

Self Assessment Report on Project Implementation

Nepal:

Effective Prevention, Investigation and Prosecution

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

Implementing agency/ contact: Commission for the Investigation of Abuse of Authority (CIAA) Rt. Hon. Chief Commissioner Surya Nath Upadhyay

Project budget: The project budget consists of funds allocated through normal budgetary provisions of His Majesty's Government of Nepal (HMG/N) and some grant assistance by Development Partners.

Starting and closing date: n.d.

Project description:

The objective of this project is to eradicate organisational inadequacies of The Commission for the Investigation of Abuse of Authority (CIAA) and other anticorruption agencies on which CIAA is currently relying. More specifically, The office of the Chief District Officer, the office of the Government Prosecutor and lawyers to which CIAA has delegated its authority to investigate and prosecute corruption and improper activities at the district level. These bodies are experiencing an important lack of capacity both in terms of human resources and physical facilities.

The proposed project would lead to effective investigation and prosecution of corruption cases. Out of 75 districts, the project, in the first phase, aimed at strengthening 10 districts.

Project objectives and scope

The objective of this project is to enhance the investigation and prosecution capacity in the CIAA and other anti-corruption agencies, by means of:

- Enforcement of exhaustive anti-corruption rules, regulations and operation manuals.
- Capacity building for investigative and prosecutorial bodies at local level.

Project inputs (Project components and implementation steps)

- Review of existing anti-corruption rules, working procedures and operation manuals.
- Drafting of necessary amendments to these rules, procedures and manuals, and their enforcement.
- Development of physical infrastructure
- Development of human resources.

Project outputs

(Listed here are specifically those activities only, which fall within the frameworks of this project)

- a) Revision and enforcement of existing anti-corruption rules, regulations, working procedures and operation manuals, and
 - b) Drafting of necessary amendments to the rules, procedures and manuals, and their enforcement
 - Four anti-corruption laws have been enacted:
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- Anti-Corruption Act, 2002
- Amendment to Commission for the Investigation of Abuse of Authority Act, 1991
- Special Court Act, 2002
- Impeachment Act, 2002
- Commission for the Investigation of Abuse of Authority Rules, 2002 has also been enacted.
- Three reference materials are published and are currently in distribution to all concerned agencies
 - CIAA Investigation and prosecution Manual, 2003
 - Abridged collection of corruption cases filed by CIAA
 - A compendium of anti-corruption laws, rules and regulations and precedent of Supreme Court in relation thereto

c) Development of Physical Infrastructure:

Improvement of facilities (computer, photocopier, file cabinets, minimum furniture, cash support for overtime allowance, DSA and minimal level of stationary) : A separate program for logistic and organizational reforms support to CIAA is currently underway whereas the financial support for incentives has already been provided by His Majesty's Government of Nepal (HMG/N)

d) Development of Human Resources:

- Investigative training (tailor-made and on-the-job) for personnel at central and district level:
In-House Basic training for all the Investigators of CIAA was provided in December 2001
- On the job training is provided to most of the local level administration offices. Teams from CIAA were sent to various districts for this specific purpose. Rt. Hon. Chief Commissioner and other Hon. Commissioners have also made numbers of field visits to various parts of the country. During such visits, some interactive programs were conducted.

Project benefits & risks

- Effective prevention of corruption and malpractice at national and local level.
- Well equipped office premises for anti-corruption agencies at local level, which are working under the delegated authority of CIAA.
- Competent and well trained manpower.

Project overall assessment

The following table exhibits the effectiveness of the initiative in terms of conviction rate and cases filed in the Special Court as compared to previous years:

Commission for the Investigation of Abuse of Authority – PROGRESS AS ON 14 June, 2003				
S/N	Details	Till June 2003	Aug 2001-Jul 2002	Aug 2000-Jul 2001
1	Complaints Lodged			
	a) New complaint	3044	1959	900
	b) Complaints carried over from previous F/Y	643	563	361
	Total:	3687	2522	1261
2	Complaints disposed off	2206	2015	698
3	New corruption cases filed	130	61	26
4	Number of cases forwarded for:			
	a) Departmental action	5	18	12
	b) Warnings	15	15	8
	c) Attentions drawn	7	24	4
	d) Suggestions made	10	44	18

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