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Independent project evaluation of the  
Partnership in Bayelsa Expenditure and Income  
Transparency Initiative (BEITI) and Judicial Integrity  
Action Programme (JIA) - NGA T97  
Nigeria

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# CONTENTS

	<i>Page</i>
Executive summary .....	v
Summary matrix of findings, evidence and recommendations.....	xi
Management response .....	xiii
I. Introduction.....	1
Background and context .....	1
Evaluation methodology .....	3
II. Evaluation findings.....	5
Design .....	5
Relevance.....	7
Efficiency.....	8
Partnerships and cooperation .....	11
Effectiveness.....	12
Impact .....	13
Sustainability .....	14
Innovation (optional) .....	15
III. Conclusions.....	17
IV. Recommendations.....	19
V. Lessons learned.....	21
<i>Annexes</i>	
I. Terms of reference of the evaluation .....	23
II. List of persons contacted during the evaluation .....	31
III. Evaluation tools: questionnaires and interview guides.....	33
IV. Desk review list .....	35

## **LIST OF ABBREVIATIONS**

ADR	Alternative Dispute Resolution
BANGOF	Bayelsa Non-Governmental Organizations Forum
BEITI	Bayelsa Expenditure and Income Transparency Initiative
BSWG	BEITI Stakeholder Working Group
DFID	Department for International Development
DG	Director General
EU	European Union
FGD	Focus Group Discussion
FIDA	International Federation of Women Lawyers
JIA	Judicial Integrity Action
JSWG	Justice Sector Working Group
KII	Key Informant Interviews
LAC	Legal Aid Council
NBA	Nigeria Bar Association
NEITI	Nigeria Extractive Industries Transparency Initiatives
NJI	National Judicial Institute
NUJ	Nigerian Union of Journalists
PDP	Peoples Democratic Party
PSC	Project Steering Committee
RWI	Revenue Watch Institute
UN	United Nations
UNCAC	United Nations Convention Against Corruption
UNODC	United Nations Office on Drugs and Crime

# EXECUTIVE SUMMARY

## Introduction

The project- NGA T97 Partnership in the Bayelsa Expenditure and Income Transparency Initiative (BEITI) and the Judicial Integrity Action Programme (JIA)- is in furtherance of requirements of the United Nations Convention Against Corruption (UNCAC) aimed at enhancing transparency and accountability in the management of public finance. The United Nations Office on Drugs and Crime (UNODC) reached an agreement with the Government of Bayelsa State, Nigeria and the Embassy of the Kingdom of the Netherlands to be the main executing agency for a project aimed at promoting accountability and transparency in public finance management and justice delivery system. The project has two components, namely: the Bayelsa Expenditure and Income Transparency Initiative (BEITI) and the Judicial Integrity Action (JIA)

The BEITI Component is aimed at supporting the creation of legal, institutional and technical capacities for the implementation of BEITI. This entailed providing policy advice, training and other services to the BEITI Secretariat, the BEITI Stakeholder Working Group (BSWG) and partner with the Bayelsa Non-Governmental Organizations Forum (BANGOF) to mobilize Civil Society to participate in monitoring and reporting of budget implementation and expenditure. Consequently, the project envisaged that corruption could be tackled by strengthening both institutions of public finance management and actors that monitor and put pressure on government agencies.

The JIA Component is aimed at enhancing access to justice; timeliness and quality of justice delivery; transparency, accountability and integrity of the justice delivery system and improved coordination across the justice sector institutions. This component was hinged on the assumption that the aforementioned goals would be delivered by building capacity of key actors as well as creating a dispensation where judicial activities and processes are open for public scrutiny. The project was based on prior commitments by the state government to policy reform in public finance management and the rule of law in order to promote a friendly environment for investment and development to improve human security.

The tenure of the project is 3 years (2010 – 2013). It is implemented by national stakeholders with Technical Assistance provided by the UNODC.

The main objective of the mid- term evaluation is ‘to assess, analyze and draw conclusions on the design and implementation of the project vis-à-vis the expectations earlier earmarked for the period (December 2009 - December 2011) it has been implemented’. Methods utilised in the evaluation were review of project documents and reports, interviews with project partners and beneficiaries, and observation of project activities. The main limitations of the evaluation were non-availability of some project partners and beneficiaries during the short fieldwork period. The termination of the BEITI Component before the evaluation also affected access to partners and beneficiaries and important project documents.

## Findings

The evaluation found that the Project Document stipulated a work and monitoring plan for the project. These reporting requirements were met by partnering organizations and this evaluation benefitted from some of the Project Reports. The evaluation could not also ascertain that the project management team and implementation had developed means of verification and taken action to commence collection of the vital evidence.

The project was well aligned with the national and global strategies to combat corruption. These strategies focused on improving the capacity of public finance management and the justice delivery system. The evaluation considers that the project is auspicious because Bayelsa is also one of the worst affected states by militancy in the Niger Delta and had one of its governors impeached and imprisoned over allegations of corruption and money laundering. The stakeholders also posited that the resources and instruments developed by the UNODC are relevant to the Bayelsa context.

The Project Objectives, Outcomes and Outputs are clearly stated and there are clear lines of linkages between activities and outputs in each of the components. However, the Evaluation found a number of design issues which were not well-articulated. The evaluation found that key stakeholders did not see the rationale for the lumping of the two components. The Project Document accurately specified assumptions and risks for the project. The main anticipated risk was loss of interest by the governor or change of government in the 2011 elections. This suggests that the Project Design depended too much on the goodwill of the government rather than supporting civil society to make more demands. This probably stemmed from the fact that the BEITI was perceived as the brainchild of the governor of Bayelsa State.

The institutional and managerial frameworks for project implementation were well articulated and communicated to key stakeholders. The Project Design also correctly identified the externally institutional relationships, especially in the Justice Sector Working Group (JSWG) which made use of the existing hierarchical authority system. However, this was not the case with the BSWG, which omitted key officials in the state Public Finance Management architecture. It was envisaged that this would be addressed in the legal framework of BEITI. The Project provided support for the BEITI Secretariat at a time it did not have legal backing. The fact that contractual obligations the government had been established did not provide compelling incentive for the government to enact the Bill.

The Project has made some progress in attaining some of the project outputs and outcomes. The BEITI Component recorded some progress in sensitizing the state legislature, Local Government Councils, the media, Civil Society and traditional rulers on the bill. The bill had passed the second reading and the legislators had suggested useful amendments to the bill. The evaluation found that BEITI and BANGOF sensitization programmes and sustained engagement with legislators contributed to creating the political space that allowed for the expeditious passage of the Bayelsa Income and Expenditure Transparency Law 2012, which replaced the BEITI Bill.

The JIA component has also made some progress in attaining specific outputs and outcomes. The multi-stakeholder strategic framework for Justice Sector Reform has been developed and adopted through a participatory process. The assessment methodology of justice sector integrity and capacity has also been developed. Moreover, the State Action Plan on strengthening justice sector integrity and capacity has been developed. The key success factors for this component include the commitment and leadership of the Chief Judge, the participatory approach adopted

for design and implementation of project measures and activities and the use of existing institutional infrastructure for the programme. The project has also benefitted from UNODC's experiences in managing similar programmes in 12 other Nigerian States.

Some of the key activities were delayed. This delay was due to delays in staff recruitment, the August 2011 suicide bomb attack on the UN Headquarters in Abuja, delays in establishing an office in Yenagoa and non-availability of key Implementation Committee members. Consequently the evaluation found that the proposed plan to end the project six months earlier than originally scheduled is unrealistic. A major challenge of project implementation was also irregular attendance to meetings by some project implementation committee members. This was attributed to the non-payment of transport and sitting allowances which implied that members bore the cost of their participation. The rationale for non-payment of allowances is that project committee members were direct beneficiaries of the project. The Evaluation established that the project funding has been properly allocated as at when due.

The main impact recorded so far by the BEITI Component of the Project is an unintended impact – the passage of the Transparency law. The easy passage of the law is indicative of the ground work already established by advocacy around the adoption of BEITI. The second impact is that it has contributed to the increased level of awareness of the citizenry about the budget making and monitoring process. The third impact of the project is that it has created a strong desire for reform among judicial officers in the state.

The Project Document addressed the issue of sustainability by fostering ownership of the project by national partners. The project design provided opportunities for national partners to participate in the design of the project and to take responsibility for implementation. The design consideration to emphasize public sensitization and capacity building of key actors as the main implementation strategies was a proactive way of guaranteeing that benefits generated from the project would be sustained after the funding cycle.

The coordination mechanisms between UNODC and other implementing partners have been established and the evaluation confirmed that they have started functioning. However, a key factor that posed a challenge to the operations of the Project Steering Committee (PSC) was the introduction of the differentiation between core partners and non-core partners. Another source of strain in the relations between UNODC and partners is the implementation modality where the UNODC is the budget holder and administers all procurement directly. The partners clearly preferred a grants system where they receive grants to execute under laid down procurement and reporting policies to the direct procurement system used by the UNODC. Moreover, the decision by the donor to terminate the project summarily without consideration of the project revision proposed by UNODC Project Management Team also affected relations among the partners.

## **Conclusions**

The evaluation concludes that the project was well conceived and aligned with national and global strategies and plans to combat corruption. It sought on the one hand to promote transparency and accountability in public finance management by supporting institutionalization of BEITI; and on the other hand, to strengthen the justice system through support for justice sector reform.

However, although there is an underlying complementarity between the two components, the project design did not provide any linkages between the project components. There is no indication in the project design on how activities and outputs in one component are related to or intended to complement activities and outputs in the other component. Consequently, the project lost the opportunities that would have resulted from building synergies across the two components. In particular, the institutional capital of JIA Component was not harnessed to support the delivery of the BEITI Component.

The evaluation also concludes although the BEITI Component has been terminated it was not a total failure. Activities generated by the component have contributed to mobilizing public support for and interest in accountability and transparency in the state. The intensive sensitization and capacity building programmes contributed to creating the political environment that made for easy adoption of the Transparency Law.

The evaluation also concludes that there are strong indications that some of the project outputs and outcomes would be sustained after the funding. This is attributable to the design consideration of emphasizing sensitization and capacity building. Another factor that would contribute to sustainability of project outputs is the ownership by key state officials. The lesson learned here is that making existing institutions drivers of change is likely to enhance sustainability of programmes.

