Final Independent Cluster Evaluation

The 6Ps – Public-Private Partnership for Probity in Public Procurement

Outreach and Communications Programme for the United Nations Convention against Corruption

Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption

GLOX30, GLOX31 and GLOX32
Global

February 2015
This evaluation report was prepared by an evaluation team consisting of Elca Stigter (team leader), Anil Kumar Das (national evaluator India) and Roberto Hernandez and Alejandra Velazquez (national evaluators Mexico). The Independent Evaluation Unit (IEU) of the United Nations Office on Drugs and Crime (UNODC) provides normative tools, guidelines and templates to be used in the evaluation process of projects. Please find the respective tools on the IEU web site: http://www.unodc.org/unodc/en/evaluation/evaluation.html

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<td>ACAD</td>
<td>Anti-Corruption Academic Initiative</td>
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<td>CAP-INTACT</td>
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<td>CANAINTEX</td>
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<td>IEU</td>
<td>Independent Evaluation Unit</td>
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<td>LPO</td>
<td>Liaison and Partnership Office</td>
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<td>MoFA</td>
<td>Ministry of Foreign Affairs</td>
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<td>MoPA</td>
<td>Ministry of Public Administration</td>
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<td>NDP</td>
<td>National Development Plan</td>
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<td>OECD</td>
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<td>Acronym</td>
<td>Full Form</td>
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EXECUTIVE SUMMARY

Although States are the primary subjects of the United Nations Convention against Corruption (UNCAC), the prevention of corruption and the promotion of a culture of integrity, transparency and accountability are the responsibility of all parts of society, including the private sector. The important role of companies in preventing corruption has been underpinned in three resolutions adopted at the Conference of States Parties to the UNCAC held in respectively 2009, 2011 and 2013, and expressed in the 10th principle of the UN Global Compact. In order to promote and support integrity efforts of public and private actors at different levels, UNODC designed and implemented the following three projects: ‘The 6 P’s: Public-Private Partnership in Probity in Procurement’ (GLOX30), ‘Outreach and Communication programme for the United Nations Convention against Corruption’ (GLOX31) and ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ (GLOX32) with funding of the Siemens Integrity Initiative.

The objective of GLOX30 was ‘to promote States’ implementation of article 9 of the United Nations Convention against Corruption, to support private actors’ efforts to comply with the 10th Principle of the United Nations Global Compact [...], and to reduce vulnerabilities to corruption in public procurement systems through the establishment of Public-Private Partnerships for Probity in Public Procurement’. The objective of GLOX31 was ‘to support private actors’ integrity efforts by educating present and future generations of business and public leaders and better informing the corporate community of the United Nations Convention against Corruption’, and the objective of the third project GLOX32 was ‘to promote States’ implementation of articles 26 (liability of legal persons), 32 (protection of witnesses, experts and victims), 37 (cooperation with law enforcement authorities) and 39 (cooperation between national authorities and the private sector) of UNCAC and to facilitate private actors’ compliance with the 10th principle of the UN Global Compact [...] through the creation of a system of legal incentives to companies’ integrity efforts in the beneficiary countries, hence encouraging business to come forward and report internal incidents of corruption’.

Whereas GLOX31 was implemented at the global level, the other two projects also had national components in respectively India and Mexico. The three projects were managed by UNODC’s Corruption and Economic Crime Branch, and have been implemented from 1 April 2011 to 30 September 2014. This period includes a half year extension granted by the donor. The projects were funded by the Siemens Integrity Initiative with a total budget of USD 3.05 million. This final cluster evaluation, which took place from July to September, 2014, assessed the projects’ overall performance and results by analyzing the following evaluation criteria: relevance, design, efficiency, effectiveness, impact, partnerships and cooperation, and sustainability.

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The design of GLOX30, GLOX31 and GLOX32 has been the result of combining interests and needs of the donor, UNODC and its counterparts at the global and national level. The three projects have been designed in a participatory way at different stages of their implementation, and by doing so built ownership of the process and results among the most important project partners. The project documents have been comprehensive, with a logical framework and a log frame with indicators and a schedule for the monitoring of milestones, thereby offering a rational for the selection of activities, and the process of implementation. However, expected results and indicators at varying levels have generally been over-ambitious and therefore failed to correspond with all SMART criteria, and the capacity identified to undertake GLOX31 has been inadequate to deal with its entire scope – the project revisions undertaken in 2013 only addressed these concerns to some degree.

The three projects have been relevant, and their objectives in accordance with UNODC legal and policy directives and directions set out at the global, regional and national levels. These objectives have not only concurred with relevant resolutions of the Conference of the States Parties to UNCAC, but also with the overall objectives of UNODC’s thematic programme ‘Action against Corruption and Economic Crime’ as well as with the objectives and relevant thematic areas of the UNODC Strategies for 2008-2011 and 2012-2015. At the regional and national levels, the national components of GLOX30 and GLOX32 have been aligned with the objectives given in the regional strategies of respectively UNODC ROSA and UNODC LPO as well as the United Nations Development Assistance Frameworks for respectively India and Mexico. Both India and Mexico are States Parties to UNCAC, and their National Development Plans reiterate their commitment to prevent and fight corruption. Internal synergies between GLOX30, GLOX31 and GLOX32, and synergies between these and other UNODC projects as well as other projects funded by the Siemens Integrity Initiative have been given due attention.

The projects have to a large extent been implemented efficiently, and have achieved the originally planned outputs, although their shape and substance has in some instances been changed to adapt to existing needs. The outputs of GLOX31 were mostly achieved, with the finalization and critical review of the UNCAC Communications Strategy, the publication and dissemination of a toolkit, the integration of a private sector webpage integrated into UNODC’s anti-corruption portal TRACK, and a comprehensive academic learning course on UNCAC entitled ‘Global Corruption, Good Governance and the United Nations Convention against Corruption’. In addition, outputs of the global components of GLOX30 and GLOX32, namely a ‘Guidebook on Anti-corruption in Public Procurement and the Management of Public Finances’ and ‘A Resource Guide on State Measures for Strengthening Corporate Identity’, were published and two correspondent courses have been developed and conducted by IACA. The same applies to the components implemented in India and Mexico, although the shape of the originally planned outputs has at times been altered to adequately respond to existing needs and the legislative and political context. Public-private partnerships have been established to support the design, implementation and completion of the legislative review and baseline studies. In Mexico six training modules have been completed, and 562 trainees received their diploma. In India several training workshops were held, and two e-modules on public procurement and corporate integrity were launched in August 2014.

The projects have been cost-efficient, and the majority of activities and outputs have been delivered on time. Major delays have been noted in the communication component of GLOX31, and several national-level activities. Several factors have led to these delays, ranging from UNODC capacity, processes and procedures to external participatory processes to initiate and build public-private sector partnerships. Additionally, some delays at the national level can also
be traced back to political events, such as elections, and the re-organization of the Government in one state in Mexico. Last but not least, some challenges were also faced as a consequence of the continued sensitive nature of the topic, with selected contractors at global and national levels, and because of technical difficulties to finalize IT-based outputs.

This cluster of projects could not have been implemented without the numerous partnerships established, nurtured and strengthened between UNODC and the Governments of respectively India and Mexico, other States parties to UNCAC, the private sector, IACA and civil society, including academic institutions. However, the aim of UNODC to strengthen its partnerships with the private sector has only to some extent led to the desired results, although the experience was seen as beneficial as it offered the agency a reality-check and exposed its limitations as a consequence of available capacity and existing rules and regulations. The experience also presented its operational niche, namely by using its convening power to initiate, maintain and strengthen public-private partnerships, which has in particular been visible at the national level. Relationships with the UN Global Compact could possibly have been capitalized on more than was actually done at the global level as well as in India. At the national level partnerships were established with the private sector, especially with entities with an umbrella function, such as Chambers of Commerce and Industry Confederations, as well as – in particular - some large companies which had already invested in social responsibility and/or integrity programmes, and were therefore interested to pursue this avenue further in partnership with the government. Furthermore, UNODC’s collaboration with IACA, and the synergy between related activities and the ACAD project have been regarded as constructive and effective, which on the one hand provided IACA with relevant expertise to strengthen its own training capacity, and on the other hand cultivated a flourishing network of academics interested in teaching on corruption.

The three projects have to some extent been effective, as objectives and outcomes have been fully or partially achieved. The project outcomes of GLOX31 have to a large extent been met. Although it can be expected that the knowledge and understanding of UNCAC of companies has increased, no monitoring data have been collected to confirm this assumption. Furthermore, teaching on UNCAC at academic institutions and business schools has increased with the course being used by at least twenty universities and set to be expanded more via ‘teach the teacher’ courses with significant funding from two States signatories to UNCAC. Outcomes in the field of compiling model practices, and educating public and private sector representatives on public procurement and corporate integrity have also been achieved. 350 copies of both guidebooks have been distributed, and made available online, and related courses have been developed and held by IACA. The outcomes of the project components implemented in India and Mexico have only been partially achieved, as an enabling environment has been created to reduce opportunities for corruption in public procurement and move towards establishing a system of corporate integrity.

The impact of this cluster of projects, at least to the extent that this can be assessed at this stage, has overall been positive, with profound changes in several areas. First and foremost, the three projects, and especially GLOX31, have identified UNODC’s niche to work effectively with the private sector, namely through public-private partnerships. Related to the first one is the awareness that public-private partnerships in this field must often be initiated, and that extensive effort needs to be undertaken to bring these two sectors together, and support a dialogue to – potentially - develop a common agenda. Thirdly, capacity in the field of education has been built by means of training modules for different audiences, and by involving different knowledge institutions in developing and using these modules. A fourth area of impact is that India and Mexico are better prepared to receive missions as part of the first and second round of the Mechanism for the Review of Implementation of the United Nations Convention against
Corruption, and, fifth, that information-sharing about the projects’ results has taken place during different sessions of the Conference of the States Parties to UNCAC and in related background papers which could potentially have a ripple effect in other states in the future.

Several results are sustainable in the short and/or longer term. Especially in the field of education, the achievements are likely to continue and expand, such as with respect to the usage of the UNCAC academic course, the PACT and LICIT courses of IACA and – potentially – the training modules developed at the national levels. The three projects have all resulted in publications at the global and national levels which are available in the public realm. The toolkit and the two publications addressing model practices in fighting corruption in public procurement and in promoting corporate integrity will be reprinted in the near future. The extent to which the private sector subpage on the TRACK website will continue to be updated is however directly correlated with the availability of IT expertise in CEB. The implementation of the UNCAC Communications Strategy will most likely not receive another impetus despite its potential, although some of the partnerships strengthened under the three projects are envisaged to continue. These include UNODC’s continued cooperation with ACAD members, and some private sector actors. However, the technical committees in respectively India and Mexico have ceased to exist, although this platform might be used again in Mexico for similar purposes. Institutional change, such as the creation of new institutions, and the adoption of new legislation, rules and regulations, has been limited, although the activities have contributed to a strengthened knowledge base in UNODC on how to cooperate with the private sector, and to creating an enabling environment for such change to take place at the national level. In Mexico, the Social Responsibility Commission in CONCAMIN is expected to continue to function beyond the project’s life-span.

In conclusion, GLOX30, GLOX31 and GLOX32 have given UNODC the opportunity to reflect on its partnership with the private sector, and on the one hand explore different avenues to strengthen this in the field of resources, information-sharing, dissemination and networking and, on the other hand, use its convening power to support public-private partnerships to further the implementation of UNCAC. The above-mentioned projects have been relevant, efficient and effective to a large extent, and explored, set up and strengthened new and existing partnerships. The potential impact can – among others – be seen in this area, as well as a transformed relationship between not only public and private actors, but also – at least in Mexico - between different levels of government. Especially the educational components have sparked much interest among different stakeholders in various settings, including at sessions of the Conference of the States Parties to UNCAC, thereby providing tools to educate younger generations on the prevention of corruption.

The following recommendations can be made to respectively the donor, UNODC, the Governments of India and Mexico and to the private sector.

To the donor the following recommendations can be made: Provide sufficient time to the implementing agency to examine potential partnerships during the design phase; Support the implementing agency with adequate financial resources to recruit sufficient staff capacity to implement the projects; Provide adequate time to the implementing agency to execute the projects, and consider managing expectations with respect to results in this field of work.

To UNODC the following recommendations can be made with respect to public-private partnerships: Continue to explore funding opportunities with companies to support the work of UNODC, including in the field of anti-corruption; Enhance the profile of the Office as a convening power in multi-stakeholder projects, including with respect to public-private
partnerships; Continue to partner with the private sector by dedicating staff time to support such activities (providing that funding is available); continue to target umbrella organizations of the private sector at the international and national level, such as the B20 and PACI, and focus on those with strong corporate integrity initiatives; In the case of future communication, outreach and/or training activities, consider enhancing the partnership with the UN Global Compact; Dependent on the stage of accessing UNCAC, and the possible time-span between ratification and project implementation, some attention must also be given to outreach activities on UNCAC in general in addition to initiating activities addressing particular articles of this convention.

To UNODC the following recommendations can be made in the field of project design, implementation, and monitoring and evaluation: Ensure that sufficient attention is given to including adequate capacity in the logical framework and budget when designing a project; Ensure that adequate time is given in the schedule to build public-private sector partnerships at the national level; Ensure that the intervention logic corresponds with the legal framework and political system in beneficiary States; Ensure that the inclusion of comprehensive monitoring activities to measure results of is accompanied with adequate financial resources to implement these activities; Dedicate sufficient time to reflecting on the pros and cons of particular survey instruments and get expert advice on design and implementation; With respect to developing training modules (such as the academic training module), consider including exercises in support of different teaching techniques to broaden the menu of options for users; Examine the pros and cons of online and offline training modules and training sessions; In the case of one or more projects with both global and national-level components, it is recommended that evaluation ToRs for international and national consultants are completed at headquarters level to ensure a coherent evaluation design.

The following recommendations can be made to the Government of India: Pass the Public Procurement Bill, 2013 (upper house of Parliament); Create rules for the enforcement of the Whistleblowers Protection Act, 2011, and enforce the Act; Adapt, if necessary, and utilize the e-training modules developed under the two projects; Consider replicating relevant activities to promote public-private partnerships at the state level, and support other states with developing legislation in the field of public procurement and corporate integrity.

Furthermore, the following recommendations can be made to the Government of Mexico: Continue with enhancing the implementation of relevant legislation in the field of public procurement; Consider strengthening legislation in the field of corporate integrity; Adapt if necessary, and utilize the training modules developed under the two projects; Consider replicating relevant activities to promote public-private partnerships as well as strengthen intra-governmental knowledge sharing and collaboration on corruption issues at the state level.

The following recommendation can be given to States Parties to UNCAC: Continue providing support to UNODC to further the implementation of UNCAC, including in the field of public-private partnerships to prevent and fight against corruption.

The following recommendations can be made to private sector actors: explore in-house opportunities to initiate and/or further shape institutional change in favour of corporate integrity; utilize available training modules to provide in-house training.

As already indicated above, lessons learned with respect to UNODC’s partnership with the private sector and public-private partnerships have been obtained as a result of the three projects, as well lessons in the field of project design (with respect to planning for sufficient human
resources, time for all necessary consultations when designing a project; time to build public-private partnerships; coherence between the intervention logic and the legal and political system of beneficiary states, SMART nature of indicators, and the need for adequate resources to undertake comprehensive monitoring activities), partnerships (time to build public-private partnerships; usage of the partnership between UNODC and the UN Global Compact), surveys (with online surveys having certain limitations); training (usage of different training techniques, pros and cons of online and offline training modules) and evaluation (preparation of all evaluation ToRs at the central level to ensure coherence). Last but not least, dependent on the stage of accessing UNCAC, and the possible time-span between ratification and project implementation, some attention must also be given to advocacy on UNCAC in general in addition to addressing particular articles of this convention.
### SUMMARY MATRIX OF FINDINGS, EVIDENCE AND RECOMMENDATIONS

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<th>Recommendations3</th>
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<td>UNODC has limited capacity to provide support to States and further the implementation of UNCAC, including with respect to creating public-private partnerships to prevent and fight against corruption, whereas the importance of the latter partnership has been repeatedly pointed out in resolutions of the Conference of the States Parties to UNCAC.</td>
<td>Resolutions of the Conference of the States Parties to UNCAC; Semi-structured interviews</td>
<td>Consider providing support to UNODC to further the implementation of UNCAC, including in the field of public-private partnerships to prevent and fight against corruption (States parties)</td>
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<td>The implementation of the three projects has offered lessons learned and good practices to UNODC with respect to the opportunities and limitations of its engagement with the private sector in the field of anti-corruption.</td>
<td>Project document, project revisions, semi-annual and annual reports, semi-structured interviews</td>
<td>Enhance the profile of the Office as a convening power in multi-stakeholder projects, including with respect to public-private partnerships to support collective action (UNODC);</td>
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<td>Private sector funding for corruption prevention activities has been limited. One reason given was that the topic was not seen as interesting enough by many companies, although – e.g. at the level of the B20 – the need to address this issue, including by strengthening public-private partnerships has been acknowledged.</td>
<td>Semi-structured interviews</td>
<td>Continue to explore funding opportunities with the private sector to support UNODC to promote the implementation of UNCAC, and seek opportunities to replicate these projects at the national level (UNODC/donors);</td>
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2 A finding uses evidence from data collection to allow for a factual statement.

3 Recommendations are proposals aimed at enhancing the effectiveness, quality, or efficiency of a project/programme; at redesigning the objectives; and/or at the reallocation of resources. For accuracy and credibility, recommendations should be the logical implications of the findings and conclusions.
| Lack of staff capacity to undertake network/outreach activities with the private sector. Additionally, there was some lack of clarity on which private sector actors had to be targeted during these activities. | Semi-structured interviews | Continue to target efforts to partner with the private sector by dedicating staff capacity to undertake such activities (providing that funding is available), with a focus on private sector umbrella organizations and large companies (UNODC) |
| Legislation at the federal level, GoI, is not yet fully compliant with UNCAC | Legislative reviews of relevant UNCAC articles, Semi-structured interviews | Clear the Public Procurement Bill, 2013 (upper house of Parliament), establish rules for enforcing the Whistleblowers Protection Act, 2011, and then enforce the Act (Government of India) |
| Legislation at the local and federal level of the Government of Mexico is not yet fully compliant with UNCAC | Legislative reviews of relevant UNCAC articles, Semi-structured interviews | Continue with enhancing the implementation of relevant legislation in the field of public procurement; Consider strengthening legislation in the field of corporate integrity (Government of Mexico) |
| Important recommendations | | |
| Limited human capacity and time during design, and limited time for the first project phase | Project documents, semi-annual and annual reports, semi-structured interviews | Provide adequate personnel, and time for designing and implementing the first project phase (donor) |
| Profound changes in the field of anti-corruption and the legislative sphere are more likely to be achieved in the long-term, and not during the life-span of a project of several years | Email communication, semi-structured interviews | Limit expectations regarding impact to strengthen efforts to prevent corruption to support realistic planning (donor, UNODC) |
| The design of the project has been overly ambitious, the logical framework did not correspond to the legal and political reality in beneficiary states, and indicators were not SMART. | Project documents, project revisions, semi-annual and annual reports, semi-structured interviews | Ensure that when designing a project, sufficient attention is paid to including adequate capacity, and time in the logical framework, milestones and budget, and develop SMART indicators; Ensure that the intervention logic corresponds with the legal framework and political system in beneficiary states (UNODC) |
| Limited to no corporate integrity rules, regulations | Semi-structured interviews | Explore in-house opportunities to initiate and/or further shape |
and/or bodies to support their implementation in companies in India and Mexico | institutional change in favour of corporate integrity (private sector actors in India and Mexico)
I. INTRODUCTION

Background and context

Corruption poses serious threats to society as it undermines their stability and security, institutions and values, thereby ‘jeopardizing sustainable development and the rule of law.’ The B20 Task Force on Improving Transparency and Anti-Corruption gives the following economic analysis: ‘The impact of corruption on doing business globally is staggering: estimates show that the cost of corruption equals more than 5% of global GDP (approximately USD 3 trillion) and that corruption increases the cost of doing business globally by up to 10% on average. In absolute numbers, the amount of total bribes paid is conservatively estimated to be US$ 1 trillion. Clearly, this represents a formidable obstacle to the socio-economic development of many countries. In the fight against these illicit practices, the private sector has a key role to play, both by supporting governments to take action and by taking appropriate measures to address these challenges.’ The business community has come to realize that a damaged reputation and expensive litigation adds significantly to the cost of doing business, and that therefore ensuring integrity in its policies and practices is sound business practice.

The United Nations Convention against Corruption (UNCAC) was adopted by the General Assembly of the United Nations on 31 October 2003, and entered into force on 14 December, 2005. As of September 2014, UNCAC has 140 signatories and 172 parties. The UNCAC provides a comprehensive set of rules, measures and norms in the field of preventive measures, criminalization and law enforcement, international cooperation, asset recovery, technical assistance and information exchange and mechanisms for implementation. Although States are the primary subject of this instrument and responsible for implementing the convention, ‘the promotion of a culture of integrity, transparency and accountability and the prevention of corruption are responsibilities to be shared by all stakeholders and sectors of society’, including the private sector. Section II of the UNCAC (articles 5 – 14) has been dedicated to measures to prevent corruption, and article 12 is entirely devoted to the private sector.

In accordance with article 63 of the Convention, the Conference of the States Parties to UNCAC was established to improve the capacity of and cooperation between States parties, and to achieve the objectives set forth in the Convention. Till date, five sessions of the Conference of the States Parties have been held in respectively 2006 (Amman), 2008 (Nusa Dua, Indonesia), 2009 (Doha), 2011 (Marrakech) and 2013 (Panama). The sixth session of the Conference of the States Parties is expected to be held in 2015. The Conference of the States Parties to the UNCAC adopted three

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4 UN General Assembly, 2003: 2
5 B20 Task Force, 2013b: 3
resolutions on the prevention of corruption in 2009, 2011 and 2013 at respectively its third, fourth and fifth session, in which also the crucial role of the private sector in preventing corruption was highlighted. The Conference also established an Open-ended Intergovernmental Working Group on the Prevention of Corruption in 2009 to support their work in this thematic area.\(^8\)

At its third session, the Conference of the States Parties to UNCAC adopted resolution 3/2 on the prevention of corruption. This resolution underpinned the role that the private sector has to play in preventing and fighting corruption. The Conference called ‘upon States parties to promote the business community’s engagement in the prevention of corruption by, inter alia, developing initiatives to promote and implement public procurement reform, working with the business community to address practices that generate reform, working with the business community to address practices that generate vulnerability to corruption and identifying elements of optimal self-regulation in the private sector’ (article 11). The resolution also ‘Encourages interested States parties, representatives of private sector entities and relevant international organizations to consult and collaborate with each other in order to share best practices for the alignment of systems of public procurement with the requirements of article 9 of the Convention’ (article 12).\(^9\)

In the fourth session of the Conference of the States Parties to UNCAC held in 2011, another resolution on the prevention of corruption was adopted (resolution 4/3), entitled ‘Marrakech Declaration on the Prevention of Corruption’, noting again the importance of the private sector to take part in corruption prevention activities. The Conference also mentioned that many States parties had shared information about this issue, and urged States parties to continue to share with the Secretariat and other States parties relevant information on such initiatives and good practices.’ During the fifth session of the Conference of the State Parties to UNCAC held in 2013, in addition to resolution 5/4 (‘Follow-up to the Marrakech declaration on the prevention of corruption’), which called for the input of the private sector to the Working Group\(^10\), a separate resolution 5/6 on the private sector was adopted. This was the first time that an entire resolution focused on the private sector. It also underlined the critical role of the private sector in the fight against corruption and called on States parties to strengthen their cooperation with this sector\(^11\).

During the third session of the Conference of the States Parties to UNCAC, the decision was made to establish a review mechanism of UNCAC. The Mechanism for the Review of Implementation of the United Nations Convention against Corruption began its work in July 2010, and the decision was made to have two review cycles: the first cycle would last five years (2010-2015) and cover Chapters III (Criminalization and law enforcement) and IV (International Cooperation), while the second cycle (2015-2020) will cover the chapters on preventive measures and asset recovery, respectively chapter II and chapter V. The Mechanism was launched in June 2012, and the outcomes of the reviews are envisaged to provide a global assessment and constitute a knowledge base on anti-corruption measures. Particularly in view of the forthcoming review of the implementation of chapter II during the second cycle of the Mechanism for the Review of Implementation of UNCAC, strengthening legislative and institutional frameworks consistent with the requirements of this chapter must be considered.

