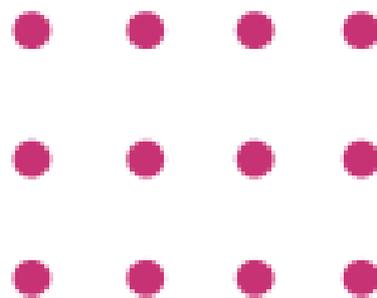




REPUBLIC OF MALAWI

# National Anti-Corruption Strategy II



2019 - 2024

# Table of Contents

Foreword.....	iv
Preface .....	v
Acronyms.....	viii
Glossary of key terms .....	ix
Executive Summary .....	x
CHAPTER ONE .....	1
INTRODUCTION AND BACKGROUND .....	1
<b>1.1 The Fight Against Corruption and the Development Agenda in Malawi</b> .....	1
<b>1.2 Development of NACS II</b> .....	3
<b>1.3 Purpose of NACS II</b> .....	5
<b>1.4 Guiding Principles</b> .....	5
<b>2.1 Indicators of Corruption in Malawi</b> .....	7
<b>2.2 Drivers of Corruption</b> .....	9
<b>2.3 Key Sectors and Areas of Heightened Corruption Risks</b> .....	11
<b>2.4 The National Framework for tackling corruption in Malawi</b> .....	15
<b>2.4.1 Outcomes of the NACS (2008-2013)</b> .....	16
<b>2.4.2 Lessons learned from the NACS (2008-2013)</b> .....	17
<b>2.4.3 Addressing the Gaps of the NACS (2008-2013)</b> .....	19
CHAPTER THREE .....	20
BROAD STRATEGIC DIRECTIONS .....	20
<b>3.1 Overall Goal</b> .....	20
<b>3.2 Strategic Goals</b> .....	21
3.3. Objectives.....	24
3.4 Strategies.....	25
3.5 Outcomes .....	26
CHAPTER FOUR .....	28
COORDINATION, IMPLEMENTATION, MONITORING, REPORTING AND EVALUATION .....	28
<b>4.1 Governance of NACS II: Coordination and Management Structure</b> .....	29
4.1.1 The National Integrity Committee.....	29
4.1.2 The Legal Affairs Committee of Parliament.....	31
<b>4.1.3 The Office of the President and Cabinet (OPC)</b> .....	32
4.1.4 Anti-Corruption Bureau (ACB).....	34
<b>4.1.5 The NACS Activities Implementation Project Team</b> .....	35
<b>4.1.6 The Pillars</b> .....	36

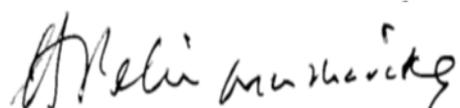
4.1.7	Financing Arrangements .....	36
4.1.8	Monitoring and Evaluation Arrangements.....	37
4.2	Activity Plans and involvement of the Pillars .....	37
4.2.1	Pillar 1: The Executive .....	38
4.2.2	Pillar 2: The Legislature .....	39
4.2.3	Pillar 3: The Judiciary.....	39
4.2.4	Pillar 4: Local Government .....	40
4.2.5	Pillar 5: Private Sector .....	40
4.2.6	Pillar 6: Civil Society Organisations .....	41
4.2.7	Pillar 7: Faith-Based Organisations.....	42
4.2.8	Pillar 8: Media .....	42
4.2.9	Pillar 9: Traditional Leaders .....	43
4.2.10	Pillar 10: Youth .....	43
4.2.11	Pillar 11: Academia .....	43
4.2.12	Pillar 12: Women .....	44
CHAPTER FIVE.....		45
CONCLUSION .....		45
ANNEX 1 .....		47
THE NATIONAL INTEGRITY SYSTEM UNDER NACS OF 2008.....		47
ANNEX 2 .....		48
MONITORING AND EVALUATION FRAMEWORK .....		48
Annex 3: Implementation Plan .....		61
ANNEX 4 .....		85
MEMBERS OF THE OVERSIGHT COMMITTEE .....		85
ANNEX 5 .....		86
MEMBERS OF THE DRAFTING COMMITTEE .....		86
ANNEX 6 .....		87
ACB NACS TASK FORCE MEMBERS .....		87

## **Foreword**

Government has been instrumental in creating systems and strategic documents to enhance the fight against corruption in the country. The National Anti-Corruption Strategy II (NACS II) is a result of Government's continued commitment to zero tolerance stance on corruption. The NACS II has been designed to promote good governance and improved service delivery in Malawi through a coherent and effective approach to fighting corruption. This will be achieved by concentrating efforts in the pursuit of the three mutually reinforcing strategic goals of promoting improved service delivery, strengthening the rule of law and promoting a culture of integrity. The Strategy will facilitate stimulation of social and economic development by ensuring that resources are channelled towards the implementation of the Malawi Growth and Development Strategy III as well as the realisation of the Sustainable Development Goals (SDGs).

This Strategy is a blueprint for our country's aspirations for a corrupt free society. If implemented with a commitment by all stakeholders, it will go a long way towards moving our beloved country out of poverty. While the Government will ensure that there is a political will to fight corruption, successful implementation requires unwavering commitment from all stakeholders.

The NACS II is, therefore, all-encompassing to allow all sectors of society to participate in the creation of a corruption-free Malawi. I am therefore urging all Malawians to hold hands in eradicating corruption by effectively implementing the Strategy. I hope that all stakeholders will continue supporting the Government's stance against corruption.



**PROFESSOR ARTHUR PETER MUTHARIKA**  
**PRESIDENT OF THE REPUBLIC OF MALAWI**

## **Preface**

Recognising the high priority that fighting corruption has for national development, NACS II seeks to contribute towards translating the country's development blueprint, the Malawi Growth and Development Strategy III (MGDS III) and the Sustainable Development Goals (SDGs) into development that benefits all Malawians by ensuring that resources meant to spur economic growth and development are not diverted for the selfish gain of a few corrupt individuals.

Building on its predecessor (NACS, 2008-2013), this Strategy realises that fighting corruption is the responsibility of all stakeholders who need to be guided and coordinated by one common vision of creating a corrupt-free Malawi. NACS II, therefore, has been developed with the perspective that fighting corruption must be vigorously pursued, not just as an end in and of itself, but also to realise the larger development goals of the nation.

To realise the desired outcomes, the Strategy has prioritised three mutually-reinforcing Strategic Goals of improving quality and accessibility of public services; strengthening the rule of law; and promoting a culture of integrity. I believe that by focussing on these three goals, NACS II will facilitate achievement of the aspirations stated in the MGDS III and the SDGs. The NACS II is aligned to international commitments that include the United Nations' Convention Against Corruption (UNCAC), the SADC Protocol Against Corruption and the African Union's Convention on Preventing and Combatting Corruption.

The Strategy builds on the foundations laid by NACS of 2008 and has been developed on a robust evidence base. The development process involved a series of national–multi-stakeholder workshops to encourage the entire nation to engage in the fight against corruption. The process attracted a range of stakeholders including representatives from the three branches of government (Executive, Legislature and Judiciary), Local Government, Civil Society, Women, Youth, Media, Private Sector, Traditional Leaders, Academia, Anti-Corruption Bureau, and Development Partners. The Strategy also draws on experiences from other

countries and input from experts on the best lessons on formulating similar strategies.

I would, therefore, like to urge all stakeholders to be committed to the implementation of the Strategy, as we build on the successes of past and current efforts, to effectively and efficiently fight corruption.

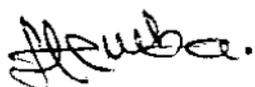
A handwritten signature in black ink, appearing to read 'Lloyd A. Muhara', written over a light blue horizontal line.

**MR. LLOYD A. MUHARA**  
**CHIEF SECRETARY TO THE GOVERNMENT**

## **Acknowledgements**

The Government of Malawi expresses its gratitude to all institutions and individuals who took part in the development of this Strategy. These included representatives from the three branches of Government (Executive, Legislature and Judiciary), Local Government, Civil Society, Women, Youth, Media, Private Sector, Traditional Leaders, Academia, Officials from the Anti-Corruption Bureau, Development Partners, and the general public. Special recognition goes to the Drafting Committee which worked tirelessly to come up with this Strategy and the Oversight Committee, which oversaw the development of the Strategy.

NACS II, like its predecessor, has benefited from generous support from the British Government, through the Department for International Development (DFID), which provided funding in support of the process and development of the Strategy. Experts from the Basel Institute of Governance provided technical support to the Drafting and Oversight Committees that made it possible for this Strategy to benefit from lessons from similar strategies at a global level. Without the support of all the various stakeholders, Development Partners and experts, the development of the strategy would not have been successful.



**MR. REYNECK MATEMBA**

**DIRECTOR GENERAL ANTI-CORRUPTION BUREAU**

## Acronyms

ACB	Anti-Corruption Bureau
AUCPCC	African Union Convention on Prevention and Combating Corruption
BAAC	Business Action Against Corruption
CPA	Corrupt Practices Act
CPIA	Country Policy and Institutional Assessment
CPI	Corruption Perception Index
CSAAC	Civil Society Action Against Corruption
CSOs	Civil Society Organisations
DPP	Director of Public Prosecutions
FBOs	Faith-Based Organisations
FIA	Financial Intelligence Authority
IIC	Institutional Integrity Committee
MCM	Media Council of Malawi
MDAs	Ministries, Departments and Agencies
MGDS	Malawi Growth and Development Strategy
MPRSP	Malawi Poverty Reduction Strategy Paper
MPA	Malawi Procurement Authority
MRA	Malawi Revenue Authority
NACA	National Anti-Corruption Alliance
NACS	National Anti-Corruption Strategy
NAO	National Audit Office
NGOs	Non-Governmental Organisations
NIC	National Integrity Committee
NIS	National Integrity System
OPC	Office of the President and Cabinet
PEA	Political Economy Analysis
PPDA	Public Procurement and Disposal of Assets Authority
SADC	Southern Africa Development Community
UNCAC	United Nations Convention Against Corruption
UNCATOC	United Nations Convention Against Transnational Organized Crime

## Glossary of key terms

**Accountability:** Refers to answerability, blameworthiness, liability, and the expectation of account-giving.

**Corruption** : The Corrupt Practices Act (Cap 7:04) of the Laws of Malawi does not give a singular definition of corruption but instead lists several acts that constitute the crime of corruption. These include:

- a. ***Bribery:*** the act of promising, giving, receiving or agreeing to receive money or some other item of value to unduly influence an action or decision of someone who can be a public official or any other person. It can be initiated by a person who seeks or solicits the bribe or by a person who offers and then pays the bribe.
- b. ***Extortion:*** the act of ‘demanding or receiving by a person in office of a fee for services, work, supplies or other things which should be performed, done, delivered, offered, provided or given freely. And where compensation is permissible, extortion refers to the demanding or receiving of a fee or other payment larger than is justified or which is not due.
- c. ***Abuse of Discretion:*** the use of one’s power to make certain decisions to benefit oneself or another person. Abuse of discretion can be manifested in the form of favouritism, nepotism and clientelism based on a wide range of group characteristics.
- d. ***Abuse of office:*** This refers to the misuse of one’s official position, status or authority to benefit oneself or another person.

- e. ***Conflict of Interest:*** a situation in which an individual's private interest, usually of financial or economic nature, conflicts or raises a reasonable question of conflict with the individual's professional, public duties and responsibilities.
- f. ***Embezzlement, Theft and Fraud:*** involves the taking or conversion of money, property or valuable items by an individual who is not entitled to them but, by virtue of his or her position or employment, has access to them.

**Integrity :** The quality of being honest and having strong moral principles.

**Legislation:** A **law** or a set of **laws** that have been passed by Parliament.

**Rule of law:** The principle that all people and institutions are subject to and accountable to law that is fairly applied and enforced.

**Strategy:** A method or plan chosen to bring about a desired future, such as the achievement of a goal or solution to a problem.

## **Executive Summary**

The National Anti-Corruption Strategy II (NACS II) is a blueprint for Malawi's aspirations for a corruption-free society. By taking a holistic approach, NACS II allows all sectors to participate in the fight against corruption. It is a continuation of the anti-corruption drive that commenced with the NACS of 2008. NACS II builds upon the successes of the 2008 NACS. The development of NACS II is based on evidence from a consultative process, desk research and experiences from other countries. It realises that corruption affects all sectors. As such, its successful implementation depends on the participation of all sectors. Through the pursuit of three mutually reinforcing strategic goals of improving service delivery, strengthening the rule of law and promoting a culture of integrity, NACS II aims to contribute towards the achievement of Malawi's development agenda.

