<h1 align="center">Questionnaire</h1>

Contact Information

Please provide contact details for potential follow-up questions. Contact details will be treated confidentially.

Country: TANZANIA

Government Agency:PREVENTION AND COMBATING OF CORRUPTION BUREAU

Department:

████████████████████████████████

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Please describe (cite and summarize) good practices your country has taken (or is planning to take, together with the related appropriate time fame) concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery.

States parties are invited to provide information on experiences, good practices and challenges concerning the following:

I.   Understanding corruption risks and typologies during times of emergencies and crisis response and recovery, including transnational elements

  1. Has your government assessed corruption risks during emergencies or crisis response and recovery, either through formal risk assessments or other informal means? Please provide details, such as key findings and mitigation plans. Please describe whether any other (existing) risk assessment has been carried out that is relevant to the emergency response (such as sector risk assessments in procurement, healthcare, infrastructure, etc.) and provide details.

> Tanzania within its Legal Framework has put in place provisions which address matters during emergency procurement as provided Under Section 65 of PPA Cap. 410 and also Regulation 63 - 67 of

Public Procurement Regulations of 2013.

The oversight institution mandated to oversee public procurement usually issues guidelines in response to emergencies. In 2017 PPRA issued the guidelines for carrying out emergency procurement under PPA (Cap 410).

These guidelines became instrumental during the COVID 19 Pandemic; in addition to that PPRA issued guidelines in May 2020 for carrying out works under Force Account. These guidelines have been crucial for Procuring entities to ensure compliance.

On the other hand, PCCB, under the power vested to it undertakes necessary measures for the prevention of corruption. It does so by examining procedures of public institutions in for the purpose of detecting and preventing corruption. In this case, PCCB after doing examination advises public institutions on ways and means of preventing corrupt practices. For-instances during Pandemic PCCB examined systems of different public bodies with view to identify corruption risks. The result of the examination was used to advise on the ways to mitigate corruption risks. Among the tools used was application of PETS. However investigation on the proper utilization of COVID-19 Funds is underway.

Similarly, PPRA and CAG within mandates in their respective laws during COVID Pandemic conducted special procurement performance audit to establish weather implementations of the projects complied with laws, applicable policies, procedures, as well as guidelines issued by the authority and whether value for money on implemented project is obtained.

For more details please read the "Report on the Audit of Utilization of funds issued under catastrophe containment and relief Trust facility from June 2022 to April 2022 issued by the Controller and Auditor General" available via www.nao.go.tz

Also read a report issued by SADC Member States(Tanzania

inclusive) titled "Development of a paper on lesson learned from Covid-19, best practices and other implications for anti-corruption amongst SADC Member States" the same is available via SADC website.

2. Please list the main typologies of corruption (corruption risks) you have identified in our country's emergency or crisis responses and recovery. You may select from the list below and add any additional risks not listed.

Public procurement

- Bribery of procurement officials
- Excessive use of non-competitive bidding procedures, including by single or limited source tendering, with limited safeguards
- Improper application of emergency procurement procedures allowing for expedited delivery of goods and services
- Bid-rigging (e.g. use of inflated prices)

Please list any other typologies or risks:

> NONE

3. Did any of the corruption risks (typologies) identified in question 2 entail an international element? For example, fraudulent or collusive procurement practices involving foreign or international bidders or suppliers, donors or international financial institutions; aspects of transnational bribery; diversion of resources, assets or persons across borders)? Please be as specific as possible and provide details and examples. If the information is sensitive, please describe the typology or give anonymized examples.

> NONE

4. Please describe whether the corruption risks identified in question 2 appear to be longer-term trends. Have they required new or strengthened anti-corruption actions as a result? If so, please elaborate.

> NONE

5. Please describe any measures taken to support the private sector in identifying and mitigating corruption risks. This may include particular risks associated with supply chains and procurement processes.

