This action is funded by the European Union

**ANNEX 1**

of the Commission Decision on the Annual Action Plan 2017 for Tanzania to be financed from the 11th European Development Fund

Action Document for "Improving accountability through fighting corruption and increased access to justice in Tanzania (IMPACT)"

| 1. Title/basic act/ CRIS number | Improving accountability through fighting corruption and increased access to justice (IMPACT)  
CRIS Number: TZ/FED/039-698  
financed under the 11th European Development Fund (EDF) |
| 2. Zone | The United Republic of Tanzania |
| 4. Sector of concentration/thematic area | Good Governance  
DEV. Aid: YES |
| 5. Amounts concerned | Total estimated cost: EUR 48 400 000  
Total amount of EDF contribution: EUR 15 000 000  
This action is co-financed in joint co-financing by:  
- Government of Tanzania: EUR 2 500 000  
- DFID: EUR 20 500 000  
- DANIDA: EUR 10 400 000 |
| 6. Aid modality and implementation modalities | Project Modality  
- Indirect management with DANIDA (Denmark’s Development Cooperation) and DFID (UK Department for International Cooperation)  
- Indirect management with the United Republic of Tanzania |
| 7 a) DAC codes | 15113 – Anti-corruption organisations and institutions  
15130 - Legal and judicial development |
| b) Main Delivery Channel | 10000 – Public sector institutions  
20000 – Non-Governmental Organisations (NGOs) and Civil Society |
| 8. Markers (from CRIS DAC form) | General policy objective | Not targeted | Significant objective | Main objective |
| | Participation development/good governance | ☐ | ☐ | ☑ |
| | Aid to environment | ☑ | ☑ | ☐ |
| | Gender equality (including Women In Development) | ☐ | ☑ | ☐ |
| | Trade Development | ☑ | ☐ | ☑ |
| | Reproductive, Maternal, New born and child health | ☑ | ☐ | ☐ |
| | RIO Convention markers | Not targeted | Significant objective | Main objective |
| | Biological diversity | ☑ | ☐ | ☐ |
| | Combat desertification | ☑ | ☐ | ☐ |
| | Climate change mitigation | ☑ | ☐ | ☐ |
| | Climate change adaptation | ☑ | ☐ | ☐ |
| 9. GPGC flagship | N.A. |
| 10. Sustainable Develop- | SDG16: Promote peaceful and inclusive societies for sustainable development, |
**Summary:**

This action is in line with the SDG16 to *Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels* and EU development policy engagement with Tanzania which is based on the New European Consensus for Development\(^1\). The Peace component of this policy promotes peaceful and inclusive societies, democracy, effective and accountable institutions, rule of law and access to justice for all. The EU Delegation and Member States embarked on a broader and coordinated effort to promote an inclusive political system (with particular attention to women), improve accountability and sustain peace and stability. Within this context the EU proposes an action to improve accountability focusing on two key dimensions: more effective anti-corruption institutions and increased access to justice. The anti-corruption intervention will be implemented through a joint effort with the Department for International Development – UK (DFID) called "*Building sustainable anti-corruption action in Tanzania (BSAAT)*"; while the access to justice part will be implemented through the Ministry of Constitutional and Legal Affairs and DANIDA.

Addressing widespread corruption is among President Magufuli’s top priorities, making the reinforcement of institutions that are instrumental in enforcing accountability vital. Reduced corruption will make more resources available for the implementation of the ambitious agenda set out in the Tanzanian Development Strategy Five Year Development Plan II (2016-2020). Successful implementation of that Plan will also hinge on the degree citizens and communities can defend and claim their rights. Strong Government commitment to advance is demonstrated by the establishment of a Special Division of the High Court for corruption and serious crime cases, the approval of a new anti-corruption action plan (NACSAP III) and the recent enactment of Legal Aid legislation.

Through this action the EU aims to (i) improve the effectiveness of Tanzanian anti-corruption institutions and (ii) increase access to justice for all, in particular for women.

The action will be implemented in close collaboration with the Ministry of Constitutional and Legal Affairs (MoCLA), having a mandate to implement the recent Legal Aid Act as well as coordinating the inter-institutional dialogue to improve the detection, prosecution and trial of corruption cases. The beneficiaries of the programme will be: i) the Ministry of Justice and Constitutional affairs, ii) its affiliated institutions promoting a better access to justice (prisons, police forces, justice courts, lawyers; iii) the institutions working on accountability (the Prevention and Combating of Corruption Bureau, the Ethics Secretariat, the Department of Public Prosecution; iv) Civil society, research organisations and private sector promoting access to justice and fight against corruption.

The programme will ensure more equity among citizens and increased public trust in the institutions, using an approach that combines both demand and supply side initiatives: citizen-based advancement of rights and behaviour change to dis-incentivise corruption in combination with support to the institutional development of Tanzania’s anti-corruption bodies and Government’s capacity to provide and facilitate legal aid to the most vulnerable people in the country, in particular women.

This action will complement EU sector budget support operations, and tackle in particular the perceived risks on corruption. Expanded legal aid will allow citizens to increased access to justice, in particular for women, to claim inheritance and land rights, creating a link with to the 11\(^{th}\) EDF portfolio on agriculture.

In addition to the direct support which will be provided to the MoCLA to reinforce its capacity and implement its policy on legal aid, this action is intended to be implemented jointly with DFID and DANIDA in the spirit of promoting EU joint programming. It is also complementary to interventions supported by other EU Member States such as Finland, Germany, Ireland and Sweden and non-member states like Canada, Norway and Switzerland.

\(^1\) OJ C 210 of 30.6.2017.
1 CONTEXT

1.1 Sector/Country context

Over the last fifty years, Tanzania has steadily laid down important foundations for its future development. There has been peace and stability since independence and a peaceful transition to competitive politics has occurred. Voice and accountability has improved through the development of accountability institutions, an active civil society and pluralistic media. The EU Roadmap for engagement with Civil Society acknowledges that civil society has been developing its capacity to make the state more accountable in particular where it concerns service delivery (Sikika in health, Ansaf in agriculture, civil society organisations (CSOs) providing legal aid through the Legal Service Facility, HakiElimu in education, etc.) and the promotion of good governance (Twaweza, Policy Forum, LHRC (Legal & Human Rights Centre), REPOA (Policy Research for Development), etc.). Since the new government took office in October 2015, major progress on governance has been observed in tax collection and the fight against corruption.

From an economic perspective, the country has recorded an annual average growth rate of 7% for the past 10 years and basic needs poverty rate has declined from 34% in 2007 to 28% in 2012. Economic growth and industrialisation are at the heart of the Government's Five Year Development Plan II (FYDPII). The primary objective is moving Tanzania from a Least Developed Country (LDC) to a Middle-Income Country. To achieve this, the Government identified corruption as a key challenge as it hinders the quality of public service delivery, weakens governance systems and constrains the business environment. In 2016, Tanzania ranked 116th in the Corruption Perceptions Index with a score of 32.2 AfroBarometer and Sauti za Wananchi surveys repeatedly show people perceive corruption as increasing3. The sustained pervasive nature of corrupt practice has distorted social norms and values and led to broad social acceptance of the phenomenon. It has become a "normal" or unavoidable part of doing business in Tanzania.