The predecessor NACS of 2008 saw notable strides made in the fight against corruption. There has been strengthening of the policy and legal provisions, and broadening of participants in fighting corruption thereby complementing the work of the Anti-Corruption Bureau (ACB). Combined with the creation of the National Integrity System (NIS), a solid foundation had been laid upon which current and future anti-corruption efforts can be based and sustained. Despite this solid base lessons were learnt from the implementation of the 2008 NACS which include the absence of some key actors, weak coordination and implementation mechanisms, lack of effective monitoring mechanisms, insufficient clarity of roles and mandates, capacity gaps, inadequate

financing, and lack of linkage between NACS and the country's development blueprint. NACS II endeavours to address these gaps.

Having identified the key drivers of corruption and key areas of heightened corruption risks, NACS II continues with efforts of correcting the persisting perception that fighting corruption is solely the work of the ACB. NACS II does this by emphasising that eradicating corruption is a priority in Malawi's development agenda as set out in the Malawi Growth and Development Strategy III (MGDS III); by calling for participation of all and effective coordination of anti-corruption efforts; and by calling for radical changes in mind-sets, attitudes and perceptions on corruption through capacity building and application of a systems thinking approach. While the NACS of 2008 attempted to deal with these, whose achievements are acknowledged, there remains work to be done. Many corruption or governance indices and measures continue to show that corruption remains a serious impediment to Malawi's social and economic development.

NACS II provides a new framework for fighting corruption through the pursuit of three strategic goals of improving service delivery, strengthening the rule of law and promoting a culture of integrity. It identifies and tasks 12 pillars that are all-encompassing of the Malawian society to work towards the achievement of clear goals and objectives following clear governance, implementation, and monitoring and evaluation mechanisms. The 12 pillars include the Executive; the

Legislature; the Judiciary; Local Government; the Private Sector; Non-Governmental Organisations/Civil Society; Faith-Based Organisations; Media; Traditional Leaders; Youth; Academia; and Women. Additional pillars in NACS II are Youth; Academia; Women; and Local Government. Overall leadership and direction to the implementation of NACS II shall be provided by a multi-sectoral National Integrity Committee (NIC) while the ACB, the body mandated by law to spearhead the fight against corruption, shall provide technical guidance to the NIC.

# **CHAPTER ONE**

## **INTRODUCTION AND BACKGROUND**

### **1.1 The Fight Against Corruption and the Development Agenda in Malawi**

The Government of Malawi recognises corruption as one of the major impediments to the achievement of national development targets. It derails social and economic development efforts, resulting in poor service delivery. The Government of Malawi has supported the fight against corruption in several ways since the establishment of the ACB. One of the most visible aspects of this endeavour has been the adoption of manifold legal provisions to align Malawi's legal framework with international standards and in compliance with the United Nations' Convention Against Corruption (UNCAC)

The major piece of legislation governing anti-corruption efforts in Malawi remains the Corrupt Practices Act (CPA) (Cap 7:04 of the Laws of Malawi). This law provides the legal foundation for the creation of the ACB, whose overall mandate is to spearhead anti-corruption efforts in the country. Other laws, such as the Penal Code (Cap 7:01 of the Laws of Malawi), the Public Finance Management Act (Cap 37:02 of the Laws of Malawi) and the Public Audit Act (Cap 37:01 of the Laws of Malawi) which include provisions that seek to reduce corrupt behaviour within the civil service.

Building on the CPA, the supporting laws, and NACS, Malawi has enacted several new laws aimed at supplementing the CPA in fighting corruption. These include, among others, the Public Officers (Declaration of Assets, Liabilities, and Business Interests) Act (Cap 1:04 of the Laws of Malawi), the Public Procurement and Disposal of Public Assets Act, (Cap 37:03 of the Laws of Malawi); and the Financial Crimes Act (Cap 7:07 of the Laws of Malawi).

As a commitment to fighting corruption, the Government of Malawi has formulated key policy plans and programmes based on the recognition that corruption is a challenge that compromises the achievement of major national goals.

Thus, the eradication of corruption is emphasised as a priority in Malawi's current development blueprint, the MGDS III. The MGDS III calls for effective coordination of anti-corruption agencies and radical changes in mind-sets, attitudes and perceptions on corruption through capacity building and the application of principles of systems thinking. Similarly, the fight against corruption is essential to achieve the goals of the Malawi Democratic Governance Sector.

The fight against corruption is a central element in achieving the Sustainable Development Goals (SDGs) to which Malawi commits as a member of the international community. By promoting strategies and activities that will enhance the rule of law, strengthen public service delivery and improve the well-being of all in Malawi, the anti-corruption

agenda of the Government of Malawi will complement the achievement of the SDGs.

These considerations reflect a vision that prioritises the fight against corruption as an integral element of the broader agenda of pursuing national goals and promoting development, economic growth and the welfare of all Malawians.

## **1.2 Development of NACS II**

NACS II builds upon the successes of the previous National Anti-Corruption Strategy (NACS) that was formulated in 2008. The development of the current strategy has also drawn lessons from international experiences and best practices. These show that the more general and broader ranging the NACS, the less likely it will be effectively implemented and the less tangible impact it can achieve. Therefore, clarity and focus on identifying concrete and achievable goals for the NACS have been of utmost consideration.

International experiences and best practices also show the importance of designing strategic approaches to fighting corruption tailored to the context. The NACS II therefore is the product of careful consideration of a significant evidence base compiled through a series of activities, undertaken under the supervision of an Oversight Committee, as follows:

- i. An extensive consultative process that involved multiple stakeholders drawn from the Executive, Judiciary, Legislature, Civil Society Organizations (CSOs), Traditional Leaders, Private Sector,

Faith-Based Organizations, Media, Youth, Academia and Women sectors. These stakeholders provided input regarding the state of corruption in Malawi and suggested priority areas where the fight against corruption should focus on.

- ii. A national Corruption Perception Survey, undertaken in April 2019.
- iii. Research activities to compile a substantive evidence base about the state of corruption and drivers of corruption in Malawi as well as a political economy analysis.
- iv. Extensive desk research and participation in international meetings of the state parties to the United Nations Convention Against Corruption (UNCAC) to identify international best practices in the fight against corruption.
- v. The convening of, and extensive consultation with, an expert advisory group comprised of renowned international and Malawian experts in anti-corruption practice and policymaking.
- vi. Focus Group Discussions and key informant interviews with staff of the Anti-Corruption Bureau (ACB).

Based on the evidence generated through the process outlined above, NACS II has prioritised three concrete goals, namely:

1. To improve the quality and accessibility of public services for the benefit of all Malawians;
2. To strengthen the rule of law to ensure that crimes of corruption are effectively detected, investigated and ultimately punished; and

3. To promote a culture of integrity where corruption is widely repudiated and denounced in the interest of the common good.

The NACS II is, therefore, an evidence-based policy document response to the particular and most pressing challenges and needs faced by the Malawian Government and its citizens. Crucially, the NACS II is also informed and substantiated by a significant participatory effort involving all pillars that are critical to its implementation, which reaffirms the principle that the fight against corruption is a shared endeavour that requires the participation of all Malawians.

### **1.3 Purpose of NACS II**

NACS II seeks to operationalise all efforts the Government of Malawi is undertaking to fight against corruption in the country to achieve Malawi's development aspirations, as outlined in the MDGS III. The Strategy aims at improving the quality and accessibility of public services, strengthening the rule of law and promoting a culture of integrity.

### **1.4 Guiding Principles**

Implementation of NACS II will be guided by the following principles:

- i. *Professionalism*: skilled and trained state and non-state actors engaged in the fight against corruption;
- ii. *Efficiency and Effectiveness*: timely delivery of public goods and services;
- iii. *Accountability*: stakeholders being responsible for their actions and inactions;

- iv. *Transparency*: public services transacted openly to realise fairness and honesty;
- v. *Integrity*: morally upright in conducting public business;
- vi. *Equity*: fair treatment to everyone accessing public services; and
- vii. *Inclusivity*: promotion of participation of all including the marginalised and vulnerable groups in the fight against corruption.

## **CHAPTER TWO**

### **SITUATIONAL ANALYSIS**

NACS II has been developed within a context where evidence suggests that corruption in Malawi, like other developing countries, is a complex and multi-dimensional phenomenon. The term corruption refers to many different acts and behaviours that are in turn linked to particular root causes often linked to deeply entrenched beliefs, norms and practices.<sup>1</sup> Thus, the evidence suggests that, despite the Government's concerted efforts, there is only a marginal positive change in the levels of corruption in Malawi in recent years as indicated by all major international and national measures.

#### **2.1 Indicators of Corruption in Malawi**

##### ***a) Corruption Perception Index***

The Corruption Perception Index (CPI) published by Transparency International (TI) measures perceptions of corruption on a scale of 0 to 100, where 0 means very corrupt and 100 very clean. Potential investors use the CPI, because of the association between corruption and the cost/ease of doing business, in deciding where to invest. Consequently, a low CPI (associated with high levels of corruption) deters foreign direct investment. Malawi's CPI score stagnated at 31 between 2015 and 2017 and only increased by one point in 2018. The data further shows that CPI

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<sup>1</sup> <sup>1</sup>See glossary for an overview of the various types of corruption.

for Malawi was 37 in 2013 and dropped to 33 in 2014 before reaching 31 in 2015.

***b) Policy and Institutional Assessments***

The World Bank's Country Policy and Institutional Assessment (CPIA) assess the conduciveness of a country's policy and institutional framework to poverty reduction, sustainable growth, and the effective use of development assistance. The CPIA rates countries on a scale of 1 to 6, where 1 means worst performance and 6 indicates the best performance on a series of indicators. On this scale, the CPIA rating for Malawi remained between 2.9 and 2.8 in the period between 2013 and 2017, and in 2018, CPIA for Malawi dropped to 2.5.

***c) Public Opinion Polls***

Public opinion polls, including the 2013 Governance and Corruption Survey, carried out by the ACB, show that most Malawians perceive corruption in the country to be worsening. Between 2010 and 2013, for example, the proportion of Malawians that said corruption had increased rose from 83% to 96%. During the same period, the proportion of Malawians that said the problem of corruption had worsened compared to the preceding ten years had increased by 40 percentage points from 52% to 92%. The 2013 Governance and Corruption Survey also showed that public officials in the country accept that corruption had increased and had become more prevalent in the public sector compared to 2010. A corruption perception survey of April 2019, meanwhile, found that an overwhelming majority (97%) of Malawians feel that corruption in the

country is a serious problem, 92% of whom said it is a very serious problem and that it spans across all sectors of society.

## **2.2 Drivers of Corruption**

The root causes of corruption are complex and varied, as uncovered by the evidence collected in support of the NACS II. Key drivers of corruption found in Malawi include the following:

- i. *Complex and cumbersome procedures:* Corruption is driven by a desire to circumvent complex and cumbersome procedures and practices. This can include procedures and practices that are instituted to promote a culture of transparency and accountability;
- ii. *Lack of a culture of holding duty-bearers accountable:* A culture of secrecy, lack of information and unwillingness of the public to take action against corruption, either because of fear of retaliation or simple unwillingness to act because of the belief that safeguarding public resources is not the business of private citizens;
- iii. *Informal networks:* Informal governance practices such as rent-seeking where individuals support political parties to get access to government contracts, nepotism and favouritism;
- iv. *Institutional gaps:* Gaps in laws facilitate corruption as people take advantage of such gaps to engage in corruption. Selective or poor enforcement of laws reduces the cost of corruption. Other institutional drivers include bureaucratic delays, absence of ethical codes of conduct, outdated policies, procedures and regulations and monopoly of service;

- v. *Capacity challenges within law enforcement agencies:* The ACB, the National Audit Office, the Judiciary, the Directorate of Public Prosecutions, the Office of the Director of Public Officers' Declaration, the Public Procurement and Disposal of Assets Authority, Financial Intelligence Authority and the Malawi Police Service have an important mandate in the fight against corruption, but limited human and financial resources to execute this mandate;
- vi. *Inadequacy of resources for anti-corruption efforts:* Although several Ministries, Departments and Agencies introduced Institutional Integrity Committees (IICs), most MDA's do not adequately fund the IIC's and this negatively affects their effectiveness and efficiency in the anti-corruption fight;
- vii. *Collaboration challenges between law enforcement agencies:* The fight against corruption often requires the collaboration of multiple agencies and stakeholders. However, challenges in coordination and collaboration blunt the fight against corruption;
- viii. *Lack of integrity:* Lack of integrity is manifest in characteristics such as greed and moral decay, where public sector actors show a lack of empathy for their fellow citizens who expect to equally benefit from public resources;
- ix. *Public apathy:* Entrenchment of norms that either accept or fail to condemn corrupt practices. A public that is apathetic to corruption is usually reluctant and unwilling to play a role in reporting or stopping corruption;

- x. *Perception of lack of political will to fight corruption:* Government is aware that despite numerous efforts at prioritizing the fight against corruption, a large section of the public holds the view that a lack of political will is fostering corruption in Malawi;
- xi. *Social norms:* Social norms and expectations that generate social acceptability of corruption. Examples of behavioural drivers of corruption include viewing corruption as a way of life such that one cannot survive without it, greed and opportunism, and decay of moral values;
- xii. *Poor remuneration for public servants:* Low wages reduce the efficiency of service delivery and create incentives for corruption and misuse of public office; and
- xiii. *Living beyond means/lifestyle:* Some public servants engage in corrupt activities as a means of sustaining a lifestyle which is beyond their means.