> Private Sector - Participate in tendering process, they can give feedback and blow the whistle in case of misconduct. They can be able to raise complaints during tendering process. PPRA create awareness to different Private sector groups about opportunities on procurement, how to participate in tenders etc. Allows community group participation to discuss about development projects and tendering as a way to empower them.
>
> - In order to curb corruption private sector are required under the law to sign an Anti Bribery Policy , to commit themselves not be involved in corruption throughout tendering processes. PPRA has developed whistle blowing handling guidelines that allows private sector and other stakeholders to report issues of corruption and malpractices.
>
> - PCCB also continues to sensitize private sector on issues of corruption and importance of take a deliberate actions to fight against the scourge.

6. Please provide an overview of efforts taken to understand the particular impact corruption in times of emergencies and crisis response and recovery may have on women and marginalized and vulnerable groups. If possible, please include reference to any research, analyses or assessments undertaken in this regard.

> N/A

7. Is there a greater need for international cooperation in responding to corruption risks in the context of emergency and crisis responses than in other situations? Why, or why not?

> *-* Yes there is a need for international cooperation during emergence and crisis responses for the purpose of sharing best practices, research and preparedness.

Misappropriation of Emergency Relief Funds

- Non-eligible beneficiaries circumventing rules and regulations, including through bribes, to obtain access to relief and support
- Diversion of donations away from intended beneficiaries
- Exploiting international financial assistance related to emergency relief or other types of support (such as donor funding or technical assistance)
- Embezzlement of profit gained from the sale and distribution of emergency supplies
- Manipulation and inflation of claims for economic relief
- Fraudulent billing for the provision of goods and services
- Diversion of donated equipment/supplies to the black market
- Companies hoarding/not discharging support received from the government

Conflicts of interest
- Conflicts of interest between suppliers and authorities in procurement processes
- Political appointees or persons entrusted with prominent public functions involved in, or the beneficial owners of, companies bailed out by the government or companies involved in procurement processes
- Support packages distributed according to ethnicity and/or Political affiliation

Misuse of information
- Use of social media to spread misinformation, undertake fraudulent activities such as phishing, caber-criminal fraud

Inadequate Reporting/Protection mechanisms

- Inadequate reporting/protection mechanisms for whistle-bowers and witnesses
- Restricted ability to report potential corrupt activities

Other Corruption Risks

- Extensive use of government emergency powers and regulations, with insufficient controls, consultations and/or guidance
- Provision of counterfeit good and supplies
- Fraudulent or illicit production of goods, including research
- Impeded anti-corruption enforcement actions during emergency and crisis responses due to corruption.

II. **Addressing corruption during times of emergencies and crisis response and recovery at the domestic level**

1. Please describe the anti-corruption controls, safeguards and /or measures put in place to address the corruption risks identified above in question 2. Please highlight any special measures that may have been introduced in response to a particular emergency, and whether those measures may be useful for future crises. These may include anti-corruption task forces, the use of real-time audits, transparency portals and specific reporting channels for reporting corruption in the context emergencies, including in the areas below.

> URT has developed a number of guidelines to strengthen accountability and transparency in public procurement during times of emergencies and crises response and recovery.
>
> Such measures include the use of real-time audit for instance the report of CAG see para 1 above.
>
> And in regard to reporting channels, PCCB has established a 113 free toll for public to report corruption incidences to PCCB.

> For procurement issues, there is also an online Portal (Please Visit www.ppra.go.tz) TaNEPS

Public procurement and the management of public finances

2. Please describe measures taken to develop and /or further strengthen accountability and transparency in public procurement during times of emergencies and crisis response and recovery. These may include:
   - The development of specific guidelines, circulars or memorandums for procurement in emergency contexts;
   - The development of now codes of conduct or guidelines for procurement personnel during time of emergencies and crisis response and recovery;
   - Requirements to disclose potential and real conflicts of interest;
   - Reforms of legal, regulatory and policy frameworks governing public procurement;
   - Requirements to collect and publish the beneficial ownership information of entities contracting with the government;
   - Requirements to cross-check information available on the ultimate beneficial owners of companies involved in procurement processes;
   - Publication of information on the whole procurement cycle, from tender to delivery (including type and amount of contract, reference information for the awarded company, beneficial ownership information, validation of delivery, etc.);
   - Specific labels or "tags" for procurement contracts to facilitate the monitoring of contracts associated with a particular emergency or crisis;
   - Measures to ensure procurement in emergency contexts have appropriate oversight and sanctions, including the potential disqualification of companies;
   - Measures to ensure that compliance programmes and safeguards are in place for bidders;
   - The use of online portals that afford opportunities to track procurement contracts through the whole procurement cycle;
   - Feedback mechanisms for monitoring by groups outside the public sector, such as civil society organizations.