A second key challenge is the improvement of the rule of law and the need to reform the judiciary into an efficient organisation that can mediate disputes in a transparent and accountable manner. One of the subsectors of the justice reform targets the access to legal and judicial services. Citizens and businesses require robust protection against corruption including the possibility to claim legal protection or denounce malpractice, the more so as corruption thrives where informal rules override formal systems.

For most people, particularly women, access to the formal justice system is limited or made impossible by prohibitive costs, insufficient lawyers, insufficient knowledge about their rights, and weaknesses of the rule of law system. Women are particularly vulnerable to deprivation of their rights mainly in relation to access to ownership of land.

1.1.1 Public Policy Assessment and EU Policy Framework

Country policy framework on Fight against Corruption

In 1996, the so-called Warioba Commission presented the first comprehensive diagnosis of corruption patterns and causes. In response, the Government developed a first National Anti-Corruption Strategy and Action Plan (NACSAP I, 1999-2007), succeeded by NACSAP II (2008-2011). Under these plans, a broad and robust legal and institutional framework was developed with most notably the 2007 Prevention and Combating of Corruption Act and creation of the Prevention and Combating of Corruption Bureau (PCCB). Tanzania also ratified the UN Convention Against Corruption in 2005. Mainland Tanzania has been reviewed twice under United Nations Convention against Corruption (UNCAC), most recently in 2013. This does not cover Zanzibar, where a largely separate legal and administrative system applies. The 2013 review found that Tanzania adopted practically all UNCAC provisions in domestic law.

In 2015, President Magufuli launched a significant anti-corruption campaign, cracking down on traditional strongholds of corruption such as the port of Dar es Salaam, cleaning the public payroll

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2 Transparency International, Corruption Perceptions Index 2016
ghost workers, and tax evasion. Corruption was included as a crucial issue for national development in Tanzania’s FYDPII. This confirms the Government’s commitment as is demonstrated by the establishment in 2016 of a Special Division of the High Court for anti-corruption and serious crime cases. This Special Division is operational and has started processing cases.

In July 2017, the NACSAP III (2017-2022) was adopted after consultations with the main developing partners. It builds on the achievements and lessons learned from the previous plans and will specifically target the prevention and combating of corruption in public procurement, revenue collection, utilisation of natural resources, minerals and gas and the administration of justice. It adopts a multi-stakeholder (state institutions, civil society, private sector, media) and multi-level (national to village level) approach. An action plan is in the making and will translate formal commitments into practice. The new NACSAP also acknowledges that the solution cannot solely be effective institutions but that there is also a need to address behavioural norms and social values.

Country policy framework on Access to Justice

The Government is strongly committed to increase access to justice. The FYDPII clearly states that legal aid can assist in the structural transformation of women’s role in society by facilitating access to inherited land and by empowering women through the ownership of capital. A Legal Aid Act for the coordination of legal aid services and recognition of legal aid providers, including paralegals, has been signed by the President in February 2017. The Act represents major improvement in terms of access to justice for the most vulnerable people in Tanzania Mainland by widening the scope of legal aid services, and regulating legal aid providers.

The Ministry of Constitutional and Legal Affairs (MoCLA) is mandated to regulate, supervise and coordinate the overall provision of legal services. This includes appointing a Registrar and Assistant Registrars of legal aid providers, set mechanisms for training of paralegals and monitoring and evaluation of legal aid service providers. The legislation entered into force on 01/07/2017, paving way to the development of its regulations and guidelines.

According to the Act, the Registrar of legal aid providers is assisted by Assistant Registrars appointed amongst public officers to serve at the Regional District levels. Under this structure, legal aid provision is regulated from the local level to the national level. The MoCLA has allocated funds and human resources for the operationalisation of the Act in its 2017/2018 budget.

A legal aid programme to enhance provision of legal aid for marginalised people has been developed by the MoCLA in order to implement the new legislation. In terms of coordination and in view of the new Act, the MoCLA held a Roundtable with Development Partners (DPs) in September 2016 to discuss the proposed Bill and modalities of collaboration between the Government and other stakeholders, including DPs. This call by Government has received a very positive response from DPs and local stakeholders and this coordination mechanism will be held twice per year.

In Zanzibar, a Legal Aid Policy was approved in June 2017 and a Legal Aid Bill is currently being drafted by the President’s Office of Constitution, Legal Affairs, Public Service and Good Governance.

EU Policy Framework

The fight against corruption and provision of access to justice for all citizens, especially women, is consistent with SDG16 to "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions all levels". The European Consensus on Development highlights that, inclusive societies and accountable, democratic institutions are preconditions for sustainable development and stability. It acknowledges the fight against corruption, the rule of law, the protection of women and vulnerable groups and access to justice for all, as building blocks of peaceful and economically sound societies. The proposal is aligned with the 2016 Global Strategy on the EU’s Foreign and Security Policy (EUGS), with specific objectives of the EU Action Plan on Human Rights and Democracy (2015-2019) and the legal aid component explicitly adopts a rights-based approach in that it empowers citizens to claim their rights.

The present action tackles the common objective of the EU and its Member States to promote accountability in Tanzania and it will make a fundamental contribution to achieving the EU objectives on good governance as set out in the 11th EDF National Indicative Programme.
1.1.2 Stakeholder analysis

Fight against corruption

The Ministry for Constitutional and Legal Affairs is mandated to lead inter-institutional dialogue to identify and address systemic issues blocking effective prosecution on corruption.

The institutions with the main responsibilities to prevent and fight corruption are the Parliament, the Prevention and Combating of Corruption Bureau (PCCB); the Director of Public Prosecutions (DPP); the National Audit Office (NAO); the Financial Intelligence Unit (FIU), the Special Division of the High Court dealing with corruption and economic crime and the Ethics Secretariat.

The PCCB is the key institution. It has expanded rapidly in the past few years, and has now over 2000 staff and offices in all districts. It has been criticised for slow performance\(^4\), its dependency on the President’s Office and the DPP to bring cases to court. President Magufuli changed the PCCB leadership and indicated clear political will to bring cases to court (including grand corruption). As such the PCCB deserves and needs support to strengthen its performance and live up to public expectations. It is also the only institution with an explicit advocacy and awareness raising mandate.

Except Wajibu, the institute of public accountability\(^5\), there are no prominent CSOs that have a systemic approach on transparency. However, many do useful work on the promotion of transparency and accountability, particularly on service delivery (Sikika in health, Ansaf in agriculture, HakiElimu in education, Policy forum on public expenditure, etc.). The private sector interest groups such as the Tanzania Private Sector Foundation, the CEO Roundtable, the Tanzania Responsible Business Network; the EU Business Group and the British Business Group have repeatedly expressed intentions to collaborate on anti-corruption initiatives.

Access to justice

The Ministry of Constitutional and Legal Affairs (MoCLA) is mandated with constitutional matters, human rights, administration and delivery of justice. The Ministry established the Legal Aid Secretariat (LAS) in 2012 with a mandate to coordinate the Legal Aid Provider Organisations, including paralegals and grassroots organisations. The LAS which was established an interim measure to link the government and the Legal Aid Providers (LAPs).