## **2.3 Key Sectors and Areas of Heightened Corruption Risks**

From the various research exercises, Malawians have identified several key issue-areas where they feel corruption has the most detrimental effect in the country. These include:

### ***2.3.1 Corruption in the public sector, which negatively impacts the delivery of public services.***

The most relevant corruption risk areas affecting the quality and accessibility of public services are:

a. *Corruption in public procurement*: where corruption during the procurement of inputs and services related to and required for the delivery of public services results in the delivery of substandard and over-priced goods and services. Business entities that refuse to bribe or collude with corrupt public officials are deprived of business opportunities. Corruption risks in this area include collusive practices, bribery, and kickbacks.

Drivers of corruption in procurement include:

- i. Informal links between procuring entities and potential suppliers;
- ii. Weak or weakly implemented procurement laws;
- iii. Rent-seeking;
- iv. State capture;
- v. Lack of technical competence of officials tasked to manage procurement processes; and
- vi. A collective action problem where perceptions are that it is not possible to compete for a public tender without engaging in bribery or other types of corrupt practices.

b. *Corruption during delivery of public services*: when service providers and users engage in bribery as well as actions that divert government services and resources for the benefit of private interests at the expense of the public at large. Bribery and favouritism are the most common forms in which corruption manifests in this risk area. Such practices are often motivated by:

- i. The desire to expedite service when queues and/or processing times are long;
- ii. Financial motives that lead to the use of discretionary power to extract bribes from users;
- iii. Ineffective monitoring of adherence to the prevailing laws, regulations and standard operating procedures in the delivery of public services;
- iv. Lack of awareness on the part of users about their rights and entitlements; and/or
- v. Attitudes of resignation or even acceptance of acts of corruption, which are compounded by challenges such as the lack of adequate channels for denouncing corruption and the fear of reprisals for doing so.

*c. Corruption in the internal systems of institutions that are responsible for the provision of public service:* weaknesses in key areas such as human resource management systems and public finance management systems generate significant corruption risks.

Corruption in human resource management systems often manifests itself in the form of bribery and favouritism in such aspects as recruitment and promotions, which in turn result in the hiring of unqualified service providers, collusive behaviours to protect corruption schemes, demotivated staff, ghost workers and lack of responsiveness and accountability of service users. Corruption denies well-deserving candidates opportunities for employment, negatively affects promotion

opportunities and consideration for training opportunities for public servants.

Corruption in public finance management persists despite the existence of the Public Finance Management Act. Weak controls in the execution of budgets lead to the misuse of public resources and maladaptive practices such as embezzlement.

Corruption in the internal systems of service delivery institutions is often facilitated by drivers such as:

- i. Informal social links that take precedence over technical skills in recruitment;
- ii. Lack of monitoring opens a discretionary space for recruiting officials and managers to abuse their positions for financial gain;
- iii. Fear of repercussions on the part of potential whistle-blowers; and
- iv. Lack of clear and transparent standardised procedures for the allocation and execution of institutional budgets.

### ***2.3.2 Corruption in, and by, the private sector***

Corruption is also rampant in the private sector where companies contend with corruption and bribery in almost all operations. In a very competitive business environment, such as that prevailing in Malawi, where the government is the biggest buyer of goods and services, it is common for businesses to pay bribes to be granted licences and permits to bid for government contracts. Once awarded the necessary permits and licences, the private sector pays more bribes to win government contracts, a

practice that leads to unfair awarding of contracts, poor service delivery and a waste of resources by both the public and private sector.

Even when a service has been delivered there is an expectation among the private sector that they have to pay further gratifications to be paid for the service rendered. High-level corruption cases that have seen private sector players implicated is only a pointer to a big corruption problem that exists in the private sector.

### **2.3.3 *Corruption in the wider Malawian society***

Corrupt practices are also prevalent outside of the realm of public institutions. Traditional leaders, the media, civil society organisations and citizens at large have also fallen prey to certain patterns of corrupt behaviours. By participating in corrupt schemes or even by simply acquiescing, ignoring or normalising acts of corruption perpetrated by others, non-state actors and individuals share the responsibility for the observed high and widespread levels of corruption in Malawi. Corrupt acts - by any stakeholder - which are committed out of an interest to solve a problem or to obtain resources in an effortless or expedited manner affect everyone in the end, by not only compromising the quality and accessibility to public services but also because it can ultimately erode the trust towards state institutions and the democratic process.

## **2.4 The National Framework for tackling corruption in Malawi**

Although the 2008 NACS officially expired in 2014, it has continued to inspire anti-corruption efforts in the country. The NACS introduced several initiatives aimed at strengthening the fight against corruption. The

initiatives under NACS were built around a National Integrity System (NIS) that was meant to involve all sectors of society in Malawi in the fight against corruption. Some aspects of the NIS such as the National Integrity Committee mandated to oversee implementation were discontinued with the expiry of the NACS, while other features of the system, such as the institutional integrity committees continued to operate.<sup>2</sup>

#### **2.4.1 Outcomes of the NACS (2008-2013)**

##### ***i. Strengthening of anti-corruption legislation and institutional policies.***

A significant number of new laws and legal reforms have been adopted that have moved Malawi to be better aligned with international standards.

##### ***ii. The establishment of Institutional Integrity Committees in charge of promoting anti-corruption measures in MDAs.***

The process of establishing IICs has been on going, with more than 80 IICs established by early 2019, mostly in the public sector.

##### ***iii. Adoption of anti-corruption measures in the public sector***

Several MDAs, including local government councils, parastatal organisations and Commissions, have developed Corruption Prevention Policies and codes of conduct and other instruments to fight corruption in the workplace.

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<sup>2</sup> See Annex 1 for a description of the NIS and its governance arrangements as prescribed by the NACS.

***iv. The development of private sector initiatives against corruption.***

The private sector formed groups focusing on the fight against corruption. The ACB has engaged and signed memoranda of understanding with several private sector companies to establish effective and efficient collaboration and partnership in the fight against corruption. Through the MOUs, various initiatives have been implemented in the private sector such as development of corruption prevention policies, capacity building programs in the form of anti-corruption training and enhanced information sharing relating to anti-corruption efforts.

***v. The development of Civil Society initiatives against corruption***

Civil Society Organisations (CSOs) have also been engaged in the anti-corruption efforts through the Civil Society Action Against Corruption (CSAAC), whose establishment predated NACS. The National Anti-Corruption Alliance (NACA) was launched by civil society groups in 2018 to mobilise CSOs' efforts in the fight against corruption.

**2.4.2 Lessons learned from the NACS (2008-2013)**

***a. Absence of some key actors***

Certain groups such as the Youth, Women and Academia were not adequately included under NACS because they did not feature as stand-alone pillars of the NIS. This is so even though these actors are critical stakeholders in the anti-corruption drive. The youth make up a large part of Malawi's population while academia plays an important role in educating the nation and conducting research on challenges facing the nation, leading to evidence-based interventions. Women make up slightly

more than half of the country's population and yet are under-represented in most initiatives including the fight against corruption.

***b. Lack of effective monitoring mechanisms***

NACS left monitoring mechanisms to the National Integrity Committee (NIC) which was supposed to be assessing the progress of the Strategy and release annual progress reports. Only one report was produced in 2012 at the end of the first NIC. At the same time, there were no clear mechanisms to help stakeholders that were not performing according to specific responsibilities assigned to them by the NACS.

***c. Insufficient clarity in the division of roles and mandates***

NACS identified the ACB as the lead organization in the implementation of the NACS, yet, the ACB was never assigned specific tasks to undertake. Monitoring mechanism of the NACS was given to the NIC. Furthermore, the Strategy also empowered the Chief Secretary to the Government to appoint officers in the Office of President and Cabinet (OPC) as the secretariat of the NACS. This, ostensibly, side-lined the ACB and was never implemented.

***d. Capacity gaps***

Some stakeholders were not adequately informed about the role they were meant to play as prescribed in the NACS. Consequently, there was also a lack of training and capacity building aimed at empowering the different stakeholders tasked with implementing many of the NACS actions and recommendations.

***e. Inadequate financing***

The initial activities of NACS were financed by donors. Once the donor funding was exhausted, there were no resources to continue to fund NACS activities. OPC issued a circular for the establishment of IICs, which was followed by a directive from Secretary to the Treasury to MDAs to assign 1% of their ORT funding for IIC's activities. Notwithstanding support from Treasury for IICs, some IICs rarely access this funding and the amount allocated is not enough for some IICs to cover their work. This is also compounded by a lack of support from controlling officers in some MDAs.

***f. Weak coordination and implementation mechanisms***

NACS activities across the pillars lacked proper coordination, such that most pillars operated independently and there was no inter-pillar learning and knowledge sharing. For some broad pillars, such as CSOs and Traditional Leaders, it was difficult to identify clear and representative coordination points/platforms.

***g. No linkage between NACS and MGDS***

A link between NACS and MGDS was missing, and this made the NACS look like a standalone strategy despite the fact that the achievement of NACS provisions could have contributed to the attainment of MGDS' priority areas.

**2.4.3 Addressing the Gaps of the NACS (2008-2013)**

NACS II addresses the identified gaps of its predecessor by:

- i. Incorporating the youth, academia, women and local government as stand-alone pillars;
- ii. Developing a robust and clear monitoring and evaluation mechanism that can facilitate tracking the performance of NACS II;
- iii. Clarifying the role of the ACB in the implementation of the Strategy;
- iv. Developing a robust dissemination and communication strategy;
- v. Securing Government commitment to ensure that Controlling Officers allocate 1% of their funding towards the work of IICs;
- vi. Providing a new governance structure that champions NACS II and which mandates the ACB to play a coordinating role; and
- vii. Ensuring that NACS II is well aligned with the pursuit of national development goals and the SDGs.

## **CHAPTER THREE**

### **BROAD STRATEGIC DIRECTIONS**

#### **3.1 Overall Goal**

The overall goal of the Strategy is to advance the fight against the root causes of corruption in Malawi to improve the quality of governance and the welfare of citizens.

### **3.2 Strategic Goals**

NACS II adopts clear goals and a multi-sectoral, bottom-up approach that calls upon all citizens to join hands in the fight against corruption and build a nation where everyone shall benefit from accessible and equitable service delivery. NACS II will facilitate efficient and effective utilisation of resources in support of the implementation of the country's development agenda.

The NACS II has three Strategic Goals which provide the focus that will guide the joint efforts of all stakeholders in Malawi in the fight against corruption. These Strategic Goals are:

#### **1. Improving public service delivery**

Prioritising the fight against corruption in the delivery of public services is a strategic decision made to bring visible change that will benefit users and trigger positive attitudes and increased involvement in the fight against corruption as a national endeavour.

#### **2. Strengthening the rule of law**

Failure to enforce existing laws and light punishments given to those convicted of corruption generates perverse incentives in that the expected costs of engaging in corruption are perceived to be much lower than the

potential gains. Reversing corruption trends, therefore, requires the strengthening and enforcement of existing anti-corruption laws so that they may perform their part as a deterrent to corruption. NACS II encourages state and non-state stakeholders alike to develop and implement actions to strengthen the rule of law in areas relevant to improving the delivery and accessibility of public services.

### **3. Promoting a culture of integrity**

Society plays a significant role in reproducing and tolerating corruption. Lack of knowledge about citizens' rights and entitlements and ignorance about the costs of corruption are linked to social norms and attitudes that are indifferent or indeed positive towards corruption, leading to high tolerance and social acceptability of corrupt behaviour. Building a culture of integrity in the long-term is, therefore, an integral component of ending corruption in the country.

The three Strategic Goals of NACS II underpin its Vision and Mission:

**Vision:** creating a corruption-free Malawi.

**Mission:** Creation of a 'corruption free' Malawi through implementation of corruption eradication programmes driven by improved service delivery, the rule of law and a culture of integrity.