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INTRODUCTION

Several other global high-level initiatives to support the fight against corruption exist in which UNODC participates as observer or actively cooperatives with partner agencies to advance the anti-corruption agenda. For instance, UNODC participates as an observer in the Group of Twenty (G-20) Anti-Corruption Working Group, and has also been actively engaged in the Business-20 (B-20) Task Force on Improving Transparency and Anti-Corruption. The B-20 brings together leading independent business associations, and advocates on behalf of 6.7 million small, medium and large companies. UNODC also partners with the World Economic Forum, especially with the Partnering Against Corruption Initiative (PACI). UNODC also cooperates with the United Nations Commission on International Trade Law (UNCITRAL) on public procurement, which aims to assist States parties in the implementation of article 9 of the Convention, and with the OECD in the field of public procurement.

UNODC is also one of seven core UN agencies involved in the UN Global Compact (UNGC), which is ‘a strategic policy initiative for businesses that are committed to aligning their operations and strategies with ten universally accepted principles in the areas of human rights, labour environment and anti-corruption.’ UNGC has over 12,000 corporate participants and other stakeholders from over 145 countries, as well as local networks. This makes it the largest global corporate responsibility initiative. UNGC’s ten principles were adopted in June 2004, of which the 10th principle states that ‘Business should work against corruption in any form, including bribery and extortion’. This principle ‘was saluted as the private sector’s response to the Government’s adoption of UNCAC, thus underscoring that public and private actors share responsibility for fighting corruption’. The UNCAC was designated by the UN Secretary-General as this principle’s underlying legal instrument.

In order to promote and support the integrity efforts of public and private actors, UNODC designed three projects to strengthen public-private partnerships, enhance the knowledge of companies on how the UNCAC can make a difference in their work, support learning institutions with providing training on UNCAC, and promote the implementation of article 9 (public procurement), article 26 (liability of legal persons), article 32 (protection of witnesses, experts and victims), article 37 (cooperation with law enforcement authorities) and 39 (cooperation between national authorities and the private sector) of UNCAC. The following projects ‘The 6 P’s: Public-Private Partnership in Probity in Procurement’ (GLOX30), ‘Outreach and Communication Programme for the United Nations Convention against Corruption’ (GLOX31) and ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ (GLOX32) aimed to address these different articles of UNCAC by means of strengthening educational efforts on this instrument, legal frameworks and bridging knowledge and communication gaps between public and private actors.

Whereas GLOX31 was only implemented at the global level, the other two projects also had national components. India and Mexico were selected for the implementation of GLOX30 and

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12 The B20 provides ‘a unique link between governments, relevant international institutions and business communities in the world’s most important economies, the Coalition is instrumental in supporting the G20/B20 process and ensuring continuity over successive Country Presidencies’. http://www.b20coalition.org/coalition-overview.php
13 Conference of the States Parties to UNCAC, 2013b: 9
14 The UNGC offers a framework and management tools and recourses to ‘mainstream the Global Compact’s Ten Principles in business strategy and operations around the world; and [...] catalyze business action in support of UN goals and issues, with emphasis on collaboration and collective action (https://www.unglobalcompact.org/AboutTheGC/index.html)
GLOX32. These two countries have similar characteristics. Both India and Mexico are federal states, belong to the G20 economies, and therefore also to the B20, and are States Parties to UNCAC. Mexico ratified UNCAC on 20 July 2004 and India on 9 May 2011, which was just after the estimated starting date of 1 April 2011 of the two projects. In addition, both India and Mexico have local UNGC networks. These two countries can also be found in a similar range in the Corruption Perception Index of Transparency International (see table 1). While the projects were implemented, no notable changes took place in the perception of corruption in the public sector in these two countries. India and Mexico score less than 50 out of 100, and therefore belong to the almost 70 percent of countries with a relatively high degree of corruption, at least as perceived by the public.

Table 1: Corruption Perception Index 2010-2013 of India and Mexico

<table>
<thead>
<tr>
<th>Country</th>
<th>2010¹⁸</th>
<th>2011¹⁹</th>
<th>2012²⁰</th>
<th>2013²¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td>87/178 (rank)</td>
<td>95/183 (rank)</td>
<td>94/174 (rank)</td>
<td>94/177 (rank)</td>
</tr>
<tr>
<td></td>
<td>3.3 (score)</td>
<td>3.1 (score)</td>
<td>36/100</td>
<td>36/100</td>
</tr>
<tr>
<td>Mexico</td>
<td>98/178 (rank)</td>
<td>100/183 (rank)</td>
<td>105/174</td>
<td>105/177 (rank)</td>
</tr>
<tr>
<td></td>
<td>3.1 (score)</td>
<td>3 (score)</td>
<td>34/100</td>
<td>34/100</td>
</tr>
</tbody>
</table>

The three projects are implemented by the Corruption and Economic Crime Branch (CEB) of UNODC, which carries out technical assistance projects, in addition to its Secretariat functions for the Conference of States Parties to UNCAC. At the national level, the UNODC regional office for South Asia (ROSA) based in New Delhi, India, executed the projects in India, and the UNODC Liaison and Partnership Office (LPO) in Mexico City undertook their implementation in Mexico with support and guidance from UNODC headquarters. Two of the three projects, namely GLOX30 and GLOX32, have been implemented in partnership with the International Anti Corruption Academy (IACA).

GLOX30, GLOX31 and GLOX32 have been implemented from 1 April 2011 to 30 September 2014 – a half year extension was granted by Siemens AG to complete the three projects. The German industrial conglomerate granted a total of USD 3.05 million to UNODC under the Siemens Integrity Initiative, a global fund which supports organizations in fighting corruption through collection action, education and training. The Siemens Integrity Initiative is part of the comprehensive settlement between the World Bank Group and Siemens AG, which was announced in July 2009, and divided up in two rounds of funding. This grant has been part of

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16 There are a total of 97 emerging, established and formal local UNGC networks (UNGIC, 2014: 68-73)
17 A score of 100 means that the country is very clean, and a score of 0 implies that the country is highly corrupt. Only the years 2012 and 2013 can actually be compared as the calculations of the index were revised in 2012.
19 http://www.transparency.org/cpi2010/results
20 file:///C:/Users/ibm/Downloads/2012_CPI_brochure_EN.pdf
21 file:///C:/Users/ibm/Downloads/2013_CPIBrochure_EN.pdf
22 In September 2009, the UNODC decided to support the Regional Office in Mexico by establishing a Regional Programme Office in Panama (RPOPAN) in June 2010. This office later became the UNODC Regional Office for Central America and the Caribbean in Panama (UNODC ROPAN) in March 2012. The name of the UNODC office in Mexico was changed from Regional Office for Central American and the Caribbean to the Liaison and Partnership Office (LPO) in 2012 (see http://www.unodc.org/unodc/en/frontpage/2012/October/unodc-to-open-a-liaison-and-partnership-office-in-mexico.html; https://www.unodc.org/ropan/en/Introduction/aboutunodcropan.html)
the first round of funding, and has thus far been the largest ever donation made by the private sector to UNODC. The projects’ budgets were USD 1,122,979 for ‘The 6Ps – Public-Private Partnership for Probity in Public Procurement’, USD 745,497 for ‘Outreach and Communication Programme for UNCAC’, and USD 1,124,081 for ‘Incentives to Corporate Integrity and Cooperation in accordance with UNCAC’.

The scope of the evaluation

This final cluster evaluation of the three projects ‘The 6 P’s: Public-Private Partnership in Probity in Procurement’ (GLOX30), ‘Outreach and Communication programme for the United Nations Convention against Corruption (UNCAC)’ (GLOX31) and ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ (GLOX32) assessed their overall performance and results by analyzing the following evaluation criteria: relevance, design, efficiency, effectiveness, impact, partnerships and cooperation, and sustainability. Recommendations and lessons learned were derived from the analysis of the main achievements of these projects.

This final cluster evaluation took place from July to September 2014. The evaluation has been led by a senior evaluator with extensive experience in evaluation and rule of law. She has been responsible for the global component of the evaluation. In respectively India and Mexico, national evaluators with similar backgrounds took care of the country-level evaluation exercises, of which the findings fed into this comprehensive evaluation report covering all three projects.24

Evaluation Methodology

The evaluation methodology comprised a desk review of project-related documents and outputs, and secondary sources, including with respect to UNCAC, and semi-structured interviews with stakeholders involved in the planning and implementation of at least one of the three projects (GLOX30, GLOX31, GLOX32). The data have been analysed by means of quantitative and qualitative analysis methods. Thus, triangulation methods were used to ensure that data from at least two sources had been obtained, and then cross-verified in the analysis phase.

As the evaluation was undertaken by four consultants, regular contact between the international team leader and the national consultants had been pivotal in order to manage expectations, ensure coherence between information collected at different levels, and above all to support a smooth evaluation process at all levels. The ToRs for the international and national consultants have been developed by respectively UNODC headquarters and the regional offices, and a lesson learned is that all ToRs for the evaluation team must be developed by headquarters in case of multi-level projects to promote a common approach to the evaluation from the design stage onwards. In addition, in order to support a comparative approach, it is also recommended for the evaluation team leader to take part in national-level interviews.

24 The evaluator selected in Mexico has actually given a lecture in the academic meeting held in 2013 in Mexico city, which has been one of the project activities. He was asked to do this as expert (he is heading COMAD), but reportedly no conflict of interest exists with his responsibility to undertake this evaluation as he has not been involved in the design and implementation (management and decision-making) of the two projects.
The desk review has been done on the basis of an analysis of publications, reports and other documents given in Annex II. Furthermore, outputs, such as the toolkit, training modules etc. of the three projects have been included in the desk review in order to get a better understanding of objectives, content, target audience and – if possible – usage, as well as the processes which resulted in these outputs.

The selection of respondents for this evaluation was done on the basis of a non-random sample of those who participated in the design and implementation of the projects and/or been using one or more of the end products. Semi-structured face-to-face, phone and skype interviews have been undertaken with UNODC staff based in Vienna, Austria. The evaluation mission in July 2014 was at an early stage in the evaluation process in order to get a hold of key respondents as the Summer holiday period had just started in Austria. Respondents were UNODC staff (including staff of CEB and IEU), representatives of IACA and universities, and the donor. A total of seventeen interviews were undertaken by the team leader, and several email exchanges with key stakeholders provided additional information in support of the evaluation.

Interviews have further been undertaken with UNODC staff, the donor, government officials and private sector and civil society representatives (including of knowledge institutions) of the federal and state level in India, and the federal, Mexico city and Puebla state levels in Mexico. The interviews have been conducted face-to-face, although in the case of India also some telephone interviews have been held with those based in Bangalore in the State of Karnataka, which is in the South of India. A total of 33 face-to-face interviews were held at the national level, with respectively 13 conducted in India and 20 in Mexico. In India, information exchange also took place with four stakeholders via email.

The questions given in relation to each evaluation criteria and with respect to lessons learned/good practices (see the above section) have been used as guiding questions during the interviews – adapted to the function of the interviewee and his/her role in the projects.

The analysis of the key findings of this independent evaluation has been done by means of the triangulation of sources. This method facilitates the validation of data through cross-verification of two or more sources. Furthermore, quantitative analysis has been undertaken with – if available – statistical data.

This cluster evaluation aimed to be participatory to build ownership of the process, findings and recommendations. The drafting of the evaluation ToRs and the selection of the consultants was undertaken at – respectively – the global and national levels. During the evaluation exercise, inputs have been sought from all stakeholders at all levels. The draft evaluation report has been shared with a range of stakeholders (the Core Learning Group) to confirm the main findings and build ownership for future activities with respect to public-private partnerships in the field of corruption.

Evaluation ethics have been given due consideration during the evaluation exercise.

Map 1 and 2: Maps of India and Mexico

II. EVALUATION FINDINGS

Design

The design of the three projects ‘The 6 P’s: Public-Private Partnership in Probit in Procurement’ (GLOX30), ‘Outreach and Communication programme for the United Nations Convention against Corruption (UNCAC)’ (GLOX31) and ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ (GLOX32) has been the consequence of combining needs and interests of the donor, UNODC and its key counterparts at the global and national level. The design has further been participatory in various degrees at different stages of their implementation, and by doing so built ownership among the most important partners of the above-mentioned projects. The project documents have been comprehensive, with a logical framework and a log frame with indicators and a schedule for the monitoring of milestones, thereby offering a rationale for the selection of activities, and the process of implementation. The agency was however ambitious at the planning stage, and not all indicators have been SMART, and fully aligned with operational realities.

The design has been participatory to some degree in not only the first phase in 2011 and early 2012, but also during the further implementation of the three projects, and generally a clear effort of UNODC and other stakeholders was made to identify and address needs at the global and national levels. The initial design was Siemens and UNODC headquarters-driven, based on obligations given in resolution 3/2 and resolution 3/4 of the Conference of States Parties to UNCAC which concurred with the objectives of the Siemens Integrity Initiative. The design of several ‘global’ outputs was clearly in response to information and training needs identified, and the fact that the IACA was still maturing and building up its own capacity at that time. In contrast, the development of the communication component of GLOX31 seemed to have been undertaken in a vacuum, which has possibly been the consequence of the optimism of UNODC about the receipt of funding from a company at that time, and the anticipated role of the private sector in supporting its work. More consultations at that time could possibly have resulted in a more grounded understanding of opportunities and restraints in this area of work, and the fact that the different working culture of the private sector must be taken into regard before concluding a strategy of engagement.

A similar observation can be made with respect to the national level components following the selection of countries wishing to take part in this initiative. Initially four countries were selected for GLOX30 and GLOX32, namely China, India, Mexico and the Russian Federation. The selection of countries was done on the basis of a shortlist provided by Siemens, which UNODC then used to – among others – review their field capacity to implement such innovative projects, reflect on the level of organization of the private sector in these countries and examine the interest

26 The needs for education in the field of corruption have in varying degrees been identified by the Conference of the States Parties to the UNCAC, as well as a review conducted by the IACA (in the field of public procurement). Although not many States offered specialized anti-corruption education at the university level, a number of States indicated that there was growing interest in specialized training. (UNODC, 2013a: 7)
of selected states. Both the Russian Federation and China declined this offer of support, although the Government of the Russian Federation shared at that time its intention to undertake similar activities with its own funds.²⁷

In India and Mexico public-private partnerships to prevent corruption were virtually non-existent in the very beginning of project implementation, and much investment of staff time was needed to bring the two sectors together. UNODC effectively responded to this operational reality, and showed flexibility by means of gauging the interests, needs and perceptions of stakeholders, and take these as a starting point in further shaping and refining the design in these countries. The activities of the two projects were combined as the same actors were to a large extent involved in corruption in public procurement and corporate integrity. In close consultation with the national counterparts, other government actors were selected. The selection criteria in the case of India were the availability of anti-corruption legislation at the state level²⁸, and the ease of access, or, in other words, the proximity to the capital, in Mexico. Whereas the implementation process has been similar in both countries, the actual outputs have to some extent been different, and clearly designed and completed with the participation of relevant stakeholders (see also the section on efficiency).

The project documents of GLOX30, GLOX31 and GLOX32 have been comprehensive and concise. The proposals clearly outlined the rational (problem analysis and counterpart capacity, justification), the key stakeholders (synergies/partnerships and target groups), the intervention logic (objective, outcomes, outputs and activities), project management mechanisms and structures, sustainability, legal context, budget, project evaluation, a log frame with indicators, means of verification and a work/monitoring plan as well as job descriptions for respectively the P3, P2 and G5 staff. As will be pointed out in the section on efficiency, effectiveness and sustainability, several issues could have warranted some further reflection as GLOX31 had been understaffed, at least in light of the scope of the UNCAC Communications Strategy, and the fact that – as pointed out above - planning had been too tight, including with respect to providing an adequate assessment of the in-country situation to test assumptions given in the project proposals.

The indicators in the project documents were generally specific, measurable and time-bound, and given for the different levels of the hierarchy of objectives. The inclusion of indicators to measure change in understanding and knowledge can be commended, although these were not accompanied with sufficient budget and personnel to implement such assessments. Furthermore, not all indicators were achievable or relevant because of the specificities of national legislative frameworks and processes²⁹, and the fact that institutional change tends to occur over extended

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²⁷ The process agreed with the Siemens Integrity Initiative was to begin with the States of India and Mexico, and set aside the earlier agreed on funds for China and the Russian Federation until 30 June 2012 (Siemens, 2011d). A short extension of this deadline was subsequently requested by the UNODC as discussions with the Russian Federation were ongoing (UNODC, 2012h), the Russian Federation then indicated that they would undertake a project similar to GLOX30, but with their own funds. The Siemens funds set aside earlier were therefore not needed any longer (UNODC, 2012i)

²⁸ The State of Karnataka is one out of two states in India with a public procurement law, namely the Karnataka Transparency in Public Procurement Act in 1999 (UNODC, 2013n: 5)

²⁹ UNODC can for instance neither establish legislative drafting committees nor provide legal amendments. Further, such as in the case of Mexico – the legislative framework complied with article 9 of the UNCAC, and – in the case of India – the relevant draft law was still awaiting enactment.
periods of time. Some of the expected results (as formulated in the indicators) given in the log frames were too ambitious, and – at times – activities were not fully reflected in expected outputs.

The project revisions undertaken in 2013 have also led to adjusted log frames, with baseline data and targets given for each indicator. The revised indicators and targets at the output and outcome levels became as a result more easily measurable and achievable, thereby giving due consideration to the time-consuming participatory and consultative nature of the implementation process. However, the selected indicators did not at all times fully reflect the desired outcomes (which had not been changed), and actually focused too much on output-level results (e.g., number of technical working groups established; number of participants in working group meetings). The public-private partnerships initiated at the national level, and the shift towards dialogue and mutual learning ought to have been given a more prominent position in the logical framework, with correlated indicators to measure progress over time. In some areas the revised indicators led to the conclusion that limited communication with the two offices in India and Mexico had taken place on the substance of activities and outputs, as these did not entirely reflect the in-country reality at that time.

Relevance

GLOX30, GLOX31 and GLOX32 have been relevant, and in accordance with legal and policy directives and directions set out at the global, regional and national levels (with respect to South Asia/Latin America and India/Mexico). The objectives have not only concurred with the recommendations for further action of the Conference of the States Parties of UNCAC, but also with the overall objectives of UNODC’s thematic programme ‘Action against Corruption and Economic Crime’. In India and Mexico, the projects have generally been in line with the directions set out by respective national development plans, the United Nations Development Assistance Frameworks (UNDAFs) for respectively India and Mexico and the UNODC regional strategies.

The Conference of the States Parties to UNCAC adopted resolutions during its last three sessions held in respectively 2009, 2011 and 2013 which underscored the role of the private sector in the prevention of and fight against corruption (see section 1.1). Furthermore, the objectives of the three projects correspond with the 10th principle of the UNGC. The three projects support public-private partnerships to prevent and fight against corruption, and involve civil society, especially learning institutions, in supporting capacity-building efforts to strengthen prevention activities. Furthermore, GLOX30, GLOX31 and GLOX32 also respond to UNODC’s aim to collaborate more with the private sector on corruption, especially as donor and partner.

GLOX30, GLOX31 and GLOX32 correspond to two thematic areas of the UNODC Strategy for 2008-2011, namely themes 1 (Rules of Law) and 3 (Prevention, Treatment/Reintegration and Alternative Development). The projects are also in line with Sub-programme II on countering...
corruption of the UNODC Strategy for 2012-2015, of which the objective is ‘To prevent and combat corruption, in line with the United Nations Convention against Corruption’. Expected results can especially be found in the following areas: ‘Improved national capacity for the enactment of domestic legislation in line with the United Nations Convention against Corruption’ (article 2.3); ‘Enhanced capacity of national institutions to prevent and fight corruption in the private sector and to enhance the role of the private sector as a stakeholder in the prevention of and fight against corruption, through advocating the effective implementation of the United Nations Convention against Corruption’ (article 2.7); ‘Enhanced knowledge of challenges, policies and good practices with respect to the implementation of the United Nations Convention against Corruption (article 2.10), and; ‘Enhanced role of civil society, parliamentarians and the development assistance community as stakeholders in the prevention of and fight against corruption, through advocating the effective implementation of the United Nations Convention against Corruption’ (article 2.12).

The national components of GLOX30 and GLOX32 are aligned with the objectives given in the regional strategies of respectively UNODC ROSA and UNODC LPO. UNODC’s South Asian regional strategy for the years 2013-2015 contains a clear reference to the fight against corruption following the ratification of the UNCAC in 2011 by India and Nepal.33 Mexico had already become a State party to UNCAC prior to the development of the two projects, and this is also visible in the UNODC regional strategy for 2012-2015. Articles 2.1 and 2.7 of Subprogram 2 ‘Countering Corruption’ respectively state that ‘Effective implementation of the mandates of the Conference of the States Parties to the United Nations Convention Against Corruption, the implementation Review Mechanism and the subsidiary bodies of the Conference of the States Parties’ and ‘Enhanced capacity of national institutions to prevent and fight corruption in the private sector and to enhance the role of the private sector as a stakeholder in the prevention of and fight against corruption […]’ are expected results. These outcomes have also been taken up in the UNDAFs for respectively the years 2013-2017 for India and 2008-2012 and 2014-2019 for Mexico.34 Both India and Mexico are States parties to UNCAC, and the National Development Plans (NDPs) of these two states reiterate their commitment to prevent and fight corruption.35

Synergies between GLOX30, GLOX31 and GLOX32, between this cluster and other UNODC projects as well as other projects funded by the Siemens Integrity Initiative have been given due attention. Although the original project documents and project revisions did not explicate the synergies between the three projects (including by giving a preliminary communication strategy), the majority of outputs developed at the global and national levels were shared and/or fed into activities implemented as part of the other two projects, such as the usage of the national experiences in the expert meetings to identify good practices in the field of public procurement and corporate integrity. Furthermore, the toolkit developed under GLOX31 has been shared with the two UNODC offices in respectively Delhi and Mexico City, as well as their counterparts, and the same applies to the UNCAC academic module, which was given to the consultants developing

3.2.3 ‘increased awareness at the international level of corruption and its negative impact.’

33 ‘Following the ratification of the […] United Nations Convention against Corruption (UNCAC) by the countries of the region, the Regional Programme seeks to gradually and incrementally expand and diversify UNODC’s current work programme in South Asia from a mainly health-based one into a broader programme, which encompasses critical elements of crime prevention and the rule-of-law at national, regional and inter-regional level keeping in mind the nature and scope of identified problems by the Governments in the region. UNODC ROSA, 2013a: 18-19

34 UN, 2012: 53; UN, 2007: 51; UN, 2013:17

the training modules for the Mexican components of GLOX30 and GLOX32. This was reportedly not done in India to support the development of the e-training modules.

Synergies between GLOX30, GLOX31 and GLOX32, and other UNODC projects in the field of corruption have been sought, such as other projects implemented under the umbrella of UNODC’s Thematic Programme Against Corruption. Of the four projects mentioned in the project documents, especially the project entitled International Anti-Corruption Academy (GLOT75) has been relevant as UNODC’s partnership with IACA under GLOX30 and GLOX32 actually complemented the above-mentioned project. In addition, several other UNODC publications in the field of anti-corruption also supplemented the results of the three projects. Also, synergies have been created between this cluster of projects and some other projects funded by the Siemens Integrity Initiative, such as the Humboldt Viadrina School of Governance project (representatives of the university participated in the expert meetings held at IACA in 2012 and 2013) and the funding provided by the Siemens Integrity Initiative to IACA.

Several initiatives in the field of anti-corruption education have been undertaken before and during the design and implementation of GLOX30, GLOX31 and GLOX32, which supplement UNODC’s activities and outputs. The Principles for Responsible Management Education (PRME) was started in 2007 by UNGC, and this initiative ‘serves as a framework for gradual, systemic change in business schools and management-related institutions.’ With funds of the Siemens Integrity Initiative, UNGC developed complementary academic modules on various anti-corruption issues, the ‘anti-corruption toolkit’, which specifically targets business schools and management related academic institutions. The original aim was to collaborate with the Academic Anti-Corruption Working Group, which would be established under UNGC’s project ‘Sensitizing Future Business Leaders on Anti-Corruption’, but the UNODC-based Anti-Corruption Academic Initiative (ACAD), which was established in 2011 with the OECD and the International Bar Association (IBA) has instead provided the relevant network for the development, testing and usage of the UNCAC academic module. The PRME is also a member of ACAD, although the approaches and goals of the two networks are different. The UNCAC Academic Module is particularly targeted towards MA and LL.M students and has therefore been viewed as complementary to the UNGC project results, although the above example also shows the potential risk of duplication of activities of the two UN entities.