> N/A

3. Please highlight 2-3 good practices and challenges faced when developing, implementing and/or monitoring the measures you have identified in question 2.

> Development of guidelines, circular with the view of mitigating risks that may arise during crisis.
>
> For more information please visit www.ppra.go.tz and www.nao.go.tz

4. Were internal audit systems, real-time audit mechanisms and/or other mechanisms used to help monitor and oversee the management of public resources during times of emergencies and crisis response and recovery? If so, please describe. Please provide any information on good practices and/or lesson learned.

> The Government through the National Audit Office conducted a special Audit on the Utilization of Funds issued under catastrophe containment and Relief Trust Facility.
> Please read the report via www.nao.go.tz
>
> Also read SADC report as provided in Para 1 above.

5. Please describe what measures or initiatives could be used/have been used to help ensure transparency in the allocation, use, distribution and management of the national budget during times of emergencies and crisis response and recovery. These may include dedicated budget lines, measures to present budget items, public hearings or rendering such information accessible to the public.

Measures that URT used to ensure transparency in the allocation use and management of the national budget during times of emergencies includes:-

(a) A national COVID 19 Plan (NCP) for the purpose of mitigating impact of COVID against vulnerability.

(b) Announcement publicly on the use and distribution of funds i.e COVID funds were distributed to all regions.

(c) Prioritizing sectors which were affected the most with COVID like Tourism, Education and Health.

(d) To strength countries system I.e health systems, procurement systems, national preparedness systems

Inter-institutional coordination at the national level

6. Please outline measures which could be taken or have been taken to enhance coordination among institutions at the national level involved in response and recovery efforts, such as Memorandums of Understanding, data sharing agreements, standard operating procedures or other formal and informal mechanisms that enable institutions to share information and respond in a coordinated manner to corruption risks in the context of emergencies.

Yes, Tanzania has established and enhanced coordination among institutions at national level in response to corrupt risks in the context of emergencies in the following manner:-

(a) Tanzania within its Legal Framework has established the Disaster Management Act, 2015.This act provide for the Establishment of Disaster Management Agency, Disaster Risk Management, Coordination Mechanism for Disaster Prevention, Mitigation, preparedness, response and recovery, Establishment and Disaster Management Funds and Other related Matters.

(b) Further, the Government has established a National Body for

Multi- Sectoral coordination known as Tanzania Disaster Relief Committee under Prime Minister's office. This Council is responsible among others to ensure that disaster risk reduction are integrated into relevant governmental institutions develop policies, strategies and programs at National, Regional and Local Levels. In this regard, the council in the performance of its functions collaborates with oversight institutions such as PPRA, NAOT and PCCB to manage corruption risks.

For more details refer to the report issued by CAG and SADC report.

See our response provided in Para 4 above.

Transparency measures, including access to information

7. Does the government have specific measures in place to identify individuals who may be involved in, or who help facilitate, corrupt acts? Such measures may include requirements to disclose beneficial ownership information and requirements to make such information accessible to law enforcement or other authorities. For example, information contained in beneficial ownership registries or information contained in open tender portals may be used by supreme audit institutions and other oversight bodies to audit, and inform, response and recovery measures.

The Government within its Legal Framework in terms of the provisions of the Companies Act Cap 212 and its Regulations of 2021 and Anti Money Laundering Act provides for Beneficial Ownership which allows the law enforcement agencies to have access to such information.

8. How does the government ensure that emergency measures are limited in duration and scope? Please describe any measures taken to mitigate the use of broad emergency executive authority, such as legislative oversight, regular reports to committees, and review and monitoring mechanisms.