The three Strategic Goals are mutually reinforcing and, therefore, should not be viewed as stand-alone or parallel endeavours. Rather, the goals have been strategically chosen because they complement each other and create synergies that can help Malawi make strides towards breaking entrenched patterns of corruption.

Improving the welfare and quality of life for the people of Malawi is the government's highest priority. Therefore, the NACS II sets the improvement of the quality and accessibility of public services as the central goal in pursuing anti-corruption activities.

In support of that goal, actions that strengthen the rule of law will ensure that public resources are not wasted but put to their rightful use in delivering quality services to the public. Further, improved detection and sanctioning of corrupt behaviours will deter prospective offenders and challenge the prevailing culture of impunity.

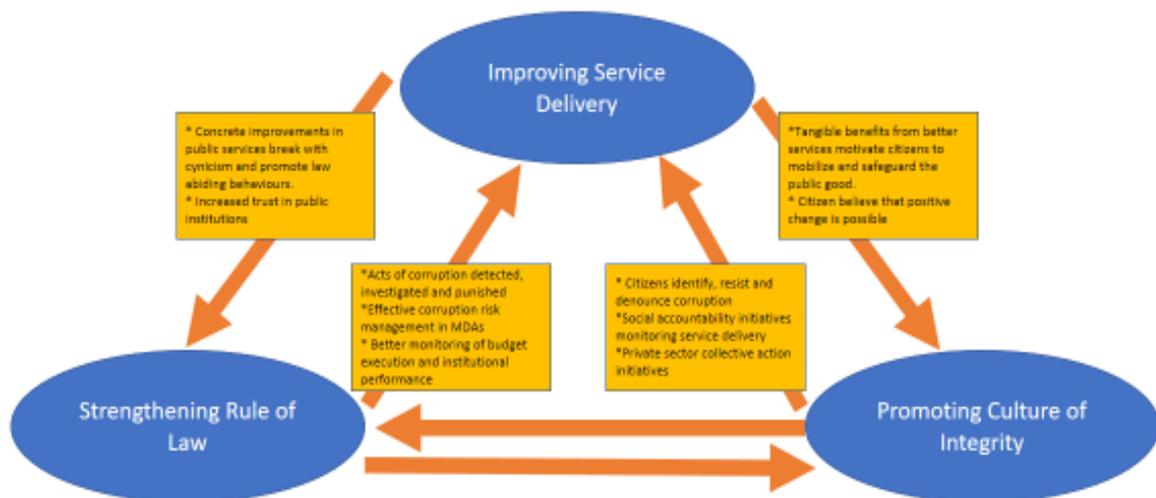
Further supporting the improvement of public services, education and sensitisation of citizens about the costly impacts of corruption will empower users of services to identify, resist and denounce corrupt actions.

Similarly, improved service delivery should in turn help to encourage a culture of integrity by highlighting the concrete benefits realised from fighting corruption. This will, in turn, promote and ensure adherence to the rule of law by all and dispel attitudes of cynicism and social acceptability of corruption.

Thus, by generating inter-related synergies, the pursuit of the three Strategic Goals of NACS II will make a meaningful contribution in the short and long term towards reducing and ultimately eradicating

corruption in Malawi. The interconnectedness and synergies between the three Strategic Goals are illustrated in Figure 1.

**Figure 1: The Three Mutually-Reinforcing Strategic Goals of NACS II**



### 3.3. Objectives

In the pursuit of the pursuit of the Strategic Goals, NACS II identifies six broad objectives:

- i. Decrease corruption in public institutions at the point of service delivery.
- ii. Decrease corruption in the internal systems of service delivery institutions.
- iii. Decrease corruption in public procurement systems.
- iv. Address all weaknesses in the legal framework to align it with international best practices in the fight against corruption.

- v. Strengthen capacity, collaboration and coordination among all stakeholders in the fight against corruption.
- vi. Empower citizens in general and users of public services, in particular, to identify, resist and denounce corruption.

### **3.4 Strategies**

In pursuit of the six objectives NACS II sets the following strategies:

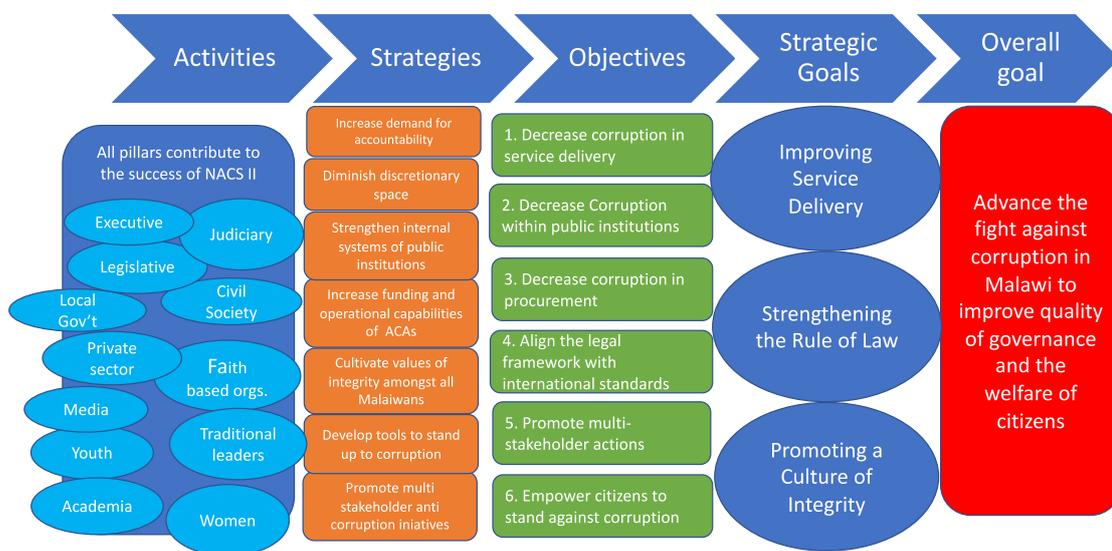
Increase demand for accountability by increasing transparency and access to information;

- a) Diminish the space for corrupt transactions by cutting red tape, enforcement of applicable laws and use of information technologies;
- b) Strengthen monitoring and performance management systems in public institutions;
- c) Strengthen anti-corruption institutions through adequate funding, coordination mechanisms and legal instruments for the effective investigation, prosecution and adjudication of cases involving crimes of corruption;
- d) Cultivate values of integrity amongst public officials and citizens alike;
- e) Encourage the development and implementation of practical tools to enable non-state actors to identify and denounce corruption; and
- f) Promote collaboration and peer review of activities through multi-stakeholder anti-corruption initiatives.

The strategic goals, objectives and strategies of NACS II guide the activities that will be undertaken by all Pillars in support of the fight

against corruption and conform a planning framework geared at achieving the ultimate goal of advancing the fight against the root causes of corruption in Malawi in order to improve quality of governance and the welfare of citizens as illustrated in Figure 2.

Figure 2  
NACS Strategic Planning Framework



### 3.5 Outcomes

The NACS II will focus on achieving eight ultimate outcomes namely improved and enhanced:

- i. Quality, effectiveness and efficiency of public services delivered;
- ii. Customer satisfaction;
- iii. Internal control systems;
- iv. Transparency and accountability;
- v. Professionalism and integrity in public procurement;
- vi. Detection, reporting, investigation and prosecution of corrupt practices;

- vii. Collaboration and coordination amongst the state agencies and non-state actors on detecting and collecting evidence on cases of corruption; and
- viii. Mobilisation of citizens in active engagement and promotion of anti-corruption activities/initiatives.

## **CHAPTER FOUR**

### **COORDINATION, IMPLEMENTATION, MONITORING, REPORTING AND EVALUATION**

The NACS II provides a new framework for pursuing the goals of improving public service delivery, strengthening the rule of law and promoting a culture of integrity to create a corruption-free Malawi. To this end, the framework has identified objectives that will be conducive to reaching those goals as well as strategies that give direction to the concrete actions that will be undertaken by all 12 Pillars towards achieving the objectives.

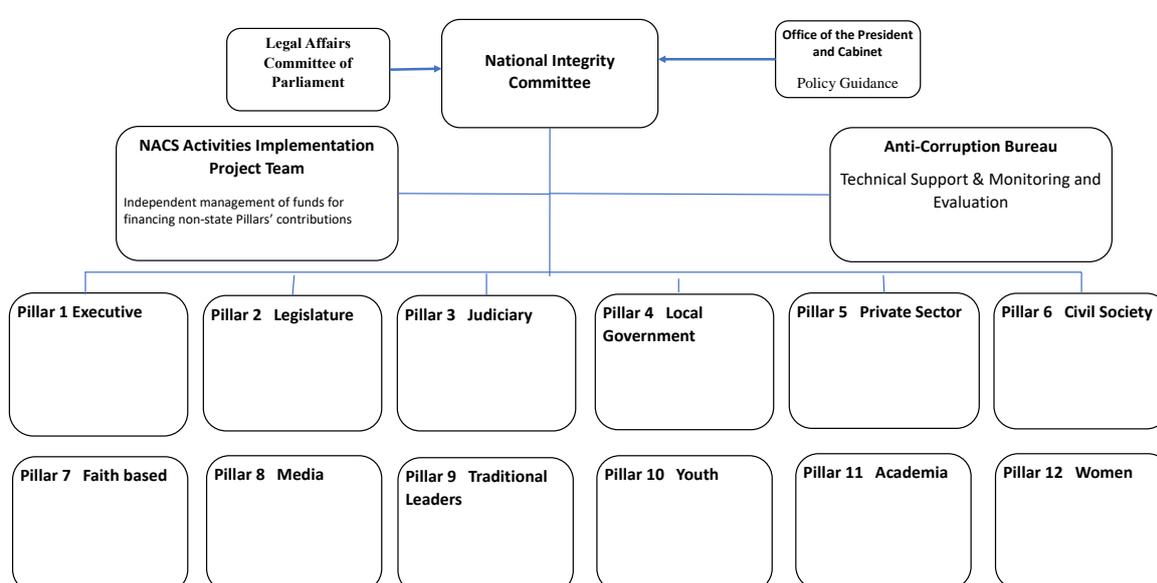
Having clear goals, objectives, strategies and associated activities is a crucial precondition for the success of a plan such as the NACS II. Also indispensable for success are the following requisites:

- a) Clear governance mechanism that defines the division of roles and responsibilities in the implementation, monitoring and evaluation of the NACS II;
- b) Promoting the development of detailed activity plans by all 12 pillars indicating all the actions through which they will align themselves to the broader strategies and contribute to the achievement of the objectives and goals of NACS II; and
- c) A launch plan that indicates the preparatory steps required to enable the initiation of NACS activities and the timeline in which such preparatory steps should be completed.

## 4.1 Governance of NACS II: Coordination and Management Structure

The coordination and management arrangements for NACS II are set out in Figure 3

**Figure 3: Coordination and Management Arrangement – NACS II**



### 4.1.1 The National Integrity Committee

A multi-sectoral NIC will be established as the leading body in the governance of NACS II, providing leadership and direction to the implementation, coordination and management of NACS II activities. The Chairperson of the NIC shall be designated as the “overall driver” of the NACS II and shall be supported in this regard by the other Committee members, who will be representatives from the twelve pillars.

The pillars are:

- i. Executive;
- ii. Legislature;
- iii. Judiciary;
- iv. Local Government;
- v. Private Sector;
- vi. Non-Governmental Organisations/Civil Society;
- vii. Faith-Based Organisations;
- viii. Media;
- ix. Traditional Leaders;
- x. Youth;
- xi. Academia; and
- xii. Women.

The roles and responsibilities of the National Integrity Committee shall be as follows:

- i. Provide policy and strategic guidance to stakeholders in the fight against corruption;
- ii. Develop an Annual Action Plan to facilitate the implementation of its work;
- iii. Monitor and evaluate the activities of the various Pillars involved in the fight against corruption; and
- iv. Provide quarterly reports to the Office of the President and Cabinet and Legal Affairs Committee of Parliament on the progress being made in the fight against corruption.