In 2011, DANIDA launched a Legal Services project that started as a multi-donor basket fund supported by DANIDA and DFID to finance legal aid and paralegal service providers coordinated by CSOs to assist citizens to claim their rights and redress grievances.\(^6\). Paralegals refer to police and local courts for most serious cases. The DANIDA-funded project is currently adapting its activities according to the new legislation and will sign a Memorandum of Understanding with MoCLA in order to coordinate the activities related to provision of legal aid and capacity building of paralegals. Following the formulation in 2016, of a legal empowerment approach to access to justice in Zanzibar, in particular for women, is a prime area of attention.

1.1.3 Priority areas for support/problem analysis

Corruption is a collective action problem involving accountability and law enforcement institutions, civil society, private sector, and think tanks. Experience shows that anti-corruption actions also need to consider incentives/disincentives and not merely focus on legal frameworks and institutional capacity. Tanzania has the required legal and institutional frameworks for oversight and accountability but the effectiveness of programmes for prevention/deterrence, detection and sanctions of corruption across the public sector would benefit from further institutional strengthening and enhanced coordination.

Corruption impinges disproportionately on the poor and vulnerable, hereby directly affecting the results of development assistance. Government has made a fight against corruption as a main focus and has taken concrete action on a number of grand corruption cases. The exposure of such cases also

\(^4\) AfriMAP, Effectiveness of Anti-Corruption Agencies in East Africa, Open Society Foundations, 2015
\(^5\) Wajibu Institute was founded by the former Controller and Auditor General (CAG) of Tanzania, Ludovick Utouh and retired Managing Director of the Tanzania Petroleum Development Corporation (TPDC) Mr Yona Killagane.
\(^6\) More than 70 CSOs are funded by LSF as well as 180 Paralegal Centres all over the country, and more than 30.000 cases per year are taken on.
demonstrated a public appetite to discuss corruption, a more explicit public disapproval of scandals, and it showed that audit and media scrutiny has some capacity to hold powerful leaders to account.

The majority of the population does not have access to the formal justice system due to prohibitive costs, insufficient lawyers (and concentrated in urban areas), insufficient knowledge about their rights and obstacles to enforce rights. Especially, but not only, in rural areas access to the formal justice system can only be expanded by training paralegals as an intermediary solution awaiting the expansion of professional legal services. For women, it is generally more challenging to get legal protection and to claim rights over land and property. Moreover, women have limited resources or capacity to procure justice, but need it most.

As such the proposed programme will target critical bottlenecks in the accountability chain by reducing corruption and by improving access to legal services in both the rural and urban context, particularly for women.

2 RISKS AND ASSUMPTIONS

<table>
<thead>
<tr>
<th>Key Risks</th>
<th>Risk (L/M/H)</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insufficient leadership in the partner institutions</td>
<td>L</td>
<td>This risk is low considered the President’s major anti-corruption drive. The risk will be mitigated thorough constant capacity assessment. Peer support among institutions will be encouraged and permanent participation of institution leaders will be guaranteed.</td>
</tr>
<tr>
<td>Politicisation of accountability institutions restricts their mandated functions</td>
<td>M</td>
<td>Inter-institutional co-operation will build mutual support and political cover. Continuous political and technical monitoring will be carried out.</td>
</tr>
<tr>
<td>Improved prosecution does not have a positive symbolic effect</td>
<td>H</td>
<td>Improved prosecution has to go in tandem with behaviour change activities to stimulate alternative social norms and incentives, as well as improved bottom-up justice to support vulnerable communities from using corruption as a coping mechanism.</td>
</tr>
<tr>
<td>Prolonged investigation undermines credibility of anti-corruption commitment</td>
<td>M</td>
<td>Building capacities of accountability institutions (PCCP, DPP, etc) in terms of tackling grand corruption, gaining new skills and sharing of best practices, especially as crime expands into cross border and go digital. Communication and coordination between institutions, with the programme and with the public will be enhanced.</td>
</tr>
<tr>
<td>Insufficient institutional support to address access to justice</td>
<td>M</td>
<td>MoCLA is already playing an active role in terms of political commitment and technical coordination of the new access to justice policy. Moreover, the programme will seek to improve legal and human rights education, and empowerment of citizens to exercise rights. It will also provide orientation and capacity development of political and formal leadership at the local level, and provide evidence of the positive role legal empowerment plays in stabilizing communities.</td>
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<tr>
<td>Insufficient coordination in the implementation of the Legal Aid Act</td>
<td>M</td>
<td>The Roundtable chaired by MoCLA is the adequate platform for coordination and interaction. It facilitates interaction between the Government and all legal aid projects (TANLAP, TAWLA, LHRC, LSF7, etc).</td>
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7 TANLAP = Tanzania Network of Legal Aid Providers. TAWLA = Tanzania Women Lawyers Association. LHRC = Legal & Human Rights Centre. LSF = Legal Service Facility.
Voluntary paralegals are not effective and are not able to sustainably increase access to justice for the poor, in particular for women

Training for quality service and legal recognition for the paralegal team will support the effectiveness of the paralegals. Initial financial support will be provided for operating costs and capacity development including (local) resource mobilisation. Micro funding will be gradually phased out and a transition to successful local resource mobilisation implemented.

Communities do not trust paralegals to realise justice

Standardised quality-training, legal recognition, licensing, code of conduct (which is enforced). Conduct advocacy and public awareness programmes.

Lack of coordination on funding will affect the flow of funds to the programme

On anti-corruption, the strategic forum of the NACSAP III gathering all stakeholders will allow coordination of funding and activities. Roundtable meetings will be held by MocLA to discuss progress and any emerging implementation challenges for access to justice.

Insufficient independence of the judiciary

The reform of the judiciary is a top priority for Government. The judiciary has established a well-functioning reform team that includes staff from the Chief Registrar and the Chief Court Administrator. Capacity building of the judiciary is provided by DFID and World Bank.

Misappropriation, misuse or misreporting of funds

Adequate management information, audit, monitoring and evaluation and permanent dialogue.

Assumptions:

- Stable economic, social and political background throughout the programme period.
- Continuous political support at the highest levels to fight against corruption.
- Stronger, better coordinated and committed anticorruption institutions to deter, detect and sanction the corrupt and thereby increase risk to those engaged in corruption.
- High citizen demand for a better access to justice, particularly for women who need better protection of their rights.
- Strong commitment of the entrusted bodies chosen for implementation.
- Stable and sustained support from Development Partners (DPs).

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

The anti-corruption component builds on the EU experience with budget support operations since 2007 and the lessons learned from NACSAP I and II (1999-2011). Previously, the NACSAPs did not sufficiently involve stakeholders like the private sector and non-state actors and remained highly focused on the central level. There were no proper dialogue structures while success depended highly on institutional coordination.