## **Recommendations**

The evaluation recommends that the PSC should consider adopting the revised project document proposed by the UNODC Secretariat. The project revision document correctly refocuses the BEITI Component to strengthening the capacity of civil society to demand effective implementation and enforcement of anti-corruption laws and also build capacity of the state legislature to provide effective oversight to the state executive and local government councils.

The evaluation recommends a no-cost extension of project timeline from December 2012 to May 2013 when the project was originally intended. No-cost extension is strongly recommended to ensure that the promising project activities and outputs deliver expected outcomes and objectives.

The evaluation recommends that more proactive measures should be taken to monitor progress being made toward attainment of outcomes and outputs. Given the enormity of the input required and the limited human resources available, the evaluation recommends that the BEITI National Project Officer should be mobilized to perform the role of a Results Officer to assist the National Project Officer and International Project Coordinator in monitoring and documentation of results.

The evaluation makes long term recommendations based on lessons learned, as follows: 1). that future projects especially those with political risks should be supported by pre-design political economy analysis; 2) UNODC should adopt more politically savvy and conflict sensitive approaches to its support for anti-corruption initiatives; 3) UNODC should avoid entering into project agreements where continuation is made conditional on attainment of specific milestones; and 4) UNODC should adopt inclusive governance mechanisms for its projects.

## **Lessons Learned**

The lesson learned from the substitution of BEITI with the Transparency Law is the need to take an incremental approach to promoting anti-corruption reforms. The Transparency Law is less threatening to bureaucrats and politicians than the BEITI Bill.

The BEITI component also shows that direct involvement of international organizations in anti-corruption programmes may be counter-productive as it might exacerbate resistance among anxious public officers.

Progress so far recorded in the JIA Component suggests that using existing structures and institutions to champion reform promotes national ownership and enhances the prospects for sustainability of reform initiatives.



# SUMMARY MATRIX OF FINDINGS, EVIDENCE AND RECOMMENDATIONS

<b>Findings: problems and issues identified</b>	<b>Evidence (sources that substantiate findings)</b>	<b>Recommendations</b>
Loss of opportunity to sustain advocacy for transparency with the termination of BEITI Component	Anti-corruption laws, interviews with stakeholders, Revised Project Document	PSC should adopt Revised Project Document
Delays in execution of important project activities	Project reports; minutes of meetings of Implementation Committee	No Cost extension of project to May 2013 to allow completion of planned activities
Little focus on collecting means of verification for progress	Interviews.	Deploy BEITI Project Officer as Results Office to manage monitoring and documentation for results
Distinction between ‘core’ and ‘non-core’ members of Project Steering Committee (PSC) negatively affected relations among project partners	Interview; Minutes of PSC Meetings	UNODC should adopt inclusive governance mechanisms for its future projects.
Composition of the BEITI Stakeholder Working Group raised suspicions and opposition as it did not recognize existing power relationships among critical stakeholders	Project Document	UNODC should commission political economy analysis to support future project design
Direct involvement of UNODC in the passage of the BEITI Bill engendered fears among stakeholders and generated resistance to passage of the Bill	Interviews	UNODC should in future adopt more politically savvy and conflict sensitive approaches to its support for anti-corruption initiatives
The fact that the project document made progress on other outputs dependent on passage of BEITI Bill affected ability of project partners to adapt	Project Document. Interviews.	UNODC should in future project agreements commit to delivery of results rather specific outputs



# MANAGEMENT RESPONSE TO RECOMMENDATIONS

Further to the completion of the mid-term evaluation of the project and the recommendations made thereto, the following are some response by the project management on the possibility or other wise of implementing the recommendations.

The Project Steering Committee (PSC), did approve a project revision but without the BEITI component. This is because the donor decided to withdraw funding to the BEITI component as a result of the non-passage of the BEITI bill into law, which would have provided the legal framework for the implementation of anti-corruption initiatives envisaged under the project.

As a result of the reduction in funding to the anti-corruption component of the project and the subsequent removal of the BEITI component from the project document in the recently completed project revision, there is not enough funding to warrant an extension of the project to May 2013. We believe we will be able to spend all available funds by the end of December 2012 and there will not be the need for a no-cost or cost extension of the project.

Also, due to the short time frame of the project left (December 2012), it will not be useful reassigning the BEITI Project coordinator to manage monitoring and documentation for results. The mid-term evaluation of the project has just been completed and the project team will also be conducting the Participatory self-evaluation at the end of the project. These will provide sufficient lessons to guide future planning of similar projects.

It is the view of Project management that Recommendations 4 to 7 - UNODC should adopt inclusive governance mechanisms for its future projects; UNODC should commission political economy analysis to support future project design; UNODC should in future adopt more politically savvy and conflict sensitive approaches to its support for anti-corruption initiatives; UNODC should in future project agreements commit to delivery of results rather specific outputs, are all futuristic. While these recommendation are valid and important to the design and management of any project, it is our considered opinion that they can only add to the pool of reference resources to guide the future programming of UNODC's work.



# I. INTRODUCTION

## Background and context

The project- NGA T97 Partnership in the Bayelsa Expenditure and Income Transparency Initiative (BEITI) and the Judicial Integrity Action Programme (JIA)- is in furtherance of requirements of the United Nations Convention Against Corruption (UNCAC) aimed at enhancing transparency and accountability in the management of public finance. The United Nations Office on Drugs and Crimes (UNODC) reached an agreement with the Government of Bayelsa State, Nigeria and the Embassy of the Netherlands to be the main executing agency for a project aimed at promoting accountability and transparency in public finance management and justice delivery system.

The context for the project was the pernicious effects of corruption to human security and development in Bayelsa State and the Niger Delta in general. In 2005, Chief DSP Alameiyeseigha, the Governor of Bayelsa State was impeached over charges of corruption and money laundering. The state became one of the hotspots of the insurgency in the Niger Delta as aggrieved youths and communities mobilized against the Federal Government and oil companies for failing to transform the lives of the people of region, despite the billions of dollars that accrue to the government from oil production the oil bearing Niger Delta communities. The insurgency is believed that have been aggravated by the failing human development indicators in the region when Niger Delta states were receiving more revenues from the Federation Account since 1999 when 13% of the Federation Account have been distributed on the basis of derivation.

Moreover, corruption and rising insecurity was robbing the region and Bayelsa State in particular of much needed foreign and local investments. It is against this background that Governor Timipre Sylvia welcomed the support of the international community and the Dutch Embassy in Nigeria to strengthen institutions of accountability and the rule of law in the state.

The project has two components, namely:

1. The Bayelsa Expenditure and Income Transparency Initiative (BEITI).
2. The Judicial Integrity Action (JIA)

The BEITI Component is aimed at supporting the creation of legal, institutional and technical capacities for the implementation of BEITI. This involves providing policy advice, expertise, training and other services to the BEITI Secretariat, the BEITI Stakeholder Working Group (BSWG) and partner with the Bayelsa Non-Governmental Organizations Forum (BANGOF) to mobilize Civil Society to participate in monitoring and reporting of budget implementation and expenditure. Consequently, the project envisaged that corruption could be tackled by strengthening both institutions of public finance management (supply) and actors that monitor and put pressure on government agencies (demand). The project was based on prior commitments by Mr. Timipre Sylva, the Bayelsa State Governor to policy reform in

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order to promote a friendly environment for investment and development to improve human security.

The JIA Component is aimed at enhancing access to justice; timeliness and quality of justice delivery; transparency, accountability and integrity of the justice delivery system and improved coordination across the justice sector institutions. This component was hinged on the assumption that the aforementioned goals would be delivered by building capacity of key actors as well as creating a dispensation where judicial activities and processes are open for public scrutiny and are responsive to the needs of the citizenry. It is based on the justification that improving the justice delivery system would build public confidence and reduce the rising tendency of resort to self-help and anti-systemic measures to seek redress for perceived injustice. Consequently Justice Sector reforms would have a positive impact on governance and conflict reduction. The Component also derives from the commitment of the state government to respect the independence of the judiciary and the rule of law.

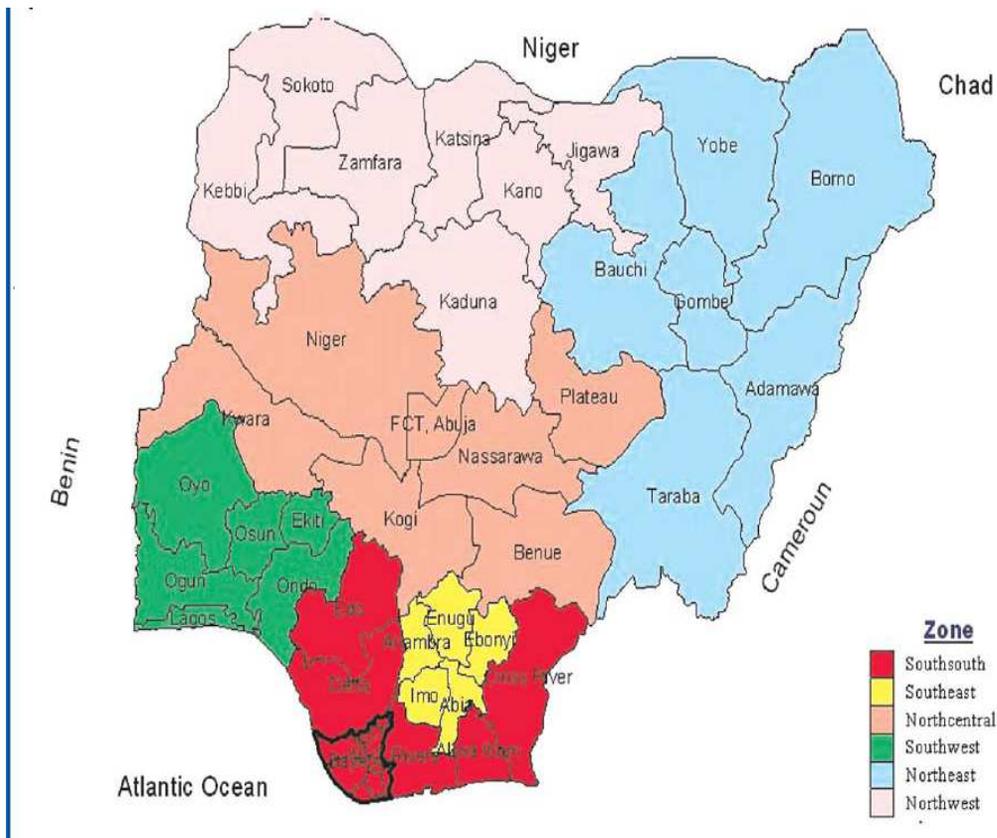
The project is expected to run for 3 years (2010 – 2013) and is being implemented by national stakeholders through Technical Assistance provided by the UNODC.