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36 The following three projects were mentioned in the three project documents: the Anti-Corruption Mentor Programme (GLOS48); the Knowledge Management Consortium and Legal Library project (GLOT51); and the International Anti-Corruption Academy (GLOT75). The Stolen Asset Recovery Initiative (GLOT08) was also mentioned in the project documents of respectively GLOX30 and GLOX32.
39 The PRME website notes that this is ‘the first organised relationship between the United Nations and management-related academic institutions, business schools, and universities. Since its official launch in 2007 by UN Secretary-General Ban Ki-Moon, the initiative has grown to more than 500 leading business schools and management-related academic institutions from over 80 countries across the world. More than a third of the Financial Times’ top 100 business schools are signatories to PRME. PRME provides a global network for academic institutions to advance corporate sustainability and social responsibility, and an engagement framework for the incorporation of universal values into curricula and research’. In fact, out of 566 members, 358 are business schools. (http://www.unprme.org/participants/index.php?sort=type&dir=asc&start=540)
40 http://actoolkit.unprme.org/modules/
41 UNODC, 2011b: 14
42 The Anti-Corruption Academic Initiative (ACAD), is a ‘collaborative academic project which aims to produce a comprehensive anti-
Furthermore, the joint UNODC/UNGC e-learning tool for companies is a thirty minutes certificate course which aims to enhance knowledge about UNCAC and the 10\textsuperscript{th} principle. This tool has a link on the private sector microsite of the TRACK portal, and is available in twelve languages, including Spanish. Although the two e-modules developed under the India project components are more comprehensive on substance, the question remains as to why the available UNODC/UNGC e-learning tool has not already been translated into Hindi in order to increase its accessibility for companies based in India, thereby strengthening the synergies between the India components of GLOX30 and GLOX32 and the UNODC/UNGC project.

Efficiency

GLOX30, GLOX31 and GLOX32 have to a large extent been implemented efficiently, and the projects have all stayed well within their budgets. At both the global and national level, all three projects experienced various delays, which have been the consequence of internal and external factors. A non-cost extension was therefore granted by the Siemens Integrity Initiative for half a year up to the end of September 2014 in order to complete planned outputs. The majority of planned outputs have been achieved, although in some cases the proposed shape and substance has been altered as a result of consultations with relevant stakeholders at the national level.

Cost-efficiency

GLOX30, GLOX31 and GLOX32 have been implemented in a cost-efficient manner. Resources have been procured in accordance with UN rules and procedures, and UNDP procurement rules (including bidding procedures if applicable) at the field level. The pattern of expenditures per project can be seen in table 2. In 2011 expenditures were minimal, which mainly concerned personnel costs from 1 November 2011 onwards. Expenditures for GLOX30 and GLOX32 follow a similar pattern in all subsequent years, with approximately one third of the budget spent in 2012 and 2013. The delays in implementation, which especially took place at the country-level, have resulted in the fact that approximately one third of the budget still had to be spent in 2014. Almost two third of the budget of GLOX31 was – in contrast – spent in 2012 because of the different contractors recruited that year under this project.

| Table 2: Annual expenditures of the three projects/percentage of total budget (as of 31\textsuperscript{st} Dec each year)\textsuperscript{45} |
|---|---|---|
| GLOX30 | GLOX31 | GLOX32 |

\textsuperscript{43} Further, UNODC and the United Nations Global Compact continue to cooperate on the interactive e-learning tool for the private sector called “The fight against corruption”. The tool is aimed at enhancing understanding of the tenth principle and the Convention as they apply to the business community. Since February 2012, the tool has had 24,000 online users and a certificate programme was launched in early 2013. A French version of the tool was launched in early 2013, and more official United Nations languages and other languages, including German, Korean and Portuguese, will follow. (UN Conference of the States Parties to UNCAC, 2013c: 9-10)

\textsuperscript{44} UNODC, 2013i; Siemens, 2013

\textsuperscript{45} UNODC 2012; 2012k; 2012i; 2013h; 2013i; 2013j; 2014i; 2014j; 2014k
Expenditures at the country level have followed a similar pattern in India and Mexico. Whereas anticipated expenditures for the original three-year project actually followed a pattern of approximately one fifth of expenditures in the first year, over half of the expenditures in the subsequent two years, and only a minor proportion of the budget set aside for the last year, in fact expenditures have followed an upside-down pattern. The first year was characterized by minimal expenditures because of the rather late start of the projects. An explanation for the difference in expenditures for respectively the second and third year at the national level is that in 2012 the technical working groups were held, and the studies were mostly completed in India (see also section on timeliness) whereas in Mexico the level of engagement appears to have been starting more slowly and then more constant with contractors also being paid in 2013. The budget at the national level has not been overspent, and in the case of India a small amount (approximately USD 2000/3000) has been left at the end of the September 2014.

**Graph 1: Percentage of annual expenditures of total budget per project for India and Mexico**

According to the annual and semi-annual reports from 2011 to up to March 2014, no major deviations in activities, and cost and budget deviations occurred during the life span of the projects (that is over five percent per activity). UNODC prepared a risk assessment in response to the UNCAC Communications Strategy, which included also an analysis of different avenues and related costs for developing and maintaining the microsite, and the most cost-efficient option was selected, namely including the micro-site into the TRACK portal. Furthermore, at the global

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46 The total amount for GLOX32 in the financial report of 2013 was given at 990345 – a reduction of the earlier amount.
level, as the IACA expert meetings held in 2012 and 2013 in Vienna were actually shorter than originally foreseen in the budgets of GLOX30 and GLOX32, these savings were used with donor approval for an additional output for the latter project. Thus, the ‘Legal Incentives for Corporate Integrity Training’ (LICIT) was organized by UNODC and IACA from 24 to 26 March 2014, with the earlier developed resource guide as the main reference tool for the training.

The project has also in other ways been implemented cost-efficiently. In the case of India, Ernst & Young provided many of their services on the baseline survey as an in-kind contribution to the projects. This includes staff time and travel costs. Furthermore, an anti-corruption consultation with Indian B20 companies to celebrate the International Day against Corruption on 9 December 2013 was organized in partnership with the Confederation of Indian Industries and KPMG – the event costs were directly covered by the Confederation and KPMG. Furthermore, in India activities of the two projects were combined – for instance meetings for the two projects were organized back-to-back to save travel and other meeting costs. In Mexico, CONCAMIN organized a media event to highlight the publication of the report of the legal diagnosis in the beginning of 2014.

*Human resources*

At UNODC headquarters two of the three projects were managed by a P3 staff member (GLOX30 and GLOX32) with the assistance of a full-time G5 under the supervision of the Chief of CEB. GLOX31 was managed by a part-time Associate Programme Officer at the P2 level (twelve months were budgeted for, with five in 2012, five in 2013 and two in 2014). The lengthy recruitment process started soon after the start of the three projects (in May, 2011), and the technical and administrative staff were on board in November 2011. The time necessary to recruit staff explains the rather late start of the projects. The P2 left the following year, and the P3 at the end of June, 2014. GLOX31 has been viewed as understaffed, and following the departure of the P2 the management of this project has been done by different UNODC staff members funded under different projects. The staff member managing the ACAD was also given the responsibility for the UNCAC academic module, which was an effective solution in order to ensure synergies between the different activities and results (see section on relevance).

In September 2013, the P3 Programme Officer managed all three Siemens-funded projects, and when she took up another position abroad at the end of June 2014, the management responsibility was transferred to a P4 Project Officer in CEB to oversee their completion. Stakeholders at different levels viewed the working relationship with the project managers of the education components of the three projects as highly effective – collaboration took place in a pleasant atmosphere. The fact that CEB has its own IT specialist benefited especially the GLOX31 project, although some mentioned that including an IT expert in the project’s staffing table was a lesson learned. Other lessons are that more staff capacity for the private sector outreach component would have been necessary (providing that activities would have been needs-based), although the limited capacity could also have been related to staff rotation and the perceived imbalance between staffing and responsibilities in UNODC. In future negotiations with potential donors this issue must be adequately taken into regard.

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47 UNODC, 2012s: 9
48 UNODC, 2014c: 6
49 UNODC, 2014h: 2
In India and Mexico, national project officers were recruited to manage the implementation of the two national-level components. One full-time project officer was recruited in India, who was able to only begin with the necessary preparations in the beginning of 2012 due to the lengthy administrative process of the Government of India. In Mexico two full-time project staff were recruited to adhere to the government regulation that each project executed by the UN must have one fulltime project staff member. In both countries the project officers have been responsible for the implementation of respective components of the two projects from the very beginning until the end under the overall supervision of the P3 staff member based at UNODC headquarters. There was no overturn of staff at the national levels, and the management capacity in Mexico also offers an explanation for the more extensive opportunities available to this office for networking and holding extensive consultations with stakeholders.

The technical committees set up in India and Mexico acted as informal steering groups for the implementation of the two projects. Contractors were further hired to develop and produce different communication and training-related outputs at the global level, as well as to conduct legislative and baseline assessments and produce training modules at the country level (see also the section on explanatory factors of efficiency). These arrangements have in some instances not resulted in expected outputs in terms of quality and/or actual results.

**Outputs of global project components**

All three projects achieved the originally planned outputs, although their shape and substance has in some instances been changed to adapt to identified needs, and make outreach activities more efficient. The outputs of GLOX31 and the global components of the other two projects GLOX30 and GLOX32) will be discussed first for ease of reference, after which a comparison of the national-level outputs of India and Mexico will be presented.

The project ‘Outreach and Communication programme for the United Nations Convention against Corruption (UNCAC)’ has achieved its communication-related outputs (GLOX31 output 1.1 and output 1.2). The UNODC toolkit for the private sector, which includes a private sector brochure on UNCAC, four factsheets on private sector projects, and two posters and a rollup banner has been finalized in 2013. At least 1000 copies of the brochures and factsheets have been disseminated at global and regional-level government and private sector events, including at the fifth session of the Conference of the States Parties.\(^{50}\) No direct feedback has been received of government and/or private sector representatives with respect to the toolkit. Also the UNCAC Communications Strategy was completed and adopted by UNODC, the strategy has only to some degree been implemented. The strategy and related outputs have only to some degree been seen as responsive to the nature and characteristics of the organization, available capacity and appropriate levels of engagement with the private sector. Furthermore, some further attention could also have been given to synergies (and a possible overlap) with other initiatives. Thus, out

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\(^{50}\) The toolkit was presented and disseminated at least at fifteen major private sector integrity events. Participation in at least five significant private sector integrity events. In addition, 100 copies were distributed by the UNODC Mexico office, and 100 copies by the UNODC India office at private sector-related events. In addition, 100 copies were distributed at the G20 Sydney event, where there was a roundtable following the G20 anti-corruption working group. 50 copies were distributed at the International Bar Association meetings in United Arab Emirates targeting corruption prevention in the private sector and amongst lawyers. Another 150 copies were distributed at UNODC private sector anti-corruption meetings in the Philippines, Indonesia and Myanmar. 50 toolkits were also distributed at the European Symposium on Business Ethics, Governance and Compliance Conference during the OECD integrity week. (UNODC, 2014e: 2-3)
of the four key initiatives described in the strategy (Friends of UNCAC, database of businesses selected for engagement, the microsite and a financial mechanism for engagement), only the microsite was further developed. Since 8 August 2014, a new microsite on the private sector has been integrated into the UNODC anti-corruption portal TRACK (Tools and Resources for Anti-Corruption Knowledge). In the period from 14 to 31 August 2014, the microsite reportedly climbed up into the top five of visited content of the TRACK portal, with a total of 414 page views.\footnote{In addition, the new sub-site has reportedly positively influenced the statistics of the TRACK portal and its sub-sites. Namely, comparing to the same period last year, statistics show an increase of 24 percent of the total number of page views (4007 vs. 3220) and 50 percent increase of the number of pages/session (4.09 vs. 2.73). In the future, the UNODC intends to strengthen the dissemination of this particular link through requests to private sector partners and better links on the UNODC website (Email communication, UNODC staff member).}

A comprehensive academic learning course on UNCAC entitled ‘Global Corruption, Good Governance and the United Nations Convention against Corruption’ has been completed in March 2013, and already been used by different academic institutions (GLOX31 output 2.1). Endorsed by an informal working group comprising members of ACAD (comprising at that time fifteen to twenty academic institutions), this one semester academic course on UNCAC was developed by one academic teacher. A lesson formulated by several respondents is that the formation of a small expert group to support such a process would have facilitated the work.\footnote{One reason given for this lesson is that the course material had to be collected from different disciplines, as generally classification systems did not have a reference to corruption. A group of peers could have been very supportive to skim through the material and assist with the selection of core versus supplementary material.}

The completed course is global and multi-disciplinary in nature, and provides a final exam, a student’s guide and a bibliography. All modules and guides can be downloaded, and the material has been highly valued and appreciated by academic teachers – one respondent (one of the users of the course) referred to the material as a ‘road map’ and an ‘irreplaceable resource’. A selection of the available menu must however often be made to adapt the material to the aims of a particular course in a specific setting. A second, revised version of the course has in the meantime become available online, with updated material and tools. Respondents expressed different ideas for further improvement of the course material, including the development of a teacher’s guide, a stronger focus on international cooperation and criminalization, more examples of different legal systems, a more comprehensive bibliography which includes the inclusion of more sources of philosophy and the political sciences, and the provision of different tools to support not only classroom but also other forms of teaching (e.g. working groups, the provision of practical exercises such as compiling and analysing statistics).

The above-mentioned course on UNCAC has since 2013 been used by universities and law, public administration and business schools and been integrated into the programme of the Master’s in Anti-Corruption Studies of IACA as of 2014 (GLOX31 output 2.2.) At the end of 2014, at least twenty academic institutions have taught some sections or the entire course.\footnote{Since the workshop held in August 2014, there has been considerable and positive feedback from the ACAD network, including workshop participants and their extended networks. These contacts included: University of Virginia (USA), International Law Section of the American Bar Association (ABA) (USA), Georgetown University (USA), Deaken University (Australia), Collaborative Research Centre on “Governance in Areas of Limited Statehood” (Germany), Northwestern Law School (USA), World Bank, TRACE International, University of Harvard and Ernst & Young. (Email exchange UNODC staff member, September, 2014)}
The global components of GLOX30 and GLOX32 have been implemented in close correlation with the work undertaken at the national level in India and Mexico. The outputs were all achieved, and provided more educational tools to promote different articles of UNCAC and support the enhancement of knowledge of government and private sector representatives.

Model practices on the regulation of public procurement in line with the requirements of UNCAC have been given in the publication ‘Guidebook on Anti-corruption in Public Procurement and the Management of Public Finances’ (GLOX30 output 3.2). The model practices have been the topic of discussion of two expert group meeting on transparency, competition and objectivity in public procurement held on 24-26 September 2012, and 21-22 May 2013. The main findings of these meetings, as well as the assessments conducted in respectively India and Mexico, fed into this guidebook, which provides an overview of good practices in ensuring compliance with article 9 of UNCAC, and a checklist of questions for states to assess their compliance with this article. 350 copies of the guidebook were disseminated, and the book is also available online.\(^4\)

A global one-month training program called ‘Public Procurement Anti-Corruption Training’ (PACT) on integrity in public procurement has further been developed by IACA on the basis of this guidebook (GLOX30 Output 3.3.). This one month course combines a one week training at IACA with a three week distance learning module. In September 2013 a pilot training was held by the IACA and the UNODC. Seventeen out of nineteen participants from countries around the world were able to successfully complete the course, and receive the certificate of participation in the PACT. A second course was held in September 2014.

Furthermore, model practices on incentives for corporate integrity were given in the publication ‘A resource guide on state measures for strengthening corporate identity’, which was completed in September 2013 by an independent consultant (GLOX32 output 3.2). Two expert meetings groups (held back-to-back with the expert meetings of GLOX30) from 24-26 September 2012 and 23-24 May 2013 provided most of the material for this guide, which is a compilation of good practices, lessons learned and innovative approaches for governments to encourage and reward companies cooperating with, and reporting to, relevant public authorities in line with UNCAC. The e-book version of ‘A Resource Guide on State Measures for Strengthening Corporate Integrity’\(^5\) was finalized before the meeting of the Conference of the State Parties held in Panama in November 2013, where also 350 copies were distributed to the participants.\(^6\)

Resulting from savings of the expert meetings, an extra output of this project was the ‘Legal Incentives for Corporate Integrity Training’ (LICIT), which was organized by UNODC and IACA from 24-26 March 2014, thereby using the resource guide as the main reference tool. The training brought together 30 participants from government and private sector, and 28 certificates were awarded at the end of the training. Experts from UNODC, Humboldt-Viadrina School of Governance, OECD, International Chamber of Commerce, UK Ministry of Justice, Siemens, and the Basel Institute on Governance shared their experiences during the course.

\[^4\url{http://www.unodc.org/documents/corruption/Publications/2013/Guidebook_on_anti-corruption_in_public_procurement_and_the_management_of_public_finances.pdf}\]

\[^5\url{http://www.unodc.org/documents/corruption/Publications/2013/Resource_Guide_on_State_Measures_for_Strengthening_Corporate_Integrity.pdf}\]

\[^6\text{UNODC, 2014f: 3}\]
The achievements of the two projects have been shared with the States parties during different meetings of the Conference of the States Parties to UNCAC (GLOX30 output 3.1, output 3.4 and GLOX32 output 3.1 and 3.3.). Thus, in reports prepared for the fourth meeting of the Open-ended Intergovernmental Working Group on Prevention held in Vienna from 26 to 28 August 2013, the fourth session and fifth session of the Conferences of the States Parties to UNCAC held in respectively 2011 and 2013, and the technical working group meeting held in June, 2014, updates were given about at least one of these the three projects.  

A comparison of outputs of the national-level components of GLOX30 and GLOX32

The outputs of the national-level components of GLOX30 and GLOX32 implemented in India and Mexico have also been achieved, although the shape of the originally planned outputs has at times been altered in order to – at least as perceived by the different stakeholders - adequately respond to the scope of the problem. The outputs of the two countries will be compared below – further details with respect to the activities and outputs of each country can be found in respectively annex IV and annex V.

Legislative reviews of public procurement were undertaken in India and Mexico, and the findings were published in the reports ‘India: Public Procurement in Probity (Transparency, objectivity and competition in Public-Private Partnership projects in line with the United Nations Convention against Corruption)’, which details the compliance of Indian laws and policies with UNCAC at the federal level and in the state of Karnataka, and ‘Legal Assessment of Mexico’s compliance with article 9 of the United Nations Convention against Corruption (UNCAC) in the Federal Government, the Federal District and the State of Puebla’, which was published in Spanish in 2012, and in English in 2013 (GLOX30, output 1.1 and 2.1). In preparation for the assessment and other activities of the project, UNODC ROSA in association with the UN Global Compact Network India hosted a national consultation on transparency and anti-corruption measures in procurement in April 2012. A high-level Legislative Review Committee, and two working groups at respectively the federal and state level were also set up, and a total of two meetings of the former and three meetings of the latter working groups were held in Spring and Summer 2012. In January, 2014 two focus group discussions/meetings were organized in respectively Delhi and Bangalore to discuss how the recommendations of the studies could be taken forward, but these have not resulted in a clear way forward. In Mexico, instead of the originally envisaged three only one technical working group was set up with government and private sector representatives. They reviewed and approved the final report in December 2012. The last working group meeting was just before the end of the projects in August, 2014.

57 In reports prepared for the fourth meeting of the Open-ended Intergovernmental Working Group on Prevention held in Vienna from 26 to 28 August, 2013 (‘Report on the status of implementation of resolution 4/3, entitled “Marrakech declaration on the prevention of corruption”) in 2014, a paragraph with an update about the project ‘the 6Ps: public-private partnerships in probity in procurement’ was given.(Conference of State Parties to UNCAC, 2013c: 6; Conference of State Parties to UNCAC, 2014: 5-6) Furthermore, the projects ‘Outreach and Communications Programme for the United Nations Convention against Corruption’ and ‘Incentives to Corporate Integrity and Cooperation in Accordance with the United Nations Convention against Corruption’ were noted in the above-mentioned report published in 2013, and activities of all three projects were presented in the Conference of State Parties to UNCAC technical working group report prepared for the June, 2014 meeting (Conference of State Parties to UNCAC, 2013c: 10-11; UN Conference of State Parties to United National Convention against Corruption/ Implementation Review Group (2014): 5 (CAC/COSP/IRG/2014/2))
In India and Mexico so-called baseline surveys were conducted to get an understanding of knowledge and practices in public procurement in order to identify training needs (GLOX30, output 1.2 and 2.2). In India out of a total of 400 questionnaires, only 100 responses were received of public and private sector actors (the number of responses received per sector have not been given in the report), and the key findings have been presented in the same report as the legal analysis. The analysis of the online survey undertaken in Mexico was done with information received from 157 respondents from the public sector, and only five from the private sector. The level of response was higher in India than in Mexico, which confirms the general trend that the response rate of online surveys is generally lower than face-to-face or phone interviews. Training needs were identified for both sectors in India, and only for the public sector in Mexico. In Mexico, an Academic Forum was subsequently organized to discuss the development of the training strategy, and subsequently individual meetings were held with three public sector and three private sector actors to be able to tailor the modules to actual needs. Six training modules were completed. In India, the format of the training modules were changed into e-modules, which were seen as an innovative training tool to respond more adequately to the needs of the private sector as well as a more efficient and effective tool to reach – potentially – a larger group of beneficiaries than face-to-face training. In India, focus group discussions with public and private sector representatives were organized to discuss the draft e-modules. Thus, although the baseline studies provided an understanding of the situation on the ground, additional efforts had to be undertaken to tailor training modules, and whereas in India the e-modules were not particularly tailored to specific target groups in the private and public sector, the training modules in Mexico were specifically developed in accordance with identified needs of selected actors.

In India, as a result of the delays in developing the online training modules, the output of a better understanding of the public procurement regime of public and private procurement personnel has only been met to a limited degree, while in Mexico a better understanding of the public procurement regime has been provided to these two target groups (GLOX30 output 1.3 and 2.3). In India, UNODC conducted a training workshop for procurement experts of the Bangalore Metro Rail Cooperation Limited for those officers that procure above a threshold of 1 crore rupees. As the two e-training modules have only been formally launched at the end of August 2014, no figures on trained staff were available before the end of September 2014. In Mexico, in contrast, out of a total of 584 participants, 562 received a diploma. 76 percent of the trainees were from public institutions (the three levels of government) and 24 percent from the private sector (CONCAMIN, CIMIC, members of the UN Global Compact Network of Mexico). The findings of the training evaluations show that both the substance of the courses and the teachers were considered to be very good by the trainees. Furthermore, the comparison of pre- and post-tests showed an increase in knowledge, with the participants of the private sector showing a stronger learning curve than representatives of the public sector.

The outputs of the national-level components of GLOX32 have to a large extent also been completed. In India, the legal study ‘Corporate Integrity: Incentives to Corporate Integrity in accordance with the United Nations Convention against Corruption’ was published in September 2012, and in Mexico a report on the findings of the legal study was published in Spanish in the same year (GLOX32 output 1.1 and 2.1). The Indian study also included views of the members of the working groups, and twelve private sector entities. The main conclusion of the Indian report is that the country is fairly compliant with UNCAC providing that available draft legislation is enacted, while the Mexican one entitled ‘Informe sobre el análisis de los Incentivos Legales para la Integridad Corporativa en México’ concluded that corporate integrity is not explicitly defined in a law or regulation. The different activities with respect to setting up
the technical review committees, the provision of advice, the sharing of knowledge and the 
review and approval of the findings of these studies have in both countries followed the 
same pattern as GLOX30 for efficiency reasons.

Furthermore, in India and Mexico training needs were assessed, and a training programme was 
formulated (GLOX32 output 1.2 and 2.2). In India, the aim of the survey to examine the 
training needs was broadened to also understand deviations in practice and their underlying 
reasons. Approximately 400 individuals were contacted, and only 150 persons provided a 
response to the questionnaires (with 50 private sector actors, mostly large companies). The 
final report, which combines the legal review and the needs assessment, practices and 
challenges in this particular field, was published in 2013. In Mexico, an online survey was 
completed by 23 public sector officials (out of approx 50 persons approached for the 
survey) and 57 private sector representatives (out of the 269 members of the Global 
Compact Mexico Network approached for the survey). The smaller proportion of 
respondents of the private sector in the baseline surveys was a common trend for India and 
Mexico. Further discussions on training needs were the same as for GLOX30. UNODC 
LPO stayed closer to the original design, while UNODC ROSA decided to initiate an 
awareness-raising activity for UNCAC, and also an UNCAC pictorial guide was completed 
in May 2013, and shared with the Confederation of Indian Industry (CII). The regional 
office further finalized an anti-corruption referral directory for business sector officials 
throughout the country – this has been available since the end of May, 2013, and can be 
accessed at http://indiaanticorruptionreferral.com. These activities can be explained by the 
fact that India only ratified UNCAC at the beginning of the implementation of the different 
project activities.