#### **4.1.2 The Legal Affairs Committee of Parliament**

The Legal Affairs Committee is one of four Committees of Parliament that are established by the Constitution. As with other Parliamentary Committees, the Legal Affairs Committee has, among others, powers to summon or subpoena any person to attend and give evidence before it at a stated time and place and to require any person to disclose and produce to the Committee any papers and records in that person's control, possession and custody relevant to the Committee's proceedings. Drawing on these powers, the Legal Affairs Committee should play an important complementary role to the National Integrity Committee by doing the following:

- i. Receiving and scrutinising annual reports of the National Integrity Committee on the implementation of this strategy;
- ii. Spearheading the speedy enactment and amendment of anti-corruption legislation that seeks to improve service delivery, strengthen the rule of law and promote a culture of integrity in the country;
- iii. Providing legislative leadership to ensure that the Executive implements this strategy, including summoning leadership of MDAs that fail to implement this strategy to appear and explain themselves before the Committee;
- iv. Reporting to Parliament on the status of the implementation of the Strategy; and
- v. Advocating for adequate financing of this strategy during the budget session.

### **4.1.3 The Office of the President and Cabinet (OPC)**

The OPC is the Government's lead agency that is mandated to provide overall strategic leadership, oversight and coordination of the Malawi Public Service. Among its several functions, the OPC provides oversight services in the implementation of the Government's key priority projects and programs, including on issues of governance. During the implementation of the first NACS, the OPC played an instrumental role by, among others, issuing a circular to direct all MDAs to establish IICs and also calling upon all Controlling Officers to allocate 1% of their funding to finance the activities of the IICs. It is anticipated that under NACS II, the OPC will continue to play a central role, by, among other things:

- i. Providing Executive leadership of the NACS through the Governance Unit;
- ii. Coordinating activities of all MDAs to ensure compliance with the NACS II;
- iii. Following up on the establishment of IICs in all MDAs;
- iv. Ensuring that all MDAs honour the requirement to allocate 1% of their budgets to IICs;
- v. Liaising with the National Integrity Committee to ensure the full implementation of the NACS II; and
- vi. Reporting to Cabinet on progress towards the implementation of NACS II.

The OPC, through the IICs, shall endeavour to continue fighting corruption by performing the following roles:

- i. Develop, implement and review Anti-Corruption Action Plan for the institutions
- ii. Organize sensitization to staff and key stakeholders on corruption and fraud issues
- iii. Develop and implement corruption prevention tools (including corruption prevention policy, conflict of interest (CoI) guidelines, gifts guidelines, whistle-blower protection policy)
- iv. Develop and publicize effective internal and external corruption reporting mechanisms
- v. Conduct review of work systems and procedures and implement recommendations
- vi. Monitor procurement processes within the institution on quarterly basis
- vii. Carry out corruption risk assessments and management
- viii. Undertake activities to promote ethics and integrity among staff members, including integrity tests
- ix. Develop Clients Service Charters for their institutions and ensure publicity of the same
- x. Conduct preliminary investigations into suspected corruption cases
- xi. Recommend administrative action to management on issues of maladministration and unethical conduct.

Members of IICs shall be appointed by each institution's Controlling Officer. These members, who shall be of high integrity by demonstrating honesty, transparency and accountability, shall be drawn from senior positions. The IICs shall report their activities on quarterly basis to the NACSII Secretariat through their Controlling officers who are also responsible for ensuring that IICs are effective in their operation.

#### **4.1.4 Anti-Corruption Bureau (ACB)**

The ACB is mandated by law to spearhead the fight against corruption in Malawi. The ACB shall, therefore, provide technical guidance and secretarial services to the NIC as required. This shall among other things entail ensuring all key stakeholders are sensitised on the contents of the NACS II. In this manner it will be promoted that the anti-corruption initiatives to be implemented by all stakeholders shall be aligned to the NACS II thereby contributing towards the achievement of the objectives and ultimately the goals of the NACS II. The ACB shall also receive the activity reports from the Pillars and present them to the National Integrity Committee.

In pursuance of its legal mandate the Bureau shall exercise the following responsibilities:

- i. Undertake corruption prevention initiatives.
- ii. Conduct public education on corruption-related issues.
- iii. Law enforcement, which entails carrying out investigations of corruption cases and prosecution of the same.

- iv. Coordinate with other law enforcement agencies in the fight against corruption.
- v. Undertake monitoring activities related to its Strategic Plan and the NACS II.
- vi. Facilitate Governance and Corruption Surveys annually and every five years.
- vii. Provide quarterly reports to the National Integrity Committee on progress being made in the fight against corruption.

#### **4.1.5 The NACS Activities Implementation Project Team**

A NACS Activities Implementation Project Team shall be led by an individual or organisation with an established record and experience in project management as well as credibility for objectiveness and non-partisanship. It will include national and international experts in the field of anti-corruption practice and will be in charge of mobilising non-state Pillars, coordinating and launching a call for submission of activity proposals from all interested parties from non-state pillars and evaluating the quality of submissions received to identify those initiatives worth funding. The NACS Activities Implementation Project Team shall manage those funds available for sponsoring high quality proposals from non-state Pillars.

The NACS Activities Implementation Project Team shall work closely with the ACB in its capacity as Secretariat of the NIC to ensure proper coordination of activities among state and non-state Pillars.

#### **4.1.6 The Pillars**

To mobilise and coordinate actions within pillars, each pillar will identify a lead “driver” who shall have the responsibility of ensuring the development of appropriate strategies and measures to combat corruption in their pillar. Larger entities with a wide array of organisational entities such as the Executive, private sector, NGOs/Civil Society Organisations will be expected to have sub-hubs, to be known as Anti-Corruption Committees, to coordinate corruption prevention activities. Working under the aegis of sector lead “drivers,” each pillar will be responsible for executing their sector activities, either singularly or jointly with other pillars, with the support of the National Integrity Committee. Every year, each pillar will be expected to evaluate their activities and review the activity plan based on lessons learned in the preceding year.

#### **4.1.7 Financing Arrangements**

NACS II shall primarily be financed by the Malawi Government through the ACB operating as the Secretariat. Each MDA shall be required to allocate a minimum of 1% in their ORT budgets for implementation of NACS II activities. Development partners shall complement the government’s efforts by providing funding for NACS II activities through a basket fund domiciled at and managed by the independent NACS Implementation Project Team. All sectors shall endeavour to secure resources for the implementation of NACS II activities.

#### **4.1.8 Monitoring and Evaluation Arrangements**

The monitoring and evaluation (M&E) function shall be handled by the NACS Secretariat, which shall be guided by the M&E framework in Annex 2. The framework includes mechanisms for periodic data collection and analysis for monitoring implementation of NACS II. It shall be used to measure and track progress in the implementation of NACS II.

#### **4.2 Activity Plans and involvement of the Pillars**

The implementation of activities in support of NACS II will be the collective responsibility of all sectors in Malawi. It is therefore expected that every sector will integrate the strategy into their work plans and processes. Furthermore, consistent with the bottom-up approach in the development of this strategy, the twelve Pillars have committed to implement activities in pursuit of the achievement of the three strategic goals outlined in this strategy as reflected in the Implementation Plan. Annex 3 details the implementation plan for NACS II. However, it should be noted that the activities indicated in the Implementation Plan are not exhaustive, and all Pillars are required to develop their detailed Action Plans indicating the programs and activities with which they will contribute to NACS II implementation. Such Action Plans shall be evaluated, revised and updated annually.

The Pillars will, therefore, contribute specific activities in support of NACS II according to their mandate, interests, skill sets and areas of

expertise and aligned with the Strategic Goals, Objectives and Strategies laid forward in the NACS II. The following provides indicative strategic areas of engagement for each pillar according to their distinct profiles.

#### **4.2.1 Pillar 1: The Executive**

The Executive, which includes the State President, Cabinet Ministers and the public service as the technical arm, has a central role to play in the fight against corruption because of its linkage to all the pillars that form the backbone of this Strategy. Operating under the aegis of the OPC, the Executive will be responsible for overseeing the implementation of NACS II across the public sector. The Executive will be represented in the National Integrity Committee by the Principal Secretary of the Governance Unit in the Office of the President and Cabinet, who shall provide overall coordination in the implementation of this strategy within the entire Executive arm of government.

Acknowledging the central role it plays in the fight against corruption, the Executive will undertake to spearhead the strategies in support of fulfilling the objectives of NACS II broadly and comprehensively. In particular, and of utmost importance, the Executive shall lead the way by demonstrating the unwavering political will to fight corruption. This includes, crucially, providing adequate resources to finance the activities that will be undertaken by the pillars representing state institutions, in recognition that the availability of such funding is indispensable for the successful implementation of this Strategy and the achievement of its

goals. Thus, the Executive shall demonstrate its support for this strategy by allocating resources in the national budget and mobilising the support of development partners to finance the full implementation of the strategy among non-state pillars.

#### **4.2.2 Pillar 2: The Legislature**

The Legislature is the law-making arm of the Government. Among other things, it is responsible for making laws and providing oversight to the Executive and Judicial branches of government. The realization of the strategic goals of promoting the provision of improved service delivery, strengthening the rule of law and promoting a culture of integrity depends a great deal on the existence of an effective legal and policy framework for fighting corruption. This requires passage of new laws and amendment of existing ones to seal all loopholes that facilitate a culture of corruption. Under NACS II, the Legislature will be expected to play an important role in passing and amending laws that will promote the goals and objectives of NACS II.

#### **4.2.3 Pillar 3: The Judiciary**

As the branch of Government that is mandated to interpret laws, the Judiciary plays a pivotal role in fighting corruption in Malawi. A weak judicial sector can lead to the erosion of public trust in the judiciary's ability to compel the Executive and Legislature to adhere to the rule of law and deliver good quality services. Under NACS II, the judiciary will strive to develop a plan that will improve the delivery of judicial services

by controlling corruption risks within its own institutions and by raising awareness amongst the population about the types of corruption that users of the judicial system are exposed to and the actions they can take to resist and denounce instances of corruption they may encounter.

#### **4.2.4 Pillar 4: Local Government**

The decentralisation of government functions from the central to local government has resulted in the empowerment of local councils in the management of resources and provision of many government services. This has given local governments an important place in the management and utilisation of public resources but has also resulted in significant reports and concerns about corruption at the subnational level. Accordingly, it becomes imperative for local councils to develop their action plans aligned with and in support of the NACS II goals and objectives. Particular areas where local governments will be active in support of NACS II include corruption in land distribution and land disputes settlement, securing the rights and entitlements of safety-net beneficiaries, fighting corruption in services such as processing of passports, enforcing controls and promoting initiatives to fight corruption in procurement of local government contracts, improving local revenue collection as well as collaborating with communities and non-state actors in developing innovative grassroots anti-corruption initiatives.

#### **4.2.5 Pillar 5: Private Sector**

Recognised as the engine for growth, the private sector's interaction with public agencies makes it a key player in the corruption chain. Through

these interactions, the private sector is both a facilitator and a victim of corruption. On one hand, private sector agents instigate the payment of bribes to public officials, including those responsible for procurement and service delivery, in return for government contracts and businesses. On the other hand, the sector is also a victim of corruption, as members of the sector who refuse to pay bribes to corrupt public officials are frozen out of getting government contracts. Within the sector itself, corrupt workers connive with others to steal goods and resources, thus undercutting the profit margins of the business. This results in the supply of poor services and undermines integrity and honesty among the public. Under this strategy, the private sector is expected to play a key role in developing approaches and initiatives to fight corruption in procurement and to resist corruption in its role as a user of services in instances such as the processing of permits and licenses essential to business.

#### **4.2.6 Pillar 6: Civil Society Organisations**

Civil Society in this strategy encompasses Non-Governmental Organisations (NGOs), community-based organisations, anti-corruption clubs and other legally registered not for profit entities. Civil Society plays a crucial role as a watchdog, promoting advocacy activities to give a voice to less advantaged members of society, and in monitoring service delivery. In the implementation of NACS II, this pillar is expected to develop an action plan that reflects the multifaceted potential of CSOs, CBOs and NGOs as agents of change in society. This will be reflected in monitoring activities in areas of heightened corruption risk, developing and implementing education and awareness-raising programmes, as well

as performing monitoring and impact evaluation of NACS II activities by all pillars (through an independent party and peer review).

#### **4.2.7 Pillar 7: Faith-Based Organisations**

Faith-based organizations are known to be agents of moral change that seek to lead lives of integrity to serve as examples to their members. Corruption, on the other hand, represents a picture of moral decay and the absence of a culture of integrity. It thus behoves faith-based organisations to spearhead the revival of a culture of integrity and moral conduct by joining the fight against corruption. Among others, this strategy envisages faith-based organisations to play a key role in promoting a culture of integrity, raising awareness and motivating citizens to get involved in the fight against corruption.

#### **4.2.8 Pillar 8: Media**

The media informs the citizenry about the affairs of government and provides feedback to the government on what citizens make of government decisions and actions. It is a powerful player in exposing corruption, including poor service delivery arising from corruption. The media also has a prominent role to play in informing the people, including educating citizens about corruption-related issues. It is anticipated that the media will support the NACS II by reporting transparently and objectively on the implementation of NACS related activities by all the Pillars, and by promoting in-depth reporting of cases of corruption as well as success stories in the fight against corruption in Malawi.