This mid-term evaluation is an essential component of the project implementation strategy. The main objective of the evaluation, as set out in the terms of reference is, ‘to assess, analyze and draw conclusions on the design and implementation of the project vis-à-vis the expectations earlier earmarked for the period it has been implemented’. The evaluation is also expected to assess ‘the relevance, efficiency, impact and sustainability of the project and identify lessons learnt and best practices’. The rationale for the evaluation is the need to explore whether or not the project is on course to attaining its goals; unearth challenges encountered in project implementation and specifically identify interventions needed to ensure that the project remains on course.

According to the TOR, the scope of the evaluation is to cover the implementation of the programme over a two year period. This is the start-up date of December 2009 and December 2011.

The evaluation was conducted by independent national consultant in the months of May / June 2012. UNODC project staff facilitated meetings with key stakeholders and UNODC also took care of logistics, including accommodation and transportation. Project Management Team also provided useful insights and evidence to facilitate better appreciation of issues by the evaluator.

Figure 1: Map of Nigeria, showing geo- political zones



## Evaluation Methodology

The sources of data for the evaluation ranged from project documents and reports, face to face key informant interviews (KIIs), focus group discussion (FGD) to observation. The data were collected during field work in Bayelsa State and Abuja. Interviews were conducted with guides from the set of questions designed for key informants. Key informants included project staff, staff members of partner organizations and a number of beneficiaries of the project. Focus Group Discussions were conducted with cluster of participants of project activities. Observation involved participating in project activities.

The use of multiple methodologies was considered necessary for the validity of the conclusions of the evaluation. It allowed for the cross checking of data gathered from one source with data collected from another source. Moreover, the sampling procedure adopted ensured that the evaluation also benefitted from the views of both direct beneficiaries of the project and non-interested informed opinions. Finally, the requirement of the UNODC evaluation policy for the submission of an Inception Report contributed to the enrichment of the evaluation process. The Independent Consultant had the opportunity to test the preliminary findings with the Project Management Team. The response of the Project Management Team elucidated grey areas and contributed to giving the Independent Consultant an opportunity to reconsider earlier assumptions that were based on limited and non-available information.

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A number of limitations adversely impacted on the evaluation. First, the termination of the BEITI Component before the Mid-Term Evaluation affected the focus of the evaluation as well as the data collection process. It virtually turned the evaluation of the component into a post mortem analysis rather than a Mid-Term Evaluation. Against the context where funding was withdrawn and the BEITI Secretariat scrapped, it was challenging to elicit cooperation from stakeholders in that component. For instance, with the scrapping of BEITI and personnel changes at the Bureau for Due Process, it was not possible to get most of the key project beneficiaries and stakeholders. The few stakeholders contacted had no incentive to contribute to the process as they felt it was a futile exercise. Worse still, it was not possible to access important project documents as the former BEITI Office had been converted for another purpose.

The Evaluation was also limited by the non-availability of key stakeholders and beneficiaries during field work, which was a period of two weeks. Although, the Independent Consultant tried to mitigate this challenge by exploring the option of telephone interviews, the quality of data obtained was limited and some key informants could still not be met.

The general political environment in Bayelsa State during the evaluation also negatively impacted on the evaluation. The evaluation took place after Hon Henry Seriake Dickson, the newly elected governor of Bayelsa State had sacked most of the public office holders associated with his predecessor. Most of these personalities who were knowledgeable about the project had therefore relocated from the state. Importantly also, the Independent Consultant could not access the House of Assembly stakeholders which remained in office because of internal crisis in the state legislature. The speaker of the House was impeached in the same week the evaluation commenced. This ensuing power tussle led to the closure of the premises and offices of State House of Assembly to the public and the legislators and staff members of the State legislature were also not allowed to enter the premises during the period.

The Independent Consultant mitigated the limitation of non-availability of key stakeholders by seeking audience with available lieutenants and drawing insights from project documents, and reports, where they were available. This was the last option after efforts to reach unavailable key informants on telephone failed.

The impact of this on the outcome of the evaluation is limited because the non-availability of stakeholders mostly affected the BEITI component, which had been rested before commencement of the evaluation. Most of the strategic key stakeholders and beneficiaries of the JIA component were available and provided useful insights to the evaluation. It is therefore evident that non-availability of prospective informants was the unavoidable consequence of the termination of the component. The impact of this on the evaluation was however mitigated by the successful effort of the independent evaluator to get the former Coordinator of BEITI Secretariat to participate in the evaluation.

## II. EVALUATION FINDINGS

### Design

The evaluation reviewed the Project Document and established that it was based on some contextual analysis of the state of public finance management in Nigeria and in Bayelsa State in particular. The project document highlighted the developmental challenges facing the state as a result of corruption. The needs assessment conducted for the project designed took into cognizance the views of project stakeholders and beneficiaries. The Evaluation established that the Project Objectives, Outcomes and Outputs are clearly stated and there are clear lines of linkages between activities and outputs in each of the components. The project beneficiaries are also clearly stated for the overall project and for each activity and output area. These include the Bayelsa State Government, the Bayelsa Judiciary, the Bayelsa State Civil Society and ultimately the average resident of the state who is likely to gain from enhanced livelihoods and security in a dispensation devoid of violence and with enhanced opportunities for economic empowerment.

However, the Evaluation found a number of design issues which were not well-articulated. The evaluation found that key stakeholders did not see the basis for the lumping of the two components. In their view, different components would have been managed as two different projects. This is more so as there was no indication that the two components were integrated in the Project Document. Although, it is clear that the project overall objective, 'enhance transparency, accountability and integrity in management of public resources and public affairs in Bayelsa State' encompasses objectives of the two components, the complementarity and synergy of the two components are not clearly spelt out. Apart from common membership of the Project Steering Committee (PSC), there was little that interlinked the components. Against the backdrop where some key stakeholders did not see linkages, it is understandable why some would claim that one component received more attention and was supported at the expense of the other, as shall be shown later in the discussion on partnership.

The Evaluation also showed that the Project Document accurately specified assumptions and risks for the project. The overarching assumption was that Governor Timipre Sylva was a reformer that possessed the political will to put in place the enabling environment for accountability and transparency in public finance management and public affairs. The main anticipated risk was loss of interest by the governor or change of government in the 2011 elections. The key risk mitigation measure of such scenario was to facilitate early passage of the BEITI bill. It is against this background that Project Document made passage of the legislation and governmental allocation of budget to the BEITI Secretariat the preconditions for continuation of the support for programme activities under the BEITI component.

This suggests that the Project Design depended too much on the goodwill of the government. The project should have taken advantage of the partnership with BANGOF to step up demand activities for the passage of the BEITI Act. Since most of BANGOF's responsibilities were tied to the passage of BEITI Act and entailed monitoring of implementation, the opportunities to empower Civil Society, through

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the aegis of BANGOF, to effectively embark upon on state wide advocacy for transparency and accountability among key actors in the State executive and legislature were lost. The evaluation also found that the concentration on BEITI entailed that the project could not take advantage of supporting similar initiatives to promote transparency and accountability. For instance, the state government had enacted the Fiscal Responsibility Act and the Anti-Corruption Commission Law. However, the governor did not establish the requisite governance and administrative structures stipulated in the legislation. The evaluation revealed that civil society stakeholders believed the resources and time devoted to BEITI should also have been channelled to support advocacy for the implementation of the anti-corruption legislations as well as monitoring of the performance of the Bureau for Due Process and E-Governance. Obviously, the capability of the project management team to respond to this development was constrained by the fact that activities to support the BEITI process were tied into the project document.

The evaluation found that total dependence of the project on the goodwill of the governor to keep his promise was also the result of limited political economy analysis during the design phase. A political economy analysis would have revealed the tendency for government officials to adopt populist policies for purposes of regime legitimation and resource extraction. The study would also have allowed the project design benefit from the information on the credentials of the governor as well as existing drivers of change in the State. The information gathered from the analysis would have suggested greater investment in support for demand side initiatives by civil society and the media for reform.

The Evaluation established the institutional and managerial frameworks for project implementation were well articulated and communicated to key stakeholders. The Project Document clearly stipulated the roles and responsibilities of partnering organizations. The PSC served as the overall governance body. Each component has a Stakeholder Working Group, which coordinates programme activities. However, while the JIA has a Joint Implementation Committee, which is divided into sub-committees, the BEITI component allows each partner to co-opt partners for implementation without a Standing Implementation Committee. The Project also stipulates the personnel resource needed to implement the project. There is allocation for an International Project Coordinator and 2 National Project Officers to oversee the two components. Similarly the implementation and Reporting Template of BEITI stipulate management needs. However, the project experienced major delays in key staff recruitments.

The Project Design also correctly identified the externally institutional relationships. This is particularly so in the JIA Component which made use of the existing hierarchical authority system in the justice sector. The Project Design recognized the State Chief Judge as the leader of the Multi stakeholder Group. The State Chief Judge was also appointed the Chair of the PSC. However, this was not the case with the BSWG. This is because the governor had appointed the BSWG before the commencement of the project as a way of possibly demonstrating political will. In the process, the governor assigned leadership to the Director-General of the Bureau for Due Process and E-Governance – which is not the natural leader in public finance management sector. Moreover, key officials in the sector were not included in the BSWG. The BEITI Component faced serious opposition because its champion and chair of BSWG was the government's lead on introduction of biometrics in accreditation of civil servants intended to curtail incidence of ghost workers and implementation of procurement laws to check inflation of contracts. Many officials in

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both the executive and legislature had issues with the Due Process Bureau. In a sense therefore BEITI became a victim of misplaced aggression as powerful stakeholders suspected it was another instrument to strengthen the influence of the Due Process DG. The perception was also based on the fact that BEITI Secretariat was housed in the Due Process Bureau Complex and the BEITI Coordinator was considered a close ally of the Due Process DG..

