



**MEMORANDUM OF UNDERSTANDING ON THE
IMPLEMENTATION OF A CORRUPTION PREVENTION
PROGRAM IN DISTRICT COUNCILS**

By

Councils

And

The Anti-Corruption Bureau

And

The Ministry of Local Government and Rural Development

MEMORANDUM OF UNDERSTANDING ON THE IMPLEMENTATION OF A CORRUPTION PREVENTION PROGRAM IN DISTRICT COUNCILS

INTRODUCTION

This Memorandum of Understanding (MoU) is entered into among all **COUNCILS** (hereinafter referred to as the "Councils"), **THE ANTI-CORRUPTION BUREAU** (hereinafter referred to as the "ACB") and the **MINISTRY OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT** (hereinafter referred to as the "Ministry"), and jointly referred to as the "Parties".

This MoU lays down the roles and responsibilities of each of the Parties for the proper coordination, conduct and effective implementation of a corruption prevention program in all the Councils. The initiative aims at enhancing integrity and uprooting corruption in the Councils.

BACKGROUND

In 2009, the Government of Malawi launched the National Anti-Corruption Strategy (NACS), a tool which provides a holistic approach in the fight against corruption in the country. The Strategy has singled out eight (8) sectors of Executive, Judiciary, Legislature, Traditional Leaders, Media, Private Sector, Civil Society and Faith Based Organizations as being crucial in its implementation.

In 2017, the ACB in conjunction with the Ministry launched the Integrity Program in the Councils in line with the NACS. This saw the establishment of Integrity Committees (IICs) in all the Councils in the country. However, efforts to deal with corruption in the Councils have faced enormous challenges.

The following are some of the common challenges faced by Councils in implementing anti-corruption initiatives -

- a. failure by the Controlling Officer to check on the progress registered by the Integrity Committee;
- b. limited support from management and sectors as they fail to commit 1% to anti-corruption activities;
- c. lack of a system that ensures that 1% of ORT funding is utilized on anti-corruption initiatives;
- d. frequent posting and transfers of Controlling Officers and IIC members leading to discontinuity in the implementation of activities;
- e. lack of coordination between the Committee and Management as well as among IIC members;
- f. work overload by members result into limited concentration on integrity activities;

- g. lack of capacity in complaints handling and investigations among most IIC members;
and
- h. lack of commitment by the IIC members to champion the anti-corruption drive.

PREAMBLE

REALIZING therefore that proper coordination, conduct and effective implementation of a corruption prevention program in all the Councils is needed;

RECOGNIZING the important role that the Councils play in the social-economic development of the country; and

BEARING IN MIND that fighting corruption within the Councils remains a central agenda of the Government;

The Parties to this MoU have hereby agreed as follows -

SPECIFIC ROLES OF PARTIES

Councils

- a. Establish and operationalize Integrity Committees;
- b. Provide adequate support to the operations of IICs (financial, human, technical, etc);
- c. Adhere to the 1% allocation of the ORT budget towards anti-corruption activities as stipulated in the Government Circular **Ref. No. ST/8/21**;
- d. Collaborate with ACB in designing and implementing activities designed to enhancing integrity and uprooting corruption;
- e. Share information on best practices for countering corruption and fraud;
- f. Collaborate with relevant authorities during investigations and prosecution;
- g. Strengthening the IICs to play their role in operationalization of NACS in the Councils; and
- h. Share strategic information relating to fraud, corruption or any other unethical activities either spontaneously or on specific request with ACB, the Ministry and other relevant stakeholders.

ACB

- a. Provide technical support to the operations of IICs;
- b. Provide technical support in designing and implementing activities designed to enhancing integrity and uprooting corruption;
- c. Take necessary steps to act on reports of corrupt practices through investigation and prosecution;
- d. Conduct monitoring of the implementation of the program; and

- e. Share strategic information relating to fraud, corruption or any other unethical activities either spontaneously or on specific request with Councils, the Ministry and other relevant stakeholders.

The Ministry

- a. Strengthening the capacity of Councils to implement measures that will assist in preventing and detecting corruption and fraud;
- b. Put in place sanction mechanisms on failure to implement the program;
- c. Take necessary and rapid action on reports of corrupt practices administratively;
- d. Provide feedback to the ACB and Councils on the status of referred suspected corruption and fraud cases;
- e. Conduct monitoring of the implementation of the program;
- f. Share strategic information relating to fraud, corruption or any other unethical activities either spontaneously or on specific request with Councils, ACB and other relevant stakeholders;
- g. Where necessary, participate in joint investigation teams set up to investigate specific corruption and fraud related cases;
- h. Ensure that all critical positions in the Councils are filled with qualified personnel;
and
- i. Reduce frequent transfer of staff in the Councils.

