PROJECT COMPLETION ASSESSMENT

CSO Name: *Transparency International/Moldova*

Project Title: Supporting the Implementation of the National Anticorruption Strategy
Grant Amount: $30,000 (PTF) + $16,720 (Soros Foundation/Moldova)

Dates of Implementation: February 2011 – January 2012 (12 months)

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Overview

The "Supporting the Implementation of the National Anticorruption Strategy" project provides a good example of the integrity, insight, and adaptability of a grantee (TI/Moldova) to modify an approved project design when political circumstances preclude the conduct of the original proposal. It also demonstrates the willingness of the donors to work with the grantee to examine the context of the overall corruption issue and determine whether or not a viable alternative exists. The discussions and negotiations were successful in refocusing the proposed methodology to another series of corruption issues. Briefly stated, the original purpose of the project was to monitor the progress of the implementation of 2011 Action Plan which implemented the National Anticorruption Strategy, but that process was delayed by seven months and no program was adopted. *The alternative was to focus on implementation problems that were part of the Action Plans for 2005-2011. The key difference was to shift the focus of the study from 2011 Action Plans to 2005-11 Action Plans.*

The rationale for the project undertaken by TI/Moldova is based on the results of its studies which demonstrate that a series of laws on codes of conduct for public servants have not been properly implemented due to "lack of implementation mechanisms, imprecise terminologies and discrepancies between the national and international anti-corruption legal framework ." [1] The Republic of Moldova is crippled by corruption throughout its attempts to improve the quality of life for residents and citizens who strive for economic, social and political development. Specific efforts undertaken by the Government to reduce corruption implementing a National Anti-corruption Strategy, and adopting a series of laws on: Codes of Conduct for public servants, conflict of interests, public servant and status of public servant, preventing and fighting corruption, financing political parties and election campaigns, access to information and on transparency of decision-making. Indeed, the Corruption Perception Index of Transparency International, Moldova is ranked 105 out of 180 countries. [2]

TI/Moldova has been an active member of a Working Group for Monitoring the Implementation of the National Anti-corruption Strategy (Working Group), since 2007. This group was established by presidential decree to elaborate and monitor the implementation of Action Plans which define

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[1] Supporting the Implementation of the National Anticorruption Strategy. <u>Project Completion Report</u> <u>(PCR).</u> March 2012, p3 The descriptions of the project in this PCA draw on the text of this very comprehensive and well-written document.
[2] Ibid. <u>Project Proposal</u>. April 2011, p10.

specific actions undertaken by a variety of agencies to implement the NAS.   Members of the group represent all central public institutions, but TI/Moldova is one of three NGOs who represent civil society which verify reports of public institutions on the extent to which the NSA is implemented.

As stated in the project proposal, the overall objective of the project was to 'improve the implementation process of the NAS and to make it more transparent by: 1) monitoring the process 2) identifying concrete discrepancies within the law and the legal practice, stating priority areas for future and 3) promoting systemic change by being a part of an official decision-making body, the Working Group).   The revised overall objective as stated in the PCR is 'improving the implementation of the NAS and making it more transparent.'

The original specific objectives were to: 1) reveal and indicate shortcoming in the implementation of the NAS; 2) improve legal anti-corruption framework and implementation mechanism; 3) promote systemic change in policy and practice of anti-corruption strategy; and 4) improve transparency in the process and raise awareness (p11). These remained the same as reported in the PCR.

TI/Moldova used a multi-methodological approach to achieve the objectives.