Clearly, the BEITI component incorrectly identified the Public Finance Management architecture. In practical terms it was likely to take over the functions of key government agencies such as the Ministry of Finance, Office of Accountant-General and Office of Auditor-General. It is therefore doubtful that these powerful actors in government would support it. Although, the Project Implementation and Reporting Template designed for BEITI highlighted this anomaly and recommended reconstitution of the BSWG during commencement of the Project, the BSWG was not reconstituted. Instructively, the State House of Assembly also raised issues with the composition of the BSWG and indicated necessity for review before the Bill was passed into law. The evaluation found that the BEITI process suffered from the fact that its governance structure was out of sync with existing power structures in the state bureaucracy.

This leads to another fundamental issue with external institutional relationship in the project design. The Project provided support for the BEITI Secretariat at a time it did not have legal backing but was merely a product of an executive fiat. This heightened the risk of the Project as there was the possibility that enabling legislation will either be long in coming or as it turned out, never come. This was a major design flaw as other existing agencies within the government should have been saddled with the responsibility for mobilizing support pending the enactment of the Act. The evaluation found that the fact that contractual obligations with the state government had been established at project inception did not provide compelling incentive for the government to enact the Bill.

## Relevance

The Evaluation found that the project was well aligned with the national and global strategies to combat corruption. This strategy has focused on the one hand on improving capacity of public finance management and on the other hand improving the justice delivery system. At the national level, Nigeria has established several institutional frameworks to improve the public finance management system. These include the reform of the Civil Service; the enactment of a number of legislations such as the Fiscal Responsibility Act, the Public Procurement Act, the Nigeria Extractive Industries Transparency Initiative (NEITI) Act, the Freedom of Information Act; and the publication of allocations made to federating units from the Federation Account on a Monthly basis. There are also reform measures to improve the justice delivery system by enhancing access, accountability and better service delivery. In most of the reform measures so far adopted, there is a clear assumption that the reforms are hinged on promoting accountability and transparency. Many of these reform measures are supported donor partners such as the UN System, The UK Department for International Development (DFID) and European Union (EU).

Many of these reforms have been initiated at the state level. Several Nigerian states have so far passed legislations for fiscal responsibility, due process, and public procurement. There are also renewed interests in enhancing the capacity of the

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judiciary and making it more accountable and efficient through modernization in the justice delivery system.

Against the backdrop of recent history of Bayelsa State which recorded the first case of impeachment of a governor on grounds of corruption and money laundering allegations, the evaluation considers that the project is auspicious. Bayelsa is also one of the worst affected states by militancy in the Niger Delta. Militancy in the region have been linked to governance and political challenges principal among which are corruption, erosion of confidence in the criminal justice system and lack of transparency and accountability in governments. The project design also aptly captured the interest of Governor Timipre Sylva, who was elected in the midst of enormous governance and security challenges, to operate an accountable, responsive and transparent administration. However, the Evaluation showed that while stakeholders considered budget transparency and accountability to be important, they do not consider it to be the major panacea for corruption. There was a strong view that the NEITI around which BEITI is modelled has not reduced incidence of corruption in the country. The evaluation found that by singularly focusing on BEITI the project missed other opportunities for supporting the fight against corruption in the state.

Regarding the JIA component, the Evaluation found it is not only aligned to international and national best practice but also particularly relevant for Bayelsa State. Bayelsa is a relatively young State (created in 1996) with fledging institutions, including the justice administration system. The State has been one of the worse affected states of militancy in the region. As earlier noted, militancy is partly a reflection of loss of confidence in the conventional administration system. Consequently, the projects objective (2.7.1) of enhancing access to justice, and strengthening judicial integrity and capacity is very relevant for the oil rich state whose citizens live under the poverty line. Most respondents interviewed during the evaluation were of the opinion that some of the measures taken under the JIA component are likely to contribute to enhancing access to justice among residents of the State.

The stakeholders also posited that the resources and instruments developed by the UNODC are relevant to the Bayelsa context. For instance, the JIA Implementation Committee has adopted some of the resources developed under UNODC project NGA SO8 on “Support to the EFCC and the Nigerian judiciary”; Project TIO ‘Promoting Ethics and Transparency in Business Transactions in Nigeria’; and the UNODC Assessment Methodology of Justice Sector Integrity and Capacity.

The relevance of the project is equally evidenced by the fact that participants at Town Hall meetings conducted in the three Senatorial Districts in the State as well as the Meeting of the Justice Sector Multi Stakeholders validated the JIA Action Plan for Justice Sector Reform. Most of the sources described the project as most welcome and appropriate. However, a residual number of stakeholders are of the view that equally important challenges of dearth of facilities for judicial establishments at the grassroots as well as the poor reward system have not been addressed by the project.

## Efficiency

The evaluation found that efficiency of the project was negatively affected by delays in implementation of key project activities. Firstly, the setting-up of the operational office of the project was delayed due mainly to contracting procedures of the

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UNODC. This affected project operations as project had to be managed directly from Abuja. The impact of this on the project was aggravated by the bombing of the UN Headquarters which made coordination from Abuja more challenging.

Second, the complement staff members for the project were not appointed on schedule. This also impacted on delivery as fewer staff members than anticipated were managing the project. Thirdly, delays in passage of the BEITI Bill into law stalled progress on other activities. For instance, the audit was delayed and eventually frustrated by the absence of an enabling legislation.

Moreover, two extraneous factors adversely impacted on implementation. These are the political crisis surrounding the election of State Governor and the suicide bombing of the UN Headquarters. Since early 2011 when Governor Sylva was to face election, the state government was confronted by several challenges that affected its commitment to the project. The BEITI Bill, which failed to get strong executive support, was withdrawn after the change of government which followed the inability of Governor Sylva to secure the ticket of his party for reelection. The August 2011 suicide bombing that destroyed the UN Headquarters affected key project activities as some Project Staff members suffered injuries and the UN ICT system was badly damaged. Consequently, key project milestones such as recruitment of staff and procurement for the project office were delayed. The evaluation found that some of the key outputs have not been attained while others would be unattainable given the termination of the BEITI Component.

However, before it was de-established, the BEITI Component recorded some progress in sensitizing the state legislature, Local Government Councils, the media, Civil Society and traditional rulers on the bill. The bill had passed the second reading and the legislators had suggested useful amendments to the bill. The progress recorded stemmed from the sustained pressure on the legislature and public sensitization programmes on the BEITI by the BEITI Secretariat. There is no gainsaying this sensitization campaign and sustained engagement with legislators contributed to creating the political space that allowed for the expeditious passage of the Bayelsa Income and Expenditure Transparency Law 2012, which replaced the BEITI Bill.

The Project also made some progress in enhancing the technical capacity and willingness of NGOs and other Civil Society Organizations to hold government accountable through monitoring of revenue and expenditure of government. BANGOF was supported to embark on sensitization campaigns in selected rural areas in addition to its media advocacy. There is no evidence to directly link the sensitization campaigns and advocacy implemented by BANGOF and BEITI Secretariat and greater public scrutiny and demand for transparency. However, the fact that the sensitization coincided with public outrage over the controversial plan of the State government to raise N50 billion bond suggest some influence was possible.

The JIA component has made some progress in attaining specific outputs. The Multi stakeholder strategic framework for Justice Sector Reform has been developed and adopted through a participatory process (Output 2.7.3). The assessment methodology of justice sector integrity and capacity has also been developed (Output 2.7.4). Moreover, the State Action Plan on strengthening justice sector integrity and capacity has been developed (Output 2.7.6). The JIA component has also put in place an implementation framework for the State Action Plan (Output 2.7.6). The Multi stakeholder Implementation Committee has been established and has commenced its meetings. Technical sub-committees and the Secretariat of the Implementation

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Committee are also operational. The various activities for the programme are in different stages of planning.

The key success factors for this component include the commitment and leadership of the Chief Judge, the participatory approach adopted for design and implementation of project measures and activities and the use of existing institutional infrastructure for the programme. The project has also benefitted from UNODC's experiences in managing similar programmes in 12 other Nigerian States. It is also important to note that the component has benefitted from the relative independence of the judiciary. The project is not considered to be politically threatening to powerful political forces and interest groups within the justice sector and in the executive. On the contrary, both the politicians (in the executive arm) and the justice sector practitioners agree that the envisaged changes would improve capacity of the judiciary to deliver justice for the benefit of all.

As evident from the foregoing some of the key activities of the JIA component are at inception phase. This delay was due to the August suicide bomb attack on the UN Headquarters in Abuja which affected key project staff officers, delay in staff recruitments and delays in finalization of plans to establish an office in Yenagoa. Moreover, the busy schedule of key Implementation Committee members affected the regularity of meetings and therefore the take-off of activities. For instance, some of the judges were unavoidably absent for prolonged periods in 2011 due to their participation in election tribunals. This has resulted in delays in execution of the project's activities. Although the implementation committee members appear determined to catch up with the time, the evaluation found that more time would be needed to execute scheduled project activities. In this respect, the proposed plan to end the project six months earlier than originally scheduled would most likely have adverse consequences for attainment of project outputs and outcomes.

The Evaluation also found that a major challenge of project implementation is the absence of incentives for project implementation committee members. The non-payment of stipends for participating members is negatively affecting the degree of participation. The evaluation found that some implementing committee members have started absenting themselves from meetings due to the absence of stipends for transport costs. This is not an indication of low motivation and lack of commitment to the project. It was found that many committee members could not afford to fund their participation in project activities.

Furthermore, stakeholders for both BEITI and JIA components felt that the modality of project implementation is highly centralized and does not allow for effective project implementation. For instance, representatives of the JIA Implementation Committee Secretariat and BANGOF recommended the introduction of a grant system. Through such a system, partners will collect funds that they retire to UNODC Project Management Team after executing an activity. The Independent Consultant noted that some of the demands may not be in consonance with the policies of the UNODC for funds disbursement.

The Evaluation established that the project funding has been properly allocated as at when due. There was a temporary delay in fund disbursement due to the damage caused by the bomb attack on the UN facility but such payments were effected after the system was restored.