As the e-module on corruption was launched on 20 August 2014, in Delhi, Mumbai and 
Bangalore, only some relevant authorities and private sector representatives might have 
gained a better understanding of the legislation of India on corporate liability and on legal 
incentives for companies to voluntarily report on internal incidents of corruption before the 
end of the project, whereas in Mexico understanding has been enhanced of targeted groups 
in this particular area (GLOX32 output 1.3 and 2.3 – see also GLOX30 output 1.3 and 2.3). 
Thus, in India no joint training workshops were organized due to the nature of the training 
module, and the late completion date. However, during February, July and September 
2013, UNODC organized workshops on anti-corruption for youth and young working 
professionals in New Delhi, Chandigarh and Lucknow, thereby reaching over 5,000 youth. 
In both countries the focus has been on the inclusion of relevant government and private 
sector actors, and law enforcement and judicial authorities have only had a highly limited 
role in the activities.

Timely delivery & explanatory factors for efficiency

The majority of activities and outputs have been delivered on time, or with minor delays (up to 
approximately two months). The three projects were therefore extended with half a year until the 
end of September 2014 in order to complete all activities.

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58 UNODC ROSA, 2013c: 5
Overall, especially the communication component of the project ‘Outreach and Communication programme for UNCAC’ and the national components faced several delays during implementation. These can be explained by different factors, ranging from internal UNODC processes and procedures to external participatory processes to initiate and build partnerships. Additionally, some delays at the national level can also be traced back to political events, such as national elections, and the re-organization of particular sections of the government (in Mexico). Last but not least, some challenges were also faced with selected contractors at the global and national level, as a result of the continued sensitive nature of the topic, the fact that the UN and the private sector speak different languages, and because of technical difficulties to finalize IT-based outputs.

The main UNODC factors contributing to the pace of project implementation have been capacity-related, and were the consequence of ensuring the support, buy-in and approval of the various departments of the UNODC. Work on the toolkit and the website could only begin following the approval of the UNCAC Communications Strategy, which had been delayed by at least half a year. Furthermore, whereas the management of the GLOX30 and GLOX32 projects were - almost throughout the entire life of these projects – undertaken by the project officers recruited at the very beginning, the project management of GLOX31 was subject to regular change. In the end over five different officers had covered the project for some time, of which the majority were funded by other projects. A lesson learned is therefore that sufficient attention must be given to adequate UNODC capacity in the project budget.

At the national level, more time than originally planned was needed to initiate and build partnerships with relevant government actors and private sector representatives, which especially was a time-consuming activity because of the level of distrust between these two sectors. Furthermore, as part of the UN arrangements with the Government of India, the selection of the project officer for the India component had to be considered by UNODC’s counterpart. This took several months before the go-ahead was received by UNODC ROSA.

Political events, including elections, also caused delays in the implementation of some of the activities. In India, presidential elections were held on 19 July, 2012 (and legislative assembly elections in nine states, including Karnataka on 5 May 2013 and Delhi on 4 December 2013). In Mexico national elections were held in 2012. The run-up to the federal and state-level elections, and the period following this major political event when the newly installed federal and district level staff had to be introduced to the the work of UNODC led to a delay of approx. two months. Although government commitment was generally not affected by the developments at the political level, as a consequence of changes of the organizational structure of the Government of the State of Puebla (an administrative fusion between the Secretariat of finances and the Secretariat of Administration), there was only limited involvement in the projects in the first half of 2013.

All three projects relied on contractors to get some of the outputs. In a few instances, the contracted companies were unable to deliver in a timely fashion or unable to deliver at all. At the global level, the company taken on board to finalize the UNCAC Communications Strategy had a relatively high turnover of staff at the strategic and operational level, which led to delays and also more investment by UNODC to re-explain the nature, opportunities and limitations of the UN and

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59 UNODC, 2013b: 3
the project. Whereas in the beginning staff of the consultancy firm had travelled to Vienna for meetings with UNODC and government representatives in preparation for the assignment, this could not be done again with new company staff for budgetary reasons. In addition, during this process the differences in terms of language, opportunities and limitations between the private sector and the UN also became more clearly visible, which was another factor contributing to a less smooth process of completing this output. Furthermore, in India the company selected to develop the e-modules on corruption was unable to develop the product in accordance with the original contract. This led to a delay of ten months, as a new contractor had to be sought after the limitations of the hired company hired earlier became visible to UNODC ROSA.

Another factor causing some delays in project progress was more technical in nature. For instance, integrating the private sector webpage into the anti-corruption portal TRACK in order to provide a more comprehensive knowledge base on corruption was a technically more time-consuming option than the originally planned independent webpage. In order to avoid the ‘scattering’ of web-based information sources, this was however seen as a more effective solution, which however took more time to complete.

The sensitive nature of the topic as well as the usage of the online survey method in Mexico resulted in a relatively low response to the surveys. The smaller proportion of respondents of the private sector in the baseline surveys was a common trend for India and Mexico, although more detailed information regarding the methodology (Mexico) and the level of response per target group (India) would have benefited the understanding of the process and outcomes of these surveys. This would in turn have contributed to the possible identification of lessons for organizational learning on conducting research on corruption, including public procurement and corporate integrity. During the evaluation in Mexico, one lesson was that it would have useful to have at least one learning institution taking part from the very beginning in the technical working group meetings to provide expert advice on research.

Partnerships and cooperation

The three projects funded by the Siemens Integrity Initiative could not have been implemented without the partnerships between UNODC and governments (States parties to UNCAC, and India and Mexico as countries where the sub-components of GLOX30 and GLOX32 were implemented), the private sector, IACA, academic institutions, and – to a limited degree – civil society. At the global level, UNODC built on existing partnerships with States Parties to UNCAC, high-level private sector umbrella organizations, such as PACI and the B20, IACA and members of the ACAD. Information about the projects’ results were shared at the last three sessions of the Conference of the States Parties to UNCAC, while resolutions of the Conference of the States Parties provided the necessary political foundation of the design and implementation of the three projects. The aforementioned information has also been disseminated in meetings organized by PACI60 and the B20 Task Force on Improving Transparency and Anti-Corruption.61 UNODC’s participation in activities of PACI and the B20 Anti-Corruption Task

60 See B20 Task Force (2013a: 13, 16); B20 Task Force (2013b: 23, 26, 27); B20 anti-corruption working group (2014: 7)

61 UNODC participates as an observer in the Group of Twenty (G-20) Anti-Corruption Working Group. In 2012, UNODC was also invited to participate in the Business-20 (B-20) Task Force on Improving Transparency and Anti-Corruption. UNODC contributed to the development of the renewed G-20 anti-corruption action plan for the period 2013-2014, which pays increased attention to efforts to engage the private sector more actively. Pp 9 46. UNODC has a strong relationship with the World Economic Forum, in particular its Partnering
Force/Working Group have provided opportunities for networking, and sharing relevant experiences with representatives of companies. However, the anticipated result to establish and nurture a stronger partnership with the private sector has not materialized at this level, and the aim has been viewed as moving well beyond available rules, regulations and capacity.

Different opinions existed regarding the extent to which UNODC ought to have tried to enhance its partnership with the UNGC. Some noted that UNODC promoted the projects at different meetings organized by UNGC in New York and India. However, as initially proposed in the project proposal of GLOX31 and considering that both entities belong to the UN Secretariat and are therefore institutionally mandated to work together, the Office could have capitalized on the UNGC’s network, which could potentially have resonated in a positive sense and - for instance - facilitated the dissemination of outputs.

One key partnership of UNODC has further been with the IACA, which is a joint initiative of UNODC, the Republic of Austria, the European Anti-Fraud Office (OLAF) and other stakeholders. The Academy opened its doors in October 2010, and became an international organization mid 2011. IACA has a two-pronged mission, namely to develop training curricula and tools and to conduct training courses to contribute towards a culture of integrity in public and private sectors. The relationship between UNODC and IACA during the implementation of this project has been perceived as a positive one, whereby the Academy took mostly care of the organizational aspects of the meetings, and training courses held in 2012 and 2013, and UNODC of the substance, at times in close collaboration with experts. In addition, GLOX30, GLOX31 and GLOX32 have provided training tools and modules, which IACA can use in its future educational activities. The expert meetings held at IACA in support of collecting model practices has also confirmed the partnership of UNODC with other actors such as UNCITRAL, OECD, World Bank.

In addition, UNODC established partnerships with a host of academic institutions which have been involved in the development and/or the teaching of the UNCAC academic training module – the synergy with the ACAD project has been of mutual benefit. As per 31 of August 2014, twenty universities have already taught or plan to use the training module in their courses, with some of these having entered into a formal arrangement with UNODC. The academic network is further thriving, which reportedly has been observed in the August 2014 meeting held in Vienna. The collaboration on this particular module has been viewed as highly useful, valuable and effective by all respondents interviewed for this evaluation.

Against Corruption Initiative (PACI). UNODC participated in the PACI Task Force meetings in Mexico (April 2012), in Geneva (October 2012), and in New Delhi (April 2013), providing presentations on UNODC work with the private sector. The Executive Director of UNODC participated in the annual meetings of the World Economic Forum in Davos, Switzerland, in January 2012 and 2013. In January 2012, he delivered a keynote address to chief executives, stressing the power of businesses to effect positive change.’ (UN Conference of the States Parties to UNCAC, 2013b: 9-10)

62 ‘UNODC, 2011b: 5

63 The first two sessions of the expert meetings were co-chaired by UNODC and UNCITRAL, with international experts coming from OECD and World Bank, as well as diverse public and private sector experts of the technical working groups in India and Mexico. In the second one, over 30 persons participated, including representatives of the UNODC technical working groups of Mexico and India, and international experts form Brazil, Russia, Nigeria, South Korea, Malaysia, and international organisations such as the OECD and the World Bank (5 international experts representing both the public and private sectors). In the second two sessions over 30 persons participated in the meeting, including representatives of UNODC, technical working groups of the project in Mexico and India, and international experts from Austria, USA, Georgia, Brazil, Slovakia, Italy and international organizations such as UNCITRAL and World Bank.
In India and Mexico, existing partnerships with the respective government have been built on to get started, and new ones have been initiated with relevant government sections at different levels on the basis of the projects’ objectives. Thus, UNODC ROSA has worked closely together with relevant institutions of the Government of India (GoI) at the federal level in New Delhi and the state level in Bangalore, Karnataka. The two main government counterparts were the Department of Personnel and Training and the autonomous Central Vigilance Commission. In Mexico, the two main counterparts at the federal level were the Ministry of Public Administration (MoPA) and the General Attorney’s Office, with the MoPA the institution in charge of providing oversight to the public procurement system, and punishing corrupt practices. The General Attorney’s Office acted as observer only. The partnership between UNODC and the respective governments has been viewed in a positive light, although – in the words of one respondent - the door still had to be unlocked in India whereas the gate was already open in Mexico. The combination of the rather recent ratification of UNCAC by the State of India, a very bureaucratic and hierarchical government, and a relatively small regional UNODC office offers an explanation for this situation. An unintended result of the cooperation of three levels of government in Mexico was that a common understanding of the different legislative frameworks evolved as a result of the more frequent interaction between the federal, federal district and state levels in the technical working groups.

The selection of private sector actors was undertaken in close consultation with national counterparts, and criteria for selection included the potential interest in the project (likely as part of other initiatives already undertaken in the field of corporate integrity), the network’s size, and the level of vulnerability to corruption and/or the large procurement interests. Whereas in India, key partnerships were initially established with industry associations, in Mexico – in order to ease tensions between the two sectors – the local network of the UN Global Compact, a civil society organization, was used before the Confederation of Industrial Chambers and the national chambers of the textile, clothing, pharmaceutical and construction industries were also invited to take part in the different activities. The usage of industry confederations and chambers proved to be a successful one in both countries, as UNODC could capitalize on their organization and respective networks, which could potentially result in a multiplier effect of some of the results. In addition, in India, the alignment of UNODC with one of the industry confederations also provided indirect access to a sizeable number of small and medium enterprises. At the same time – which was particularly emphasized in Mexico – individual companies felt protected and were more willing to participate under the umbrella of their respective chambers, which led to a more intensive level of cooperation between UNODC and various chambers in Mexico during the development and implementation of training sessions.

In India and Mexico public-private partnerships were established and nurtured under GLOX30 and GLOX32. The technical committees provided the vehicle to create an environment of trust between the two sectors to promote dialogue, shape the process and create ownership for the main conclusions and recommendations of the legislative and baseline assessments and the training. Thus, in Mexico for instance, the gradual introduction of representatives of the private sector into these meetings has brought down some of the walls which existed earlier between these two sectors, and along with dialogue also a common understanding evolved with respect to public procurement rules and procedures, as well as opportunities to promote corporate integrity. These mechanisms have provided the opportunity to create channels of communication, and although one suggestion was to also use video-conferencing more often in such projects, the value of face-to-face meetings –especially if there is still a general atmosphere of distrust – cannot be underestimated. This has certainly been one of the main achievements of the projects, and the
convening power of UNODC has been seen as a major contributing factor to this outcome in India and Mexico.

In these two countries civil society took on different roles in the implementation of GLOX30 and GLOX32, as in Mexico the national Global Compact Network became one of the key partners of UNODC in this endeavour. The network had a facilitating role in initiating cooperation between the public and private sector, and consequently continued to offer access to a vast network of companies. The more limited involvement of the relatively small Indian Global Compact Network (with 176 members) in comparison to the number of members of the two industry confederations was reportedly the reason for focusing efforts on the latter two organizations. At the same time, the argument can be made that UNODC could actually have built more strongly on this available network because of its connection with the UNGC, and the common agenda of these two entities. Also the involvement of academic institutions has been more limited in India in comparison to Mexico, as their involvement was only restricted to the technical working group meetings in 2012, whereas in Mexico one of the academic institutions was directly involved in developing the training modules and conducting the training.

Siemens AG not only funded GLOX30, GLOX31 and GLOX32 but also participated in expert meetings in Vienna, Austria, as well as in India and Mexico. In addition, the company is also one of the members of the B20 Task Force on Improving Transparency and Anti-Corruption, and has also at that level shown interest in the results of the implementation of the three projects. The relationship between Siemens and UNODC has been viewed as a positive one, and UNODC’s timely reporting has been appreciated. Some tension existed in the beginning, when the local branch of Siemens in India was excluded from receiving project reports, but this has reportedly been solved in a cordial manner, and since then their working relationship has been viewed in a positive light.

Effectiveness

GLOX30, GLOX31 and GLOX32 have to a large extent been effective, as outcomes and objectives were fully or partially achieved. The project outcomes of GLOX31 have to a large extent been met. Although it can be expected that the knowledge and understanding of UNCAC by companies has increased as a result of the different communication tools developed under the project, this has not been confirmed by means of a survey and the advocacy role of UNODC has been more limited than originally expected (GLOX31 Outcome 1). One of the reasons is that the internal review of the UNCAC Communications Strategy led to a steep learning curve of the Office. External obstacles (selling the product of projects in the field of corruption in a competitive market) and internal limitations (strict internal administrative rules and lengthy procedures with respect to the receipt of funding in general, and the receipt of funds of companies in particular) of implementation were pointed out, and it was made clear that in-house capacity must be available to take the issues forward. Spreading resources too thin will less likely produce desired results. Furthermore, the national components of the other two projects provided first-hand experience in fast-growing economies, and offered a clear contrast with the more (perhaps in some areas too) abstract global communication initiatives.

More education on the prevention and response to corruption and UNCAC at business schools, law and public administration schools has been one of the outcomes of GLOX31 (GLOX31 Outcome 2). The UNCAC Academic Course has been used by at least ten universities, including
the Australian National University (Australia), the Washington and Lee University (United States), the University of Liberia (Liberia), the American University, the Washington School of Law (United States), the Sussex University (United Kingdom), the University of Athens (Greece), the University of Tirana (Albania), the University of Insubria (Italy), the Autonomous University of Barcelona (Spain) and the University of Belgrade (Serbia). The target group comprised mostly students, but a summer course held in Washington in 2014 comprised students and practitioners. One innovative example has been the joint teaching of the UNCAC course via videoconference by Washington and Lee University in the United States and the University of Liberia in Monrovia. This experience was subsequently shared at the fifth session of the Conference of the States Parties held in Panama in 2013.

Outcomes of the global components of GLOX30 and GLOX32 in the field of compiling model practices, and educating public and private sector representatives have also been achieved. Thus, good practices and lessons learned on fighting corruption in public procurement have been compiled in a guidebook, which has been shared among public procurement personnel and their private counterparts (GLOX30, outcome 3). The same conclusion can be drawn regarding the compilation and dissemination of model practices on corporate integrity (GLOX32, outcome 3). Over 350 copies of both publications have been disseminated, and the publications have also been made available online. With the development and conduct of the courses entitled PACT and LICIT, IACA has contributed to further improving the knowledge of relevant actors on these issues.

The outcomes of the project components implemented in India and Mexico have only been partially achieved, although public-private partnerships have been established and communication gaps between key stakeholders bridged. Activities have possibly contributed towards reducing opportunities for corruption in public procurement systems (GLOX30 outcome 1 and 2), and some progress has been made towards establishing a system of corporate liability and legal incentives for companies to voluntarily report on internal incidents of corruption and cooperate with public authorities (GLOX32, outcome 1 and 2). In India some stakeholders have been sensitized and trained on critical issues, thereby creating an enabling environment for further activities to prevent corruption. However, considering the vast size of India, the magnitude of target entities, and thereby the current state-of-affairs at the legislative and policy level in India, expectations ought to have been downscaled during the design phase. The fact that the Public Procurement Bill 2012 has not yet been passed by the Parliament, which would make India compliant with article 9 of UNCAC, gives further evidence for this conclusion. The same conclusion can be drawn for Mexico, although, despite legislative compliance in the field of procurement in Mexico, gaps in practices continue to exist. The training of over 500 representatives of public and private sectors on corporate integrity and the prevention of corruption in public procurement has contributed towards an environment more supportive of preventing corruption in the future.

The objective of GLOX31, namely ‘to support private actors’ integrity efforts by educating present and future generations of business and public leaders and better informing the corporate community of the United Nations Convention against Corruption’, has to some extent been met. The UNCAC academic module already caused a widespread interest, and memoranda of Understanding between UNODC and Beijing Normal University (China) and the Moscow State Institute of International Relations (Russian Federation) have been concluded. The module has
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been at the basis of lectures given in over twenty institutions. UNODC has also received interns from Renmin University Law School (China) and it is expected that interns from other universities will also be able to contribute to UNODC’s work in the near future. UNODC’s cooperation with the private sector has however faced more challenges, and the Office has pointed out that in addition to limitations resulting from organizational rules and procedures and the particular nature of this UN entity, also the necessary capacity to further this particular aim has been missing. Although UNODC has partnered with the B20 and PACI, for networking with private companies more manpower is needed to establish, maintain and possibly capitalize on such contacts. This cluster of projects has however confirmed UNODC’s niche in this field, which is to use its convening power to establish, strengthen and capitalize on public-private partnerships to further the implementation of UNCAC – especially at the country level.

The objective of the project ‘The 6Ps: Public-Private Partnership for Probity in Public Procurement’ (GLOX30) was to promote States’ implementation of article 9 of the United Nations Convention against Corruption, to support private actors’ efforts to comply with the 10th Principle of the United Nations Global Compact […], and to reduce vulnerabilities to corruption in public procurement systems through the establishment of Public-Private Partnerships for Probity in Public Procurement’. The objective has been achieved by means of creating an enabling environment in India and Mexico to promote the implementation of article 9 of UNCAC through establishing public-private partnerships, and supporting training, other educational activities and awareness raising activities on the above article in particular. This has possibly contributed to a reduction in vulnerabilities to corruption in public procurement, although it is too early to confirm if this is actually a result of GLOX30 project. The global activities in the field of sharing model practices, such as the completion of a publication and a training course, as well as the fact that the PACT course has already been held, has also supported states, companies and their representatives to further probity in public procurement.

The objective of the project ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ (GLOX32) was ‘to promote States’ implementation of articles 26 (liability of legal persons), 32 (protection of witnesses, experts and victims), 37 (cooperation with law enforcement authorities) and 39 (cooperation between national authorities and the private sector) of UNCAC and to facilitate private actors’ compliance with the 10th principle of the UN Global Compact […] through the creation of a system of legal incentives to companies’ integrity efforts in the beneficiary countries, hence encouraging business to come forward and report internal incidents of corruption’. The project has supported the identification and dissemination of lessons learned, model practices and innovative approaches for governments to encourage and reward companies’ spontaneous and substantial cooperation with, and reporting to, relevant public authorities in line with UNCAC. The implementation of GLOX32 in India and Mexico has contributed to a first-hand understanding of the existing challenges and opportunities to promote corporate integrity, which – together with available knowledge of other organizations and experts - has resulted in a publication, the development of a training module, and the implementation of the first training course by means of which States, private companies and their representatives have increased their expertise on the strengthening of the legislative and policy framework and its implementation in this particular field.
Impact

The impact of GLOX30, GLOX31 and GLOX32 is visible in different areas. First and foremost, the three projects, and especially GLOX31, have identified the operational niche for UNODC vis-à-vis the private sector. By means of a learning process the Office has identified its strengths and weaknesses, and confirmed that its credibility as a UN body with convening power to establish, maintain and strengthen public-private partnerships must be capitalized on. This position takes into consideration its mandate, rules and regulations, and the limited staff capacity to establish and maintain contacts with private companies. This understanding has strengthened the knowledge base of UNODC on how to engage with the private sector, and could underpin a better positioning of UNODC in this particular field.

The second one is that the activities of this cluster of projects have contributed – together with other initiatives in this area - to a change in mindset, as companies are now increasingly focusing on corporate integrity. Capacity in the field of education has been built by means of completing training modules for different audiences, by involving different knowledge institutions in developing and using these modules, and by dedicating time to bring users together to discuss teaching methods on the UNCAC academic module. Model practices have been identified, and knowledge has been enhanced in courses and as a result of the dissemination of different publications and the sharing of concrete experiences in relevant fora. IACA, academic institutions and UNODC worldwide have embraced the opportunities created in this field to educate students, and representatives of public and private sectors of different countries to further UNCAC, especially (but not only) with respect to public procurement and corporate integrity. In Mexico, the enhanced knowledge of representatives of CANAIVE reportedly led to a positive result in the PROCEMEX LAUNDRY case (a public procurement case) as a result of the information CANAIVE provided them with on existing rules and regulations. The change in mindset has also resulted to the creation of the special anti-corruption task force of CONCAMIN’s Public Procurement Committee.

A third profound change is the awareness that public-private partnerships at the national level, at least in the case of India and Mexico, are often non-existent, and that extensive effort must be undertaken to bring the public and private sectors together and create a culture of dialogue among their representatives.

A fourth area in which the potential of a ripple effect of GLOX30, GLOX32 and GLOX32 could be noted in the future is that publications and results of these three projects have been shared during sessions of the Conference of the States Parties, including in background papers for these conferences. For instance, the good practice of teaching the UNCAC model through video-conferencing between Washington and Lee University, US, and the University of Liberia in Monrovia has been shared during a side-event of the fifth session of the Conference of States Parties held in 2013. Also, in the plenary session of the same CoSP, the publication ‘Resource Guide on State Measures for Strengthening Corporate Integrity’ was launched, and in a side event organized by UNODC and IACA, a detailed summary of good practices was shared on corporate integrity. Furthermore, publications, such as the resource guide on corporate integrity, were also shared at the G20 Anti-Corruption Working Group meeting in Sydney held in February 2014, as
well as at other meetings hosted at the UN in Vienna, such as a training session on the prevention of corruption with representatives of the Libyan government.\textsuperscript{65}

A fifth area of impact is that India and Mexico are better prepared to receive missions as part of the first and second round of the UNCAC Review Mechanism set up in 2010. Mexico volunteered to include the involvement of the private sector in its review in the context of the B20. The legislative and baseline studies will certainly support and contribute to the efforts of these review missions, and thereby – directly and indirectly – strengthen existing efforts to implement UNCAC (see also sustainability). Especially in India, the more recent ratification of UNCAC and the implementation of these two projects in partnership with the federal government, has – voiced by one private sector representative during the evaluation undertaken in India - “accelerated the decision-making in the Government in relation to the Public Procurement Bill and other related matters.” The implementation of these projects has possibly also contributed to the fact that in 2012 Mexico and in 2013 India were first-place winners in designated categories of the annual UN Public Service Awards in the field ‘Preventing and combating corruption in the public service’.\textsuperscript{66}

Some unintended positive consequences were also noted during the implementation of GLOX30, GLOX31 and GLOX32, although these were particularly noticeable in Mexico. In 2013, the Mexican Government began major anti-corruption legal reforms with the aim to set up a new National Commission against Corruption. As part of this initiative, the Mexican Senate undertook a review of anti-corruption laws and practices. UNODC was asked to provide advice based on the findings of the studies undertaken for the two projects. The findings of the review were then shared in a federal government declaration.\textsuperscript{67} In addition, the necessity to create public-private partnerships to fight corruption was reflected in the National Development Plan 2013-2018 of Mexico, which is a legally binding document for Federal Public Administration representatives.\textsuperscript{68}

The impact of these projects must also be seen in light of other initiatives already undertaken by the different government levels in Mexico, although a major change in the working environment of the Ministry of Public Administration, which had been involved in fighting corruption for a long time, had been prompted by the public-private partnerships established under GLOX30 and GLOX32. Furthermore, one interlocutor also noted that one of the results was an increase in expertise of the Ministry of Finance and Administration of the State of Puebla on related policies of the Federal District and the Federal Government because of the more frequent interaction between representatives of different government levels in Mexico.