1.   *Monitor* 4 public institutions charged with implementing the NAS by examining and verifying the anticorruption measure, then assessing the quality of services provided by these institutions. Procedures included: field studies; checking existence of documents; cross-checking information provided in the documents; conducting interviews with public officials and the staffs of the implementing institutions, and conducting exist polls of approximately 400 people to ascertain the quality of services provided by the implementing institutions;
2. *Use* TI/Moldova *expertise* on three legal acts: Laws on declaration and control of incomes and assets for public officials; on conflict of interests, and on commission for ethics. Recommendations included ways in which the implementation of these laws may be included in the 2012 Action Plan. They were submitted to the Working Group and the respective Parliamentarian Commission;
3. *Advocate* for the implementation of the recommendations by organizing three meetings with the Ministry of Justice. TI/Moldova also promoted adoption by the RM Parliament so public institutions will be obligated to implement the policies.
4. *Conduct* a media campaign that publicizes the results of the project activities to a wide audience. The campaign included information in TI/Moldova's monthly bulletin and demonstrate transparency, three press conferences, three presentations to members of the Club of Investigative Journalists, and organize a contest for investigative journalists whose submissions will be reviewed by a group of highly regarded professional journalists and investigative experts. The winning article appeared in the yearbook – "Journalists Against Corruption."

Approach and Project Design

As can be seen above, the approach was a very labor intensive set of activities and they were undertaken by a modest number of staff (less than 10). The objectives were appropriate to address the wide-ranging corruption practices within a range of public institutions in Moldova, but it was a very ambitious project and perhaps more wisely would have been scaled down for example, to reduce the number of institutions involved in the study, reduce the number of monitoring activities,

or eliminate one of the activities, particularly when the opportunity was given to revise the design. A seven-month delay in project implementation suggests that maintaining the same design with perhaps a broader content area (several years of action plans as compared with the original plan to examine one year) was likely burden staff. However, the project leadership and staff must be given credit for their commitment to fulfilling the terms of the grant agreement. However, one of the lessons learned, as reported in the PCR, is to focus on a smaller number of topics. Project staff also displayed insight by recognizing that providing Government with an overwhelming number of deficiencies can be counter-productive. Therefore, prioritizing and focusing targets of corruption practices is more likely to engage discussion and result in corrective action.

The PCR does not state whether or not there were any clues that the implementation of the 2012 Action Plan was in 'jeopardy' given the political situation, but if so, it would have been prudent to conduct some risk analysis of the proposed plan. Indeed, the project staff does acknowledge that 'risk analysis' is one of the key lessons learned and that a plan B might reasonably be considered from the outset.

 Rating – 3 (targeted a relevant problem satisfactorily/identified an applicable cause and effect design satisfactorily). Building cause and effect into the rating scheme presents very difficult challenges for a grantee for the magnitude of the PTF grants and the nature of the designs. This is one rationale for working on a smaller scale.

Project Implementation

The PCR introduction and the overview summarize the major change in the redesign of the project, so as to adapt to the changed political environment, and to use the opportunity to address unresolved issues in the earlier Action Plans (2005-2011). The PCR notes that such implementation issues are key requirements of the UN Convention against Corruption: e.g. improving the quality of information on websites of public institutions; creating and maintaining feedback mechanisms for public reports of corruption; ensuring transparency of procurement procedures and recruitment procedures; and ensuring functionality of internal mechanisms of corruption prevention (p3).

The project successfully met its objectives, even with the revised focus, but the PCR reported another challenge (in addition to the staff workload and heavy volume of recommendations to Government, as reported above), perhaps of greater importance -- the limited "openness" of some of those targeted public institutions to take part in the study. The Ministry of Education is cited because in attempting to examine the quality of services provided by the Ministry, it was difficult for project staff to conduct the exit poll for interviews because there was no separate exit from the Ministry to talk to the potential respondents. So TI/Moldova asked the Ministry to provide a list of those persons who had submitted petitions to the Ministry in 2010. The request was not honored, yet not officially declined. The PCR also reports that this particular Ministry is one associated with major problems related to the registering of petitions. TI/Moldova made this experience public, and in order to compensate for this action by the Ministry, the project staff conducted its polls at the entrance to the five universities under the Ministry of Education, thereby adding even more work to the project staff and underscoring TI/Moldova's commitment to the integrity of the project.

