

Nepal

Building the Capacity of the Commission for the Investigation of Abuse of Authority (CIAA)

1 Project Summary

Project Title:

Building the Capacity of the Commission for the Investigation of Abuse of Authority (CIAA)

Priority Area for Reform:

Pillar 2 – Strengthening Anti-Bribery Actions and Promoting Integrity in Business Operations

Implementing Institution:

Commission for the Investigation of Abuse of Authority (CIAA), Nepal

Contact Person:

Mr. Surya Nath Upadhyay, Rt. Hon. Chief Commissioner

Beginning and End of the Project:

July 2004 – December 2005

2 Project Context

Which deficiencies and/or problems that allow corruption to proliferate does the project address and aim to resolve? Please outline the related current legal or institutional framework and its weaknesses or the exact circumstances that require improvement:

The organizational structure of CIAA was recently reviewed so as to assure the retaining of its effectiveness and public trust in this institution in controlling corruption. The restructuring process also addressed the ever-increasing workload of CIAA. CIAA has now 198 regular posts as compared to 112 posts before restructuring, not to mention almost 110 staff currently working in CIAA on deputation from several governmental and semi-governmental institutions.

The proposed project shall address the needs of:

1. Skill development of newly recruited people and refresher courses for old CIAA staff
2. Adequate working space for increased number of CIAA staff
3. Assurance of effective service delivery system in government outlets
4. Raising public awareness against corruption

3 Expected Outcome of the Project

In relation to the above mentioned deficiencies and/or problems, which concrete improvements are expected to be achieved through the project? In which way does the project help to curb corruption?

1. Investigative and prosecutorial skill development of CIAA staff will be enhanced.
2. Adequate working space full of facilities will be available.

3. Effective service delivery mechanism in the government outlets will be established.
4. Public awareness against corruption will be increased in the country.

4 Components – Main Activities – Method

What are the project's components, implementation steps, main activities and/or methods to achieve the above-mentioned outcome and objectives?

1. Offering training, study and observation tours to enhance investigative and prosecutorial skills of CIAA staff.
2. Constructing a latest, state-of-art new office premise of CIAA.
3. Formulating and enforcing "working process manuals" in government agencies for effective and efficient service delivery, in order to reduce the opportunity for corruption.
4. Conducting regional dissemination programs on the UN Convention against Corruption.
5. Producing informative publications and media training

5 Involvement of non-governmental actors

In which way does the project involve civil society actors or other stakeholders and have they been consulted during the project development phase?

1. Development of a mechanism to monitor the provisions of the Citizen Charters and working process manuals through civil society, including NGOs
2. Work with civil society, media, artists and professional councils etc. to raise public awareness against corruption.

6 Related Projects under the 1st Implementation Cycle

Is the project linked to reforms accomplished under the Action Plan's 1st Implementation Cycle? In which way does this project follow up previous activities?

No direct linkage to reforms accomplished under the Action plan's first implementation cycle exists so far.

7 Project Financing and Budget

Approved or estimated overall project budget:

USD 517,000

Is external funding required?

Limited funding is already at place. No extra funding is required.

If external funding is required, have donor organizations been approached yet, and have any commitments been made?

An agreement was signed by HMG of Nepal, Danida/Hugou of Denmark and DFID of the Great Britain. In February 2005, Danida and DFID suddenly suspended the committed funds to HMG/N. However, HMG/N made funds available in its budget so that CIAA can carry out its project activities.

If external funding is required, what percentage of the total project costs requires external funding?

Almost 90%

8 Technical Assistance

Is external technical assistance required? Have relevant agencies been approached and have they made any commitments?

Technical assistance for training and skill development is required. It may be necessary for the CIAA officials to have hands-on experience in corruption cases handled by similar agencies in other countries where advanced skills are applied. In this regard, CIAA officials may be deputed to work for a certain time to other organizations. Any assistance of this nature is highly appreciated.

Implementation Assessment

9 Output Evaluation

Has the impact of the project on the identified deficiency (cf. item 2 above) been measured or evaluated? Please describe the evaluation method and the outcome.