Furthermore, the discussion on integrity has actually led to a broader discussion in CONCOMIN regarding ethics, equality and non-discrimination. Two concrete actions were taken, including the implementation of the project ‘Eyes that See’ for visually impaired persons, and the setting up of

\footnotesize{\textsuperscript{65}UNODC, 2014f:3
\textsuperscript{66}United Nations Conference of the States Parties to the UNCAC, 2013b: 4
\textsuperscript{68}The quote of the National Development Plan 2013-2018 is as follows: “determining actions of collaboration between the public-private sectors are necessary in order to promote mechanisms of self-regulation, internal controls and programs of integrity, and it highlighted some areas that have to be addressed, such as promotion of the complaint culture, under a scheme of social responsibility, as well as the dissemination, formalization and implementation of the integrity incentives”.}
the Commission of Social Responsibility, which is responsible for promoting activities to fight corruption with its affiliates through the organization of an Annual Integrity Award.\textsuperscript{69}

**Sustainability**

Several results of GLOX30, GLOX31 and GLOX32 are sustainable in the short and longer term. With respect to education, the UNCAC academic course has further sparked the ACAD network of academics, and increased their interest in using this course, thereby leading to more formalized working relationships between universities, other knowledge institutions and UNODC. The ACAD meeting held from 11 to 13 August 2014 in Vienna with the participation of 43 academics, allowed for the cross-fertilization of ideas on the teaching of this course, and the further development of global learning tools.\textsuperscript{70} UNODC anticipates that many will continue to roll out the course in the coming months, and intends to send out a questionnaire to evaluate the number of new courses in early 2015. For instance, respondents shared that upcoming courses are expected at the University of Rome in the latter half of 2014, and at the American University in Washington again in January 2015.\textsuperscript{71} This is in addition to significant funding secured through the State of Qatar to expand the initiative and organise similar workshops aimed at a regional level and in partnership with the International Centre for Rule of Law and Anti-Corruption, based in Qatar. The greater knowledge instilled in students might result in positive ripples in the field of anti-corruption work in the short and long term.

In addition, IACA has gradually grown into a more mature training institute during the projects’ life span. The Academy included the UNCAC Academic Module in its Master Programme, and developed and held training courses in the field of public procurement and corporate integrity entitled PACT and LICIT. Whereas the first training courses were actually subsidized pilot courses, future PACT and LICIT courses must become self-sustaining with costs covered by the trainees themselves and/or their employers.\textsuperscript{72} Another PACT course has been held from 1-26 September, with participants from public administration representatives and procurement officials to anti-corruption advocates and legal specialists from the private sector, and another LICIT course has been planned for 2015. The Master in Anti-Corruption Studies (MACS) will be held from October 2014-December 2016. In 2015 more information will be available whether these courses have become self-sustaining or not.

The training modules developed at the national level are sustainable to some extent only. In India, for example, the Central Bureau of Investigation, the Confederation of Indian Industries, the Commissioner of Industries, and the Rajasthan Police and National Police Academy based in Hyderabad have expressed their intent to adopt and start using the e-training modules. In Mexico the training material has been shared with the MoPA, the Comptroller General’s office of the Federal District and the CMIC, and the latter is in the process of adopting the training. Furthermore, the aim is that the training material will also be utilized by the anti-corruption

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\textsuperscript{69} UNODC, 2013s: 4; 2014h: 8

\textsuperscript{70} Recommendations given at the end of this meeting included the organization of similar meetings at the regional level for cost-efficiency reasons and to facilitate discussion on the basis of a common language and other commonalities, and the further development of global learning tools (UNODC, 2014i: 1)

\textsuperscript{71} Email exchange UNODC staff member, September, 2014

\textsuperscript{72} \url{http://www.iaca.int/standardized-trainings/general-information}
training institute of the University of Monterey. It remains however to be seen to what extent these expressions of interest will materialize in the longer term as the modules and training activities were only recently completed and shared.

The three projects have all resulted in publications that will continue to be available on the UNODC-based TRACK portal. The toolkit and the two ‘global’ publications have recently been reprinted, and the toolkit has also been translated into Spanish with some of the leftover funds of GLOX31. Furthermore, a private sector micro-site has been included in the TRACK portal. This site requires regular updating, which is however only possible as long as funds are available to cover the in-house CEB IT expert. Considering the various challenges with respect to implementing the UNCAC Communications Strategy, and the necessity to get external funding to undertake related activities, at this stage it is not highly likely that the implementation of this strategy will receive another boost – despite its potential for UNODC. Furthermore, some knowledge products, such as the anti-corruption referral directory in India, must be periodically updated and printed for dissemination, and at this stage no budget is available to take on this responsibility.

Some of the partnerships established, maintained and/or strengthened under the three projects are envisaged to continue. These include the one with ACAD, and – although not directly established under this cluster of projects – with some private sector actors (including the B20, Siemens and so on). However, the national committees in respectively India and Mexico have ceased to exist – neither government has yet expressed an interest in taking the lead and/or formalizing these mechanisms to support public-private partnerships. In Mexico, however, consultations between UNODC, the MoFA and MoI continue on possibilities to take this platform forward in support of the implementation of UNCAC, and the MoI expressed an interest to use this platform for a national programme against violence, providing that UNODC would be able to get funding.

Institutional changes, such as the creation and/or strengthening of institutions, mechanism(s) and rules and regulations, have been limited as a result of the implementation of GLOX30, GLOX31 and GLOX32. For UNODC the main area of impact has been the strengthening of their knowledge base on public-private partnerships, and giving staff a clearer understanding of the opportunities and limitations of cooperation with the private sector to promote the implementation of UNCAC. This can support the work of the Secretariat to UNCAC as well as other work undertaken and/or supported by CEB. Furthermore, enabling environments have been created in support of legislative and/or institutional change in India and Mexico, although with the global outreach of UNODC’s work a more profound change could also take place elsewhere. Exceptions are however the progress made towards an effective Whistleblowers Protection Act, 2011 in India, which, although receiving Presidential approval in May 2014, has not yet been enacted as the government is still reviewing the rules for enforcing the Act. In Mexico, the special anti-corruption task force within CONCAMIN’s Public Procurement Committee and also CONCAMIN’s Social Responsibility Commission have both reportedly been established as a result of the two projects. These two entities are expected to continue to function beyond the projects’ life-span providing that in-house support and capacity continues to be available for these entities.

73 This refers among others to plans for continued engagement with the B20, PACI, UNGC and the IBA; to the fact that the resources are available online; and to complementary activities and tools developed.
III. CONCLUSIONS

The three projects ‘The 6 P’s: Public-Private Partnership in Probity in Procurement’ (GLOX30), ‘Outreach and Communication programme for the United Nations Convention against Corruption (UNCAC)’ (GLOX31) and ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ (GLOX32) funded by the Siemens Integrity Initiative have given UNODC the opportunity to reflect on its partnership with the private sector, and explore different avenues to strengthen this in the field of resources, information-sharing and dissemination and networking. This experience has led to the identification of UNODC’s niche to support the implementation of the UNCAC and work with the private sector, namely by capitalizing on its convening power as a UN body to initiate and support public-private partnerships in the fight against corruption. Other opportunities are bound by UNODC’s limited capacity and its rules and regulations with respect to the receipt of funds of companies.

This cluster of projects has been relevant, and aligned with resolutions of the Conference of the States Parties to UNCAC, UNODC strategies and – at the national level – with regional UNODC strategies, UNDAFs and national development policies of the Governments of respectively India and Mexico. The design of the three projects was characterized by a high level of ambition, which became gradually visible as a result of the pace of implementation, the actual results and the limited resources available to support certain activities. This included the time and efforts required to create public-private partnerships at the national level, implement the legislative and baseline studies, and develop training modules and organize courses. A reality-check of the complexities of political and legal processes underlying legislative change, and the challenges of implementing rules and regulations already in line with UNCAC provided UNODC with a clearer understanding of results to be expected in September, 2014. For the global components similar observations can be made in the field of communication, although the UNCAC academic module and the guidebooks on model practices have been developed efficiently. The budget has not been overspent, and the delays can be explained by internal and external factors.

GLOX30, GLOX31 and GLOX32 have been effective to some extent if considering the enabling environment created in India and Mexico to support integrity initiatives in the field of public procurement and legal incentives, the raised awareness and knowledge of numerous stakeholders in the process of creating this context and thereby contributing to possible positive change in the future. Additionally, theoretical and grounded training for different groups, including university students and representatives of public and private sectors, has been provided to enhance knowledge, and while preparing these courses, model practices in the field of public procurement and corporate integrity have been compiled which can be replicated elsewhere. The potential impact can – among others – be seen in this area, as well as a changed relationship between not only public and private actors, but – in the case of Mexico – also between different government entities. Furthermore, as noted above, this experience has given UNODC more clarity on its strengths and weaknesses in this particular field, which can underpin a stronger profiling and more effective positioning in the near future. Several results seem to be sustainable, and especially the educational outputs and their usage have sparked a lot of interest among different stakeholders in various settings, including at sessions of the Conference of the States Parties to
UNCAC. In particular the UNCAC academic module and the LICIT and PACT courses are likely to be increasingly used at the global level to educate professionals and younger generations to prevent corruption.
IV. RECOMMENDATIONS

The recommendations given below will be targeted to the different stakeholders involved in the three projects ‘The 6 P’s: Public-Private Partnership in Probit in Procurement’ (GLOX30), ‘Outreach and Communication programme for the United Nations Convention against Corruption (UNCAC)’ (GLOX31) and ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ (GLOX32), namely the donor, UNODC, and States parties.

To the donor the following recommendations can be made: Provide adequate time to the implementing agency to examine potential partnerships during the design phase; Support the implementing agency with the financial resources necessary to get sufficient capacity to implement the projects; Considering the sensitive nature of the topic, the fact that often public-private partnerships at the national level still have to be established at the beginning of the project, as well as the fact that dialogue and other participatory initiatives require a lot of investment, provide adequate time to the implementing agency to execute the project; Consider limiting expectations in the field of results (especially impact) for the same reason as mentioned above, as well as the fact that results in the field of anti-corruption and the legislative sphere are more likely to be achieved in the long-term, and not during the life-span of projects.

To UNODC the following recommendations can be made with respect to public-private partnerships: Continue to explore funding opportunities with this particular group of potential donors to support the work of UNODC, including in the field of corruption; Enhance the profile of the Office as a convening power in multi-stakeholder projects, including with respect to public-private partnerships; Continue to target efforts to partner with the private sector by dedicating staff capacity to undertaken such activities (providing that funding is available); Continue to target umbrella organizations of the private sector at the international and national level, such as the B20, PACI, and Chambers of Commerce, and focus on those with already strong corporate integrity initiatives; In the case of future communication, outreach and/or training activities, consider enhancing the partnership with the UNGC; Dependent on the stage of accessing UNCAC, and the possible time-span between ratification and the implementation of the project, some attention must also be given to outreach activities on UNCAC in general in addition to setting up and strengthening public-private partnerships and the implementation of activities addressing particular articles of UNCAC. In the case of India, explore funding opportunities of Indian and Multinational Corporate Houses/Foundations under corporate social responsibility programme or such other schemes as laid out in the rules of the Companies Act, 2013, and lobby with the Government of India for possible cost-sharing arrangements (see annex IV).

To UNODC the following recommendations can be made in the field of design, implementation, and monitoring and evaluation: Ensure that when designing a project, sufficient attention is paid to including adequate capacity in the logical framework and budget; Give due consideration to the necessity to get government buy-in (and therefore consultations) in the first project phase; Ensure that adequate time is given in the schedule to build public-private sector partnerships at the national level; Ensure that the intervention logic must correspond to the legal framework and
political system in the beneficiary states; Ensure that the inclusion of comprehensive monitoring activities to measure the results of particular activities in log frames (with SMART indicators) is accompanied with adequate financial resources to implement these activities; Dedicate sufficient time to reflecting on the opportunities as well as limitations of particular survey instruments, as well as the selection of intermediaries/networks and the means to select and approach respondents; With respect to developing training modules (such as the academic training module), consider including exercises in support of different teaching techniques to broaden the menu of options for users; Examine the pros and cons of developing and implementing online and offline training modules, and holding training sessions; in the case of one or more projects with both global and national-level components, it is recommended that the ToRs for the international and national consultants, that is, the evaluation team, must be developed and completed by the respective section of the UNODC headquarters to ensure a coherent design and subsequent implementation of the evaluation.

The following recommendations can be made to the Government of India: Pass the Public Procurement Bill, 2013 (upper house of Parliament); Establish rules for the enforcement of the Whistleblowers Protection Act, 2011, and enforce the Act; Adapt, if necessary, and utilize the e-training modules developed under the two projects; Consider replicating the aims to promote public-private partnerships at the state level, and support other states with developing legislation in the field of public procurement and corporate integrity.

The following recommendations can be made to the Government of Mexico: Continue with further enhancing the implementation of relevant legislation in the field of public procurement; Consider strengthening legislation in the field of corporate integrity; Adapt if necessary, and utilize the training modules developed under the two projects; Consider replicating the aims of the to promote public-private partnerships as well s strengthen intra-governmental knowledge sharing and collaboration on corruption issues at the state level.

The following recommendations can be made to private sector actors: explore in-house opportunities to initiate and/or further shape institutional change in favour of corporate integrity; utilize available training modules to provide in-house training on public procurement and corporate integrity. In the case of India, explore funding external initiatives which prevent corruption as part of the CSR funding rules laid out in the Companies Act 2013 (see annex IV).

The following recommendations can be made to States parties: Consider providing support to UNODC to further the implementation of UNCAC, including in the field of public-private partnerships to prevent and fight against corruption; Consider utilizing the UNODC experience in the latter field as well as the model practices collected to take the initiative to establish public-private partnerships if these do not yet exist in the country; If relevant, provide support to national knowledge institutions to allow for the UNCAC academic module to be included in the national training curricula.
V. LESSONS LEARNED

UNODC, the private sector and public-private partnerships

As an intergovernmental body, UNODC has convening power and a role to play in multi-stakeholder projects as an initiator and convener of public-private partnerships, to create opportunities for confidence-building on sensitive issues, such as in the field of corruption, and to promote dialogue between public and private sectors;

The cooperation with the private sector has provided UNODC with financial opportunities in the case of the Siemens Integrity Initiative, but receiving funding from private sector donors also poses certain limitations because of existing UN rules and regulations on the receipt of such funds, and the fact that companies with a strong social responsibility wing prefer to invest in other thematic areas, such as humanitarian assistance, children’s rights, or assistance to victims of violence;

A more sustained involvement of UNODC with private sector entities can only be achieved if more capacity is made available in order to initiate, build and maintain a private sector network;

Instead of cultivating relationships with representatives of numerous individual companies, a more effective approach has been to initiate and become involved with umbrella organizations of the private sector at the international and national level, such as the B20, PACI, and Chambers of Commerce.

When liaising with companies to initiate, maintain and/or strengthen public-private sector partnerships to prevent corruption, those interested in supporting such initiatives have often already invested in social responsibility or integrity initiatives. These companies are multinational in nature (e.g. Siemens) or belong to the segment of large enterprises in a country.

Design

In the project design sufficient attention must be given to adequate capacity (staff and/or consultants) to manage and/or support the implementation of the project(s) in order to ensure an efficient and effective implementation process (GLOX31);

Especially in the design phase of the project, and while preparing for implementation, it is necessary to dedicate adequate time for extensive consultations to get sufficient government buy-in, as this prepares the stage for the next phase (implementation). (GLOX30 and GLOX32);

In addition, especially when public-private partnerships in the field of corruption prevention at the national level do not yet exist, adequate time must be given in the implementation schedule to build such partnerships – even more so because of the sensitive nature of the topic (GLOX30 and GLOX32);
The intervention logic must correspond to the legal framework and political system in beneficiary states. The aim to achieve legislative changes within a relatively short time-frame (e.g. two or three years) is often not feasible and realistic, and the project objectives, indicators and targets must therefore be defined accordingly to manage expectations (e.g. GLOX30 and GLOX32/India).

The incorporation of comprehensive monitoring activities to measure the results of particular activities in log frames (with SMART indicators) is commended, but this must be accompanied with adequate financial and human resources to undertake and complete such extensive data-gathering and analysis exercises.

Dependent on the stage of ratifying or acceding to UNCAC, and the possible time-span between ratification and the implementation of the project, some attention must also be given to outreach activities on UNCAC in general - in addition to setting up and strengthening public-private partnerships and the implementation of activities addressing particular articles of UNCAC (GLOX30 and GLOX32/India);

**Implementation - partnerships**

Building public-private partnerships must be done with full respect for the sensitive nature of the issue, such as in the case of corruption. A gradual introduction of representatives of both sectors must be undertaken on the basis of an initial separate engagement with both sectors by the convenor in order to build trust and get a better understanding of the different perspectives regarding the issues at hand;

The partnership between UNODC and the UN Global Compact could have been more capitalized on – at the global level in the field of outreach activities considering the UNGC’s vast membership of companies, and in India despite considerations of the more limited size of India’s UNGC Local Network in comparison to some private sector umbrella organisations. The contrast with Mexico, where the relationship with the UNGC Local Network appears to have fully capitalized on for mutual benefit is in stark contrast with those project components implemented elsewhere. This has facilitated access to a vast number of local companies.

**Implementation - surveys**

The usage of online surveys to solicit perspectives, knowledge and training needs on corruption might be an effective instrument at first glance, but also encapsulates the risk of a low response rate if respondents are not approached directly, especially when the issue is as sensitive as corruption. It is therefore important to dedicate sufficient time to reflecting on the opportunities as well as limitations of particular instruments, as well as the selection of intermediaries/networks and the means to select and approach respondents.

**Implementation – training**

The UNCAC academic module has been viewed as providing a comprehensive package of material to allow teachers to tailor the given information to their needs. The module has however been developed by one professor only, and a lesson is that an expert group set up in the very beginning of such a process would support and strengthen the design of such a course (including
Based on extensive consultations to identify the training needs of each stakeholder, the development and conduct of tailored training courses for different stakeholders in Mexico contrasts with the decision to develop two online training modules on corruption - one on public procurement and one on corporate integrity - in India. The question is which form will be more effective in the short and long term and at what cost - as the launch of the online training module in India was undertaken at the end of the project, the short and long term effects could not be measured, whereas the fact that the training sessions held in Mexico contributed to more knowledge of trainees points for certain to their positive short-term effects.

**Implementation – Evaluation**

In the case of the evaluation of one or more projects with both global and national-level components, it is more effective if the ToRs for the international and national consultants, that is, the evaluation team, are developed and completed by the responsible section of UNODC headquarters, with inputs from the regional and/or national-level offices in order to ensure a common approach to the evaluation from the design stage onwards with respect to deliverables. This will better manage expectations of all parties and facilitate a smooth evaluation process. Furthermore, in order to strengthen a comparative approach to the country level components, the participation of the evaluation team leader in interviews at this level must be considered. This preferred approach to designing cluster evaluations must – if considered - also be reflected in relevant UNODC evaluation guidance notes.
# Annex I. Terms of Reference of the Evaluation

The terms of reference for the Evaluation of GLOX30, 31 and 32 relating to collective action in anti-corruption through public-private dialogue, in accordance with the United Nations Convention against Corruption.

## I. Background and Context

### A. Overview of the project

| Project number and title | GLOX30-The 6Ps – Public private Partnership in Probity in Public Procurement  
| GLOX31 – Outreach and Communication Programme for the United Nations Convention against Corruption (UNCAC)  
| GLOX32 – Incentives to Corporate Integrity and Cooperation in Accordance with the UN convention against Corruption |
|---|---|
| Approved duration | March 2011 – September 2014 (3.5 years) |
| Location | Global with sub-projects in India and Mexico |
| UNODC Strategy 2012-2015 | Programme 2: Countering corruption; 2.7. Enhanced capacity of national institutions to prevent and fight corruption in the private sector and to enhance the role of the private sector as a stakeholder in the prevention of and fight against corruption, through advocating the effective implementation of the United Nations Convention against Corruption. |
| Linkages to Thematic programme | Action against Corruption, Economic Fraud and Identity Related Crime (2010-2011 & 2012-2015) |
| Linkages to Country/Regional Programmes | Regional Programmes for South Asia and for Central America |
| Executing Agency/Office | UNODC |
| Partner Organizations | IACA (GLOX 30 and GLOX32) |
| Overall Budget | USD 3,092,557 (GLOX30 – 1,222,979, GLOX31 – 745,797, GLOX32 – 745,497) |
| Total approved budget | USD 3,092,557 |
| Donors | Siemens Integrity Initiative |
| In-Kind Contributions | N/A |
| Project Coordinator / HQ Focal Person | Candice Welsch / Shannon Bullock (Corruption and Economic Crime Branch) |

### B. Overview of the evaluation

| Type of evaluation | Final project evaluation (three project cluster) |
| Time period | 7 March 2011 to 30 September 2014 |
C. Project overviews

Projects GLOX30, 31 and 32 are managed by the UNODC Corruption and Economic Crime Branch (CEB), with funding from the Siemens Integrity Initiative. The projects are all managed centrally with global components, and GLOX30 and GLOX32 also having sub-projects in India and Mexico implemented by UNODC project offices. The overarching goal of projects funded by the Siemens Integrity Initiative is to support organizations and projects fighting corruption and fraud through collective action, education and training; as such, the three projects are interlinked in the common objective of promoting collective action through public-private dialogue and collaboration in anti-corruption by putting UNCAC compliant legislation and systems in place.

GLOX30 – The 6Ps – Public-private partnership in probity in public procurement project aims to reduce vulnerabilities to corruption in public procurement systems by reviewing and amending laws and procedures while bridging knowledge and communication gaps between public procurement administrations and the private sector.

GLOX31 – Outreach and Communication Program for the United Nations Convention against Corruption (UNCAC) project will develop an outreach and communication program, targeted at the private sector, and an academic learning course on the UN Convention against Corruption. This project aims to educate present and future generations of business and public leaders, and better inform the corporate community of the existence of a global standard to prevent and fight corruption - The UN Convention against Corruption.

GLOX32 – Incentives to Corporate Integrity and Cooperation in accordance with the UN Convention Against Corruption project aims to promote and strengthen corporate integrity by creating systems of legal incentives to companies’ integrity efforts, hence encouraging business to come forward and report internal incidents of corruption.

D. Projects objective and outcomes

GLOX30 – The 6Ps – Public-private partnership in probity in public procurement

Project Objective: The overall objective of this project is to promote States’ implementation of article 9 of the United Nations Convention against Corruption while supporting private actors’ efforts to comply with the 10th Principle of the United Nations Global Compact which states that “Business should work against corruption in any form, including bribery and extortion”.

Outcome 1: Opportunities for corruption reduced in India’s public procurement system (laws and procedures reviewed and knowledge and communication gaps bridged between public procurement administrations and the private sector).

Outcome 2: Opportunities for corruption reduced in Mexico’s public procurement system (laws and procedures reviewed and knowledge and communication gaps bridged between public procurement administrations and the private sector).

Outcome 3: Good practices and lessons learned in fighting corruption in public procurement are made available and shared at the global level among public procurement personnel and their private counterparts.

GLOX31 – Outreach and Communication Program for the United Nations Convention against Corruption (UNCAC)
Project Objective: The overall objective of this project is to support private actors’ integrity efforts by educating present and future generations of business and public leaders and better informing the corporate community of the UN Convention against Corruption.