Partners in the implementation of the project were: the Working Group, described previously, which participated in the selection of the four institutions[3] and facilitated data collection from the participating institutions; the Ministry of Justice which invited TI/Moldova to participate in the public debates on the lack of anti-corruption legislation and the Club of Investigative Journalists that facilitated meetings with journalists and helped to organize a diverse media campaign.

A formal report on the audit findings of the PTF and Soros combined grants to support the project reveal a well-managed project within the purposes intended. Audits are conducted annually. This document was submitted with the PCR.

Rating – 4 (was implemented highly satisfactorily regarding outputs created and/or cost-benefit time considerations). I've given this rating because I think that, even though this was a very ambitious project that strained staff workloads, and lost time in reframing the design, TI/Moldova honored its commitment to the overall objectives agreed upon by the donors.

Outcomes, Impact, and Sustainability

The PCR cites achievements within the four categories of activities. They are briefly summarized below and may be found in greater detail in the PCR (pp3-9). In general, the project outputs are: the monitoring reports provided to decision-makers; exit poll results on the quality of service provided to the institutions and the State Chancellery; documents on the legal framework and specific proposals to the Ministry of Justice; press releases; publications in Journalists Against Corruption; lists of TV and radio programmes where information on the project results were broadcast; and lists of newspaper articles about the monitoring process.

1. . on the *monitoring*. Here are some examples of shortcomings: appropriate personnel responsible for prevention of corruption were either not appointed or not qualified; mechanisms for preventing corruption not installed; the requirement of hot lines was not adhered to or of poor quality; information obtained on the hotlines was not forwarded to proper authorities; reports cited a variety of problems with implementing, maintaining and documenting a petition system; lack of transparency in public procurement. A positive outcome was a higher respondent participation in the polls on the quality of service, as compared with previous studies. The respondents (beneficiaries of service) not only cited shortcomings in service but offered suggestions for improvement.
2. …on the *legal framework* recommendations. Recommendations from the monitoring included: increase capacities of public servants and ensure access of information to intended beneficiaries; create mechanisms to implement policies and enable these mechanisms to function with staff; standards; documentation. Recommendations on the legal/normative acts included drafts of five laws; participating in several working groups to share results of the studies.
3. …on the *advocacy*. Presented findings to the main Working Group which then decided to ask the monitored institutions to present plans for corrective action of their cited corruptive

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[3] The four institutions wee: Main State Fiscal Inspectorate of the Ministry of Finance, Ministry of Informational Development, Ministry of Labour, Social Protection and Family, and the Ministry of Education. PCR p 3.

practices, and present this report to ALL central public institutions. The results were included in a national document "The Informative note on the Anticorruption Activities Conducted in the Republic of Moldova."

4. …on the *media campaign*. Diverse media were used to inform the citizenry about the results and improve the transparency of NAS. Examples include: 1,500 bulletins to 17 localities; press conferences with 17 reporters that resulted in invitations for 5 TV interviews; 35 articles in the electronic media; the fourth annual contest for investigative journalists with publication of the winning article in Journalists Against Corruption (500 copies).

The impact of the project is being felt in several ways. The four monitored institutions are called for accountability and corrective action; proposals emerging from the monitoring component of the project are included in the Action Plan for 2012; some proposals presented to the Prime Minister and the National Participative Council were being implemented such as sanctions for not adhering to law on conflict of interest, declarations of incomes and assets.

Included in the lessons learned is the recognition it was insufficient to report the results of monitoring the institutions to the Working Group and that moving to the Prime Minister, the State Minister resulted in more concrete actions to improve transparency.

TI/Moldova wishes to increase its monitoring capacity, using the methodology applied during this project. It will apply for funds to formalize the methodology so as to be potentially usable by all public authorities at the central and local level. The Working Group has expressed interest in continuing the monitoring process as it works to improve the national anti-corruption framework and transparency.

Ratings – 4 (had a moderate impact with good prospects of sustainability; and 4, can be replicated (with some revisions, but the fundamental methodology is sound).