao wa Wabunge wanaopambana na Rushwa Barani Afrika (APNAC) wana nafasi ya kipekee katika kupambana na rushwa, hivyo waendeleo kuitumia nafasi hiyo ili kukemea vitendo vya rushwa.
8. APNAC iendeleo kuwatumia wanachama wake ambao awali walikuwa wabunge na katika muhula uliofuata wakakosa ubunge, ili waendeleo kukemea rushwa na kuwa mabalozi wa kuzuia rushwa.
9. Viongozi wahamasishwe zaidi ili watangaze mali zao.

10. Viongozi ambao wameshindwa kutekeleza wajibu wao wa kujaza fomu za mali zao wachukuliwe hatua.
11. Viongozi watangaze mali zao wanapoingia na wanapotoka madarakani.
12. Kufanyike utafiti wa kina na kuweka wazi uwakilishi wa ukazi katika kugombea majimbo ya ubunge.
13. Makundi mbalimbali katika jamii yapate uwakilishi bungeni ili kuweza kutenganisha siasa na biashara miongoni mwa wabunge ili kuondoa mgongano wa kimaslahi.
14. TAKUKURU ishirikiane na Baraza la Habari Tanzania (MCT) ili kuanzisha chapisho litakaloweza waandishi wa habari kuandika habari za rushwa kwa umahiri na zenye uhakika.
15. Uandaliwe mtaala wa mafunzo kwa waandishi wa habari - kwa Uandishi wa Habari za Kiuchunguzi (Training Manual for Investigative Journalism) ili waandishi hao wasaidie katika kuandika habari zenye kufichua maovu.
16. Kuwe na ofisi za Kuzuia na Kupambana na Rushwa Zanzibar kwa kuwa kuna maafisa wanaofanya kazi katika Wizara za Muungano na pia Zanzibar isiwe maficho ya maovu.
17. Itungwe sheria ya haki ya kupata habari.
18. Ili kuimarisha uwazi, uhimizwe uhuru wa uandishi wa habari za kiuchunguzi wenye kuzingatia uadilifu ni njia nzuri ya kuimarisha uwazi.
19. Rushwa ya siasa ipigwe vita ili kuondoa viongozi wasio waadilifu.
20. Uendelezwe umoja wa wadau wote katika mapambano dhidi ya rushwa kwavile ni njia sahihi ya kudhibiti rushwa nchini.
21. Kuwe na sheria ya kulinda mashahidi na watoa habari (Whistle blowers Protection).
22. Kuwe na kifungu katika sheria zetu cha kuokoa mali na utajiri wa taifa (Asset Tracing and Asset Recovery).
23. Ushirikiano kati ya TAKUKURU na Ofisi ya Katibu Tawala wa Mikoa na Wilaya uimarishwe katika kusimamia Kamati za Uadilifu.
24. Chuo cha Serikali za Mitaa cha Hombolo kiimarishwe ili kutoa mafunzo ya maadili kwa watendaji katika Serikali za Mitaa.

25. Uadilifu uanze kufundishwa mashuleni na vyuoni kwani rushwa ni matokeo ya kukosekana uadilifu.
26. Kuwepo mafunzo ya mara kwa mara kwa Kamati za Uadilifu
27. Serikali isitumie uhamisho kama adhabu kwa watumishi walarushwa. Ni vyema wakawajibishwa au kuondolewa kwa utaratibu mwingine kama vile kustaafishwa kwa manufaa ya umma.
28. Kamati za Uadilifu ziundwe na wajumbe waliofanyiwa upekuzi wa uadilifu wa maisha yao (Vetting), na wasiteuliwe na Wakurugenzi au Makatibu Wakuu wa Wizara.
29. Taarifa zinazotokana na 'Public Expenditure Tracking System' (PETS) zitumike kuzuia Rushwa.
30. Wadau wote waedeleo kuhubiri habari njema za kuzuia na kupambana na rushwa nchini wakati wote.



Hon. Samwel Sitta, Speaker of National Assembly in a group Photo with Dr. Edward Hoseah, Director General of PCCB, His Excellence Staffan Herrström, Swedish Ambassador, Mr Alain Noudehou UNDP Country Director, Hon. Zainab Gamma (MP), APNAC Chairperson, Dr. Ramadhani Mlinga, PPRA CEO, Wiveca Holmgren, Senior Officer Swedish Embassy, NACSAP II Stakeholders and other NACF Participants.



NACF Participants