The proposal also benefits from the monitoring and evaluation of a previous DFID-funded programme: Strengthening Tanzania’s Anticorruption Action (STACA). The lessons learnt from STACA include:

(i) the need to ensure the theory of change is well understood by all stakeholders; (ii) the need for a strong focus on monitoring, evaluation and learning (MEL) in the management structure and to help build monitoring and evaluation (M&E) capacity in the individual agencies; (iii) the need for flexibility given the political economy of corruption, which is a moving target with changing incentives; (iv) the need to allow sufficient time for design and implementation; (v) the need to secure data gathering and analysis; (vi) the need to focus on bottle-necks in the case-flow; and (vii) the need to involve state and non-state stakeholders.

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8 External evaluation of STACA (March 2016)
The access to justice component is informed by the previous government programme, namely the Legal Sector Reform Programme - LSRP (2006-2014) and a study conducted by a Task Force of Legal Aid established by the Government in 2013.

One of the outcomes of the LSRP regarding access to justice to the most vulnerable was the establishment of the Legal Aid Secretariat (LAS) as an interim measure to coordinate legal aid providers in the country, pending the enactment of comprehensive legal aid legislation.

The Legal Aid Task Force comprising four legal aid provider organisations and two government entities carried out a study in 2013 on legal aid provision in Tanzania and neighboring countries and advised the government on the best way to regulate legal aid provision in the country. The Task Force submitted its report to the government in 2014, recommending the development of a legal framework that will widen the scope of legal aid provision to include civil and criminal matters; recognise paralegals; foresee a registration mechanism of LAPs and development of a Code of Conduct for LAPs. Recommendations of the Task Force not only form the backbone of the new legal aid law but also inform this project.

On the other hand, lessons learnt from the facility funded by DANIDA and DFID include: (i) a clear theory of change and strategic approach have been instrumental to contribute to increased coordination of CSOs involved toward national strategic objectives; (ii) the long-term sustainability of a voluntary paralegal approach needs to be further cemented; (iii) the involvement of local leadership is necessary in legal empowerment; strong relationships with (in)formal local leaders, local institutions and civil society is critical for successful implementation of paralegal work that aims to create legally empowered communities. Paralegal units with strong and substantive relations with Local Government Authorities (LGAs) are more effective than others.

3.2 Complementarity, synergy and donor coordination

The EU tackles accountability and the fight against corruption in a holistic way. Different instruments (EDF and thematic programmes) and various modalities (budget support and projects) are mobilised and all main stakeholders are involved: government, civil society, Parliament, and the media. Thematic programmes, in particular Civil society organisations and Local Authorities (CSO&LA) and European Instrument for Democracy and Human Rights (EIDHR) provide specific grants for support to transparency and local accountability. The action will complement the different EU sector budget support operations (on economic governance, energy and transport) as an accompanying measure to support the reduction of corruption in the public sector. It directly complements the Good Financial Governance programme that promotes accountability and transparency in the use of public resources at local level with EU, Swiss and German co-funding. The intervention is fully aligned with work done on anti-corruption and access to justice by EU Member States, particularly DFID and DANIDA. GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit), Sweden, Canada and the US are also active in this area and coordination and information exchange is guaranteed through the Governance Working Group, Heads of Cooperation meetings, Political officers meetings and Heads of Missions.

In terms of justice reforms, the EU is particularly active in Zanzibar through the Legal Sector Reform Programme (LSRP), implemented by UNDP and UNICEF. The LSRP strengthens justice institutions and addresses children’s rights and legal aid to the most vulnerable people on the island. Supporting the DANIDA-funded facility will allow creating a bridge with the LSRP and expanding the legal aid provision to vulnerable people in the archipelago.

The EU joint programming exercise has identified "accountability" as a priority area and a number of EU MS are highly active in the sector (Denmark, Germany, Ireland, Netherlands, Sweden and UK). There is a solid basis for EU collaboration with Denmark and UK on anti-corruption and access to justice that combines the advantage of risk-sharing with increased potential to make a positive impact.

Synergies and partnerships will be explored with the following actions:

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9 LSRP Medium Term Strategy 2005-2008 (October 2004)
10 UDSM (University of Dar es Salaam) Legal Aid Committee (Chair), LHRC, TAWLA and WLAC
11 MoCLA and Office of Attorney General (AGC)
12 External evaluation of the Legal Service Facility - LSF Phase 1 – 2012-2015 (May 2016)
The support to anti-corruption institutions provided by Canada (Ethics Secretariat), Germany (NAO), Netherlands (NAO), Norway (NAO), Sweden (NAO), Switzerland (PCCB), the US (Ethics Secretariat & NAO) and the World Bank (PCCB).

The Citizen-Centric Judicial Modernization and Justice Service Delivery Programme, funded by the World Bank to support the reform of the courts with the aim of delivering citizen-focused justice through construction of Courts, case-management training of magistrates and judges (USD 65 million).

3.3 Cross-cutting issues

Three crosscutting issues are mainstreamed in this action, namely gender issues, youth and climate change. The DAC Markers "Participation development/good governance" and "Gender Equity" are marked for this programme. "Participation development/good governance" is the primary target, as the programme will seek to improve the demand for accountability by citizens, and access to justice and social services without bribes and corruption.

"Gender Equity" is marked as a significant objective, as the access to justice component will primarily target legal aid for women, notably for cases related to violence and inheritance/land issues. Women and women-headed households in particular suffer disproportionately from the effects of corruption, as they tend to have lower incomes and are directly confronted with poor service delivery in the health, education and local governance sectors, where petty corruption is widespread. There is evidence around the negative impact of corruption on natal and maternity care for women. Women and girls are also affected by sexual extortion and 1 out of 8 women who pay a bribe do so in the form of sex.

The programme will disaggregate management information and results by gender where possible and proportionate to build a firmer evidence base on the relation between gender and corruption and to ensure that the programme is not inadvertently gender-biased.

From the typology of cases received and resolved through the ongoing DANIDA paralegal assistance, legal aid is rendered to both men (46%) and women (54%). Legal aid will specifically target youth (adolescent and young women), in particular in its urban legal empowerment approach, to be piloted in 2017 and 2018 in Dar es Salaam and Stone Town Zanzibar, respectively the first and third largest urban conglomerates in Tanzania. Paralegal units will go to secondary and primary schools for legal education and human rights awareness building.

While the programme does not explicitly focus on climate change, weak regulations and lack of enforcement impact heavily on the environment. Activities like poaching and illegal logging are major problems, enabled by corrupt officials. This can be improved through reducing the incentives for corruption and by increasing prosecutions and enforcing penalties.

4 DESCRIPTION OF THE ACTION

4.1 Objectives/results

This programme is relevant for the United Nations 2030 Agenda for Sustainable Development. It contributes primarily to the progressive achievement of SDG Goal 16 "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels". This does not imply a commitment by the country benefiting from this programme.

The overall objective of this programme is inclusive development in Tanzania through improved transparency of governance and accountability of the state institutions.

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14 Fourth session of the Conference of State Parties to the UNCAC, Concept Note: Panel discussion on gender and corruption, October 2011.
15 PCCB, Mini-baseline survey report based on the developed home-grown national corruption and anti-corruption effort indicators, April 2016.
Specific objective one is reduced incentives for corruption through a combination of improved deterrence in the criminal justice system, increased company transparency and governance of professional services, and collective actions that reshape social norms and expectations around corruption.