#### **4.2.9 Pillar 9: Traditional Leaders**

Traditional leaders in Malawi play a very prominent social role. They are commonly viewed as custodians of culture and agents of development at the local level. Unlike public officials that might be too distant for many, traditional leaders interact with ordinary citizens on a daily basis,, giving them an important platform to serve as effective anti-corruption agents. Their proximity to the rank and file of citizens make them powerful and influential agents in the fight against corruption. Traditional leaders can contribute towards the effective implementation of the NACS II by working side by side with local government authorities to develop and implement joint anti-corruption efforts in the delivery of public services, and by harnessing their social standing to deliver messages that promote awareness-raising and the development of a culture of integrity among Malawian citizens.

#### **4.2.10 Pillar 10: Youth**

The youth make up a significant proportion of the Malawi population. They are widely recognised as the leaders of the future, while some among them are already assuming leadership positions. They have an important role to play in the implementation of this strategy by, among other things, demanding accountability of government officials, mobilising to raise awareness about the high social costs of corruption and to develop and implement innovative initiatives to monitor the delivery of public services as well as expenditures of public funds.

#### **4.2.11 Pillar 11: Academia**

Members of the academic community bring three key contributions to the fight against corruption. First, it is widely recognised that high quality and regular academic research is an essential aspect of any successful strategy for fighting against corruption. Second, academia can play a pivotal role in fighting corruption by raising awareness about corruption and drawing media attention to it. Equipped with more information generated from research, academics can help lead public awareness campaigns and draw media attention to corruption issues in a very informed manner that is not easy to dismiss. Third, as teachers, academics can also facilitate the fight against corruption by teaching it as a subject to their students, laying the foundation for a future generation that is knowledgeable about the evils of corruption.

#### **4.2.12 Pillar 12: Women**

The 2018 Population and Housing Census put the proportion of women in Malawi at just under 52%. Thus, women make up a slight majority of the population, making them a very important player in the fight against corruption. Not only do women outnumber men, they also play a key role in raising children, giving them a very key position in inculcating ethical and moral values to children from a very tender age. The participation of women in the implementation of NACS II is therefore critical to the success of the strategy and it is expected to cover a broad range of activities ranging from education, awareness-raising, mobilisation and implementation of monitoring and social accountability initiatives as well as organising gender-sensitive anti-corruption movements in other Pillars.

## **CHAPTER FIVE**

### **CONCLUSION**

There is widespread understanding that corruption derails social and economic development thereby negatively affecting the well-being of all people living in Malawi. Eliminating corruption will, therefore, free resources that can be channelled to the country's development efforts.

To build on the gains registered in fighting corruption, coordinated multi-stakeholder efforts are key. NACS II seeks to achieve this by focussing on the three inter-related objectives of service delivery, the rule of law and a culture of integrity. These three themes are both a means to eradicating corruption and an end in and of themselves in that they can be outcomes of a successful battle against corruption.

Like its predecessor, NACS II is intended to achieve the goal of curbing corruption. It is designed in a way that all key stakeholders including the Executive, the Legislature, the Judiciary, local government, private sector, civil society, faith-based organisations, the media, traditional leaders, youth, women, academia, and the general public are fully involved and committed. It is important to note that in efforts to involve all key sectors in the fight against corruption, NACS II brings on board three new sectors, the Youth, Academia and Women that were not included as stand-alone pillars in the predecessor NACS of 2008. It has also weaned local governments from the Executive by assigning specific tasks to the decentralised governance structures.

The full implementation of this Strategy will go a long way towards eradicating corruption and setting up the foundation of a future Malawi free of corruption.

## ANNEX 1

### **THE NATIONAL INTEGRITY SYSTEM UNDER NACS OF 2008**

NACS conceptualized the fight against corruption through the creation of a National Integrity System (NIS). The NIS propagated for a holistic approach in the fight against corruption. The NIS aimed at improving efficiency, effectiveness, accountability and integrity in all sectors and the creation of a good environment for investment. The NIS had eight pillars (sectors) which were identified to be crucial in the fight against corruption in Malawi. These pillars included:

- i. The Executive,
- ii. Legislature,
- iii. Judiciary,
- iv. Traditional Leaders,
- v. Private/Business Sector,
- vi. Civil Society organisations,
- vii. Media; and
- viii. Faith-Based Organizations.

Each pillar was viewed to be of equal importance in the anti-corruption drive and the effectiveness of the NIS required these pillars to perform sector-specific roles as prescribed.

## **ANNEX 2**

### **MONITORING AND EVALUATION FRAMEWORK**

#### **NACS SECRETARIAT – MONITORING AND EVALUATION UNIT**

ACB shall serve as the monitoring and evaluation hub for NACS II, while allowing for multi-pillar and multi-level monitoring, evaluation and reporting arrangements.

#### **ACB – Monitoring and Evaluation Unit**

ACB shall be responsible for the performance of the following tasks:

- i. Oversee the formulation and setting of baseline indicators and targets for NACS II;
- ii. Facilitate the assessment of progress towards attainment of set performance indicators and targets;
- iii. Conduct data analysis;
- iv. Facilitate annual, mid-term and end-term reviews of the NACS II;
- v. Consolidate reports from various pillars implementing NACS II activities for the attention of the Joint Monitoring Committee;
- vi. Follow up with pillars on the status of implementation of activities;
- vii. Provide data collection and reporting templates to pillar hubs;
- viii. Coordinate M&E efforts with the Joint Monitoring and Evaluation Committee;

- ix. Disseminate results of monitoring and evaluation with guidance from the Joint Monitoring and Evaluation Committee; and
- x. Facilitate research and studies on various aspects of the fight against corruption based on need.

### **Joint Monitoring and Evaluation Committee**

There shall be a Joint Monitoring and Evaluation Committee comprised of representatives of the following:

- i. Executive;
- ii. Local Government;
- iii. Parliament;
- iv. Judiciary;
- v. Civil Society organisations;
- vi. Private Sector;
- vii. Faith-Based organisations;
- viii. Youth;
- ix. Women;
- x. Academia;
- xi. Media; and
- xii. Traditional Leaders

The Joint Monitoring and Evaluation Committee shall be responsible for the following tasks:

- i. Process reports from the ACB Monitoring and Evaluation Unit for the attention of NIC.

- ii. Make recommendations to NIC on gaps in the implementation of NACS II.

The Monitoring and Evaluation Framework provides for various pillars implementing anti-corruption activities to monitor and evaluate their activities and report on the same to the ACB Monitoring and Evaluation Unit. In this regard, various pillar hubs will prepare detailed annual implementation plans for submission to the NACS II Activities Implementation Project Team together with their proposals for funding. Based on the annual plans, each pillar will be expected to prepare quarterly and annual reports initially to facilitate self-evaluation and thereafter for submission to the ACB Monitoring and Evaluation Unit, and separately to the NACS II Activities Implementation Project Unit where it has provided financial support for activities being implemented by a pillar.

The Framework also provides for peer reviews amongst the various pillars. Such monitoring and evaluation are intended to facilitate self-evaluation and sharing of lessons.

**TABLE 1: PERFORMANCE REVIEW ACTIVITIES**

<b>TYPE OF REVIEW</b>	<b>OUTPUT</b>	<b>FOCUS</b>	<b>LEVEL OF MONITORING &amp; REVIEW</b>
Performance Assessment	Quarterly progress reports for pillar management, ACB M&E Unit, NACS Project Activities Implementation Unit, Joint Monitoring and Evaluation Committee	To involve a review of progress against targets and planned activities. To be done by the ACB Monitoring and Evaluation Unit	Inputs, process, output and outcome indicator (trends in coverage) levels
Joint Annual Review and Planning	Annual reports for pillar management, ACB M&E Unit, NACS Project Activities Implementation Unit, Joint Monitoring and Evaluation Committee, NIC	To involve a review of progress against targets outcomes. To be done by the ACB M&E Unit in collaboration with the Joint Monitoring and Evaluation Committee.	Input, process, output, and outcome levels
Mid-Term Review	Mid-Term review report for pillar management, ACB M&E Unit, NACS Project Activities Implementation Unit, Joint Monitoring and Evaluation Committee, NIC	Independent Review process against target impact	Input, process, output, outcome and impact levels
End Term Review	End-Term review report for pillar management, ACB M&E Unit, NACS Project Activities Implementation	Independent Review of progress, against planned impact	Input, output, outcome and impact levels.

<b>TYPE OF REVIEW</b>	<b>OUTPUT</b>	<b>FOCUS</b>	<b>LEVEL OF MONITORING &amp; REVIEW</b>
	Unit, Joint Monitoring and Evaluation Committee, NIC		

**TABLE 2: MONITORING AND EVALUATION PLAN**

GOALS AND OUTCOMES	DOMAIN	INDICATORS	BASELINE	MILESTONE	TARGET	MEANS OF VERIFICATION	DATA COLLECTION AND REPORTING		
			2020	2022	2024		FREQUENCY AND REPORTS	DATA COLLECTION INSTRUMENTS	RESPONSIBILITY FOR DATA COLLECTION
<b>OVERALL GOAL: TO ADVANCE THE FIGHT AGAINST THE ROOT CAUSES OF CORRUPTION IN MALAWI IN ORDER TO IMPROVE QUALITY OF GOVERNANCE AND THE WELFARE OF CITIZENS</b>									
<b>IMPACT</b>	Governance	% of citizens that view corruption as serious	97%	70%	50%	Corruption & Governance Survey Report/Annual Report	Every 5 years/Annual	Perception Survey	ACB
		% of citizens that view the anti-corruption fight as effective	30%	50%	70%		Every 5 years	Perception Survey	ACB
	Citizen Welfare	Proportion of achievement of selected social indicators (health,	XX	XX	XX	Welfare Monitoring Survey/Integrated Household Survey	Annually/Every 5 years	Survey	NSO

GOALS AND OUTCOMES	DOMAIN	INDICATORS	BASELINE	MILESTONE	TARGET	MEANS OF VERIFICATION	DATA COLLECTION AND REPORTING		
			2020	2022	2024		FREQUENCY AND REPORTS	DATA COLLECTION INSTRUMENTS	RESPONSIBILITY FOR DATA COLLECTION
		education, water)							
<b>STRATEGIC GOAL 1: IMPROVING SERVICE DELIVERY</b>									
<b>OUTCOMES</b>	Service Delivery	% of citizens Accessing public services by sector	% of Citizens that paid a bribe to access a public service	% of Citizens that paid a bribe to access a public service	% of Citizens that paid a bribe to access a public service	Corruption and Governance Survey Report/Annual Report	Annually/Every 5 years	Survey	ACB
Access to public services improved			% of citizens accessing public services	% of citizens accessing public service	% of citizens accessing public service	Corruption and Governance Survey Report/Annual Reports	Annually/Every 5 years	Survey	ACB
Quality of Public Services improved	Service Delivery	Number of complaints on Quality of public services by sector	% of citizens complaining about the quality of public services	% of citizens complaining about the quality of public services	% of citizens complaining about the quality of public services	Corruption and Governance Survey Report/Annual Reports	Annually/Every 5 years	Client Satisfaction Survey	ACB

GOALS AND OUTCOMES	DOMAIN	INDICATORS	BASELINE	MILESTONE	TARGET	MEANS OF VERIFICATION	DATA COLLECTION AND REPORTING		
			2020	2022	2024		FREQUENCY AND REPORTS	DATA COLLECTION INSTRUMENTS	RESPONSIBILITY FOR DATA COLLECTION
<b>STRATEGIC GOAL 2: STRENGTHENING THE RULE OF LAW</b>									
<b>OUTCOMES</b>									
Increased knowledge of the reporting procedures	Rule of Law	% of citizens conversant with reporting procedures  % of public officials conversant with reporting corruption	15% 61%	25% 71%	35% 81%	Corruption and Governance Survey Report/Annual Reports  Corruption and Governance Survey Report/Annual Reports	Every 5 years/Annually  Every 5 years/Annually	Survey  Survey	ACB  ACB
Improved quality of investigations	Rule of Law	Proportion of investigated cases resulting in prosecution	22%	26%	30%	Report/Annual Reports	Every 5 years/Annually	Survey/Monthly Case Returns	ACB
Improved quality of prosecutions	Rule of Law	Proportion of prosecuted cases resulting in convictions/Value of assets	45%-	55%	65%-	Corruption and Governance Survey Report/Annual	Every 5 years/Annually  Every 5 years/Annually	Survey/Monthly Case Returns  Survey/Monthly Case Returns	ACB  ACB