Outcome 1: The knowledge and understanding of UNCAC by companies, particularly the UNGC business participants, is increased.

Outcome 2: The quantity and quality of trainings on UNCAC delivered by business schools, law and public administration schools is increased.

GLOX32 – Incentives to Corporate Integrity and Cooperation in accordance with the UN Convention Against Corruption

Project Objective: The overall objective of this project is to promote States’ implementation of articles 26 (Liability of legal persons), 32&33 (Protection of witnesses, experts, victims and reporting persons), 37 (Cooperation with law enforcement authorities) and 39 (Cooperation between national authorities and the private sector) of the United Nations Convention against Corruption (hereinafter UNCAC or the Convention) and to facilitate private actors’ compliance with the 10th Principle of the UN Global Compact (“Business should work against corruption in any form, including bribery and extortion”) through the creation of a system of legal incentives to companies’ integrity efforts in the beneficiary countries, hence encouraging business to come forward and report internal incidents of corruption.

Outcome 1: A system of corporate integrity and legal incentives for companies to voluntarily report on internal incidents of corruption and cooperate with public authorities is established in India.

Outcome 2: A system of corporate integrity and legal incentives for companies to voluntarily report on internal incidents of corruption and cooperate with public authorities is established in Mexico.

Outcome 3: Good practices and lessons learned on how governments, in line with the principles of UNCAC, should best encourage corporate integrity and spontaneous reporting instances of corruption are made available and shared at the global level amongst public and private sector representatives.

E. UNODC strategy context

This project falls under Subprogramme 2 (Countering Corruption) of the UNODC Strategy 2012-2015. The objective of subprogrammes is to prevent and combat corruption, in line with UNCAC. The projects fall directly under 2.7 “Enhanced capacity of national institutions to prevent and fight corruption in the private sector and to enhance the role of the private sector as a stakeholder in the prevention of and fight against corruption, through advocating the effective implementation of the United Nations Convention against Corruption”.

These projects also fall under UNODC Thematic Programme “Action against Corruption, Economic Fraud and Identity-related Crime” (2012-2015), as well as Regional Programmes for South Asia and Central America

F. Project documents and revisions of the original project document

The project documents were approved in April 2011 (GLOX 30 and 32) and May 2011 (GLOX31).

All three projects were revised in October 2013. The main purpose of this revision was to reflect the no-cost extension of the project granted by the donor to extend the project end date from 31 March 2014 to 30 September 2014 (6 months). At that time, in order to reflect changes in UNODC policy concerning project documents, and the logframe and work plan were updated. Some indicators were adjusted slightly to be more in-line with project objectives and outcomes. A second project revision was done for GLOX31 in February 2014 to allocate budget for outreach and communication activities towards the salary of one Information Systems Assistant who was developing the private sector website.

The project document and the different project revisions will be provided to the evaluators as part of the background information list (see Annex 3).

G. Main experiences and challenges during implementation

The annual reports of 2011, 2012 and 2013, as well as the semi-annual report for 2014 present evidence of achievements under the different outcomes and outputs.
No major challenges have been encountered with the projects GLOX30 and GLOX32 globally nor in India or Mexico; however, there were some delays in GLOX31 due to internal clearance procedures for the private sector outreach and communication strategy and for the time required to develop the private sector microsite. The different progress reports will be provided to the evaluators as a part of the background information list (see Annex 3).

II. PURPOSE OF THE EVALUATION

In compliance with UNODC evaluation policy and as required by the donor, the final project evaluations of GLOX30, GLOX31 and GLOX32 will be undertaken between July-September 2014 with the purpose to fulfill UNODC’s accountability and organizational learning requirements following these specific objectives:

- to review progress and obtain feedback on and appraisal of the activities undertaken;
- to identify areas of improvement and propose solutions;
- to determine to which extent the project objective was met and whether resources were wisely utilized;
- to take stock of the relevance, efficiency, effectiveness, impact and sustainability of the project;
- to identify preliminary lessons to be learned and integrated in future UNODC anti-corruption projects.

The results of the evaluation will be used internally by CEB senior managers, staff members, the donor and other organizational units of UNODC, etc.

III. SCOPE OF THE EVALUATION

The unit of analysis of the evaluation will be comprised by the three projects described in this TOR and therefore should cover all activities undertaken at HQ, in India and in Mexico under projects GLOX30, GLOX31 and GLOX32 since April 2011.

IV. EVALUATION CRITERIA AND KEY EVALUATION QUESTIONS

Relevance

- How relevant is the project to target groups’ needs and priorities, including the target groups of governments, the private sector and academia?
- To what extent is the project aligned with and/or complementary to the policies and strategies of other relevant regional and international organizations (with or within the UN) and bilateral donors?
- To what extent have the projects been aligned with the mandate, overarching strategies and policies of UNODC?

Design

- Is the latest logical framework the most appropriate to reflect the different activities to be implemented and outcomes to be expected from the project (in particular: are the outcomes comprehensive enough? Are the different indicators actually measuring what needs to be measured?)
- To what extent were the project workplans designed in consultation with relevant national stakeholders?
- To what extent have the UN system’s commitment to human-rights based approach and gender issues have been incorporated in the design of the projects?

Efficiency

- To what extent were the human and financial resources and inputs converted to outputs in a timely and cost-effective manner?
- To what extent was the coordination between UNODC HQ and relevant field offices involved in the project efficient and appropriate?
- To which extent were the activities of these projects implemented at HQ and in the field integrated with CEB’s mandate and portfolio of interventions? And to other relevant UNODC global, regional/country programmes?

Partnerships and cooperation
• To what extent have partnerships been sought and established with governments, the private sector, and academia?
• Was the partnership and collaboration with IACA effective and to what extent did it add to the achievement of objectives and outcomes?

Effectiveness
• Were the planned objectives and outcomes in the project document (and subsequent project revisions) achieved?
• Were there any unintended results achieved beyond those included in the logical framework? If so, what were those results?

Impact
A key part of the evaluation will focus on assessing the impact of the project, and in particular:
• Has the project changed the business environment, contributed to fair market conditions and lowered corruption risks?
• Has the project contributed to the creation of fair and clean market conditions?
• Has the project changed policy, law or behavior towards clean market conditions?
• What has happened as a result of the project - the short- and long-term environmental effects from the project?
• What real difference has the activity made to the private sector community?
• What was the overall impact of the project on the business integrity?
• Have government or business taken up business integrity measures in their work, processes?

Lessons learned
• Which lessons, both positive and negative, can be learned from this project?
• Could (a) best practice(s) be identified through the project, which could be replicated in other regions or thematic areas?
• Was there any practice experimented through the project which did not work and should therefore be avoided in the future?

Sustainability:
• To what extent and how has the ownership of key stakeholders been sought and institutionalized?

V. EVALUATION METHODOLOGY

This evaluation will use methodologies and techniques as determined by the specific needs for information, the questions set out in the TORs and the availability of resources and the priorities of stakeholders. In all cases, consultants are expected to analyze all relevant information sources, such as reports, programme documents, internal review reports, programme files, strategic country development documents, mid-term evaluations and any other documents that may provide further evidence for triangulation on which their conclusions will be based. Consultants are also expected to use interviews, surveys or any other relevant quantitative and/or qualitative tools as a means to collect relevant data for the final evaluation. In any case a stakeholder analysis will be included as a part of the evaluation products. The lead evaluator will present a summarized methodology (evaluation matrix) in an Inception Report which will specify the evaluation criteria, indicators, sources of information and methods of data collection.

The evaluation should involve multiple perspectives with a clear, views and assessments both within and outside the UNODC. Special attention should be paid to triangulation of different sources and types of data and other information, types of methods and analysis to enhance reliability of the evaluation findings. It is essential that the evaluation assesses and determines the effects of outcomes and impacts (intended or
unintended) in different types of duty bearers and right holders in disaggregated fashion with special consideration of the ones in most vulnerable positions.

All evaluations of the United Nations system are guided by the principles of human rights and gender equality. Evaluation methods that are gender-sensitive and methods that explicitly address issues of marginalized, hard-to-reach and vulnerable populations are essential for conducting this evaluation.

The evaluation methodology should define a sampling strategy that will guarantee the highest degree of representation of the reality of the projects recognizing the limitations; the sample is to be representative of the universe of units under study.

The evaluation will have to utilize a mixture of primary and secondary sources of data. The primary sources for the desk review will include, among others, interviews with key stakeholders (face-to-face or by telephone), the use of surveys and questionnaires, field visits for case studies, focus group interviews, observation and other participatory techniques. Secondary data sources will include the project documents and their revisions, progress and monitoring reports, previous project evaluation and audit reports, and relevant policy documents, among others.

The Evaluation Team will perform a desk review of existing documentation as per the preliminary list of documents (see Annex II) to independently assess and validate evidence gathered from different sources of information, cross-checked and triangulated by primary research methods.

The Evaluation Team will summarize the desk review in an Inception Report, which will specify the evaluation methodology proposed in the Terms of Reference, determining the exact design, focus and scope of the evaluation, including the evaluation questions, the sampling strategy, and related data collection indicators, methods, sources of information, and instruments as well as include a detailed work plan for the evaluation.

The Evaluation Team is expected to deliver the Inception Report as one of the key deliverables, and share it with the project manager and the Independent Evaluation Unit for comments. The inception report should ensure that the stakeholders have a common understanding of how the evaluation will be conducted. The Evaluation Team is responsible for the development of the inception report before departing for field missions.

CEB and the respective UNODC Field Offices will provide support to the Evaluation Team before, during and after the missions. The required support will include, for example, provision of assistance in setting up meetings with key informants and stakeholders in consultation with the Team Leader, supporting in all logistical matters (including local translation, in-country travel, security, and accommodation), making available all relevant project materials to the Evaluation Team, and arranging discussions with Field Office staff and the Evaluation Team. After the evaluation, the Field Offices will lead discussions about the recommendations with the stakeholders, and follow-up on their implementation.

De-briefing sessions for presentation of the preliminary findings will be organized in the field and at the UNODC Headquarters in Vienna. The de-briefing sessions are expected to strengthen the ownership among the CLPs and promote understanding of the evaluation results. During the de-briefing sessions the evaluator will present an oral report of initial findings and preliminary conclusions, and the CLPs are offered an opportunity to provide feedback and seek further clarifications. The de-briefing sessions could also be used as an opportunity for identifying needs for follow-up interviews and conducting them as may be needed.

The Draft Evaluation Report prepared by the Evaluation Team, with comments from IEU, will be shared with the relevant Units and Sections at UNODC Headquarters and in the Field Offices for their comments, inputs and corrections of factual information. Relevant comments, inputs and corrections will be incorporated by the Evaluation Team to produce the final report.

In conducting the evaluation, the Evaluation Team has to conform to UNODC’s Evaluation Policy including the Guiding principles for evaluation in the UNODC, UNODC’s evaluation report guidelines Standard format and guidelines of the UNODC for Evaluation Reports and UNODC Guidelines for Inception Reports.
The evaluation will be conducted by an international evaluator. Two national independent evaluators from India and Mexico will conduct the field based review under the supervision and guidance of the international evaluator.

**VI. TIMEFRAME AND DELIVERABLES**

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<thead>
<tr>
<th>Deliverable</th>
<th>Timeframe</th>
<th>Duty station</th>
</tr>
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<tbody>
<tr>
<td>Inception Report, containing a refined work plan, methodology and evaluation tools</td>
<td>mid-July 2014</td>
<td>Home-based</td>
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<tr>
<td>Draft Evaluation Report</td>
<td>10 September 2014</td>
<td>Home-based</td>
</tr>
<tr>
<td>Final Evaluation Report, including annex</td>
<td>26 September 2014</td>
<td>Home-based</td>
</tr>
<tr>
<td>Presentation of evaluation findings and recommendations to CEB (teleconference and electronic submission)</td>
<td>30 September 2014</td>
<td>Home-based</td>
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Funding will be made available for one mission to Vienna (approximately 3 days) in early July to share documents and interview global project staff, relevant member states, other UNODC units, etc. The arrangement of travel and logistics for this mission will be prepared by UNODC CEB.

**VII. EVALUATION TEAM COMPOSITION and MANAGEMENT OF EVALUATION PROCESS**

One international evaluation consultant will be recruited for this evaluation, as well as two national evaluation consultants in India and Mexico. The qualifications and responsibilities for each team member are specified in the respective job descriptions attached to this Terms of Reference. These consultants must not have been involved in the design and/or implementation, supervision and coordination of and/or have benefited from the project under evaluation. They will be reminded that they do not act as representatives of any party and must remain independent and impartial. The evaluation process will be managed by the project manager and HQ Focal Person, and carried out following UNODC’s evaluation policy and UNEG Norms and Standards, in close coordination with UNODC Independent Evaluation Unit (IEU). The roles of IEU, the Project manager, the Evaluation team and the Core Learning Partners are presented in more details in the Matrix hereunder.
<table>
<thead>
<tr>
<th>Steps</th>
<th>Roles and Responsibilities in Independent Project Evaluations</th>
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<tbody>
<tr>
<td><strong>Roles and Responsibilities</strong></td>
<td><strong>Project Manager (PM)</strong></td>
</tr>
<tr>
<td><strong>IEU</strong></td>
<td><strong>Evaluator/s</strong></td>
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<tr>
<td><strong>CLP</strong></td>
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</table>
| **Evaluation Framework & Terms of References (ToR)** | Through the evaluation portal:  
  - Drafts ToR in line with the evaluation plan.  
  - Selects Core Learning Partners (CLP) and informs them about their role.  
  - Shares draft ToR with CLP.  
  - Integrates comments from CLP, finalizes ToR, and submits to IEU for clearance.  
  - Provides, further develops and updates evaluation tools, guidelines and templates.  
  - Provides clearance of final ToR.                                                                                      |
| **Selection of Evaluator(s)**             | ▪ Carries out a desk review.  
  ▪ Drafts inception report and sends to PM for comments.  
  ▪ Finalizes inception report, incorporates relevant comments and returns to PM.  
  ▪ Leads the evaluation (and the team).  
  ▪ Conducts first hand research (interviews, etc.).  
  ▪ Ensures that all aspects of the TOR are fulfilled.  
  ▪ Comment on selection of proposed Evaluator(s).  
  ▪ Take note of the selection of Evaluator(s).  
  ▪ Provide support and insights throughout the evaluation process, as applicable.          |
| **Implementation of Evaluation/Inception Report** | ▪ Provides relevant information and desk review materials to Evaluator(s).  
  ▪ Comments on inception report.  
  ▪ Sends final inception report to IEU for clearance.  
  ▪ Gives logistical support to consultant(s).  
  ▪ Arranges meetings with key informants.  
  ▪ Liaises with CLP, ensuring ownership.  
  ▪ Clears final inception report.                                                                                   |
| **Draft Evaluation Report**               | ▪ Drafts evaluation report (guidelines for evaluation report, template report, typographic styles and UN spelling) in line with UNODC evaluation policy, handbook and formats and shares it with PM for comments on factual errors.  
  ▪ Places final evaluation report on the evaluation website.  
  ▪ Assessment of final report  
  ▪ Finalizes evaluation report on the basis of comments received from PM.  
  ▪ Presents evaluation results to internal/external stakeholders, i.e. debriefing in the field and in case of strategic importance - also at HQ.  
  ▪ Take note of the final report.  
  ▪ Attend presentation of results (if possible).  
  ▪ Take note of the implementation of recommendations, if needed.                                                      |
| **Final Evaluation Report & Dissemination** | ▪ In the evaluation portal:  
  ▪ Checks the draft evaluation report (guidelines for evaluation report, template report, typographic styles and UN spelling) for factual errors.  
  ▪ Assesses the quality of the final report to be sent to IEU using the Quality Checklist for Evaluation Reports in portal.  
  ▪ Through the evaluation portal:  
  ▪ Develops an Evaluation Follow-up Plan (EFP), in consultation with Field Representative or Director - signature required; shares it with IEU.  
  ▪ Organizes a presentation of evaluation results, e.g. debriefing in the field and/or at Headquarters (HQ).  
  ▪ Drafts final report, incorporates relevant comments and returns to PM.  
  ▪ Leads the evaluation (and the team).  
  ▪ Conducts first hand research (interviews, etc.).  
  ▪ Ensures that all aspects of the TOR are fulfilled.  
  ▪ Comment on draft report.                                                                                             |

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VIII. PAYMENT MODALITIES

Consultants will be issued consultancy contracts and paid in accordance with UNODC rules and regulations.

<table>
<thead>
<tr>
<th>Deliverable</th>
<th>Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inception Report, containing a refined work plan, methodology and evaluation tools</td>
<td>25%</td>
</tr>
<tr>
<td>Draft Evaluation Report</td>
<td>25%</td>
</tr>
<tr>
<td>Final Evaluation Report, including annex with management response and Final presentation on the evaluation results</td>
<td>50%</td>
</tr>
</tbody>
</table>

All outputs should meet the satisfaction of UNODC/I EU and UNODC/CEB according to the following indicators:

- Substantive quality and quantity of contributions provided; technical competence and timely completion of assigned tasks.
- Assessment of performance as at least fully satisfactory by IEU and CEB.

Terms of Reference

Title: International Evaluation Consultant/Team Leader

Organizational Section/Unit: Corruption and Economic Crime Branch, Department of Treaty Affairs, United Nations Office on Drugs and Crime (UNODC/DTA/CEB)

Duty Station: Home based (with one mission to Vienna in early July for approximately 2-3 days)

Proposed period: 9 July 2014-30 September 2014

Actual work time: 60 working days

1. Background of the assignment:

Projects GLOX30, 31 and 32 are managed by the UNODC Corruption and Economic Crime Branch (CEB), with funding from the Siemens Integrity Initiative. The projects are all managed centrally with global components, and GLOX30 and GLOX32 also having sub-projects in India and Mexico implemented by UNODC project offices. The overarching goal of projects funded by the Siemens Integrity Initiative is to support organizations and projects fighting corruption and fraud through collective action, education and training; as such, the three projects are interlinked in the common objective of promoting collective action through public-private dialogue and collaboration in anti-corruption, with a focus on putting UNCAC compliant legislation and systems in place.

GLOX30 – The 6Ps – Public-private partnership in probity in public procurement project aims to reduce vulnerabilities to corruption in public procurement systems by reviewing and amending laws and procedures while bridging knowledge and communication gaps between public procurement administrations and the private sector.
GLOX31 – *Outreach and Communication Program for the United Nations Convention against Corruption (UNCAC)* project will develop an outreach and communication program, targeted at the private sector, and an academic learning course on the UN Convention against Corruption. This project aims to educate present and future generations of business and public leaders, and better inform the corporate community of the existence of a global standard to prevent and fight corruption - The UN Convention against Corruption.

GLOX32 – *Incentives to Corporate Integrity and Cooperation in accordance with the UN Convention Against Corruption* project aims to promote and strengthen corporate integrity by creating systems of legal incentives to companies’ integrity efforts, hence encouraging business to come forward and report internal incidents of corruption.

2. **Purpose of the assignment:**

As planned in the donor funding agreement and the project document, the final Independent Project Evaluation of GLOX30, 31 and 32 is being undertaken between July-September 2014 with the following purposes:

- to review progress and get feedback and appraisal on the activities undertaken;
- to identify areas of improvement and propose solutions;
- to determine to which extent the project objective was met and whether resources were wisely utilized;
- to assess the relevance, efficiency, effectiveness, impact and sustainability of the project;
- to identify lessons to be learned and integrated in future UNODC anti-corruption projects.

The results of the evaluation will be used internally by CEB senior managers, staff members, the donor and other organizational units of UNODC, etc.

One international evaluation consultant and two national evaluation consultants (India and Mexico) will be recruited for this evaluation.

The evaluation process will be managed by the project manager and HQ Focal Person for GLOX30, 31 and 32, and carried out following UNODC’s evaluation policy and UNEG Norms and Standards, in close coordination with UNODC Independent Evaluation Unit (IEU).

3. **Specific tasks to be performed by the consultant:**

The International Evaluation Consultant/Team Leader will collaborate with the National Evaluation Consultants (India and Mexico) on the Independent Project Evaluation of the UNODC projects GLOX30, 31 and 32.

Guidance on all issues related to the evaluation policy and guidelines of UNODC will be provided by UNODC Independent Evaluation Unit.

The International Evaluation Consultant/Team Leader will carry out the following duties:

- carry out the desk review;
- develop the inception report, including containing a refined work plan, methodology and evaluation tools;
• draft the inception report and finalize evaluation methodology incorporating relevant comments from UNODC Corruption and Economic Crime Branch and Independent Evaluation Unit;
• lead and coordinate the evaluation process, interacting with the Core Learning Partners (global-level);
• throughout the evaluation, oversee the tasks of the National Evaluation Consultants (India and Mexico);
• implement qualitative and quantitative tools, analyse data, triangulate data and test rival explanations
• ensure that all aspects of the terms of reference are fulfilled;
• draft an evaluation report in line with UNODC evaluation policy, with data collected by the India and Mexico national evaluators incorporated;
• finalize the evaluation report on the basis of comments received, include a management response in the final report;
• present the findings and recommendations of the evaluation, as/when agreed with Corruption and Economic Crime Branch;

4. **Expected tangible and measurable output(s):**

• Inception Report, containing a refined work plan, methodology and evaluation tools
• Draft Evaluation Report
• Final Evaluation Report, including annex with management response

5. **Dates and details as to how the work must be delivered:**

<table>
<thead>
<tr>
<th>Duties</th>
<th>Duration (working days)</th>
<th>Timeframe (due date)</th>
<th>Location</th>
<th>Deliverables</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial briefing with UNODC/CEB team</td>
<td>3 days</td>
<td>Early July 2014</td>
<td>Vienna</td>
<td>Draft inception report, containing a refined work plan, methodology and evaluation tools</td>
</tr>
<tr>
<td>Desk study</td>
<td>12 days</td>
<td>July 2014</td>
<td>Home based</td>
<td></td>
</tr>
<tr>
<td>Drafting of inception report</td>
<td>5 days</td>
<td>July 2014</td>
<td>Home based</td>
<td></td>
</tr>
<tr>
<td>Data collection: interviews (with Core Learning Partners) and presentation of preliminary findings</td>
<td>20 days</td>
<td>August 2014</td>
<td>Home based (teleconferences)</td>
<td>Notes</td>
</tr>
<tr>
<td>Drafting of the evaluation report; submission to stakeholders for comments</td>
<td>20 days</td>
<td>10 September</td>
<td>Home based</td>
<td>Draft report</td>
</tr>
<tr>
<td>Finalization of report</td>
<td></td>
<td>26 September 2014</td>
<td></td>
<td>Final Report, including annex</td>
</tr>
</tbody>
</table>
Preparation of a presentation of evaluation findings and recommendations to CLP and other key stakeholders

1 day
30 September 2014
Home based

Notes
Power Point presentation
Draft of a final “brief” on the evaluation results

Total 60 days

Responsibilities for logistical support remain with UNODC Corruption and Economic Crime Branch.

Payments will be issued in accordance with UNODC rules and regulations and as follows:

<table>
<thead>
<tr>
<th>Deliverable</th>
<th>Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Inception Report, containing a refined work plan, methodology and evaluation tools</td>
<td>25%</td>
</tr>
<tr>
<td>B. Draft Evaluation Report</td>
<td>25%</td>
</tr>
<tr>
<td>C. Final Evaluation Report, including annex and concrete proposals on revised indicators and Final brief/brochure on the evaluation results</td>
<td>50%</td>
</tr>
</tbody>
</table>

No field visit is foreseen.

6. Indicators to evaluate the consultant’s performance:

All outputs should meet the satisfaction of UNODC/IEU and UNODC/CEB according to the following indicators:

- Substantive quality and quantity of contributions provided; technical competence and timely completion of assigned tasks.
- Assessment of performance as at least fully satisfactory by IEU and CEB.

7. Qualifications/expertise sought (required educational background, years of relevant work experience, other special skills or knowledge required):

The consultant should demonstrate:

- University degree/Advanced university degree in law or directly relevant social sciences.
- At least 10 years of professional experience or substantive experience in programme and project evaluation (designing, conducting and leading evaluations; applying qualitative and quantitative evaluation methods)
- A strong record in designing and leading evaluations;
- At least 3 years of experience with corruption or closely related issues (governance, crime prevention...); familiarity with the work of UNODC is an asset.
- Excellent communication and drafting skills in English; Knowledge of another official UN language is an advantage.
• Prior work experience with the UN is an asset.

Absence of Conflict of Interest:

The consultant must not have been involved in the design and/or implementation, supervision and coordination of and/or have benefited from the programme/project or theme under evaluation. They will not act as representatives of any party and must remain independent and impartial.