Specific objective two is increased protection of citizen’s rights, in particular for women, through legal aid services and legal empowerment.

The expected outputs/results of the programme are:

Under specific Objective 1: reduce corruption incentives:

Result 1.1 Improved capacity and coordination in the criminal justice sector.

Result 1.2 Changed norms and behaviour based around accountability on improved ethics and transparency.

Result 1.3 Effective management information, learning and research produced.

Under specific Objective 2: increase access to justice, in particular for women:

Result 2.1 Increased access to basic legal aid (paralegal or professional) services in particular for women.

Result 2.2 Increased protection of women's rights to land and property, safety and security.

Result 2.3 Formal and informal institutions effectively promote legal aid and protect human rights.

Result 2.4 Sustainable quality legal aid.

4.2 Main activities

Under specific Objective 1: reduced corruption incentives:

Result 1.1 Improved capacity and coordination in the criminal justice sector.

i. Facilitate dialogue between institutions to reduce or eliminate systemic issues blocking effective prosecutions and improve institutional coordination (led by MoCLA).

ii. Technical assistance to the various anti-corruption institutions (PCCB, DPP, Ethics Secretariat, etc) to improve compliance with their respective mandates (detection; investigation; prosecution; oversight).

iii. Management assistance to the anti-corruption institutions to improve performance (improvements to case flow).

Result 1.2 Changed norms and behaviour based around accountability on improved ethics and transparency.

i. Dialogue, training and advocacy to ensure that law enforcement agencies have full and effective access to beneficial ownership information for companies and other legal entities.

ii. Improved performance and coordination of anti-corruption initiatives of private sector associations, civil society and regulatory authorities limits corrupt practices in business.

iii. Training to journalists and media houses on emerging topics such as illicit financial flows, beneficial ownership, mutual legal assistance, asset recovery, and social norms.

iv. Initiatives to reshape prevailing social norms and behaviours around corruption.

Result 1.3 Effective management information, learning and research produced.

i. Consolidated official statistics on corruption investigation, prosecution and trial produced.

ii. Research on fiduciary and fraud risk management in public finance provides guidance on fraud management and control to the government (and development partners).

iii. Continuation of pilot work on home-grown indicators of corruption, to provide better quality disaggregated data on the level of corruption and its impact.

iv. Definition of a monitoring and evaluation strategy.
Under specific Objective 2: increased access to justice, in particular for women:

**Result 2.1** Increased access to basic legal aid (paralegal and professional) services in particular for women.

i. Support the implementation of the Legal Aid Act 2017 (e.g. registration of paralegals).

ii. Provision of legal aid (mediation, conciliation, legal drafting, navigating the administrative systems and court follow up, representation in litigation).

iii. Facilitating advocates for pro bono legal aid service in criminal justice system (prisons, remand house, police stations).

iv. Training of paralegals throughout the country, preferably female.

v. Organise community empowerment trainings, conferences and workshops focusing on women/community legal, social, economic and political empowerment using the law.

vi. Document success stories and share with public for advocacy and public information purposes.

vii. Create or use existing community groups for legal empowerment with an emphasis on increased protection of women’s rights

viii. Monitor grant implementation, document results, lessons for policy development, future programming.

**Result 2.2** Increased protection of women’s rights to land and property, safety and security.

i. Legal and human rights awareness raising and education as a basis for legal empowerment covering urban and rural poor women and LGAs.

ii. Train paralegals on property rights of women and on specific approaches for handling women’s rights violations.

iii. Support strategic litigation.

iv. Expand and manage monitoring and data collection through based online web based system.

**Result 2.3** Formal and informal institutions effectively promote legal aid and protect human rights.

i. Coordination and dialogue between government and legal aid providers at all levels; between paralegals and the courts, and among legal aid providers.

ii. Support relevant national and international events (women’s day or legal aid day), conferences or specific campaigns (e.g. gender based violence (GBV))

iii. Human rights advocacy through media campaign.

iv. Sensitisation of LGAs and informal leaders on women legal and human rights, empowerment.

**Result 2.4** Sustainable quality legal aid

i. Capacity development of paralegal organisations (Units) on M&E, finance, resource mobilisation, governance, strategic planning, women’s rights, empowerment (including through peer learning and mentoring).

ii. Production of legal and human rights literacy documents.

iii. Surveys, context analysis and the reporting and dissemination of success stories establish the basis for permanent learning.

4.3 Intervention logic

Capacity building towards better prosecutions for corruption is necessary, but not sufficient given widespread failures of one-dimensional strategies in the past. The hypothesis is that prioritised vertical enforcement of anti-corruption rules, improved corporate governance, and greater accountability of public finances will reduce both the perception and the incidence of corruption in Tanzania. This in turn will have a positive development impact by increasing business competitiveness and increasing the money available for public services. The programme must therefore engage with the social context of anti-corruption work and not assume a logical deterrent effect as people’s incentives adjust to the risk of prosecution. The proposed theory of change for the anti-corruption programme is that if appropriate resourcing, technical expertise, flexible management and conscious learning take place, then outputs will be delivered around criminal justice effectiveness, private sector integrity, social norms, and learning. If these outputs are achieved, then prosecutions will symbolise strong action against
corruption, asset recovery will have a deterrent effect, private sector standards of ethics and integrity will improve and a new sense of shared national expectations around the acceptability of corruption will emerge. If these intermediate outcomes are achieved, then incentives for corruption will reduce and if the incentive calculation is meaningfully changed, then corruption will play a reduced role as a barrier to poverty reduction in Tanzania.

EU funding would indicatively allow expanding the BSAAT of DfID in areas related to improved capacities of the accountability bodies, transparency in the private sector and change in social norms, expectations and behaviour in relation to corruption. The BSAAT is aligned to the priorities of NACSAP III and will implement some of the desired changes.

**Legal aid** aims to offer citizens increased options towards "everyday justice for everyday problems". The approach is based on the assumption that persons who are aware of their rights and the laws of the country will be in better position to realise those rights, which contributes to empowerment. In addition, effective formal and informal justice mechanisms and institutions are part of an enabling environment for development, including economic growth. Effective paralegals will educate citizens and communities (in particular marginalised groups) in legal and human rights and assist to claim and defend their rights towards other parties. This will result in increased protection of women’s rights to land, property, safety and security and contribute to legal empowerment. Legal aid will facilitate culturally sensitive dispute resolution in order to prevent litigation and promote harmony in communities. The capacity development and local resource mobilisation will be very important contributions to the institutional sustainability of legal aid. A capacity development approach targeted at LGAs, informal leaders and other justice mechanisms and systems (tribunals), along with the creation of a national supervisory and regulatory mechanism to oversee the delivery of justice will lead to a more conducive environment for legal aid. Supporting the reform of legal aid launched by the MoCLA will possibly attract other partners in the sector.