GOALS AND OUTCOMES	DOMAIN	INDICATORS	BASELINE	MILESTONE	TARGET	MEANS OF VERIFICATION	DATA COLLECTION AND REPORTING		
			2020	2022	2024		FREQUENCY AND REPORTS	DATA COLLECTION INSTRUMENTS	RESPONSIBILITY FOR DATA COLLECTION
		recovered on convicted cases				Reports/Annual Reports			

**STRATEGIC GOAL 3: PROMOTING A CULTURE OF INTEGRITY**

OUTCOMES									
Improved Integrity in public and private sector	Culture of Integrity	% of institutions perceived as of honesty and integrity by households	66%	68%	70%	Corruption & Governance Survey Report/Annual Report	Every 5 years/Annual	Perception Survey	ACB
		% of institutions perceived as of honesty and integrity by business	59%	61%	63%	Corruption & Governance Survey Report/Annual Report	Every 5 years/Annual	Perception Survey	ACB

GOALS AND OUTCOMES	DOMAIN	INDICATORS	BASELINE	MILESTONE	TARGET	MEANS OF VERIFICATION	DATA COLLECTION AND REPORTING		
			2020	2022	2024		FREQUENCY AND REPORTS	DATA COLLECTION INSTRUMENTS	RESPONSIBILITY FOR DATA COLLECTION
<b>OBJECTIVES</b>									
<b>OBJECTIVE # 1: DECREASE CORRUPTION IN PUBLIC INSTITUTIONS AT THE POINT OF SERVICE DELIVERY</b>									
<b>OUTCOMES</b>									
Efficient and transparent operations	Service Delivery	Proportion of services delivered in line with published service standards  % of complaints of bribery incidents	XX-	XX	XX-	Quarterly Reports from the pillars	Quarterly	Activity Monitoring	Pillar hubs
<b>OBJECTIVE # 2: DECREASE CORRUPTION IN THE INTERNAL SYSTEMS OF SERVICE DELIVERY INSTITUTIONS.</b>									
Increased ability of internal system to detect corruption	Service Delivery	Number of suspected corrupt cases detected	XX-	XX-	XX	Quarterly Reports from the pillars	Quarterly	Activity Monitoring	Pillar hubs

GOALS AND OUTCOMES	DOMAIN	INDICATORS	BASELINE	MILESTONE	TARGET	MEANS OF VERIFICATION	DATA COLLECTION AND REPORTING		
			2020	2022	2024		FREQUENCY AND REPORTS	DATA COLLECTION INSTRUMENTS	RESPONSIBILITY FOR DATA COLLECTION
<b>OBJECTIVE # 3: DECREASE CORRUPTION IN PUBLIC PROCUREMENT SYSTEMS</b>									
Increased confidence by service providers in the integrity of public procurement systems	Service Delivery	% of service providers/contractors confidence in the public procurement systems	XX	XX	XX	Quarterly Reports from the pillars	Quarterly	Activity Monitoring	Pillar hubs
<b>OBJECTIVE # 4: ADDRESS ALL WEAKNESSES IN THE LEGAL FRAMEWORK TO ALIGN IT WITH INTERNATIONAL BEST PRACTICES IN THE FIGHT AGAINST CORRUPTION</b>									
The Malawian legal framework is in line with international best standards	Rule of Law	Validated assessment by legal expert on alignment of legal framework with international best practice	XX	XX	XX	Expert Assessment	Annually	Expert Assessment	ACB

GOALS AND OUTCOMES	DOMAIN	INDICATORS	BASELINE	MILESTONE	TARGET	MEANS OF VERIFICATION	DATA COLLECTION AND REPORTING		
			2020	2022	2024		FREQUENCY AND REPORTS	DATA COLLECTION INSTRUMENTS	RESPONSIBILITY FOR DATA COLLECTION
<b>OBJECTIVE # 5: STRENGTHEN COLLABORATION AND COORDINATION AMONG ALL ACCOUNTABILITY INSTITUTIONS IN THE FIGHT AGAINST CORRUPTION</b>									
Increased collaboration and coordination amongst accountability agencies on detecting and collecting evidence on cases of corruption	Rule of Law	Frequency of meetings on strategy alignment and sharing data on corruption issues	XX	XX	XX	MoJCA Reports from the pillars	Quarterly	Activity Monitoring	Pillar hubs
Strengthened capacity of accountability agencies to fight corruption	Rule of Law	Increase in detection rates  Reduction in average time (days) taken to investigate a case	XX 150 22% 49%	130 32% 59%	110 42% 69%	ACB Reports from the pillars	Quarterly	Activity Monitoring	Pillar hubs

GOALS AND OUTCOMES	DOMAIN	INDICATORS	BASELINE	MILESTONE	TARGET	MEANS OF VERIFICATION	DATA COLLECTION AND REPORTING		
			2020	2022	2024		FREQUENCY AND REPORTS	DATA COLLECTION INSTRUMENTS	RESPONSIBILITY FOR DATA COLLECTION
		Increase in prosecutable cases  Increase in convictions							
<b>OBJECTIVE # 6: EMPOWER CITIZENS IN GENERAL AND USERS OF PUBLIC SERVICES IN PARTICULAR TO IDENTIFY, RESIST AND DENOUNCE CORRUPTION</b>									
Citizens mobilized in active engagement and promotion of anti-corruption activities	Culture of integrity	Proportion of citizen-led organisations actively engaged in the promotion of anti-corruption activities	XX	XX	XX	Reports from the pillars	Quarterly	Activity Monitoring	Pillar hubs

### Annex 3: Implementation Plan

#### STRATEGIC GOAL # 1: IMPROVING SERVICE DELIVERY

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME				
						Lead	Collaborating	1	2	3	4	5
1. To decrease corruption at the point of delivery of services	1. Increase demand for accountability of service providers	1. Publishing service standards through Service Charters	Services Charters are visibly displayed in sites where public services are provided	Percentage of service provision venues per sector/ institution that has Service Charters visibly displayed	Activity Reports/Service Charter document  Citizen monitoring reports	ACB  Users of public services	OPC  CSOs Women's organisations Youth organisations					
		2. Promoting public awareness on citizen rights and entitlements	Awareness on citizen rights and entitlements raised through a variety of approaches to reach as many citizens as possible	Percentage of public service users aware of rights and entitlements	Activity Reports Exit surveys	ACB	CSOs Women's organisations Youth organisations Faith-Based Organisations					

<sup>3</sup> These are indicative activities that will be complemented by those of the various pillars once they develop their detailed annual action plans to support NACS II

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME				
						Lead	Collaborating	1	2	3	4	5
							Traditional Leaders					
		3. Strengthening capacity of investigative journalists to research and expose corruption	Tailored trainings designed and delivered to meet the challenges and shortcomings of Malawian journalists in exposing corruption related issues	Proportion of journalists trained	Activity Reports	NAMISA	ACB, MCM, All Media houses					
		4. Building capacity of CSOs and FBOs partners to disseminate anti-corruption messages	Capacity building training modules designed and delivered to instruct CSOs and FBOs on effective strategies to disseminate	Proportion of targeted CSOs and FBOs who have received trainings to better disseminate anti-corruption messages	Activity Reports	ACB	CSOs/FBOs					

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME						
						Lead	Collaborating	1	2	3	4	5		
			anti-corruption messages											
	2. Reduce discretionary space of key public service decision-makers in award of contracts or rendering a service	1. Reviewing and identifying shortcomings or loopholes in the law that increase discretion of public service decision makers	Legal and regulatory frameworks reviewed and amendments recommended	Legal and regulatory reviews undertaken	Activity Reports	ACB	MoJCA, Parliament, OPC							
		2. Facilitating amendment of laws and regulatory frameworks to reduce discretionary space of decision makers	Amendments effected to legal and regulatory frameworks	Level of discretionary space provided in the law to decision makers	Amended legislation/regulations	ACB	MoJCa, Parliament, OPC							
		3. Citizens and citizens organisations actively engage to detect and denounce	Citizens and citizen organisations develop and participate in social	Number of social accountability initiatives per sector/service	Governance and Corruption Survey Report	CSOs Youth FBOs Women	ACB							

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME					
						Lead	Collaborating	1	2	3	4	5	
		corruption in the provision of public services	accountability initiatives			Academia							
		4. Adopting of IT tools to monitor delivery of services and to report instances of corruption	IT tools are designed and adopted to monitor service delivery and to report acts of corruption	Percentage of MDAs whose services are monitored or rated via IT tools	Activity Reports	All MDAs	ACB CSOs Youth FBOs Women Academia						
2. To decrease corruption in the internal systems of service delivery institutions	1. Diminish the space for corrupt transactions by cutting red tape, enforcement of applicable laws and through the use of information	1. Undertaking system reviews in public institutions	Systems reviews undertaken and reports published	Proportion of targeted entities in which systems reviews have been undertaken	Activity Reports	ACB	All MDAs						
		2. Supporting sectors, institutions and stakeholders in mainstreaming	Corruption prevention is mainstreamed in the programming of all	Proportion of pillars/sectors that have benefited from mainstreaming	Activity Reports	ACB	All pillars/sectors						

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME						
						Lead	Collaborating	1	2	3	4	5		
	Information technology	corruption prevention	institutions and stakeholders	ongoing interventions										
		3. Developing and promote standards and best practices in ethics and integrity	MDAs to develop and promote awareness of codes of ethics	% of MDAs that have developed codes of ethics  % of programmed awareness raising trainings on the codes of ethics carried out	Activity Reports	ACB	All pillars							
		4. Instituting whistle blowing mechanisms in public institutions and private companies	Whistle blowing mechanisms put in place	Proportion of public and private agencies with operating whistle blowing mechanisms	Activity Report/Survey Results	All MDAs	OPC, ACB, Local Government, MACRA							

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME				
						Lead	Collaborating	1	2	3	4	5
		5. Streamline standard operating procedures in service delivery entities to minimise physical contact and red tape	Revisions of standard operating procedures undertaken and identified issues addressed	Proportion of targeted entities with streamlined service delivery procedures	Activity Reports	ACB	MDAs					
		6. Monitor the implementation of prevention interventions through grassroots/citizen structures	Citizens participate in a wide range of monitoring activities in support of corruption prevention interventions	Number of monitoring activities undertaken per sector	Activity Reports	CSOs Women's organisations Youth Organisations Faith Based Organisations	ACB					
	2. Strengthen monitoring and	1. Adopting and implementing internal	Risk management controls	Percentage of public institutions	Activity Reports	ACB	Internal Audit, Institute of					

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME				
						Lead	Collaborating	1	2	3	4	5
	performance management systems in public institutions	corruption risk management controls in public institutions, i.e., Enterprise Risk Management	instituted in public institutions	that have adopted risk management controls			Internal Auditors					
		2. Review of human resource systems to make processes more competitive and transparent	Human resource systems amended to ensure merit-based recruitment, performance evaluation and promotion processes.	Transparent and competitive human resource systems	Activity Report	DHRMD	ACB, MoLGRD, DSC, PSC, All Service Commissions					
		3. Strengthening mechanisms for monitoring of implementation processes for budget allocation and execution	Mechanisms for monitoring budget allocations and implementation are reviewed and identified	Improved budget monitoring mechanisms are developed and implemented	Activity Reports	Treasury	Parliament, DSC, MoLGRD, ACB, CSOs					

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME						
						Lead	Collaborating	1	2	3	4	5		
			risk areas addressed											
		4. Improving the implementation of internal controls of public finance management (PFM)	PFM controls strengthened	Level of compliance to PFM controls	Activity Reports	Treasury	Parliament, DSC, MoLGRD							
		5. Promote the implementation of public expenditure tracking (PET) initiatives	PET initiatives undertaken by state and non-state stakeholders and results made public	Percentage of public entities that have instituted PETs	Activity Reports	ACB	Parliament, CSOs Youth FBOs Media							
3. To decrease corruption in procurement	1. Enhance compliance to procurement law	1. Monitoring service providers and bidders during procurement processes	Spot checks carried out	Percentage of contracts targeted for spot checks	Monitoring reports	PPDA	ACB, All MDAs							
		2. Monitoring the execution of public	Public contracts monitored	Percentage of public contracts	Monitoring reports	PPDA	ACB, All MDAs							