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## Partnerships and cooperation

The coordination mechanisms between UNODC and other implementing partners have been established and the evaluation confirmed that they have started functioning. For instance, the Project Steering Committee (PSC), which is the apex governing board of the project had been inaugurated and had met for three times before the evaluation. The PSC reviewed progress made on implementation and took decisions on the strategic direction of the project. However, a key factor that posed a challenge to the operations of the PSC was the introduction of the differentiation between ‘core partners’ and ‘non-core partners’. The evaluation found that the designation of BANGOF and RWI as non-core partners engendered feelings of alienation among them. BANGOF representatives claimed that the dichotomy introduced by the classification was a travesty of the overall project objective of promoting transparency. This is because the Project Document did not indicate any differentiation but merely listed members of the PSC and specified the UNODC management team as the PSC Secretariat. Although the PSC eventually granted voting rights to non-core partners, the evaluation found that the categorization of membership introduced a strain in relations among partners.

Another source of strain in the relations between UNODC and partners is the implementation modality where the UNODC is the budget holder and administers all procurement directly. Although UNODC considered this to be the most efficient way of executing the project as it leveraged the well tested UN procurement system, partners were of the view that it did not promote mutual trust and respect in the partnership. The partners clearly preferred a grants system where they receive grants to execute activities under laid down procurement and reporting policies to the direct procurement system used by the UNODC.

Moreover, the delay in passage and subsequent withdrawal of the BEITI from the Bayelsa State House of Assembly was a source of misunderstanding in the partnership. There was a sense in which the Embassy of the Kingdom of the Netherlands and UNODC felt disappointed at the unwillingness of the Bayelsa State Government to influence passage of the enabling legislation. However, the BEITI Secretariat felt the partnership did not appreciate the efforts they had invested in mobilizing support for the bill. The leadership of the Secretariat felt the Bill had made progress having passed the Second Reading and was hopeful that the bill would be passed into law once the controversies surrounding the election of Sylva was settled. In this respect the Secretariat felt it did not receive enough support and preferred a situation where all partners would take collective responsibility for the passage of the Act rather than holding the Secretariat singly responsible. The Secretariat felt the threat to stop funding of the Component was punitive rather than remedial. The PSC responded to this by electing to use the good offices of the Embassy and the Bayelsa State Chief Judge to support the advocacy efforts of the Secretariat. However, there is no indication that the efforts yielded any results before the BEITI Component was terminated.

The decision to terminate the project summarily by the donor without consideration of the project revision proposed by UNODC Project Management Team also affected relations among the partners. It was expected that the PSC meeting would consider the project revision proposals. However, the Embassy of the Kingdom of the Netherlands stopped funding of the component before the PSC had the opportunity to consider the revised document. It is understandable that this unilateral action stemmed from the difficulties the Embassy had explaining to its government the

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rationale for continued funding of the initiative when government of Bayelsa State had not fulfilled its own obligations. However, other partners felt the Embassy should have allowed the PSC to consider the possibility of revising the project before taking the decision.

Finally, the evaluation found that partnership was strained by the fact that some of the partners did not appreciate the essence of the partnership. More pointedly, some BEITI Secretariat and BANGOF representatives felt short-changed by the incorporation of the JIA Component in what they felt was a project principally designed to support initiatives for more transparent and accountable public finance management. The perception among them was that UNODC had a preference for the JIA Component since it was in line with its existing projects in Nigeria. The independent consultant notes the possibility that this sentiment might have arisen from the termination of support to BEITI, and the attendant collateral damages they have suffered. However, this misgiving and the tension it raised would have been mitigated if the project design had built synergy across the components. As earlier observed, the two components could have been administered as different projects. The configuration of the project gives the impression that the components were simply put together in the project to achieve economy of scale. This is because although the components clearly contribute to achievement of the overall objectives, there was lack of synergy and complementarity among the components.

## **Effectiveness**

The delays in the implementation of key activities of the project affected the progress on the objectives and outcomes of the project. The project only made progress on one aspect of the immediate objective, which is to 'develop and pilot the implementation of a comprehensive framework for promoting transparency in budget tracking and monitoring in Bayelsa State'. While much progress was made in developing the frameworks for both components and sensitizing the public and critical stakeholders of about the frameworks little progress has been recorded in piloting the implementation of the frameworks. With regard to the BEITI Component, critical outputs such as passage of the Bill and conduct of audit were stalled. The JIA Component was yet to commence implementation of key outputs during the time of the review.

The evaluation found that the Project Document stipulated a work and monitoring plan for the project. Monitoring instruments incorporated in the Project Document include reports on implementation of activities, periodic narrative and financial reports by implementing partners and progress and annual reports by the UNODC project management team. The project document required implementing partners to produce and disseminate activity reports for each activity. In addition, UNDOC was expected to produce annual reports and project updates to the Project Steering Committee (PSC). These reporting requirements were met by partnering organizations and formed the basis of assessment by the six monthly meetings of the PSC. This evaluation benefitted from some of the Project Reports.

The Evaluation found that project targets (Objectives, Outcomes, Outputs) are clearly stated in the Project Document. The implementing partners understood these

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objectives and outcomes and outputs and with UNODC support drew up workable action plans for the implementation of the project. The Action Plan clearly tied activities to outputs and outcomes. The Project Document also stipulated the performance indicators in a clear and concise manner. The Document stipulated progress would be measured by periodic public perception surveys to track changes against baseline surveys conducted by Revenue Watch Institute (RWI) and BANGOF. The Project Document indicated that a similar baseline would be conducted for the JIA Component to facilitate impact assessment. However, the evaluation could not establish that this has been conducted. As it stands, there are no baseline data on performance against which the commendation work being done by the implementation committee would be measured.

The evaluation could not also ascertain whether or not the project management team and implementation had developed means of verification and taken action to commence collection of the vital evidence. It was also not clear to the evaluation that periodic impact assessment studies envisaged in the project document have commenced, especially with respect to the JIA component.

In addition, the Evaluation found that the Action Plan for Justice Sector Reform which stipulates all activities and measures to be taken to achieve project outputs does not include any monitoring activity apart from meetings of the Implementation Committee. The Evaluation did not find the monitoring framework and could not ascertain the locus of responsibility for documenting progress. There are clear statements of activities and measures linked to outputs as well as a list of impact indicators. However, the lack of clarity on monitoring and evaluation indicates an unresolved challenge of how the attainment of objectives and outcomes of the project is documented.

## Impact

The major impact recorded so far by the Project is an unintended impact – the passage of the Transparency law by Governor Henry Seriake Dickson. The Transparency law is less ambitious than the BEITI Bill. It mandates the Commissioner of Information to make available in the public domain information about government income and expenditure on a monthly basis. In furtherance of the law, the governor who assumed office in February 2012 has so far addressed the state on revenues and expenditures on two occasions. The easy passage of the law is indicative of the ground work already established by advocacy around the adoption of BEITI. It also reflects some of the misgivings about the design of BEITI. Under the transparency Law, no agency is given any monitoring roles. Rather the Ministry of Information, which is usually charged with information dissemination, is mandated to execute what is already within its province. The Act also does not hold the governor responsible for non-release of information but holds the commissioner or any of his delegates responsible.

The second impact, which should in no way be exclusively attributed to the project, is the increased level of awareness of the citizenry about the budget making and monitoring process. This was evidenced in the increased public participation in debates on the controversial plan of the state government to raise a N50 billion bond from the capital market in 2010. It is also evident in the general perception of indigenes of the state that the former governor had mismanaged funds and should not be re-elected in the 2011 elections. It is instructive that public rejection of former Governor Sylva preceded his disqualification by the ruling Peoples Democratic Party

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(PDP). The evaluation found that the increased level of awareness of the public about budget and public demands for accountability influenced the decision of the newly elected governor to introduce the Transparency Law.

The third impact of the project is that it has created a strong desire for reform among judicial officers in the state. Through the training programmes already conducted, judicial officers have shown greater willingness to do things differently to achieve better results. This includes opening judicial processes to greater public scrutiny, adopting information technology to improve service delivery and better coordination between different stakeholders and agencies. The change in way of doing things has been exemplified by the town hall meetings conducted by the implementation committee of JIA under the project. Most stakeholders agreed that this was unprecedented given the perception of the justice sector as conservative. Court users and members of the public were pleasantly impressed by the openness and willingness of the leadership of the state judiciary to get feedback from the public and respond to issues raised by members of the public. The evaluation found that the project is contributing to the improvement of the public image of the judiciary. It is also enhancing access to justice by the strengthening of the alternative dispute resolution mechanism which has particularly been proven as a useful and cost effective method of justice delivery in rural communities.

## Sustainability

The evaluation found that the Project Document addressed the issue of sustainability by fostering ownership of the project by national partners. The project design provided opportunities for national partners to participate in the design of the project and to take responsibility for implementation. Design decisions that have worked in favour of sustainability include the requirement for counterpart funding by the Bayelsa State Government, the location of the project office in the office complex of the Bayelsa State High Court in Yenagoa, the involvement of key officials in the governance and administration of the project, and the decision to partner with statutory government institutions. These factors were especially present in the JIA Component and the absence of a statutory government institution in the BEITI Component proved to be a fatal design flaw.

The design consideration to privilege public sensitization and capacity building of key actors as the main implementation strategies was a proactive way of guaranteeing that benefits generated from the project would be sustained after the funding cycle. The fact that members of the public have been sensitized on the imperatives of budget transparency and accountability for sustenance of democracy and development has made the citizenry to remain engaged on the issue of transparency. Thus, the termination of the BEITI Component has not diminished public interest in advocacy for transparency and accountability. This is evident in the high level of public engagement on the implementation of the Transparency Law that has been passed in lieu of the BEITI.

The evaluation found a strong commitment among the stakeholders in the JIA Component to continue working towards attainment of project goals and objectives even after the end of the funding cycle of the present project. For instance, the leadership of the state judiciary expressed commitment to ensure that initiatives currently funded by the Project become part of the budget proposal of the judiciary. Sustainability of the reform initiatives is also likely to be driven by sustained public

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demand for openness, improved access and accountability. The evaluation found that some participants of the town hall meetings and sensitization forums used the opportunity of the interaction with the independent consultant to remind judicial officers of the need to live up to expectations they have raised.