> The Government has established National Body for Multi-Sectoral coordination known as Tanzania Disaster Relief Committee under Prime Minister's office.
> Please refer to our response in para 6 above

9. Have your authorities applied or strengthened whistle-blower protection or reporting systems, including those that afford opportunities for confidential and/or anonymous reports, and how to address such reports?

> Tanzania within its legal framework enacted the Whistleblowers and Witness Protection Act of 2015 mainly to promote and facilitate reporting of organized crimes, corruption offenses, an ethical conduct, illegal and dangerous activities and to provide for the protection of whistle blowers and witnesses against potential retaliation of victimization and to provide for a legal mechanism to reward and compensate whistle blowers and witnesses and other related matters.
> Further to that the government through PCCB created a mechanism for reporting system through a toll free number 113 where the public can report incidences of corruption anonymously to PCCB and reporters can enjoy protection of WhistleBlowers and Witness Protection Act and PCCA.

Use of information and communication technology tools

10. Has the government used information and communication technology tools to build, implement and/or maintain resilient emergency response systems? If yes, please what types of tools have been used and include relevant links, if possible.

> Yes, the Government has established an emergency operation and communication centre. Further to that the Government embraces the uses information communication technology and encourages its entities to embrace ICT when communicating their

> activities of their organizations to the general public.
> For further details please read the following documents;-
> - Standard Operating procedures for emergency operation and communication center (EOCC)
> - Tanzania disaster communication strategy of 2012.
> All are available via www.pmo.go.tz

11. If possible, please describe the benefits and challenges of using the tools identified in 10?

> Visit www.pmo.go.tz

12. Has the government used information and communication technology to help manage and oversee public procurement during times of emergencies? If yes, please explain the particular tools, its benefits and challenges and include relevant links, if possible.

> ## Tanzanian National e-Procurement System (TaNEPs)
> Please visit www.ppra.go.tz

13. Has the government used information and communication technology to promote transparency in the management of public finances during times of emergencies and crisis response and recovery? If yes, please explain the particular tool, its benefits and challenges and include relevant links, if possible.

> The Government through the National Audit Office conducted a special Audit on the Utilization of Funds issued under catastrophe containment and Relief Trust Facility.
>
>
> Please read the report via www.nao.go.tz
> Also visit www.ega.go.tz, www.pmo.go.tz and www.ppra.go.tz

Engagement of actors outside the public sector

14. If possible, please provide an overview of how the government has partnered with, or encouraged the participation of, actors outside the public sector to help monitor and support oversight of government actions during times of emergencies and crisis response and recovery.
Please also include any future initiatives planned.

The Government has created a National Platform for Disaster Risk Reduction.
This platform provides opportunities for stakeholders to meet and discuss strategic issues of DRR and advise the government. Members are from Government Ministries, Departments and Agencies, Civil Societies, NGOs, UN Agencies, and other DRR stakeholders.
There is also in place the Disaster Management Committees at Regional level. Members of this committee are regional Secretariat, regional disaster management coordinator, and representative from private sectors, Non Government Organization, Red Cross Society, Religious Institutions and prominent person. Also Disaster Management Committees at District level and Disaster Management Committees at Ward and Village levels.
Further, the Government through the Prime Ministers office - Disaster Management Department and Zanzibar Disaster Commission office and Global Network of Civil Society Organizations conducted a workshop with the main objective to implement community based Disaster Risk Management Programs.
Also to familiarize with GNDR CSO members, Development Partners, other Civil Societies Networks to know what each other does in the Community Based Disaster Risk Management (CBDRM) and agreeing on the priority areas for CBDRM; Brainstorming on focused areas to be included in the next GNDR strategy plan amongst others were discussed in that workshop.

15. Are there any policies or initiatives that particularly facilitated the engagement of actors outside the public sector in these contexts? If yes please describe.