EU support will specifically focus on provision of legal aid in the criminal justice sector. The EU funding would also indicatively allow expanding urban legal aid, legal literacy and legal empowerment. This will be undertaken on a two-year pilot basis in Dar es Salaam, the largest urban area in Tanzania and in Zanzibar Town, the third largest urban area in the country. The lessons learned will be used for and translated into the expansion of the urban legal empowerment approach. Furthermore, the EU contribution will be used for expanding the legal aid, - literacy and – empowerment approach in Zanzibar. Like on Mainland, the emphasis will be on increased protection of women’s rights to safety, security, land and property.

5 **IMPLEMENTATION**

5.1 **Financing agreement**

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country, referred to in Article 17 of Annex IV to the ACP-EU Partnership Agreement.

5.2 **Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in section 4.2 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission’s authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute non-substantial amendment in the sense of Article 9(4) of Regulation (EU) 2015/322.

5.3 **Budget support details**

N/A.
5.4 Implementation modalities

5.4.1 Indirect management with Department for International Development (DFID)

A part of this action may be implemented in indirect management with the Department for International Development (DFID) of the United Kingdom in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012, applicable in accordance with Article 17 of Regulation (EU) 2015/323. This implementation entails providing EU funds to the DFID Building sustainable anti-corruption action in Tanzania (BSAAT), to oversee implementation of Objective 1 - Reduce corruption incentives of the present programme. This implementation is justified because of successful impact on anti-corruption bodies of DFID previous project (STACA) and the fragmented nature of the accountability sector. BSAAT is currently the widest accountability programme in Tanzania, contributing to the achievement of NACSAP III. This modality will allow efficient use of resources, enhanced aid effectiveness and better coordination and synergies between the Government and developing partners (DPs).

The entrusted entity would carry out the following budget-implementation tasks: concluding, managing and enforcing the contracts (making payments, accepting or rejecting deliverables, carrying out checks and controls, recovering funds unduly paid), and running the procurement and grant award procedures preceding the conclusion of such contracts, including the award and rejection decisions.

5.4.2 Indirect management with DANIDA

A part of this action may be implemented in indirect management with Denmark’s development cooperation agency (DANIDA) in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012, applicable in accordance with Article 17 of Regulation (EU) 2015/323. This implementation entails providing EU funds to the DANIDA, to oversee implementation of part of Objective 2 - Increase access to justice, in particular for women of the present programme. This implementation is justified because of the technical expertise required and the specific experience DANIDA has developed in providing legal aid in the last 5 years in Tanzania. This modality will allow efficient use of resources, enhanced EU joint programming and better coordination and synergies between the Government and Member States.

The entrusted entity would carry out the following budget-implementation tasks: concluding, managing and enforcing the contracts (making payments, accepting or rejecting deliverables, carrying out checks and controls, recovering funds unduly paid), and running the procurement and grant award procedures preceding the conclusion of such contracts, including the award and rejection decisions.

5.4.3 Indirect management with the United Republic of Tanzania

A part of this action under Objective 2 - Increase access to justice, in particular for women, may be implemented in indirect management with Tanzania in accordance with Article 58(1)(c) of the Regulation (EU, Euratom) No 966/2012, applicable in accordance with Article 17 of the Regulation (EU) No 323/2015 according to the following modalities:

The partner country will act as the contracting authority for the procurement and grant procedures. The Commission will control ex ante all the procurement procedures except in cases where programme estimates are applied, under which the Commission applies ex ante control for procurement contracts above EUR 100 000 (or lower, based on a risk assessment) and may apply ex post control for procurement contracts up to that threshold. The Commission will control ex ante the grant procedures for all grant contracts.

Payments are executed by the Commission except in cases where programmes estimates are applied, under which payments are executed by the partner country for ordinary operating costs, direct labour and contracts below EUR 300 000 for procurement and up to EUR 300 000 for grants.

The financial contribution partially covers, for an amount of EUR 500 000, the ordinary operating costs incurred under the programme estimates16.

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16 This amount is indicative, to be reassessed before signature of the specific Programme estimate (PE).
In accordance with Article 190(2)(b) of Regulation (EU, Euratom) No 966/2012 and Article 262(3) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 36 of Regulation (EU) 2015/323 and Article 19c(1) of Annex IV to the ACP-EU Partnership Agreement, the partner country shall apply procurement rules of Chapter 3 of Title IV of Part Two of Regulation (EU, Euratom) No 966/2012. These rules, as well as rules on grant procedures in accordance with Article 193 of Regulation (EU, Euratom) No 966/2012, applicable in accordance with Article 17 of Regulation (EU) 2015/323, will be laid down in the financing agreement concluded with the partner country.

5.4.4 Changes from indirect to direct management mode due to exceptional circumstances

In case of exceptional circumstances outside the Commission's control and given the scope of the services to be provided under Objective 2 – Increase access to justice, in particular for women, the alternative implementation modality will be procurement by the Commission of a service contract under direct management. However, given the nature of the services to be provided and according to the needs identified by the government, it does not seem feasible to deposit in one single service provider the accomplishment of all the tasks foreseen under this result.

5.5 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission’s authorising officer responsible may extend the geographical eligibility in accordance with Article 22(1)(b) of Annex IV to the ACP-EU Partnership Agreement on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.6 Indicative budget

<table>
<thead>
<tr>
<th>Objective</th>
<th>EU contribution (in EUR)</th>
<th>Indicative third party contribution (in EUR)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective 1 - Reduce corruption incentives</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.3.1.– Indirect management with DFID</td>
<td>7 100 000</td>
<td>15 000 000&lt;sup&gt;17&lt;/sup&gt;</td>
</tr>
<tr>
<td><strong>Objective 2 - Increase access to justice, in particular for women</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.4.2 Indirect management with DANIDA</td>
<td>5 100 000</td>
<td>15 900 000&lt;sup&gt;18&lt;/sup&gt;</td>
</tr>
<tr>
<td>5.4.3. Indirect management with Tanzania</td>
<td>2 100 000</td>
<td>2 500 000&lt;sup&gt;19&lt;/sup&gt;</td>
</tr>
<tr>
<td>5.9 Evaluation, 5.10 Audit</td>
<td>300 000</td>
<td>N.A.</td>
</tr>
<tr>
<td>Contingencies</td>
<td>400 000</td>
<td>N.A.</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>15 000 000</strong></td>
<td><strong>33 400 000</strong></td>
</tr>
</tbody>
</table>

<sup>17</sup> DFID contribution is GBP 13 000 000 (EUR 15 000 000, InforEuro June 2017)

<sup>18</sup> DANIDA’s Contribution to LSF is EUR 10 400 000; DfID’s Contribution to LSF is EUR 5 500 000

<sup>19</sup> The governmental contribution covers legal aid activities and salaries of Registrar office (Registrar, legal officers, accountant and assistants to the Registrar). Discussions are ongoing with other DPs possibly interested in supporting the legal aid reform of the MoCLA.
5.7 Organisational set-up and responsibilities

MoCLA has a central role in the implementation and supervision of the recently approved Legal Aid Act and it coordinates the inter-institutional dialogue on obstacles to effective prosecution of corruption cases. As such, MoCLA serves as the institutional bridge between the two components of the programme. MoCLA has a key role in the design and implementation of the tasks defined under this programme. However, both components will have separate management structures based on existing institutional arrangements in order to avoid the creation of parallel structures.

a. The anti-corruption intervention will contain the following management arrangements:

- A strategic programme forum to bring stakeholders together at least every 6 months to assess progress towards outcomes and testing the underlying assumptions. It is expected that this forum will be chaired by the Chief Secretary with MoCLA as a prominent member. This forum will work in close synergy and coordination with the NACSAP III National Steering Committee (comprising State and non-State Actors) that is to be established soon.