<i>Identified deficiency</i>	<i>Impact of the capacity development project</i>	<i>Means of assessment</i>
Excessive Work Load (mismatch between the amount of human resources and expected tasks)	<ul style="list-style-type: none"> Organizational restructuring enabled CIAA to acquire sufficient staff, and the "right personnel in the right place at the right time" became possible. 	<ul style="list-style-type: none"> Number of working Time taken to accomplish investigations
Lack of opportunities to develop skills	<p>The capability of CIAA investigation officers was enhanced by:</p> <ul style="list-style-type: none"> Various levels of training programs and in-house discussions Study visits and observation tours to various anti-corruption agencies of member countries, resulting in the sharing and transfer of knowledge 	<ul style="list-style-type: none"> Number of skilled staff in the CIAA Number of prosecution and departmental actions Conviction rate

<p>Adequate working space for increased number of CIAA staff</p>	<ul style="list-style-type: none"> • A state-of-art office premise is in completion 	<ul style="list-style-type: none"> • Spacious premise with modern facilities
<p>Assuring effective service delivery system in government outlets</p>	<ul style="list-style-type: none"> • CIAA facilitated the preparation and implementation of working guidelines of 49 government departments. • Enabled government agencies to curb irregularities by making valuable suggestions relating to correcting maladministration and improving service delivery • Extended CIAA's role in corruption control by identifying areas for improvement at the determining points in various districts and initiations of actions for implementation 	<ul style="list-style-type: none"> • Number of corrective measures applied • Focal point meetings and monitoring of CIAA decisions • Establishment of Coordination Forums in various districts • Monitoring of the implementation of actions
<p>Raising public awareness against corruption</p>	<p>Increased awareness by:</p> <ul style="list-style-type: none"> • conducting outreach programs with civil society organizations • organizing anti-corruption workshops and seminars with local level business community • organizing local forum for anti-corruption 	<ul style="list-style-type: none"> • Anti-corruption campaigns of civil society organization, private sector • Number of complaints • Publications of books, newsletters, brochures, stickers, calendars with anti-corruption messages • Production of Nepali folk songs on anti-corruption

10 Overall Project Assessment

Did the project meet the defined goal (cf. item 3 above)? Did the project remedy the deficiency identified (cf. item 2 above)? Has the project been fully implemented in the foreseen timeframe (cf. item 1 above)?

The implementation of the project is successful in attaining goals to a great extent. There are some tangible achievements during this project cycle. Construction of new office building, establishment of training section for staff development, facilitation of the government departments to formulate and implement working manuals, and initiation of awareness programs with other stakeholders are major examples. CIAA developed internal guidelines for its Investigation Officers in 11 different subjects. As an example, at the instigation of CIAA and Transparency International (Nepal Chapter), the Federation of Nepal Chamber of Commerce and Industries adopted and widely circulated a code of conduct to promote integrity in business operation. CIAA strode hard for the full swing of the project within the given time. However, institutional capacity building is an on-going process that CIAA is seeking sustainable measures.

11 Project Design Changes (if any)

Have any modifications to the project been made in the course of its implementation compared to the initial design of the project (cf. item 4 above)? What circumstances made these changes advisable or necessary?

No major modification has been made in the pre-determined schedule of the project despite the discontinuation of the Danida and DFID assistance. Activities that were set at the beginning of the project are being carried out through government funding and other alternate sources. HMG/N made resources available to carry out major activities. The USAID/ARD Inc. Rule of Law Project provided supplements to complete other activities. CIAA recently signed a project with the National Planning Commission under the Economic Reform Technical Assistance (ERTA) program supported by the World Bank. CIAA may not need any further assistance from Danida/DFID at least for the project cycle, since Danida and DFID suspended the assistance to CIAA at a critical juncture of operation.

12 Major Lessons Learned

Given the assessment of the project above, what experience can be drawn from the implementation of this project for future reform projects under the Anti-Corruption Action Plan?

The lesson learned is that strong institution, in regards to leadership, should support any effort made for curbing corruption. Resources may not be the major problem for an honest and viable initiation.

13 Follow-Up

Is it planned to continue or extend this project or to continue a linked reform project? Which measures have been taken to ensure the sustainability of the outcome and the future assessment of the project's impact?

CIAA has already instigated the continuity of the capacity-building project. CIAA is exploring all possibilities to sustain its capacity enhancement by giving priority to mobilizing internal resources. It is also looking for the possibility of cooperation with other agencies. CIAA has recently reached an agreement with the Economic Reform Assistance Unit of the National Planning Commission of Nepal (funded by the World Bank) for the continuation of the capacity-building project, which will continue for the next 2½ years. The main thrust of the project will be human resource development through training and study visits, the application of a management information system (MIS), and hiring of experts for investigative technical knowledge and skills. Necessarily, this renewed project aims to attain some tangible outputs. For the sustainability of the outcome, expenditure frameworks will fit in according to the built-in mechanism of HMG/Nepal.

Anti-Corruption Action Plan for Asia and the Pacific

Priority Areas and Reform Projects under the 2nd Implementation Cycle
2004-2006 and

Self-Assessment of the Project Implementation