Tanzania within its Legal Framework has established the Disaster Management Act, 2015 and National Disaster Management Policy (2004), all these facilitate the engagement of non-state actors.
See also
- National Operational Guidelines for Disaster Management of 2014
- Tanzania Emergency Preparedness and Response Plan (TEPRP) of 2012.
- Tanzania Disaster Communication Strategy (TDCS) of 2012
- District's Emergency Preparedness and Response Plans for (32) districts.
- Integrated Disaster Management Training Manual (IDMTM)
- Capacity and Need Assessment Report (2008)
- Vulnerability Assessment Report (2003, 2016)
- Multi-sectoral plan for Emergency Preparedness and response on influenza pandemic developed in 2009
- National Disaster Risk Profile (2019)

Also see our response in Para 14 above and for more details visit www.pmo.go.tz

III. **Responding to corruption during times of emergencies and crisis response and recovery, including through international cooperation**

1. If possible, please provide examples of detected or suspected instances of domestic or transnational corruption and how these were identified in your country. If the information is sensitive, please describe the typology or give anonymized examples.

Investigation on the proper utilization of covid-19 funds is still on-going hence no information can be provided at this juncture.

2. How did the government respond? Has your country taken any steps to identify, investigate or prosecute corruption in emergency and crisis responses and recovery? Examples may include an inter-agency cooperation task force among anti-corruption authorities, analysis of suspicious transaction or financial disclosure reports, greater cooperation across international borders, strengthening investigation and prosecution capacity, etc.

Investigation still on-going.

3. In its response, did your authorities find it necessary to seek or request international cooperation (e.g. Mutual legal assistance or direct law enforcement cooperation)? Please provide details and examples. How effective do you believe the cooperation was, and what were the main challenges? Was the assistance provided, were there any obstacles?

NO

4. Has your government received any requests for international cooperation from other countries seeking to identify, investigate or prosecute corruption during times of emergencies and crisis response and recovery? Please provide details and examples, how effective do you believe your authorities cooperated, and what were the main challenges? What the assistance provided, were there any obstacles?

NO

IV. **Mechanisms to respond to corruption during times of emergencies and crisis response and recovery through international cooperation**

1. Have your authorities had any practical experience in sharing information, including spontaneously, with authorities in other countries concerning suspected corruption in the context of emergency or crisis responses?

NO

2. Has your government used electronic communication channels or networks, including those of INTERPOL or the Globe Network, that enable the prompt exchange of information for the investigation and prosecution of corruption offences in the context of emergency and crisis responses?

NO

3. Are you aware of any examples of joint or parallel investigations or the bilateral sharing of capacity and expertise on investigating and prosecuting corruption in this context?

NO

4. Have you taken additional measures to analyse asset declarations, financial disclosures and/or suspicious transaction reports during times of emergencies or crisis response and recovery?

NO

5. Have you experienced challenges in accessing adequate, accurate and up-to-date information on the beneficial ownership and control of legal persons in other jurisdiction? In your view, what may be improved to enable effective, timely access to such information?

NO

6. Have you experienced challenges in verifying assets beneficially owned by public officials abroad? In your view, what may be improved to enable effective, timely access to such information?

> NO

7. Have there been any efforts to support anti-corruption practitioners and law enforcement authorities in your country, including human resources management and opportunities for capacity-building and peer-learning on methods, tools and technologies for countering corruption in the context of emergency and crisis response?

> NO

8. In your view, are there any unique aspects of requesting or providing international cooperation in emergency and crisis responses as opposed to regular cases?

> NO

9. Does your government have any experience in receiving or providing international financial assistance (such as donor funding or technical assistance) to address emergency situations? In your view, what are effective mechanisms to strengthen integrity and prevent corruption in the provision of emergency relief funds? What should be improved?

> Yes,
>
> The IMF provided a debt relief to Tanzania under the Catastrophe Containment and Relief Trust (CCRT). The funds were earmarked to fight adverse impacts of the COVID-19 pandemic by improving the public health sector and mitigating the shocks on the balance of payments brought by the pandemic.
> - In order to ensure effective mechanism to strengthen integrity and prevent corruption we would suggest the following:

- Promoting transparency, accountability through conducting regular review of financial transaction of funds released.
- Enhance internal control and operations to detect and prevent misuse of funds to ensure proper utilization.
- Oversight institutions should be strengthened in order to ensure that resources reach those most in need and are not subject to theft by the corruption.
- Furthermore, empowering civil society and Media to Monitor and promote accountability on government resources and use of public funds during emergency situations.