- A national programme coordinator and implementation team managing day-to-day budgets, activities and results. This coordinator will be government staff or under Government management. It will have authority to challenge stakeholders, access Government information and manage downstream procurement.

- A dedicated M&E function from the outset, either sitting alongside the secretariat or independent.

b. The legal aid intervention is managed by a Roundtable chaired every 6 months by MoCLA, involving all stakeholders, including funding partners and all legal aid projects and mechanisms. At implementation level, the main governmental counterparts and co-funders will agree upon appropriate formats for the steering of the technical cooperation at the level of each of the programme components. MoCLA will be responsible for the day-to-day management of the Programme Estimate and DANIDA will be responsible for the day-to-day management and implementation of grants for legal aid providers, capacity building, advocacy and dialogue.

5.8 Performance monitoring and reporting

The anti-corruption intervention will have a Delivery Plan as main management tool, backed up by a logframe or similar results framework. The Delivery Plan is the primary communication tool for results, monitoring issues and evaluation findings. However, partners will have flexibility to use their own tools to manage delivery, provided it guarantees adequate information to inform the Delivery Plan and the results framework.

There will be a strong focus on monitoring, evaluation and learning (MEL). MEL capacity will be available from the outset and there will be day-to-day engagement with MEL across the programme to increase the ability to collect and disseminate management information. The strong focus on MEL will ensure timely and appropriate changes and adaptations to the programme based on learning and changes in the context.

Both MoCLA and DANIDA-funded project have a logframe based M&E framework. MoCLA will report on the Programme Estimate and DANIDA will be responsible for monitoring and reporting of the activities funded through the delegation agreement. The joint committee would also be an excellent platform for learning and information sharing.

The day-to-day technical and financial monitoring of the implementation of this programme will be a continuous process and part of the implementing partner’s responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.
The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

5.9 Evaluation

Having regard to the importance of the action, a mid-term and final evaluations will be carried out for this action or its components via independent consultants contracted by the Commission.

A mid-term evaluation will be carried out for problem solving, learning purposes, in particular with respect to with respect to an adjustment of strategic priorities, management arrangements, sustainability of the actions and the advisability and usefulness of launching an extension of the action.

A final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that the programme uses a chain-linked, innovative approach to the accountability sector.

The Commission shall inform the implementing partner at least 20 days in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

In order to allow for differences in terminology, the mid-term and end-of-term reviews foreseen in the DFID and DANIDA programme documents may be considered equivalent to evaluations. In case of substantial divergence, the above evaluations may be carried out additionally.

Indicatively, two contracts for evaluation services shall be concluded under a framework contract in 2019 and 2021.

5.10 Audit

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

Indicatively, one contract per year for audit services shall be concluded under a framework contract for the Programme Estimate with Tanzania.

5.11 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU. This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.6 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

All procurement in relation to the communication and visibility plan and its implementation shall be undertaken by the implementing partners.
APPENDIX - INDICATIVE RESULTS FRAMEWORK (FOR PROJECT MODALITY) 20

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action, no amendment being required to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes. Note also that indicators should be disaggregated by sex whenever relevant.

<table>
<thead>
<tr>
<th>Results chain</th>
<th>Indicators</th>
<th>Baselines 2015-2016</th>
<th>Targets 2021</th>
<th>Sources and means of verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall objective: Impact</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inclusive development in Tanzania through improved transparency of governance and accountability of the state institutions.</td>
<td>1. Average Rule of Law score(^{21}) (as measured by the Worldwide Governance Index)</td>
<td>1. 2015: 39</td>
<td>1. TBD in the inception phase</td>
<td>1. WGI</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Average Control of Corruption score(^{22}) (as measured by the Worldwide Governance Index)</td>
<td>2. 2015: 25</td>
<td>2. TBD in the inception phase</td>
<td>2. WGI</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Average Voice and Accountability score(^{23}) (as measured by the Worldwide Governance Index)</td>
<td>3. 2015: 40</td>
<td>3. TBD in the inception phase</td>
<td>3. WGI</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Average Ibrahim Index of African Governance (IIAG)</td>
<td>4. 2015: 56,5</td>
<td>4. TBD in the inception phase</td>
<td>4. IIAG</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. Average Social Institutions and Gender value (as measured by the OECD Index-SIGI)</td>
<td>5. 2014: 0,25</td>
<td>5. TBD in the inception phase</td>
<td>5. SIGI Index</td>
<td></td>
</tr>
</tbody>
</table>

\(^{21}\) indicators aligned with the relevant programming document and \(^{**}\) indicators aligned to the EU Results Framework.

\(^{22}\) Individual country reports can be found at http://info.worldbank.org/governance/wgi/index.aspx#countryReports. These provide more information on the underlying changes at country level.

\(^{23}\) Individual country reports can be found at http://info.worldbank.org/governance/wgi/index.aspx#countryReports. These provide more information on the underlying changes at country level.
<table>
<thead>
<tr>
<th>Specific objective(s):</th>
<th>Outcome(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Reduced incentives for corruption through a combination of improved deterrence in the criminal justice system, increased company transparency and governance of professional services, and collective actions that reshape social norms and expectations around corruption</td>
<td>1.1) Anti-corruption indicators are under formulation, depending on the statistics available through the SDG monitoring portal that is being developed – BSAAT Indicators 1.2) Corruption Perception Index (as measured by Transparency International) (<em>NIP indicators on transparency and accountability for result 3.2) 2.1) Number of cases reported by women that have been resolved. 2.2) Number of people directly benefitting from legal aid programmes supported by the EU (</em>* EU RF Level 2 # # 4)</td>
</tr>
<tr>
<td>2.) Increased protection of citizen rights, in particular for women, through legal aid services and legal empowerment.</td>
<td>2.1) 2016: TBD in the inception phase 1.2) 2016 : score 32 (ranked 116/176) 2.1) 2016:13,486 2.2) 2016: 230 (Zanzibar LSRP)</td>
</tr>
</tbody>
</table>

### Output

| 1.1) Improved capacity and coordination in the criminal justice sector | 1.1.1) Value of assets recovered by GoT 1.1.2) Value of assets returned in international cases 1.1.3) # of grand corruption cases under investigation 1.1.4) # of cases before the courts 1.1.5) Average time taken to investigate and prosecute 1.1.6) Better performance of PCCB (** EU RF Level 2 # # 3) | 1.1.1) 2008-15: 5 M$ 1.1.2) 2016: 7M$ EGMA 1.1.3) 2016: 4,022 1.1.4) 2016: 418 1.1.5) TBD 1.1.6) TBD |
| 1.2) Changed norms and behaviour based around accountability on improved ethics and transparency | 1.2.1) Existence of a beneficial ownership register 1.2.2) % of companies on the register 1.2.3) Status of transparent mechanism of declaration of beneficial ownership / assets / economic interests and access by the | 1.2.1) 2016: no register 1.2.2) 2016: 0 1.2.3) 2016: 0 |