Ethics

The evaluators shall respect the UNEG Ethical Guidelines.
ANNEX II. DESK REVIEW LIST


B20 Task Force on Improving Transparency and Anti-corruption (2013a) ‘First Plenary Session Thursday 17th January, 4 - 6pm Hotel National, Moscow Minutes1’. B20, Moscow


Siemens (2011b) ‘Funding Agreement between Siemens AG and the United Nations regarding Funding for Outreach and Communications Programme for the United Nations Convention against Corruption (7 March, 2011)’. Siemens, Munchen


UNODC (2013w) IACA grant revision (1 December 2013). UNODC, Vienna.


UNODC LPO (2013a) ‘UNODC integrity and cooperation Mexico Training Sensitization module’. UNODC LPO, Mexico City.


UNODC LPO (2013g) ‘Report on Public Sector Responses to the Baseline Survey for the ‘Legal Incentives for Corporate Integrity and Cooperation’ Project. UNODC Mexico, Mexico City.


UNODC ROSA (2013c) ‘Corporate Integrity: Incentives to Corporate Integrity in accordance with the United Nations Convention Against Corruption’. UNODC India, Delhi.


# ANNEX III. OVERVIEW OF RESPONDENTS

## Table 3.1: Interviews undertaken at the global level/with respect to global project components

<table>
<thead>
<tr>
<th>ORGANISATION</th>
<th>Number of persons interviewed</th>
<th>Relation to project</th>
<th>Mode of interview</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNODC/CEB</td>
<td>9</td>
<td>Executing agency</td>
<td>Face-to-face &amp; skype</td>
</tr>
<tr>
<td>UNODC/IEU</td>
<td>1</td>
<td>Executing agency</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>UNODC/EO</td>
<td>1</td>
<td>Executing agency</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>IACA</td>
<td>2</td>
<td>Implementing partner</td>
<td></td>
</tr>
<tr>
<td>Siemens</td>
<td>1</td>
<td>Donor</td>
<td>Skype</td>
</tr>
<tr>
<td>American University, Washington DC</td>
<td>1</td>
<td>Contractor/beneficiary (1 adjunct professor)</td>
<td>Skype</td>
</tr>
<tr>
<td>Washington University, Washington DC</td>
<td>1</td>
<td>Beneficiary</td>
<td>Skype</td>
</tr>
<tr>
<td>Belgrade University</td>
<td>1</td>
<td>Beneficiary</td>
<td>Skype</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>17 persons</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Table 3.2: Interviews undertaken in India

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Number of persons interviewed</th>
<th>Relation to project</th>
<th>Mode of interview</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNODC ROSA</td>
<td>3</td>
<td>Implementing agency</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>Central Vigilance Commission, GoI</td>
<td>3</td>
<td>Key learning partner</td>
<td>Face-to-face and email</td>
</tr>
<tr>
<td>Department of Personnel and Training, GoI</td>
<td>1</td>
<td>Key learning partner</td>
<td>Email</td>
</tr>
<tr>
<td>Siemens India</td>
<td>1</td>
<td>Funding Agency</td>
<td>Email</td>
</tr>
<tr>
<td>PEC Ltd.</td>
<td>1</td>
<td>Public Sector stakeholder</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>Federation of Indian Chambers of Commerce and Industry</td>
<td>1</td>
<td>Industry Association and private sector stakeholder</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>Red Flag Oversight Consultancy Services</td>
<td>1</td>
<td>Consulting organisation</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>Central Bureau of Investigation, Government of India</td>
<td>1</td>
<td>Government stakeholder</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>National Law School of India, Bangalore</td>
<td>1</td>
<td>Participation in working group meeting</td>
<td>Email</td>
</tr>
<tr>
<td>Federation of Karnataka Chambers of Industries and</td>
<td>1</td>
<td>Industry Association and private sector stakeholder</td>
<td>Telephone</td>
</tr>
<tr>
<td>Organisation</td>
<td>Number of persons interviewed</td>
<td>Relation to the project</td>
<td>Mode of interview</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------------</td>
<td>-------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Ministry of Finance and Administration of the State of Puebla</td>
<td>2</td>
<td>Technical focal point that represented the government of Puebla.</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>Global Compact</td>
<td>1</td>
<td>Facilitator with the companies’ members of the Global Compact</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>CONCAMIN</td>
<td>1</td>
<td>Facilitator with the industrial chambers and companies.</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>CANAIVE</td>
<td>1</td>
<td>Facilitator with the companies of the clothing</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>CMIC</td>
<td>1</td>
<td>Facilitator with the companies of the construction industry</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>Ministry of Foreign Affairs</td>
<td>1</td>
<td>In charge of the follow up of the activities between UNODC and Mexico’s government.</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>Ministry of Public Function</td>
<td>3</td>
<td>Technical focal points that represented the federal government.</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>SIEMENS</td>
<td>1</td>
<td>Donor</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>TEC (academic institution)</td>
<td>4</td>
<td>Academic institution hired for the implementation of the Training Workshops</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>General Comptroller of the Federal District</td>
<td>2</td>
<td>Technical focal points that acted as facilitators with other authorities of the Federal District.</td>
<td>Face-to-face</td>
</tr>
<tr>
<td>UNODC Mexico</td>
<td>3</td>
<td></td>
<td>Face-to-face</td>
</tr>
<tr>
<td><strong>Total number of respondents</strong></td>
<td><strong>20 persons</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Table 3.3: Interviews undertaken in Mexico**
ANNEX IV: CASE STUDY INDIA

1. Background

This report contains the key findings of the evaluation of the projects ‘The 6Ps: Public-Private Partnerships for Probity in Public Procurement’ (GLOX30) and ‘Incentives to Corporate Integrity and Cooperation in accordance with UNCAC’ (GLOX32), which have been implemented in India by the UNODC Regional Office for South Asia (ROSA). The first project aims to reduce vulnerabilities to corruption in public procurement systems by promoting article 9 of UNCAC (systems of procurement based on transparency, competition and objective criteria in decision-making), and the objective of the second project is to promote the implementation of articles 26, 32, 37 and 39 of UNCAC which deal with corporate integrity and cooperation between corporate and national authorities in matters concerning corruption. The projects also contain global components, and activities implemented in Mexico following a similar implementation pattern as the ones in India. The projects were launched in 2011, and are now scheduled to end in September 2014. The evaluation captures the projects’ design, relevance, effectiveness, partnerships and cooperation, efficiency, impact and sustainability. The methodology of the evaluation has been explained in chapter 1.3 of the evaluation report of GLOX30, GLOX31 and GLOX32.

2. Design

As guardian of UNCAC, UNODC has been requested by the Conference of the States Parties to multiply efforts to make specific information about the Convention and its prevention widely available to individuals and groups working outside the public sector, and to continue to develop and promote partnerships, including between the public and private sectors, in order to leverage resources for advancing technical assistance efforts. These obligations concurred with the objectives of the Siemens Integrity Funds. India was one of the two countries in which the national-level components of GLOX30 and GLOX32 were implemented.

The design of the projects GLOX30 and GLOX32 was largely an in-house exercise, and undertaken by UNODC headquarters levels with inputs from the UNODC ROSA office. The design phase has been participatory to some degree only, which also became obvious in the first phase of implementation when the assumption of existing public-private partnerships was checked with relevant stakeholders. The fact that these had to be set up, and that a process of confidence-building between the public and private sector had to be initiated and nurtured could have been included in the actual project proposal if more time for broad-based consultations during the writing process had been set aside, or as the first set of activities in the project implementation schedule. In the end, only one technical/advisory group with representatives of relevant public and private sectors was set up, thereby combining the first set of activities of the two projects. This seemed a logical consequence of the fact that both projects appeared to address the same actors.
In close collaboration with the national counterparts, the selection of the state was done on the basis of available anti-corruption legislation (with the State of Karnataka being one out of two states in India having a public procurement law). This led to some delays in implementation because of too ambitious planning.

The project documents of the projects GLOX30 and GLOX32 have been concise and comprehensive. The proposals clearly outlined the rational (problem analysis and counterpart capacity, justification), the key stakeholders (synergies/partnerships and target groups), the intervention logic (objective, outcomes, outputs and activities), project management mechanisms and structures, sustainability, legal context, budget, project evaluation, a log frame with indicators, means of verification and a work/monitoring plan. As already pointed out above, planning has been too tight, including to provide an adequate assessment of the in-country situation to test assumptions given in the project proposals. The indicators in the project documents were generally specific, measurable and time-bound, and given for the different levels of the hierarchy of objectives. The inclusion of indicators to measure change in understanding and knowledge can be commended, although these were not accompanied with sufficient budget and personnel to implement such assessments. Furthermore, not all indicators were achievable or relevant because of the specificities of national legislative frameworks and processes, and the long-term perspective necessary to observe institutional change taking shape and being completed. Some of the expected results (as formulated in the indicators) given in the log frames were too ambitious.

The project revisions undertaken in 2013 have also led to adjusted log frames, with baseline and targets given for each indicator. The revised indicators and targets at the output and outcome levels are more easily measurable and achievable, thereby giving due consideration to the time-consuming participatory and consultative nature of the implementation process. However, the selected indicators did not at all times fully reflect the desired outcomes (which had not been changed), and actually focused too much on output-level results (e.g. number of technical working groups established; number of participants in working group meetings). Arguably the public-private partnerships initiated at the national level, and the shift towards dialogue and mutual learning in addition to building ownership of the projects’ activities, ought to have been given correlated indicators to measure progress over time. In some areas the revised indicators led to believe that limited communication with the two offices in India had taken place on the substance of activities and outputs, as these did not entirely reflect the in-country reality at that time.

3. Relevance

The relevance of the UNDOC projects has become all the more pronounced in view of India’s ratification of UNCAC in May 2011 and the resultant obligations on the

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74 UNODC, 2013n: 5

75 For instance the fact that UNODC can neither establish legislative drafting committees nor provide legal amendments, and that – in the case of India – the relevant draft law was still awaiting enactment

76 E.g. the indicator ‘at least 50 companies report to have initiated a revision of their corporate integrity policies and programmes […]’ to measure outcome 1 and 2 of GLOX32
Government of India to approve and implement anti-corruption legislation. The National Development Plan (NDP) of India reiterates its commitment to prevent and fight corruption. The NDP of India for 2012-2017 notes that ‘The third major area of concern in achieving good governance is the elimination of corruption’. The NDP mainly focuses on public service delivery, and notes for instance that ‘[...] The other aspect of corruption is development of transparent procedures in award of government contracts, government procurement and award of licences for permitting various activities [...]’. No direct mentioning is made of public-private partnerships in this document. The National Anti-Corruption Strategy of the Central Vigilance Commission of India however prescribes eight strategic actions to discourage private sector actors to undertake corruption and/or get involved in corrupt practices.

The UNDAF for the years 2013-2017 for India confirms the mandate of UNODC in the field of supporting the Government of India to develop anti-corruption policies and institutions: UNODC will support the implementation of UNCAC which was ratified by the GoI in May 2011, [...] to establish the liability of legal persons for participation in offences of corruption (article 26). As a guardian of UNCAC, UNODC will seek to provide practical assistance and build capacities to develop anti-corruption policies and institutions.

The focus of the projects on, inter alia, bringing about systemic changes in India that are in conformity with articles 9, 26, 32, 37 and 39 of UNCAC and on building partnership with key stakeholders in the government namely the Ministry of Personnel, Public Grievances and Pension, Central Vigilance Commission and private sector is in line with the current strategic direction of UNDOC.

Only UNODC’s South Asian regional strategy for the period 2013-2015 contains a clear reference to the fight against corruption following the ratification of UNCAC in 2011 by India and Nepal. The UNODC regional strategy states the following: Following the ratification of the [...] United Nations Convention against Corruption (UNCAC) by the countries of the region, the Regional Programme seeks to gradually and incrementally expand and diversify UNODC’s current work programme in South Asia from a mainly health-based one into a broader programme, which encompasses critical elements of crime prevention and the rule-of law at national, regional and inter-regional level keeping in mind the nature and scope of identified problems by the Governments in the region.

4. Efficiency

The resources and inputs in terms of personnel and budgetary allocation have been utilised efficiently and in accordance with institutional guidelines of UNODC and the provisions of agreement between UNODC and Siemens. According to the Siemens India representative, all


78 Planning Commission/GoI, 2013: 293


80 UN, 2013: 53

81 ‘UNODC ROSA, 2013a: 18-19
disbursements and utilisation of funds were in line with the agreed upon proposal. Whereas anticipated expenditures for the original three year project period actually followed a pattern with approx. one fifth of expenditures in the first year, over half of the expenditures in the subsequent two years, and only a minor proportion of the budget in the last year, in fact expenditures have followed an upside-down pattern with minimal expenditures during the first year (zero expenditures in the case of India) because of the rather late start of the project at the national level. The budget at the national level will not be overspent, and in the case of India a small amount (approx. USD 2000/3000) may remain unspent at the end of the September, 2014.

Table 3.1: Annual expenditures/percentage of total expenditure India (GLOX30)

<table>
<thead>
<tr>
<th>Year</th>
<th>Total expenditure (USD)</th>
<th>Yearly expenditure (USD)</th>
<th>Percentage of total expenditure to yearly expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>257754</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td>106980</td>
<td>41</td>
</tr>
<tr>
<td>2013</td>
<td>56440</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td>94334</td>
<td>37</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

Table 3.2: Annual expenditures/percentage of total expenditure India (GLOX32)

<table>
<thead>
<tr>
<th>Year</th>
<th>Total expenditure (USD)</th>
<th>Yearly expenditure (USD)</th>
<th>Percentage of total expenditure to yearly expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>250368</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td>103023</td>
<td>41</td>
</tr>
<tr>
<td>2013</td>
<td>55244</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td>92101</td>
<td>37</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

At the national level, UNODC ROSA followed UNDP procurement rules, including bidding procedures if applicable, as established in the working arrangement between UNODC and UNDP. According to the annual and semi-annual reports for 2011 to up to March 2014, no major deviations in activities, and cost and budget deviations occurred during the life span of the project (that is over 5 percent per activity).

The implementation of the projects has also been cost-efficient in other ways in India. The firm Ernst & Young provided many of their services on the baseline survey as an in-kind contribution to the project. This includes staff time and travel costs. Furthermore, an anti-corruption consultation with Indian B20 companies to celebrate the International Day against Corruption on 9 December 2013 was organized as a collaborative event in partnership with the Confederation of Indian Industries and KPMG - a non-financial contribution by making payments made directly to the vendor to cover event costs. Some project activities were combined – for instance meetings for the two projects were organized back-to-back to get savings on travel and other meeting costs.

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82 UNODC, Siemens Annual progress report 2011-2012 (GLOX32) 2012: pp. 9
The project officer who managed the two projects worked under the supervision of the Deputy Representative, and the UNODC Representative, provided overall leadership to the projects. According to the national consultant, ‘The project team has demonstrated its efficiency by delivering high quality programmes, skillfully networking with multiple stakeholders, bringing the government, business associations and experts under one platform, commissioning capable and professional service providers, troubleshooting critical situations and conforming to different project guidelines’.

The outputs of the national-level components of the projects ‘The 6 P’s: Public-Private Partnership in Probity in Procurement’ (GLOX30) and ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ (GLOX32) have all been achieved.

A review of India’s legal system was undertaken, and the findings were published in the report ‘India: Public Procurement in Probity (Transparency, objectivity and competition in Public Private Partnership projects in line with the United Nations Convention against Corruption)’, which details the compliance of Indian laws and policies with UNCAC at the federal level and in the state of Karnataka, and also provides an overview of the main findings of the baseline survey (GLOX30 output 1.1). In preparation for the assessment and other activities of the project, UNODC in association with the Global Compact Local Network India hosted a national consultation on transparency and anti-corruption measures in procurement in India in April 2012. A high-level Legislative Review Committee (as a procurement bill had just been drafted before the project, and therefore the aims of this committee were revised), and two working groups at respectively the federal and state level were set up, and a total of two meetings of the former and three meetings each of the latter working groups were held in Spring and Summer 2012. The study was undertaken by the Center for Policy Research, and the recommendations have been presented to the Legislative Review Committee. Although not a requirement of the projects, in January 2014 two focus group discussions/meetings were organized in respectively Delhi and Bangalore to discuss how the recommendations of the studies could be taken forward.

Furthermore, in a so-called baseline survey, training needs as well as an overview of practices and grass root challenges have been identified (GLOX30, output 1.2). The study was conducted by Ernst & Young Pvt Ltd, a global consulting firm. The survey was implemented from June 2012 to January 2013, and only two thirds of the target of 150 respondents completed the online survey.

83 The activities do not match the output, and are much broader/with more results/outputs to be expected than only a study. E.g. main recommendations being taken forward from study & Significant progress towards adoption, by relevant legislative authorities, of recommendations formulated by the Technical Working Groups.

84 UNODC, 2012f: 2

85 Key recommendations were the following: the need to look beyond procurement and to look at corruption concerns in contract management after the procurement procedure is completed; while there are regulations for public sector, also legislation for the private sector must be developed and passed; there needs to be greater coordination and interface between stakeholders including the end beneficiary of public procurement; grievance redress and investigation are areas that require strengthening.

86 After pilot testing, 400 questionnaires were sent out to public and private sector representatives in the period June 2012-January 2013. Only large organizations volunteered to respond to the survey, while the small and medium sized companies are reluctant. This amounts only to 50 responses from the private sector. (UNODC ROSA, 2013d: 16)
The report is available on the UNODC website. In the end the decision was made to prepare two online training modules based on a suggestion of students made during a training workshop held at a university. The e-modules were seen as an innovative training tool responding to the needs of the private sector as well as a more efficient and effective tool to reach – potentially – a larger group of beneficiaries than face-to-face training.

As a result of the delays in developing the online training modules, the output of a better understanding of the public procurement regime of public and private procurement personnel has only been met to a limited degree (GLOX30 output 1.3). UNODC conducted a training workshop on corruption for procurement experts of the Bangalore Metro Rail Cooperation Limited for those officers that procure above a threshold of 1 crore rupees. The two e-training modules have only been formally launched at the end of August 2014, and there is no indication available about the number of public and private sector representatives completing at least one of the training modules.

A review of the federal legislation of India related to corporate liability and legal incentives for companies to voluntarily report on internal incidents of corruption has been completed (GLOX32 output 1.1). The legislative review committee, and federal and state level working groups set up for the project ‘The 6 P’s: Public-Private Partnership in Probitry in Procurement’, as well as the meeting held together with the local branch of the UNGC, provided also the venues to discuss relevant issues related to corporate liability and legal incentives. The legal study ‘Corporate Integrity: Incentives to Corporate Integrity in accordance with the United Nations Convention against Corruption’ was published in September 2012, included views of the members of the working groups, and twelve private sector entities. The main conclusion of the report is that India is fairly compliant with UNCAC if available draft legislation is enacted. The outcome of this study was presented on 15 May 2013 in a workshop with a total of 100 participants from the public and private sector.

87 UNODC, 2012f: 2

88 Twelve entities were selected to participate based on the criteria listed below: • Top 50 of India’s most admired companies – Fortune Magazine, Hay Group (2012, 2011). • Wall Street Journal – India’s most admired companies 2009. • Top 7 sectors and the first organization on the list in each sector. (UNODC ROSA, 2013c: 5)

89 The report notes in this regard that ‘The Ministry of Home Affairs is currently debating an amendment to the Indian Penal Code to include as an offence, ‘bribery’ within the private sector. Secondly, the Ministry of Corporate Affairs, Government of India has drafted the Company bill 2012, which criminalizes a number of offences, such as ‘wrongful withholding of property’ of the company or applying it in a manner that has not been authorized and ‘fraud’, which includes intent to deceive, to gain undue advantage from, or to injure the interests of the company or its shareholders or its creditors or any other person. Some of the means by which fraud is done could include corrupt practices, such as: providing false documentation like financial statements, returns, reports, certificates etc. and intentional giving of false evidence. It also provides for a limited liability of companies wherein penalties are applicable to the company or any officer of a company for violations of any provisions of the Act. The Company Bill contains certain requirements for audit, responsibilities of directors and company secretaries and also the investigative roles of selected organizations to look at private sector management. The Government of India has also drafted the Prevention of Bribery of Foreign Public Officials and Officials of Public International Organisations Bill 2011’. UNODC ROSA, 2013c: 2.

90 The outcomes of the legal study, the baseline survey and the concept for the sensitization modules were shared with the additional secretary and joint secretary, government of India, Ministry of Personnel and Training, officials from the Department of Economic affairs,
recommendations of the report and sharing them with relevant ministries and parliamentarians, although no tangible results have been reported yet.

Furthermore, training needs of Indian law enforcement, judicial authorities and the private sector were assessed, and a training programme was formulated (GLOX32 output 1.2). The aim of the survey to examine the training needs was broadened to also understand deviations in practice, reasons, and good practice. The survey was conducted between June 2012 and January 2013, and although approximately 400 individuals were contacted only 150 persons provided a response to the questionnaire. The final report, which combined the legal review and the needs assessment, practices and challenges in this particular field, was published in 2013.

UNODC ROSA decided to undertake promotional activities for UNCAC in general, and an UNCAC pictorial guide was for instance completed in May 2013. The objective of this guide was to make it easier for the private sector to understand UNCAC, and their responsibilities under the Convention. In association with the Confederation of Indian Industry (CII), this guide was shared with officials from the private sector through CII’s 80 offices and was very well received. UNODC has further developed an anti-corruption referral directory that can be used by the private sector or business sector officials throughout the country. The process of preparation of the directory was initiated in October 2013 and copies were printed in May 2014. This rather voluminous directory (over 900 pages) is also available online (http://indiaanticorruptionreferral.com). The knowledge products produced during the course of implementation of the two project components were viewed as relevant and of high quality by the respondents.

As the e-modules on corruption were launched on 20 August 2014, in Delhi, Mumbai and Bangalore, only some law enforcement and judicial authorities and private sector representatives might have gained a better understanding of the federal legislation of India on corporate liability and on legal incentives for companies to voluntarily report on internal incidents of corruption before the end of the project (GLOX32 output 1.3). One of the reasons for deciding on the development of the e-modules was that, through the partnership with the CII, also SME’s could be reached. Thus, no joint training workshops were organized for these target groups as part of the project due to the nature of the training module, and the late completion date. However, during February, July and September 2013, UNODC organized workshops on anti-corruption for youth and young working professionals in New Delhi, Chandigarh and Lucknow reaching over 5,000 participants.

Table 3.3: Number of knowledge products produced and disseminated per sector

<table>
<thead>
<tr>
<th>Knowledge products</th>
<th>Total # of copies</th>
<th># of copies disseminated to public sector</th>
<th># of copies disseminated to private sector</th>
<th># of copies still to be disseminated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incentives for corporate integrity in accordance with the United Nations</td>
<td>Print: 500</td>
<td>300</td>
<td>200</td>
<td>nil</td>
</tr>
</tbody>
</table>

the Department of Finance an the Department of Company affairs. Officials have expressed interest in officially taking up the recommendations of the report and sharing them with relevant ministries and parliamentarians.

91 UNODC ROSA, 2013d: 5
The majority of activities and outputs have been delivered on time, or with minor delays (up to approx. two months). The length of the three projects was therefore extended with half a year until the end of September, 2014, in order to complete all activities. The India components faced some delays, although these were mostly the result of external factors.

At the national level, more time than originally planned was needed to initiate and build up partnerships with relevant government actors and private sector representatives, which especially was a time-consuming activity because of the level of distrust between these two sectors. Furthermore, as part of the UN arrangements with the Government of India, the selection of the project officer for the India component had to be approved by UNODC’s counterpart. This took several months before the go-ahead was received by UNODC ROSA.

Political events also caused delays in project progress. In India presidential elections were held on 19 July 2012 (and legislative assembly elections in nine states, including Karnataka on 5 May, 2013 and Delhi on 4 December 2013).

In a few instances, the contracted companies were unable to deliver in a timely fashion, or were unable to deliver at all. In India the company selected to develop the e-modules on corruption was not able to develop the product in accordance with the original contract. This led to a delay of ten months, as a new contractor had to be sought after the limitations of the hired company hired earlier became visible to the UNODC ROSA.