Finally, the high investment in capacity building of implementing partners has contributed to the enhancement of their institutional capacity and prospects of diversifying funding. For instance, the project built the capacity of BANGOF for fund raising and has brightened the prospects of the organization in securing support to intensify its advocacy for governance reforms.

## Innovation

Many stakeholders in the JIA Component were of the opinion that some of the project activities were very innovative. One of the activities that most commentators considered to be innovative was the town hall meetings organized by UNODC to enable justice sector institutions interact with members of the public. Judicial officers agreed that it provided an opportunity for them to listen to the views of the people. This is considered unconventional because it is members of the public that come to the courts and not the judges going to the public. There was a shared understanding that this consultation was likely to make the services of the justice sector to be more demand driven and responsive.

Other activities being pioneered to promote horizontal and vertical accountability and transparency in the justice sector that were considered to be innovative include the electronic case filling system and the tracking of case management by each court. These activities are expected to enhance access to justice by drastically reducing the duration of cases and *ipso facto* the costs to court users.

The BEITI Component also contributed to an innovation. Although, the BEITI law did not materialise the Transparency Law, which replaced it makes it mandatory for income and expenditure of the state to be made available to the public on a monthly basis. It is significant to note that Bayelsa State is the first in the country to adopt such a law and initiative the practice where the governor renders monthly accounts of the state.



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### III. CONCLUSIONS

The project document gave a good justification for the project and the project objectives are in line with both international and national initiatives on anti-corruption. The project seeks to contribute to tackling corruption through improving transparency and accountability of public finance management institutions and strengthening of the criminal justice system. The two strands of this objective was well articulated in the design of the two components of the project. However, the project designed failed to integrate the two components to build synergy and complementarity. There was no indication of how activities and outputs in one component were intended to complement implementation of activities and delivery of outputs in the other component.

The project documents clearly articulated the objectives, outcomes and outputs of the project. There is evidence that these targets were well communicated to partners who had prepared operational Action Plans for project implementation. The partners have started implementation of activities and measures needed to engendered envisaged outputs and outcomes. However, more progress has been recorded in delivery of the JIA Component. This is because of the non-passage of the BEITI Bill and subsequent suspension of the component. The project has succeeded so far in galvanizing support for justice sector reform among key stakeholders and the general public. Key success factors for the progress recorded in the JIA Component include the leadership role played by the key actors in the sector, the participatory process adopted for implementation of activities, and the wealth of experience that UNODC has accumulated managing similar programmes in the country.

The evaluation concludes that although the BEITI Component has been terminated it was not a total failure. Activities generated by the component have contributed to mobilizing public support for and interest in accountability and transparency in the state. The extensive advocacy with legislators, civil servants, local government chairpersons and traditional rulers sensitized elites in the state on the need for transparency. The evaluation concludes therefore that intensive sensitization and capacity building programmes contributed to creating the political environment that led to easy adoption of the Transparency Law.

The evaluation concludes that there are strong indications that some of the project outputs and outcomes would be sustained after the funding. This is attributable to the design consideration of emphasizing sensitization and capacity building. The great investment in enlightenment at government and community levels have raised the prospects of the citizens remaining engaged on issues of transparency and accountability. Moreover, there are a number of other donor agencies that are interested in issues of public finance management that relevant stakeholders would approach for support. Another factor that would contribute to sustainability of project outputs is the high level of ownership demonstrated by key state officials. This is particularly evident in the JIA Component where the leadership of the state Judiciary has expressed commitment to incorporate activities intended to consolidate successes of the project in their future programme plans and budgets.



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## IV. RECOMMENDATIONS

The evaluation presents two categories of recommendations. The short term recommendations refer to actions that are needed to strengthen the current project and enhance prospects of attainment of outcomes and objectives. The long term recommendations are based on lessons learned from the evaluation and are intended to inform other UNODC projects.

### **Short term**

The evaluation recommends that the PSC should consider adopting the revised project document proposed by the UNODC Secretariat. The project revision correctly refocuses the BEITI Component to strengthening the capacity of civil society to demand effective implementation and enforcement of anti-corruption laws and also build capacity of the state legislature to provide effective oversight to the state executive and local government councils. The evaluation recommends that the PSC should however approve a partnership arrangement that grants more independence to the BANGOF which is recognized as the key implementing agency. A key option of implementation is through grants for advocacy around particular initiatives.

The evaluation recommends a no-cost extension of project timeline from December 2012 to May 2013 when the project was originally intended to close. This is to allow the implementation team to catch up with delays attributable to unforeseen circumstances surrounding the unfortunate bomb attack on the UN House in Abuja and out of station assignments of judges involved in project implementation. This proposal is expedient as the project is likely to experience a lull due to the close of legal activities for holiday of legal officers in August and September. No-cost extension is strongly recommended to ensure that the promising project activities and outputs deliver expected outcomes and objectives.

The evaluation recommends that more proactive measures should be taken by UNODC and the implementation partners to monitor progress being made toward attainment of outcomes and objectives. This would entail intensive collection of baseline information against which the JIA Component would be measured. Given the enormity of the input required and the limited human resources available, the evaluation recommends that the BEITI National Project Officer should be mobilized to perform the role of a Results Officer to assist the National Project Officer and International Project Coordinator in monitoring and documentation of results. The evaluation strongly believes that a specialized desk for this role is necessary as the implementation committee and National Project Officer are rightly engaged in meeting project timelines and do not have dedicated resources to perform this important task.

### **Long term**

The evaluation recommends that future projects especially those with political risks should be supported by predesign political economy analysis by the project management team. This is important to inform external relationships to engage for project implementation.

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The evaluation recommends that UNODC should adopt more politically savvy and conflict sensitive approaches to its support for anti-corruption initiatives. This should entail moderating the level of direct involvement in advocacy activities. UNODC's involvement should be primed to provide technical assistance and financial support to credible and competent national stakeholders whose lot it is to be on the frontlines.

The evaluation also recommends that UNODC should avoid entering into project agreements where continuation is made conditional on attainment of specific milestones. Given the uncertainties and risks involved in project management especially on politically sensitive issues as corruption, UNODC should only commit to delivery of higher level outcomes and objectives (impact). This approach is preferable because it gives the implementing partners the leeway to review and change milestones in furtherance of overall objectives and impact.

The evaluation recommends that UNODC should adopt inclusive governance mechanisms for its projects. The best practice in a context where there is need to differentiate between funding partners (core partners) and non-funding partners (non-core partners) is to create two governance institutions. While the one that includes all project partners would play advisory roles, the one that is exclusive to core partners will be invested with decision making roles.

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## V. LESSONS LEARNED

The lesson learned from the substitution of BEITI Bill with the Transparency Law is the need to adopt an incremental approach to promoting anti-corruption reforms. A cursory analysis of the Transparency Law shows that it is less threatening to bureaucrats and politicians than the BEITI Bill.

The non-passage of the BEITI Bill also suggests that demonstrated interest of international organizations in the enactment of anti-corruption legislations may undermine progress on governance reforms. The fact that the same Sylva administration that dilly dallied on the BEITI Bill passed 3 other anti-corruption laws without being prodded by any group suggests the donor interest in the BEITI and the involvement of the United Nations Office on Drugs and Crimes (UNODC) may have engendered fears and anxieties among government officials on the implications of enactment of the Act. Some key stakeholders argued that the disappearance of the BEITI Bill and its subsequent abandonment by the government that initiated it should be seen in this context. Given the role that the international community played in the imprisonment of former state governor as well as the travails of the immediate past governor of neighbouring Delta State at the time, the loss of interest in BEITI by the Sylva administration is understandable.

Finally, the progress recorded in JIA Component underscores the significance of making existing institutions drivers of change. By using the established authority system in the component, UNODC has succeeded in promoting ownership and enhancing the prospects of sustainability of the reform initiatives.



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# ANNEX I. TERMS OF REFERENCE OF THE EVALUATION



# UNODC

United Nations Office on Drugs and Crime

## PROJECT EVALUATION TERMS OF REFERENCE

### 1. Background and Context

**Title of the Assignment:** Consultant to conduct mid term evaluation of the Project “Partnership in Bayelsa Expenditure and Income Transparency Initiative (BEITI) and Judicial Integrity Action (JIA)”

**Project Number:** NGA T97

**Project Title:** Partnership in Bayelsa Expenditure and Income Transparency Initiative (BEITI) and Judicial Integrity Action (JIA)

**Duration of the Assignment:** 1 Month

**Location:** Abuja and Yenagoa

**Start Date:** 9 May, 2012

#### **Linkages to Country**

**Programme:** In line with the UNODC Strategy 2008 – 2011 the overall objective of the project is to improve the capacity of the Bayelsa State Government to develop and enact legislation in line with the provisions of the UNCAC and to build institutional and operational capacity to effectively implement such legislation. (Result Area 1.1; 30%).

Moreover, the project will support relevant target groups in developing preventive anti-corruption policies in compliance with the UNCAC and in enhancing their capacity to effectively implement such policies. At the same time, the project will strengthen public awareness on the negative impact of corruption, and how to prevent corruption from occurring as well as increase chances for detection of corruption in the management of public resources (Result area 3.2; 30%).

The project also aims to make the Bayelsa State justice system more accessible, accountable and effective (Result area 1.3 and 3.2.5; 40%).

Similarly, this project is in line with the United Nations Development Assistance Framework for Nigeria (2009-2012), UNDAF Outcome 1 on Good Governance.

#### **Linkages to Regional**

**Programme:** Regional Programme for West Africa 2011 – 2014

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The project supports two of the four key objectives of the Country Programme for Nigeria, as contained in the Regional Programme for West Africa 2010 - 2014. More specifically, the project assists the Government of Bayelsa State in reducing the level and effects of corruption through strong coordinated enforcement and preventive action as well as encouraging participation of civil society (Objective 1). The Project also supports justice sector reform with a specific focus on enhancing accountability, transparency and integrity of justice sector institutions (Objective 2).