**Examples of indicators:**

- **Anti-corruption indicator**
  - Under formulation, depending on the statistics available through the SDG monitoring portal that is being developed – BSAAT Indicators
  - Corruption Perception Index (as measured by Transparency International)

- **Number of cases reported by women that have been resolved.**
  - 2016: TBD in the inception phase
  - 2016:13,486

- **Number of people directly benefitting from legal aid programmes supported by the EU.**
  - 2016: 230 (Zanzibar LSRP)

- **Value of assets recovered by GoT.**
  - 2008-15: 5 M$
  - 2016: 7M$

- **Value of assets returned in international cases.**
  - 2016: TBD

- **# of grand corruption cases under investigation.**
  - 2016: TBD

- **# of cases before the courts.**
  - 2016: TBD

- **Average time taken to investigate and prosecute.**
  - TBD

- **Better performance of PCCB.**
  - TBD

**Output Indicators:**

<table>
<thead>
<tr>
<th><strong>2016:</strong></th>
<th><strong>2017:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>TBD in the inception phase</td>
<td>TBD in the inception phase</td>
</tr>
<tr>
<td>Score 32 (ranked 116/176)</td>
<td>TBD in the inception phase</td>
</tr>
<tr>
<td>13,486</td>
<td>TBD in the inception phase</td>
</tr>
<tr>
<td>230 (Zanzibar LSRP)</td>
<td>TBD in the inception phase</td>
</tr>
<tr>
<td>TBD</td>
<td>TBD</td>
</tr>
</tbody>
</table>

**Output Examples:**

- **Value of assets recovered by GoT:** 5 M$
- **Value of assets returned in international cases:** 7M$
- **# of grand corruption cases under investigation:** TBD
- **# of cases before the courts:** TBD
- **Average time taken to investigate and prosecute:** TBD
- **Better performance of PCCB:** TBD

**Other Examples:**

- **MoCLA and DANIDA M&E:**
- **BSAAT M&E:**

- **Stable economic, social and political background throughout the programme period.**
- **Continuous political support at the highest levels to fight against corruption.**
- **Strong commitment of the entrusted bodies chosen for implementation.**
- **Stable and sustained support from Development Partners (DPs).**

- **Stronger, better coordinated and committed anti-corruption institutions to deter, detect and sanction the corrupt and thereby increase risk to those engaged in corruption.**
- **Rule enforcement is strong enough to change elite behaviours.**

- **Businesses are able to coordinate collective actions.**
### 1.3) Effective management information, learning and research produced

<table>
<thead>
<tr>
<th>Output</th>
<th>1.3.1) Status of disaggregated research data on social norms and behaviours.</th>
<th>1.3.2) # of fiduciary risk reviews made</th>
<th>1.3.3) Status of production of information on corruption</th>
<th>1.3.4) # of corruption surveys undertaken by PCCB</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.3.1) TBD in inception phase</td>
<td>1.3.2) TBD</td>
<td>1.3.3) TBD</td>
<td>1.3.4) 2016: 1 baseline survey</td>
</tr>
</tbody>
</table>

### 2.1) Increased access to quality legal aid services, in particular for women.

<table>
<thead>
<tr>
<th>Output</th>
<th>2.1.1) # of women provided with quality legal services</th>
<th>2.1.2) # of registered paralegals</th>
<th>2.1.3) # of legal aid recipients</th>
<th>2.1.4) # of advocates for pro bono legal aid service in criminal justice system</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.1.1) 2016: 13,486</td>
<td>2.1.2) 2016: 4,500</td>
<td>2.1.3) 2016: 40,000</td>
<td>2.1.4) TBD in inception phase</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2.1.4) TBD in inception phase</td>
</tr>
</tbody>
</table>

### 2.2) Increased protection of women's rights to land, property, safety and security

<table>
<thead>
<tr>
<th>Output</th>
<th>2.2.1) % of women who reported inheritance cases to paralegals that had their property rights secured.</th>
<th>2.2.2) # of vulnerable women aware of legal and human rights</th>
<th>2.2.3) # of paralegals trained to handle women’s rights issues</th>
<th>2.2.4) # of strategic litigation services</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.2.1) 2016: 15%</td>
<td>2.2.2) 2016: 148,000</td>
<td>2.2.3) 4,500</td>
<td>2.2.4) 2016: 4</td>
</tr>
<tr>
<td></td>
<td>2.2.1) 2021: 32%</td>
<td>2.2.2) 2021: 960,000</td>
<td>2.2.3) 6,000</td>
<td>2.2.4) 2021: 8</td>
</tr>
</tbody>
</table>

- High citizen demand for a better access to justice. Women in particular will work with the paralegals to obtain justice and better protect their rights.
<table>
<thead>
<tr>
<th>Output</th>
<th>2.3) Formal and Informal institutions effectively promote legal aid, protect human rights</th>
<th>2.3.1) % of paralegals supported by the action who report that local leaders (LGAs, wards and village members, etc.) are actively promoting legal aid and human rights</th>
<th>2.3.2) # of legal aid and human rights awareness events supported</th>
<th>2.3.3) # of formal and informal leaders attending legal aid awareness events</th>
<th>2.3.4) # of formal and informal leaders trained on human rights</th>
<th>2.3.1) 2016: 15%</th>
<th>2.3.2) TBD in the inception phase</th>
<th>2.3.3) TBD in the inception phase</th>
<th>2.3.4) TBD in the inception phase</th>
<th>2.3.1) 2021: 55%</th>
<th>2.3.2) TBD</th>
<th>2.3.3) TBD</th>
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<td>2.3.1) 2016: 15%</td>
<td>2.3.2) TBD in the inception phase</td>
<td>2.3.3) TBD in the inception phase</td>
<td>2.3.4) TBD in the inception phase</td>
<td>2.3.1) 2021: 55%</td>
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<td>2.4) Sustainable quality legal aid</td>
<td>2.4.1) % of paralegal units who raise more than 20% of their annual turnover from local resource mobilisation</td>
<td>2.4.2) % of Legal Aid Providers (LAPs) who raise more than 20% of annual turnover through resource mobilisation</td>
<td>2.4.3) # of publications highlighting the success stories (articles, newsletters, etc.)</td>
<td>2.4.1) 2016: 0%</td>
<td>2.4.2) 2016: 1%</td>
<td>2.4.3) 2016: 28</td>
<td>2.4.1) 2021: 27%</td>
<td>2.4.2) 2021: 27%</td>
<td>2.4.3) 2021: 52</td>
<td>2.4.1) MoCLA and DANIDA M&amp;E</td>
<td>2.4.2) MoCLA and DANIDA M&amp;E</td>
<td>2.4.3) MoCLA and DANIDA M&amp;E</td>
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