V. Effectiveness of international frameworks to respond to corruption during times of emergencies and crisis response and recovery, including through international cooperation.

1. Are there any longer-term trends related to addressing corruption in emergency and crisis responses that require a new or improved anti-corruption approach in the future? Or that require greater international cooperation or new ways of working together? Please explain.

   As a matter of going forward, we suggest to establish an international working group that will develop guidelines to address corruption in emergencies and crisis responses.
   Conduct joint research on corruption risks assessment during emergency situations.

2. Are there any measures or processes that you would consider good practices to facilitate international cooperation and rapid exchange of information in emergency and crisis situations? Examples could include measures to accept electronic copies of mutual legal assistance requests and prioritize requests concerning corruption during times of emergencies and crisis response and recovery. Has your country had any experience in this regard?

   NO

> However, it is our suggestion that to establish a central authority's platform to expedite Mutual Legal Assistance requests concerning corruption during times of emergencies and crisis response and recovery.

3. How should countries strengthen collaboration to address corruption risks arising in emergency and crisis situations, with respect to international cooperation? Please list up to three measures countries could apply that would strengthen international cooperation in this regard.

> - Joint Research to assess corruption risks and its vulnerability arising in emergency and crisis situations. The outcome of the report will inform member countries to Prevent, Mitigate, Prepare, Respond and Post Disaster Recovery.
>
> - To establish an international working group that will develop guidelines to address corruption in emergencies and crisis responses.
>
> - Establish anti corruption platform that will enable sharing of information of investigation and prosecution of corruption offenses the time of emergency and crisis responses

4. Have there been any efforts by your government to enhance cooperation with multilateral, international or regional bodies to address corruption and other forms of crime during times of emergencies and crisis response and recovery?

> Tanzania joined hands with other SADC countries conducted a research study and develop an analytical paper that highlights lessons that SADC Member States have learnt from Covid-19 as well as best-practices and other implications for Anti-corruption efforts in the region.
> Specific objectives of the study were;-
> (i) Conduct an assessment of the corruption-related challenges

encountered by Member States arising from the Covid-19 situation and indicate in which sectors and activities those challenges were mainly encountered.

(ii) Assess and articulate how the Covid-19 crisis negatively impacted Anti-Corruption efforts in the SADC region.

(iii) Analyze the nature and extent of consequences arising from this impact and their immediate and future implications for Regional Anti-Corruption efforts.

(iv) Document the interventions used to adapt to or mitigate the negative impacts of Covid-19 on Anti-Corruption efforts in the SADC region.

(v) Distil lessons learnt and best-practices to provide valuable information for the future.

(vi) Propose interventions and other measures that can help address on-going challenges faced and also enhance preparedness of the Anti-Corruption sector for future pandemics and disasters.

VI. Data collection

1. Have your authorities collected data or statistics to track and analyse trends concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery. Are these publicly available?

NO

2. Have your authorities collected data or statistics to track and analyse trends and links between corruption and other forms of crime? Are these publicly available?

NO

Please outline actions required to ensure or improve the implementation of the commitments contained in paragraph 23 of resolution 9/0, as well as any challenges faced or technical assistance required.

- To enhance Whistle Blower Systems (CSO and Private Sector)
- Training Investigators and Prosecutors of the use of ICT and mechanisms of collecting and production of evidence electronically.
- Technical Support on the use of ICT in regard to preventing corruption during emergencies
- Capacity building in data management and analysis.
- Support Emergence Operation and communication centre (EOCC)
- Support in conducting research on corruption risks and its impact

Please describe (cite and summarize) measures/steps your country has taken, if any (or is planning to take, together with the related appropriate time frame) to explore and enhance knowledge of the links between corruption and other forms of crime, in particular organized

The Government through LEAs such as PCCB designed a country program to build capacity to its investigators and prosecutors on financial investigations, asset recovery and corruption in procurement infrastructures. This program is fully funded by FCDO through BSAAT program.

Also the National Prosecutions Services Offices conducted various trainings to States Attorneys and Investigators on corruption, financial crimes and other forms of crimes such as money laundering offenses, wildlife crimes etc.