**Linkages to Thematic Programme:**

- 1.1. Ratification and Implementation of conventions and protocols
- 1.3 Criminal Justice system more accessible accountable and effective
- 3.2. Corruption

**Executing Agency:**

UNODC

**Partner Organizations:**

Bayelsa State Non-Governmental Organisations Forum (BANGOF), National Judicial Institute, BEITI Secretariat, Bayelsa State Judiciary

**Total Approved Budget:** US \$ 3,600,171 (Donor funding and US \$ 200,000 counterpart contribution)

**Donors:**

Kingdom of the Netherlands and Bayelsa State Judiciary

**Type of Evaluation:**

Mid-Term

**Geographical Coverage Of the Evaluation:**

Bayelsa State, Nigeria

**Core Learning Partners**

Bayelsa State Non-Governmental Organisations Forum (BANGOF), National Judicial Institute (NJI), BEITI Secretariat, Bayelsa State Judiciary, Legal Aid Council

**Brief Project Description**

In line with the requirements of Art. 9 para.2 and Art. 10 United Nations Convention against Corruption (UNCAC) regarding transparency and accountability in the management of public finances, the project will support the creation of legal, institutional and technical capacities for the implementation of Bayelsa Expenditure and Income Transparency Initiative BEITI. The project will provide policy advice, expertise, training and other services to Bayelsa State counterparts, including the BEITI secretariat and the BEITI Stakeholder Working Group, and cooperate with BANGOF in the mobilization of civil society participation in the monitoring and reporting of budget implementation and expenditure, so as to foster community involvement in anti-corruption action (Art. 13 UNCAC).

Under the Judicial Integrity Action Component (JIA), the project will work with the Bayelsa Chief Justice's management team in the development and implementation of a State Action Plan aimed at enhancing access to justice; timeliness and quality of justice delivery; integrity, accountability and transparency of the court process; and coordination across the criminal justice system (Art. 11 UNCAC, UN Basic Principles on Judicial Independence, Bangalore Principles on Judicial Conduct ECOSOC 23/2006, Universal Human Rights Declaration Art. 2, 6, 7, 8 & 10, International Covenant of Civil and Political Rights Art. 2, 9, 14 & 26).

At the end of the project, BEITI and JIA will have created the environment for transparent income/expenditure monitoring in the State and for a more accessible, efficient and accountable justice system. This project complements UNODC's expanding portfolio in the justice and anti-corruption sector in Nigeria, in particular ongoing projects aimed at judicial integrity and corruption prevention (NGA/S08 and NGA/T10).

## **2. Disbursement History**

<b><u>Overall Budget (Time period)</u></b>	<b><u>Total Approved Budget</u></b>	<b><u>Expenditure</u></b>	<b><u>Expenditure in %</u></b>
	<b>\$3,595,229</b>	<b>\$966,575</b>	<b>27%</b>

## **3. Purpose of Evaluation**

This is the mid term evaluation of the NGA T97 project: **Partnership in Bayelsa Expenditure and Income Transparency Initiative (BEITI) and Judicial Integrity Action (JIA)**. The purpose of the evaluation is to assess, analyse and draw conclusions on the design and implementation of the project vis-à-vis the expectations earlier earmarked for the period it has been implemented. The evaluation will therefore, assess the relevance, efficiency, effectiveness, impact and sustainability of the project and identify lessons learnt and best practices. A national consultant to be recruited will review the existing documentation and costed work plan, undertake visits to selected relevant project counterparts and finally consult with the Working Group in a one day workshop.

In a nutshell, the evaluation will assess the implementation of the project in terms of organisational goals, quality and timeliness of inputs and efficiency and effectiveness of activities carried out. Lessons learnt and best practices could further assist in revising the project to meet the overall objectives as well as guide the development of future UNODC anticorruption projects.

## **4. Scope of Evaluation:**

The evaluation will assess the implementation of the project from the start up date of December 2009 until December 2011. It will be a single 2-week mission that will be carried out in Yenagoa and Abuja with a desk review at the duty station of the evaluator.

## **5. Evaluation Criteria and Key Evaluation Questions**

In addition to project implementation, management and the accomplishment of objectives and outcomes, the evaluation will appraise the following:

### ***a) Evaluability of the project***

- Has a project monitoring system been set up to allow a proper monitoring throughout the project?
- Are targets well specified in the project document, including clear and concise performance indicators?

### ***b) Relevance***

- To what extent was the project aligned with the national strategies and plans to combat corruption?
- Was the project the appropriate solution to providing support in the area of accountability and transparency in budgeting and appropriation of public funds in Bayelsa State?
- Has the project provided the necessary support to the Bayelsa Expenditure and Income Transparency Initiative and its secretariat?

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- Was the project the appropriate solution to providing support in the area of judicial integrity in Bayelsa State?
  - Are the objectives contained in the project still relevant to the actual and local situation thus far?
  - Has the project so far been able to take advantage of the resources and instruments developed by UNODC in these areas?

***c) Clarity, quality and appropriateness of project design?***

- Is there a clear and logical consistency between the objectives, activities, outputs, in terms of quality, quantity, timeframe and cost-efficiency?
- Are the beneficiaries well identified in the project document?
- Are prior obligations and prerequisites (assumptions and risks) well specified in the project document?
- Is the managerial and institutional framework for implementation well spelt out?
- Is the planned project duration realistic?
- Are all external institutional relationships correctly identified?

***d) Effectiveness, efficiency and adequacy of project implementation***

- Has the project achieved its objectives and result (outputs, outcomes and impact)? If not, has some progress been made towards their achievement?
- What are the factors responsible for the project's successes if any?
- What are the major challenges, opportunities and obstacles encountered by the project as a whole?
- Has the project funding been properly and timely allocated as well as spent as planned?

***e) Impact***

- What difference has the project made to beneficiaries?
- Which of the outputs did the project successfully contribute to?

***f) Level of coordination, cooperation and partnerships with national counterparts***

- Level and quality of partnerships established with direct project partners;
- Level and quality of partnerships established with other relevant national stakeholders;
- Are there other intended or unintended, positive or negative (long term) effects on individuals, communities and institutions related to the project's intervention?

***g) Sustainability***

- Have the prospects for sustainability been addressed during the development of the project concept and related strategies? What measures were put in place to ensure sustainability?
- To what extent will the benefits generated through the project be sustained after the end of donor funding?

- Are the beneficiaries engaged to take ownership of the objectives to be achieved by the project? Are they committed to continue working towards these objectives once the project has ended?

***h) Partnership***

- Have coordination mechanisms between UNODC and other relevant development entities been successfully established?
- What lessons can be drawn from the coordination efforts and working arrangements between the UNODC project team, its counterparts/beneficiaries, other sections of UNODC (e.g. HQ) and partners organizations/other providers of similar type TA in the country?
- What were the comparative advantages of UNODC and was the project implemented with these in mind?

Based on the above analysis, the mission will draw specific conclusions and make proposals for necessary further action by UNODC and stakeholders to ensure sustainability and result of current project and what should be taken into account as lessons learnt.

**6. Evaluation Methodology**

The Individual Contractor is expected to use the following methods to evaluate the project:

- A review of existing documentation (including the project document, Minutes of the Project Steering Committee and documents relating to the project, see Annex 1).
- Participation and interviews with partners, stakeholders and relevant UNODC staff.
- Field visits to institutions involved in assessments.
- Overall general observations.
- Meeting with members of the Project Steering Committee of the project.

In conducting the evaluation, the evaluator needs to take account of relevant international standards, including the UNODC Independent Evaluation Unit (IEU) Evaluation Policy and Guidelines<sup>1</sup> and the United Nations Evaluation Group (UNEG) Norms and Standards.

**7. Timeframe and Deliverables**

The tentative time frame for the evaluation would be from 9 May to 23 May 2012 in accordance with the below table:

<b>S/N</b>	<b>Activity</b>	<b>Day</b>	<b>Location</b>
1	Briefing at UNODC Abuja Desk review of background documents (Inception Report)	10 May	UNODC Office
2.	Meeting with Country Representative and the Royal Netherlands Embassy	11 May	IEU, UNODC Head Quarters

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3.	Review of Inception report by the IEU	11 May	UNODC Office
4	Internal consultations / Meeting with Project team	12 may	
5	Depart for Yenagoa , Bayelsa state	13 May	Abuja
6	Meeting with select project stakeholders in Yenagoa – Chief Judge Bayelsa State, Chief Registrar High Court Bayelsa State, Chairman Implementation Committee, BANGOF Chairman and Vice Chairman, Legal Aid Council, other justice sector players.	14-15 May	Yenagoa, Bayelsa State
9	Project Stakeholder Workshop to present findings of draft report and receive feedback	16 May	Yenagoa, Bayelsa State
10	Travel to Abuja	17 May	Port Harcourt to Abuja
11	Internal consultations/report drafting and other ad-hoc meetings	18 May	Abuja
12	Finalisation of draft report and submission to UNODC	19 -20 May	Abuja
13	UNODC review and comments	21 May	Abuja
14	Incorporation of comments provided by UNODC	22 May	Abuja
15	Review and approval of final report	23 May	Abuja

### **Deliverables**

1. Inception report, containing a refined workplan, methodology and evaluation tools;
2. Draft Evaluation Report in line with UNODC evaluating policy and guidelines;
3. Final evaluation report including annex with management response;
4. Presentation of evaluation findings and recommendations to core learning partners (CLP) and other key stakeholders.

### **8. Evaluation Team Composition**

The evaluation will be conducted by one independent national evaluator with administrative support provided by the project staff for the duration of the assignment

Responsibility:

- a) The national evaluator will be responsible for:
  - the strategic and operational guidance and management of the mission, familiarize himself with the project documentation and comment on the draft methodology and tools,
  - Identify and set up meeting with third parties who might have first hand knowledge of the project
  - Do a first analysis of the results of the field survey,
  - Prepare a draft project evaluation report with findings, lessons learned, and recommendations; and
  - Submit a final mid – term project evaluation report on the NGAT97 project covering the project concept and design, implementation, outputs, outcome and impact of the project, recommendations, and lessons learned. This report will follow the outline below:

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## **Evaluation Report Outline**

1. Executive summary (maximum 4 pages)
2. Introduction
3. Background (Programme/project description)
4. Evaluation purpose and objective
5. Evaluation Methodology
6. Major findings
7. Lessons learnt (from both positive and negative experiences)
8. Constraints that impacted programme delivery
9. Recommendations and conclusions

## **Qualifications:**

The national evaluator to be contracted should possess the following minimum selection criteria:

- Must be an independent evaluator who has had no prior involvement with the project during its design and implementation phases; 20%
- Possess advanced university degree in law, public administration, social sciences ,economics, business administration or related field and at least 10 years of experience, in the field of anti-corruption research and analysis and justice sector reform; 30%
- Sound knowledge of frameworks required for the successful conduct of evaluation and project management;10%
- Experience working with the United Nations;10%
- Proficiency in English, including a proven ability to draft at a professional level in that language. 30%

## Cumulative analysis

The evaluation Criteria as shown in the table below shall be used to evaluate all the proposals received. The award of the Individual Consultant Contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- a) responsive/compliant/acceptable, and
- b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

\* Technical Criteria weight; [70]

\* Financial Criteria weight; [30]

Only candidates that obtain a minimum of 49 points in the technical evaluation would be considered for the Financial Evaluation. The maximum 30 points will be allotted to the lowest bid, all other bids shall receive points in inverse proportion to the lowest fee e.g. [30 Points] x [Naira lowest] / [Naira other] = points for other proposer's fees.