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME				
						Lead	Collaborating	1	2	3	4	5
		contracts by state and non-state stakeholders	through initiatives such as collective action by business actors and social audits by citizens and civil society groups.	targeted by monitoring initiatives		Private Sector Civil society Organizations Women's organisations Youth organisations						
		3. Publishing procurement data	Procurement data published	Level of compliance with legal dictates	Monitoring reports	PPDA Private Sector CSOs	ACB, All MDAs					
		4. Instituting a high level reporting mechanism	High level reporting mechanism instituted	Proportion of users satisfied with the HLRM	Monitoring reports	PPDA Private Sector CSOs	ACB, All MDAs					
		5 Promoting blacklisting and	Violators of the	Number of violators of	Activity Reports	ACB	PPDA					

OBJECTIVES	STRATEGIES	ACTIVITIES <sup>3</sup>	EXPECTED OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME						
						Lead	Collaborating	1	2	3	4	5		
		publicizing of corrupt service providers and individuals.	procurement law blacklisted	the procurement law										
	2.Introduce e-procurement	1. Assessing the e-readiness of public entities	e-procurement readiness of entities assessed	Proportion of MDAs ready for e-procurement	Activity Reports	PPDA	All MDAs							
		2. Building capacity for e-procurement	Capacity in e-procurement developed	Number of targeted MDAs whose capacity in e-procurement has been developed	Activity Reports	PPDA	All MDAs							

OBJECTIVES	STRATEGIES	ACTIVITIES	OUTPUTS	OUTPUT INDICATOR	MEANS OF VERIFICATION	IMPLEMENTING BODY		TIME FRAME				
						LEAD	COLLABORATING	1	2	3	4	5
1. To strengthen collaboration and coordination among all stakeholders in the fight against corruption	1. Improve Coordination Mechanisms among anti-corruption agencies	1. Establishing a platform to coordinate NACS implementation by all law enforcement and regulatory agencies	Coordination platform anti-corruption agencies established	Frequency of meetings of collaborating agencies	Activity Reports	MoJCA	ACB, FIA, MPS, ODPOD, DPP, Ombudsman, Judiciary					
		2. Operationalise MoUs and operational protocols for law enforcement and regulatory agencies.	MoUs and Protocols among law enforcement and regulatory agencies operationalised	Number of functional MoUs and Protocols among law enforcement and regulatory agencies	Activity Reports	MoJCA	ACB, FIA, MPS, ODPOD, DPP, Ombudsman, Judiciary					
		3. Promoting development of integrated information systems that will facilitate information sharing	Integrated information management system developed	Level of information system integration	Activity Reports Systems	MoJCA	ACB, FIA, MPS, ODPOD, DPP, Ombudsman, Judiciary					

		among law enforcement institutions										
		4. Promoting regular contact between law enforcement, regulatory agencies and institutions in charge of delivering public services to discuss progress, challenges and other developments relevant to their sectors	Regular formalized contacts between anti-corruption agencies developed	Frequency and number of interactions registered	Activity Reports	ACB	FIA, MPS, ODPOD, DPP, Ombudsman, Judiciary					
2. Strengthen capacity of accountability agencies	Increase operational capabilities of	1. Review and/or undertake in depth	Itemised inventory of needs based	Proportion of identified needs that have	Activity/Training Reports	Executive	ACB, FIA, MPS, ODPOD, DPP,					

to fight corruption	accountability agencies	technical needs assessments of all accountability agencies	on assessment	been addressed per ACA			Ombudsman, Judiciary					
		2. Motivating for full budget support to accountability institutions	Budget of anti-corruption agencies fully supported	Disbursed funds same as budgeted to accountability agencies  Agencies consistently funded	Financial Reports	Parliament /CSOs	ACB, FIA, MPS, ODPOD, DPP, Ombudsman, Judiciary					
		3. Enhancing capacity of investigators	Identification of gaps and trainings procured of investigative skills in specialised areas	Number of investigators trained in identified specialised areas	Training Report	ACB	Fiscal Police, FIA					
		4. Enhancing capacity of prosecutors in corruption-related issues	Identification of gaps and trainings procured of prosecutors dealing with	Number of prosecutors trained	Training Report	Executive	ACB, DPP, MPS					

			cases of corruption									
		5. Strengthening capacity of professional and lay magistrates in corruption and financial crimes in all districts	Identification of needs and trainings procured for professional and lay magistrates	Number of professional and lay magistrates trained	Training Report	ACB	Judiciary					
		6. Promoting the establishment of a Financial Crimes Court	Financial Crimes Court established	Number of cases processed by the Financial Crimes Court	Activity Report	ACB	Judiciary, Parliament, Ministry of Justice					
		7. Establish special rules of court for designated corruption and financial crimes	Special rules for designated corruption courts and financial crimes established	Rules of procedure on corruption and financial crimes	Activity	Judiciary	ACB, MoJCA, Parliament					

3. Address all weaknesses in the legal framework to align it with international best practices in the fight against corruption.	Prioritise the passing or amendment of those laws having most impact on anti-corruption outcomes	1. Advocate for the amendment of CPA to facilitate real time investigations	CPA amended to provide for real time investigations	Warrant of arrest from Magistrates removed from the CPA	Amended CPA	ACB	Ministry of Justice and Constitutional Affairs, Parliament							
		2. Developing a Whistle-Blowing Act	Whistle-Blowing Act developed	Whistle-Blowing Act approved	Whistle- Blowing Act	ACB	Ministry of Justice and Constitutional Affairs, Parliament							
		3. Developing effective witness protection regulations	Witness protection regulations developed	Witness protection regulations approved	Regulations	ACB	Ministry of Justice and Constitutional Affairs, MPS							
		4. Promoting beneficial ownership initiatives	Concerned pillars propose and implement Beneficial ownership initiatives	Number of beneficial ownership initiatives proposed and thereafter implemented	Activity Reports	ODPOD	ACB, CSOs							

**STRATEGIC GOAL # 3: PROMOTING CULTURE OF INTEGRITY**

OBJECTIVES	STRATEGIES	ACTIVITIES	OUTPUTS	OUTPUT INDICATORS	MEANS OF VERIFICATION	IMPLEMENTING PILLAR		TIME FRAME				
						LEAD	COLLABORATING	1	2	3	4	5
Empower citizens in general and users of public services in particular to identify, resist and denounce corruption	1. Cultivate values of integrity amongst public officials and citizens alike	2. Adopting integrity and ethics codes in public institutions	Integrity and ethics codes adopted in public institutions	Proportion of public officials that have adopted integrity and ethics codes	IICs reports	Executive	All MDAs					
		2. Strengthening grassroots accountability and transparency committees	Trainings on duties and responsibilities delivered to grassroots accountability and transparency structures members	Number of grassroots structures capacitated to hold public officials accountable	PED Reports/NIC Reports	Executive	CSOs, FBOs, Youth Organisation, Women's organisations					
		3. Promoting awareness campaigns on corruption	Awareness campaigns on corruption promoted	Number of awareness campaigns  Proportion of citizens	PED Reports/NIC Reports	ACB	CSOs  Women's Organisations  Youth Organisations					

				aware of corruption issues			Academia Media Traditional leaders				
		4. Promoting fora to discuss problems in the provision of public services and to propose solutions and report on progress	State and non-state stakeholders organise initiatives to discuss solutions to identified problems in public service delivery such as community scorecards, town hall meetings, etc.	Number of initiatives per sector.  Percentage of problems identified that have been resolved.	NIC Reports/PED	NIC	ACB, CSOs, OPC  Women's Organisations  Youth Organisations  Academia				
		5. Promoting incorporation of corruption issues in school curricula at all levels.	Corruption issues incorporated in school curriculum at all levels	School curriculum that have incorporated corruption issues	School curriculum for primary, secondary, and tertiary levels	ACB	MIE, MoE, NCHE  Academia				

		6. Developing mainstreaming guidelines on corruption	Corruption mainstreaming guidelines developed	Planning and development incorporate issues of corruption	Mainstreaming guideline document	ACB	National Planning Commission					
	1. Encourage the development and implementation of practical tools to enable state and non-state actors to identify and denounce corruption	1. Enacting a law to protect whistle-blowers	Whistle blower law enacted	Provisions to protect whistle blowers developed	Whistle blower Act	ACB	MoJCA, Parliament					
		2. Strengthening whistleblowing mechanisms	MDAs and non-state actors develop effective whistle blower mechanisms	Percentage of MDAs with operating whistler blowing mechanisms	Whistle blower mechanisms document	ACB	MoJCA, Parliament CSOs Women's Organisations Youth Organisations					

							Academia					
		3. Promoting collective action initiatives such as Integrity Pacts among private sector actors to prevent corruption in procurement	Collective corruption prevention initiatives promoted	Number of private sector led collective corruption prevention initiatives	Activity Reports	ACB	Private Sector/MCCCI					
		4. Piloting, testing for effectiveness and rolling out of best reporting system on corruption,	Corruption reporting alternatives for the public are improved	Availability of options for corruption reporting mechanisms	Activity Reports	ACB	All MDAs, Councils Media					
		5. Strengthening existing monitoring mechanism	Non-state actor monitoring	Availability of functional non-state actor	Activity Reports	CSOs	Private Sector/FBOs/ACB					

		s and creating new monitoring modalities led by non-state actors	mechanisms strengthened	monitoring mechanisms								
		6. Promoting the implementation of Citizen Score Cards and other social accountability approaches that mobilise users to identify and report cases of corruption	Social accountability mechanisms promoted, i.e. Citizen score cards	Availability of established citizen led social accountability mechanisms	Activity Reports	CSOs Youth Organisations Women's Organisations	FBOs/ACB					
	3. Promote collaboration and peer review of activities	1. Promoting mapping of potential partners in the anti-	A platform where potential partners may	Number of partnerships launched in support of the	Activity Reports	ACB	CSOs, FBOs, Youth Organisations, Women's Organisations,					

	through multi stakeholder anti-corruption initiatives	corruption fight	join up is set up	fight against corruption			Private Sector, Academia				
		2. Promoting multi-stakeholder monitoring of publicly procured projects and contracts	Multi-stakeholder initiatives to monitor procurement processes and public contracts are developed and launched	Number of multi-stakeholder monitoring of procurement processes and projects conducted	Activity Reports	CSOs	Academia				
		3. Promoting public-private initiatives such as the Business Ombudsman or a High-Level Reporting Mechanism to curb corruption in	High Level Reporting mechanisms established	Number of public private initiatives collaborating on reporting of corruption	Activity Reports	ACB	Private Sector				

		procurement										
		4. Strengthening capacity of CSOs in skills to identify and adequately communicate evidence of cases of corruption to the corresponding law enforcement agencies	Capacity of CSOs to identify and report corruption developed	Number of CSOs capacitated in identification and reporting of corruption	Activity Reports	ACB	CSOs					

## ANNEX 4

### MEMBERS OF THE OVERSIGHT COMMITTEE

	<b>NAME</b>	<b>ORGANISATION</b>
1.	Mr. Wezi Kayira	Office of the President and Cabinet
2.	Ms. Fiona Kalemba	National Assembly
3.	Justice John Chirwa	Judiciary
4.	Mr. Alufeyo Banda (Chairpreson)	Ministry of Local Government
5.	Dr. Phoebe Chifungo	African Bible College
6.	Mr. Jeff Kabondo	Integrity Platform
7.	Ms. Tereza Temweka Ndanga	Media Institute of Southern Africa- Malawi
8.	Alhaji Twaibu Lawe	Muslim Associaiton of Malawi
9.	Mr. Charles Kajoloweka	Youth and Society
10	Senior Chief Chikumbu (Ms. Aida Deleza),	Mulanje District Council
11	Bishop Alinafe Kalemba	Anglican Diocese of Southern Malawi
12	Mr. Chancellor Kaferapanjira	Malawi Confederation of Chambers of Commerce and Industry

## ANNEX 5

### MEMBERS OF THE DRAFTING COMMITTEE

	NAME	ORGANISATION
1.	Mr. Jeff Kabondo	Integrity Platform
2.	Mr. Justin Nyondo	Management International)
3.	Dr. Phoebe Chifungo	African Bible College
4.	Ms. Margret Munthali	Ministry of Justice
5.	Ms. Mary Phombeya	Anti-Corruption Bureau
6.	Mr. Victor Chiwala	Anti-Corruption Bureau
7.	Ms. Susan Mtuwa Phiri	Anti-Corruption Bureau
8.	Mr. Patrick Mogha	Anti-Corruption Bureau
9.	Dr. Boniface Dulani	University of Malawi and IPOR
10.	Dr. Edister Jamu	University of Malawi and IPOR

## **ANNEX 6**

### **ACB NACS TASK FORCE MEMBERS**

1. Ms. Mary Phombeya
2. Ms. Susan Mtuwa Phiri
3. Ms. Egrita Ndala
4. Mr. Patrick Mogha
5. Ms Lydia Nandie Kawiya Phiri
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