## 9.Management of evaluation process

The evaluation will be conducted in full consultation with all project partners, namely:  
a) UNODC Nigeria and local partners (BEITI secretariat, Bayelsa Judiciary, BANGOF etc). IEU will be supporting CONIG throughout the evaluation process;

The evaluation team will have access to all relevant documents and available officers who have worked on the project;

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The current planning schedule is for the evaluating to take place during the period of 1 March 2012 – 16 March 2012;

UNODC project team will be available to provide logistical support to the evaluator; The mission will present to all parties its main findings and recommendations; thereafter, the final report will be submitted to UNODC not later than one week after the end of the evaluation.

b) The **Independent Evaluation Unit (IEU)** of UNODC will facilitate the initial evaluability assessment, clarify the ToR and evaluation procedures, clear the selection of consultants, clear the inception report and provide quality assurance by reviewing the first draft and providing clearance of the final report. The evaluation team will be guided by the IEU to ensure compliance with UNEG norms and standards of evaluation and UNODC's evaluation policy, guidelines, and templates.

#### **10. Payment Modalities**

The consultant will receive 30% of the total individual contractual fees upon submission and approval of the comprehensive evaluation design matrix and 70% upon completion of the assignment, subject to certification by UNODC CONIG and IEU clearance of the final evaluation report.

UNODC will provide for travel expenses and Daily Subsistence Allowance (DSA) when the consultant will be on project related mission out of his/her place of residence. UNODC will provide the consultant with transport and required logistics for the effective discharge of this assignment. DSA will be paid in accordance with the prevailing rate at the time of mission.

## ANNEX II. LIST OF PERSONS CONTACTED DURING THE EVALUATION

1. Hon. Justice Mrs. Kate Abiri, Chair, Project Steering Committee/Chief Judge, Bayelsa State
2. Hon. Justice Raphael Ajuwa, Chair, Implementation Committee, JIA, Bayelsa State Judiciary
3. Mr. I. A. Uzaka, Chief Registrar, Bayelsa State Judiciary
4. M. T. Ombeh, Secretary, Implementation Committee, JIA/Bayelsa State Judiciary
5. Hon. Justice Mrs. Doris N. Adokeme, Bayelsa State Judiciary
6. Prof. Festus Emiyi, Nigeria Law School, Yenagoa
7. Mrs. Miriam Kombo Ezeh, Director, Nigeria Law School, Yenagoa
8. Princess Egba, Rescue Organization
9. Mrs. Amina Saibidor, National Association of Women Journalists (NAWOJ), Bayelsa
10. Mrs. Temipre Idoko, National Association of Women Journalists (NAWOJ), Bayelsa
11. Nigeria Union of Journalist
12. Mr. Igoniko Oduma, Daily Independent, Yenagoa
13. Dr. Ibaba S. Ibaba, Niger Delta University, Wilberforce Island
14. Dr. Ambilly Etekpe, Niger Delta University, Wilberforce Island
15. Surveyor Joshua Ongore, Director General, Bureau for Due Process and E-Governance, Yenagoa
16. Mr. Vincent Max-Egbe, Director, Legal Unit, Bureau for Due Process and E-Governance, Yenagoa
17. Mr. Billy Tobiyei, Director, Ethics and Compliance, Bureau for Due Process and E-Governance, Yenagoa
18. Chief Benjamin Awo, Chairman, Customary Court, Oloibiri.
19. Chief D. A. Okoh-Adogu, Member I, Customary Court, Oloibiri.
20. Madam Patience Akpana, Member II, Customary Court, Oloibiri
21. Mr. Promise Lagumo, Registrar, Customary Court, Oloibiri.
22. Mr. David Esueme-Kikile, National Project Officer (BEITI), UNODC.
23. Ms. Ugonna Ezekwem, National Project Officer (JIA), UNODC.
24. Mr. Tahiru Ibrahim, National Coordinator, UNODC
25. Mrs. Patricia Okoye, Project Assistant, UNODC
26. Ms. Elizabeth Preye Joseph, Former Project Coordinator, BEITI
27. Mr. Phillip Slabor, Former Chairman, BANGOF
28. Mr. Torki Dauseye, Vice Chairman, BANGOF
29. Mr. Willie Etim, Guardian Newspapers, Yenagoa
30. Mr. Charles Tambou, General Manager, Bayelsa Newspaper Corporation
31. Mr. Williams Flint, Chairman, Civil Liberties Organization (CLO), Bayelsa State



## ANNEX III. EVALUATION TOOLS: QUESTIONNAIRES AND INTERVIEW GUIDES

### *a) Design*

- Is there a clear and logical consistency between the objectives, outcomes and outputs?
- Is the design based on contextual analysis?
- Was the needs assessment of the project participatory?
- Are the beneficiaries well identified in the project document?
- Are prior obligations and prerequisites (assumptions and risks) well specified in the project document?
- Is the managerial and institutional framework for implementation well spelt out?
- Is the planned project duration realistic?
- Are all external institutional relationships correctly identified?

### *b) Relevance*

- To what extent was the project aligned with the national strategies and plans to combat corruption?
- Was the project the appropriate solution to providing support in the area of accountability and transparency in budgeting and appropriation of public funds in Bayelsa State?
- Has the project provided the necessary support to the Bayelsa Expenditure and Income Transparency Initiative and its secretariat?
- Was the project the appropriate solution to providing support in the area of judicial integrity in Bayelsa State?
- Are the objectives contained in the project still relevant to the actual and local situation thus far?
- Has the project so far been able to take advantage of the resources and instruments developed by UNODC in these areas?

### *c) Efficiency?*

- What progress has been made in attaining project outputs?
- Have resources been made available to partners in a timely manner for project activities?
- Do partners understand their roles in the project?
- Is the managerial and institutional framework appropriate for delivery of outputs?
- Do you consider the support provided by UNODC relevant and adequate for the project?

### *d) Partnerships and cooperation*

- Do you think project partners understand their respective roles in the partnership and value the contributions of others?
- To what extent have project partners discharged their roles and responsibilities?

- What is the quality of partnerships established with other relevant national stakeholders?
- What are the challenges facing the partnerships and how have such challenges impacted on the project implementation;
- Are there other intended or unintended, positive or negative (long term) effects on individuals, communities and institutions related to the project's intervention?
- Have coordination mechanisms between UNODC and other relevant development entities been successfully established?

***e) Effectiveness***

- Has the project achieved its objectives and result (outputs, outcomes and impact)? If not, has some progress been made towards their achievement?
- What are the factors responsible for the project's successes if any?
- What are the major challenges, opportunities and obstacles encountered by the project as a whole?
- Has the project funding been properly and timely allocated as well as spent as planned?

***f) Impact***

- What difference has the project made to beneficiaries?
- Which of the outputs did the project successfully contribute to?
- Are there any unintended consequences that you can attribute to the project?

***g) Sustainability***

- Have the prospects for sustainability been addressed during the development of the project concept and related strategies? What measures were put in place to ensure sustainability?
- To what extent will the benefits generated through the project be sustained after the end of donor funding?
- Are the beneficiaries engaged to take ownership of the objectives to be achieved by the project? Are they committed to continue working towards these objectives once the project has ended?

***h) Innovation***

- Have the project partners introduced new activities and outputs not stated in the project documents?
- Do you think UNODC has contributed to new ways of doing things through this project?
- What do you consider to be the key areas of innovation in the project?

## ANNEX IV. DESK REVIEW LIST

- Action Plan for Justice Sector Reform Bayelsa State 2011- 2013
- Annual Report 2010. (Prepared by U. Ezekwem and U. Osigwe).
- Annual Report 2011. (Prepared by I. Tahiru)
- Bayelsa State Government (2009) Bayelsa State Public Procurement Law
- Bayelsa State Government (2012) Bayelsa State Income and Expenditure Transparency Law
- Minutes of the Meeting of the First Project Steering Committee (PSC), UN House, 7<sup>th</sup> June 2011
- Minutes of the Meeting of the Second Project Steering Committee (PSC), UN House, 5<sup>th</sup> December 2011
- Minutes of the Meeting of the Third Project Steering Committee (PSC), Sheraton Hotel, 30<sup>th</sup> March 2012
- Opening Remarks by Ms. Mariam Sissoko, Representative, UNODC Nigeria Country Office at the Meeting of the Third Project Steering Committee (PSC) of Project NGA T97.
- Opening remarks by Mr. Ibrahim Tahiru, Project Coordinator, UNODC Nigeria Country Office at Town Hall Meeting of the Bayelsa State Judiciary held at Ogbia on 30 April 2012.
- Project Progress Report by Mr. I. Tahiru, Project Coordinator to the Second Meeting of the Project Steering Committee (PSC) on December 5, 2011.
- Project Document : NGA T97 Partnership in the Bayelsa Expenditure and Income Transparency Initiative (BEITI) and the Judicial Integrity Action Programme (JIA)
- Project Evaluation Terms of Reference: NGA T97 Partnership in the Bayelsa Expenditure and Income Transparency Initiative (BEITI) and the Judicial Integrity Action Programme (JIA)
- Quarterly Report of Project, First Quarter 2012.
- Sefton, D. et al 'Bayelsa Expenditure and Income Transparency Initiative (BEITI): Implementation Strategy and Reporting Templates', prepared for BEITI Multi-Stakeholder Working Group and Revenue Watch Institute, November 2009.
- UNODC Evaluation Policy (by Independent Evaluation Unit)