The sensitive nature of the topic has also led to less efficient results in some areas as initially planned, including in the surveys undertaken at the national levels. In India, out of a survey sample of 350 participants, only 150 responses were received. Interviews were also undertaken with relevant stakeholders, but the response was sometimes lower than expected because of the limited support received from government officials and the judiciary because of the sensitive nature of the subject. Also the corruption scandals in 2011 and 2012 led reportedly to an atmosphere of fear and suspicion among representatives of different sectors, and less willingness to take part in surveys.92

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92 UNODC, 2012s: 3
5. Partnerships and cooperation

UNODC established and strengthened partnerships with relevant government agencies dealing with procurement, policies, corporate affairs, and enforcement functions. UNODC’s focal point in the Government of India, the Indian Department of Revenue, a constituent of the Ministry of Finance, provided advice on the selection of government counterparts, and subsequently partnerships were in particular developed with the Department of Personnel and Training of the Ministry of Personnel, Public Grievances & Pensions, the Ministries of Corporate Affairs, Law & Justice and Finance and the Department of Economic Affairs due to their role in procurement, corporate matters and justice. Furthermore, agencies like the Central Vigilance Commission, the Serious Fraud Investigation Office and the Central Bureau of Investigation were aligned with the projects due to their respective law enforcement roles. During the course of implementation, UNODC also cooperated with public sector companies like National Small Industries Corporation Ltd., Steel Authority of India Ltd., PEC Ltd. and others. Representatives of some of the above-mentioned entities confirmed that the relationship between UNODC and the government agencies had been viewed as mutually rewarding, as the platform was interactive, and provided the set-up to share outputs, exchange knowledge and provide support to the different activities organized by the agency. Especially as a result of ratification of UNCAC by the State of India in 2011, the project’s activities have resonated amongst the officials of government ministries and agencies, and the intervention has been viewed as a timely one in the case of India. However, the involvement of government officials in for instance the baseline surveys has been limited.

UNODC further established partnerships with private sector entities since 2012. The selection of private sector actors was undertaken in close consultation with the national counterpart, and criteria for selection included the potential interest in the project (possibly in the context of other initiatives already undertaken by actors in the field of integrity), the size of the network, and the level of vulnerability to corruption and/or the large procurement needs. Collaboration with industry associations like the Confederation of Indian Industry (CII), the Federation of Indian Chambers of Commerce and Industry (FICCI) and Federation of Karnataka Chambers of Industries and Commerce enabled the implementing agency to reach out to a large number of private sector companies. The interest in preventing and fighting against corruption has furthered the work started by other agencies, such as the UN Global Compact Office, which signed an MoU with the CII to confirm the confederations’ commitment to advancing the principles of the UN Global Compact, including the tenth principle. Interestingly, industry associations like CII and FICCI could also come together under one platform, despite institutional-level differences.

93 One of the respondent’s views that the level of participation was possibly not of enough seniority possibly offers an explanation for this level of involvement. This view could not further be tested in India.

94 UNODC, 2012s: 3

95 For instance in India, the announcement inviting organizations to take part in the legislative review committees was posted on the UNODC website, as well as on the website of business federations like the Confederation of Indian Industries (CII) and Asia Pacific Integrity in Action (AP-INTACT) Network, which is facilitated by the Democratic Governance Team at UNDP’s Asia-Pacific Regional Centre. It was decided that it would be more effective to concentrate on representation from the following sectors: telecom, energy and power, real estate, construction, and transportation. 50 public and private sector companies, both at the national level and at state level have been identified for the legislative review committees. Government, national bodies and civil society are also participating. (UNODC, 2012s: 2-3)

96 https://www.unglobalcompact.org/NetworksAroundTheWorld/local_network_sheet/IN.html
between the two. Due to their large membership base, with the CII with over 7300 members from the private as well as public sectors, and FICCI with an indirect membership of over 250,000 companies from different regional chambers of commerce, the partnership with industry associations has a potential multiplier effect. Within the framework of the two projects, UNODC has aligned itself more with the CII due to its strong presence among the small and medium enterprises (SMEs). Also several private sector companies became involved in the projects. These for instance included private sector entities like Ranbaxy Laboratories Ltd., Bharti Realty Ltd., OMAXE, Larsen & Toubro Limited. Siemens India participated in events on invitation of UNODC ROSA. Many of the big corporate entities like TATA Group, Infosys, Wipro etc. have compliance programmes to ensure business integrity and the UNODC projects have highlighted these initiatives through their advocacy programmes. For example, the companies WIPRO and Forbes Marshall were invited to the launching function of sensitisation modules in Delhi to share their experiences in corporate governance and integrity. A technical consultation with B20 companies was held in December 2013 in Mumbai.

The above highlights the partnerships established between UNODC and the different sectors, whereas a major objective of the implementation of the activities was to establish and nurture public-private partnerships, and support the creation of an environment of trust between the two sectors to promote dialogue in support of strengthening probity in public procurement and corporate integrity. This has certainly been one of the main results, and this partnership at the national and state level has been the consequence of efforts of the implementing agency to bring these two sectors together in different working groups and events. The working groups were however convened in 2012 only, although the two focus group meetings held in 2014 offered another opportunity for dialogue between the two sectors, as well as during the various activities to launch knowledge products.

Civil society has played a relatively small role in the implementation of GLOX30 and GLOX32 in India, although some civil society organizations (e.g. Global Compact Local Network India, Transparency International India, Indian Confederation of NGOs, Consumer Unity & Trust Society) took part in some of the national-level activities. The limited involvement of the Indian Global Compact Local Network can partially be explained by their size of their network (176 members) in comparison to the ones of respectively FICCI and CII, which reportedly was the reason for focusing efforts on the latter two organizations, although the inclusion of the two industry associations could potentially have been done at the same time as strengthening the connection with the Indian Global Compact network. Contacts have also been established with legal and academic institutions such as the National Legal Services Authority, New Delhi; National Law School, Bangalore; the National Academy of Legal Studies and Research, Hyderabad, but the involvement of academic institutions has been very limited, and only been restricted to their participation in technical working group meetings.

As regards partnership with UN agencies, UNODC is part of the UN family in India. The common multi-annual policy document of the UN is the United Nations Development Action Framework (UNDAF), which also reflects the overall objectives of the work of

97 Both are old industry associations of India and both believe in economic liberalisation, but they often differ in regard to priorities and agenda for policies and actions. See for instance http://www.telegraphindia.com/1140520/jsp/business/story_18360772.jsp#VBRtKcKSyzy4

98 Global Compact Network India was established in 2003, and has over 170 members. It is registered as a civil society organization in India. (http://globalcompact.in/, consulted 6 September, 2014) There are 340 members from India registered with the UN Global Compact. (https://www.unglobalcompact.org/NetworksAroundTheWorld/local_network_sheet/IN.html, consulted 6 September, 2014)
UNODC in response to those of the GoI. UNODC, along with UNDP, is also the co-chair for the UN task team on administrative efficiency in India, which was established in 2013. Eight UN agencies participate in this task team, including the FAO, UN-Habitat, UNHCR, UNICEF, UNWomen and the WHO. UNODC promoted the implementation of UNCAC, specifically article 9, and gave also further attention to articles 7 and 8 (which address public sector officials and a code of conduct for public officials) in support of the development of a checklist for administrative efficiency.

6. Effectiveness

The outcomes of the project components of GLOX30 and GLOX32 implemented in India have only been partially achieved. Opportunities for corruption in India’s public procurement systems have possibly been reduced (GLOX30 outcome 1), and some progress has been made towards establishing a system of corporate liability and legal incentives for companies to voluntarily report on internal incidents of corruption and cooperate with public authorities (GLOX32, outcome 1). Considering the vast size of the country, the magnitude of target entities, and thereby the current state-of-affairs at the legislative and policy level in India, expectations ought to have been downscaled in the very beginning of the project. Additionally, the fact that the 2012 Public Procurement Bill has not yet been passed by the Parliament in India, which would make India legally compliant with article 9 of UNCAC, gives further evidence for this conclusion. Yet, public-private partnerships have been established, and trust has been built between public and private actors during the meetings of the legislative review committee, the technical working groups and the focus group meetings in 2014. Furthermore, the project on corporate integrity has generated awareness amongst corporate entities about the benefits of maintaining probity and integrity in governance, voluntary reporting of incidents of corruption within the corporate sector and cooperation with investigating and prosecuting authorities of the government. Some stakeholders have been sensitized and trained about critical issues, thereby creating an enabling environment for further activities to prevent corruption.

The objective of the project ‘The 6Ps: Public-Private Partnership for Probity in Public Procurement’ (GLOX30) is to promote States’ implementation of article 9 of the United Nations Convention against Corruption, to support private actors’ efforts to comply with the 10th Principle of the United Nations Global Compact [...] and to reduce vulnerabilities to corruption in public procurement systems through the establishment of Public-Private Partnerships for Probity in Public Procurement’. The objective of this project has been achieved by means of creating an enabling environment in India to promote the implementation of article 9 of UNCAC through establishing public-private partnerships, and supporting training, other educational and awareness raising activities on the above article in particular. This has contributed to a potential reduction in vulnerabilities to corruption in public procurement, although it is too early to confirm if this is actually a result of the project. The components implemented in India have in turn contributed to the collection of good practices at the global level, which has resulted in a publication on good practices and a training module on probity in public procurement.

The overall objective of the project ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ project is to promote States’ implementation of articles 26 (liability of legal persons), 32 (protection of witnesses, experts and victims), 37 (cooperation with law enforcement authorities) and 39 (cooperation between national
authorities and the private sector) of UNCAC and to facilitate private actors’ compliance with the 10th principle of the UN Global Compact […] through the creation of a system of legal incentives to companies’ integrity efforts in the beneficiary countries, hence encouraging business to come forward and report internal incidents of corruption (GLOX32). The implementation of the project has contributed to a first-hand understanding of the existing opportunities and challenges to promote the implementation of these four articles, and has resulted in two publications, and the development of a e-training module in India.

Especially the implementation of laws in compliance with articles 9, 26, 32, 37 and 39 of UNCAC will take time in India as law-making is a complex legislative, political and procedural exercise which is unlikely to be concluded in a three year period. For instance, the Whistleblowers Protection Act, 2011, which, although receiving Presidential approval in May 2014, has not yet been enacted as the government is still considering the rules for enforcement of the Act. According to a public sector representative, India’s progress towards effective whistleblower legislation can be attributed to the efforts of UNODC. Similarly, the Public Procurement Bill, 2012 was passed by the lower house of Parliament in May 2012 and still awaits clearance in the upper house of Parliament. The Companies Act, 2013 and corporate governance norms brought out by the Securities and Exchange Board of India (SEBI) in April 2014 are two other significant steps in the direction of ensuring integrity in the corporate sector. The latter emphasises - through the Board and Board’s processes - stakeholders’ approval for party transactions, the establishment of a whistle blower mechanism and transparency on pay packages.

The country-level components have contributed to the identification of lessons learned, model practices and innovative approaches for governments to encourage and reward companies’ spontaneous and substantial cooperation with, and reporting to, relevant public authorities in line with UNCAC, and the completion of a training module on the basis of the collected model practices. The overwhelming view of stakeholders indicates a movement in the right direction resulting in India’s compliance with concerned UNCAC articles, as the UNODC intervention has created an enabling environment for the implementation of sensitization activities on integrity for government and private sector stakeholders.

7. Impact

According to the views expressed by different stakeholders, the impact of the India-implemented project components can be located at multiple levels, although this must be contextualized by also considering the enabling environment created by the ratification of UNCAC by the Indian Government in 2011, the impact of civil unrest as a consequence of corruption scandals of gigantic proportion like the 2G spectrum allocation, the coal block allocation, commonwealth games etc., passage of the Lokpal and Lokayuktas Act, 2013, as well as proactive judiciary and the right to information and public interest litigations. The role of civil society, such as Transparency International and others which continue to work for probity in public life and corporate governance can also not be underestimated.

Overall, by bringing the issues of probity in public procurement and corporate integrity into the centre of the debate on corruption, and by ensuring the involvement of key actors of public and private sectors, the project components implemented in India have positively influenced the process of legislative change, and created an enabling environment for further action at the policy and operational levels in this particular field. Nearly all the persons with whom interaction took place during the course of evaluation were unanimous in their views on strength of the projects in generating awareness, and strengthening knowledge in these particular areas. The partnership with industry associations could
potentially increase the impact of the project components in this field, although the different publications have not been translated into Hindi or any of the other more prevalent languages used in India (see also section on relevance main body of the evaluation report).

Another impact is that public-private partnerships in the field of corruption have been established and – to some degree – cultivated during the implementation of the two project components, which is a profound change from the situation in 2011. Trust has been build between the two sectors at the national and State of Karnataka level, which has resulted in a better collaboration between the two sectors – at least in the context of the projects’ activities. Furthermore, on the basis of the knowledge gained as a result of the implementation of the two projects, the GoI is better prepared for the first and second rounds of the UNCAC Review Mechanism.

8. Sustainability

The two e-training modules can be considered as the most significant and impactful contribution of the projects with long-term ramifications. Likewise, the two publications of the legislative assessments and the baseline surveys will also contribute to the knowledge base. These knowledge products, as well as others produced under the two projects, are available online in the public domain, and can therefore continue to be utilized in the future. The e-training modules have been shared with counterparts like representatives of the GoI, the Rajasthan Police and National Police Academy, Hyderabad the Central Bureau for Investigation Academy, public sector undertakings like SAIL (Steel Authority of India), the CII, and private sector entities. Some actors, such as the CBI Academy, the Rajasthan Police, the National Police Academy and the CII have expressed an interest to adopt the online training modules on public procurement and corporate integrity and to organize training programmes on these issues, although it remains to be seen to what extent this will be undertaken in the near future. UNODC could consider putting these e-modules online to give interested parties the opportunity to download the training modules. However, it remains to be seen if the established public-private partnerships will continue in this – or another – form after the completion of project activities, as the GoI has its own consultative mechanisms for different functions and under different ministries. The sustainability of some outputs is directly correlated to the availability of funding, and corporate funding opportunities as a result of the Companies Act 2013, which stipulates that companies must use two to three percent of their gains to corporate social responsibility (CSR) activities, could be further explored along with cost-sharing arrangements with the GoI.100

9. Conclusion

The implementation of the project components of ‘The 6Ps: Public-Private Partnerships for Probity in Public Procurement’ (GLOX30) and ‘Incentives to Corporate Integrity and Cooperation in accordance with UNCAC’ (GLOX32) in India have to a large extent been efficient and effective. The design process was participatory to some extent only and although the logical framework was comprehensive at first sight, the indicators developed to measure the results were not all in accordance with the SMART criteria. Both project components implemented in India are relevant, as these address the needs of the government and private sector, the UN (as reflected in the UNDAF) and the

regional/national-level strategy of UNODC ROSA. While the partnerships and cooperation with government and private sector is viewed positively, those with civil society have been limited in nature. Profound changes have been observed in the field of public-private partnerships at the national and state-level (Karnataka), increased awareness on probity in public procurement and corporate integrity, and a further understanding of the prevailing gaps in the legislative framework. The activities have supported an enabling environment for further action in the respective fields and the acceleration of the processes of legal compliance with provisions of UNCAC, although the sustainability of some of the project results – especially in the field of their incorporation at the institutional level of public and private sector stakeholders - remains an issue of concern.

10. Recommendations

The following recommendations can be made to the Government of India: Adopt the Public Procurement Bill, 2013 (upper house of Parliament); Establish rules for the enforcement of the Whistleblowers Protection Act, 2011, and enforce the Act; Adapt, if necessary, and utilize the e-training modules developed under the two projects; Consider replicating the aims to promote public-private partnerships at the state level, and support other states with developing legislation in the field of public procurement and corporate integrity.

The following recommendations can be made to private sector actors: explore in-house opportunities to further shape institutional change in favour of corporate integrity; utilize available training modules to provide in-house training on public procurement and corporate integrity.

The following recommendations can be made to UNODC: Any future intervention with should be planned on the basis of broad-based, participatory consultations with inputs from different categories of stakeholders like government, industry, civil society and concerned individual experts; The development of logical frameworks, including the indicators and targets to measure the achievements of the project during and at the completion of the projects, must be undertaken in close communication between UNODC headquarters and country-level offices to ensure their adherence to all the ‘SMART’ criteria; Disseminate the knowledge products like online sensitisation modules to concerned agencies for institutional-level adoption and usage; Knowledge products, such as the anti-corruption referral directory, should be periodically updated and printed for dissemination; If budget is available, then advocacy for legal and systemic changes needs to be undertaken in a structured manner by covering law makers, ministries and government agencies, media, small and medium enterprises, sector-specific industries, and regional and State-level industry associations.

The following strategies for resource mobilisation may be attempted:

- Solicitation of support from Indian and Multinational corporate houses/ Foundations under corporate social responsibility programme or such other schemes. The Companies Act, 2013 has made it mandatory for mid and large companies to spend two percent of their three-year annual average net profit on activities in the field of social corporate responsibility.

- Lobbying with Government of India for a cost-sharing arrangement if further funding has been obtained.
11. Lessons learned

- A capable and dedicated team is always an asset for a project. Despite a small team and a late start, the projects delivered the planned results, which is indicative of the high level of functional competencies of the team members.

- The development of logical frameworks, including the indicators and targets to measure the achievements of the project during and at the completion of the projects, must be undertaken in close communication between UNODC headquarters and country-level offices to ensure their adherence to all the ‘SMART’ criteria.

- Consider putting in place a project monitoring system to collect relevant data, and monitor performance.

- Projects that focus on advocacy and awareness generation should be made as interactive as possible in order to maximise their impact. All through the period of implementation of the two projects, several interactive events were organised that resulted in development of knowledge products and generation of new ideas.

- To broaden the scope of the work on procurement by also considering corruption concerns in contract management after the public procurement process has been completed, as well as a greater coordination and interface between stakeholders, including the end-beneficiary. Grievance redress and investigation are areas that require strengthening.
1. Background project & methodology evaluation

This report contains the key findings of the evaluation of the projects ‘The 6Ps: Public-Private Partnerships for Probity in Public Procurement’ (GLOX30) and ‘Incentives to Corporate Integrity and Cooperation in accordance with UNCAC’ (GLOX32), which have been implemented in Mexico by the UNODC Liaison and Partnership Office. The first project aims to reduce vulnerabilities to corruption in public procurement systems by promoting article 9 of UNCAC. The objective of the second project is to promote the implementation of articles 26, 32, 37 and 39 of UNCAC which deal with corporate integrity and cooperation between corporate and national authorities in matters concerning corruption. The projects also contain global components, and activities implemented in India following a similar implementation pattern as the ones in Mexico. The projects were launched in 2011, and are now scheduled to end in September 2014. The evaluation captures the projects’ design, relevance, effectiveness, efficiency, impact, and examines partnerships and cooperation and the sustainability of results. The methodology of the evaluation has been explained in chapter 1.3 of the evaluation report of GLOX30, GLOX31 and GLOX32.

2. Design

As guardian of UNCAC, UNODC has been requested by the Conference of the States Parties to multiply efforts to make specific information about the Convention and its prevention widely available to individuals and groups working outside the public sector, and to continue to develop and promote partnerships, including between the public and private sectors, in order to leverage resources for advancing technical assistance efforts. These obligations concurred with the objectives of the Siemens Integrity Initiative. Mexico was one of the two countries in which the national-level components of GLOX30 and GLXO 32 were implemented.

The design of the projects GLOX30 and GLOX32 was largely an in-house exercise within a relatively short time-frame, and undertaken by UNODC headquarters with inputs from UNODC LPO. The design phase has been participatory to some degree only, which also became obvious in the first phase of implementation when the assumption of existing public-private partnerships was checked with relevant stakeholders, as well as the possible duplication of inputs (in the end it was decided to have only one technical/advisory working group in Mexico and two in India instead of one such set up for each project). The fact that these had to be set up, and that a process of confidence-building between the public and private sector had to be initiated and nurtured could have been included in the actual project proposal if more time for broad-based consultations during the writing process had been set aside, or as the first set of activities in the project implementation schedule. This would have avoided some of the delays which took place in the beginning.
In close collaboration with the MoFA, the stakeholders of the different levels of government administration were selected, with the proximity of the Puebla administration to the capital determining the selection of this state.

The project documents of the projects GLOX30 and GLOX32 have been concise and comprehensive. The proposals clearly outlined the rationale (problem analysis and counterpart capacity, justification), the key stakeholders (synergies/partnerships and target groups), the intervention logic (objectives, outcomes, outputs and activities), project management mechanisms and structures, sustainability, legal context, budget, project evaluation, a log frame with indicators, means of verification and a work/monitoring plan. As already pointed out above, planning has been too tight, which prevented a more in-depth assessment of the in-country situation to test assumptions given in the project proposals. The indicators in the project documents were generally specific, measurable and time-bound, and given for the different levels of the hierarchy of objectives. The inclusion of indicators to measure change in levels of knowledge can be commended, although these were not accompanied with sufficient budget and personnel to implement such assessments. Furthermore, not all indicators were achievable or relevant because of the specificities of national legislative frameworks and processes,101, and the long-term perspective necessary to observe institutional change taking shape and being completed.102 Thus, some of the expected results (as formulated in the indicators) given in the log frames were too ambitious.

The project revisions undertaken in 2013 have also led to adjusted log frames, with baseline and targets given for each indicator. The revised indicators and targets at the output and outcome levels are more easily measurable and achievable, thereby giving due consideration to the time-consuming participatory and consultative nature of the implementation process. However, the selected indicators did not at all times fully reflect the desired outcomes (which had not been changed), and actually focused too much on output-level results (e.g. number of technical working groups established; number of participants in working group meetings to measure the level of achievement of some outcomes). Arguably the public-private partnerships initiated at the national level, and the shift towards dialogue and mutual learning in addition to building ownership of the projects’ activities, ought to have been given correlated indicators to measure progress, including a changed working climate, over time. In some areas the revised indicators led to believe that limited communication with the UNODC Office in Mexico had taken place on the substance of activities and outputs, as these did not entirely reflect the in-country reality at that time.

3. Relevance

The perception of Mexico is that of a country with high levels of corruption (see table 1). Although there is a robust legal framework to prevent and counter corruption, the implementation faces many obstacles, including the absence of corporate integrity systems and a culture of integrity in both sectors. The project activities were therefore highly relevant, especially as

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101 For instance the fact that UNODC can neither establish legislative drafting committees nor provide legal amendments, and that – such as in the case of Mexico – the legislative framework already complied with article 9 of the UNCAC.

102 E.g. the indicator ‘at least 50 companies report to have initiated a revision of their corporate integrity policies and programmes […]’ to measure outcome 1 and 2 of GLOX32
Mexico is experiencing important changes to many of its public-private relationships because of its vast-growing economy, and most of the economically relevant public-private commercial operations are taking place in the field of public procurement, which is generally perceived to be a vulnerable area for corruption. The importance of public procurement processes for the Mexican Government, and thereby the activities which fall under GLOX30, is clear when considering that approximately 30 to 40 percent of public sector spending takes place in this area, which is seven to ten percent of the GDP. In the case of GLOX32, activities were highly relevant, as the private sector also has a responsibility to prevent and fight against corruption – a KPMG report published in 2008 notes that around 44 percent of all Mexican companies have paid bribes to public officers.

Mexico is a State party to UNCAC, and its National Development Plans (NDPs) reiterate this commitment to prevent and fight corruption. In Mexico’s NDP for 2007-2012, the government recognized that impunity and corruption have been obstacles to the development of Mexico, which has resulted in the lack of trust of citizens in government institutions. The promotion of transparency in government decisions, which ensures an element of predictability therein, has therefore been given as an objective of the NDP for 2007-2012. In the current NDP, in addition to the cross-cutting strategy of a ‘close and modern government’, which aims to guarantee access to public information and the protection of personal data and foster accountability, also the need to establish partnerships between the public and private sector has been noted as an area which will be addressed during this presidential term.

At the regional and national levels, the national components of GLOX30 and GLOX32 are aligned with the objectives given in the regional strategies of UNODC LPO. The Mexican government and UNODC stipulated in the ‘Operation of the Integrated Programme on Security and Justice of the Government of Mexico – UNODC’, the annual plan for the period 2010-2011, the importance of fighting corruption both at Federal and State levels. Mexico had become a State Party to UNCAC prior to the development of the two projects, and this is also visible in the most recent regional strategy for 2012 to 2015. Articles 2.1 and 2.7 of Subprogram 2 “Countering Corruption” state respectively that ‘Effective implementation of the mandates of the Conference of the States Parties to the United Nations Convention Against Corruption, the Implementation Review Mechanism and the subsidiary bodies of the Conference of the States Parties’ and ‘Enhanced capacity of national institutions to prevent and fight corruption in the private sector and to enhance the role of the private sector as a stakeholder in the prevention of and fight against corruption […]’ are expected results. These outcomes have also been taken up in the UNDAFs for respectively the years 2008-2012 and 2014-2019 for Mexico.

Footnotes:

103 Ministry of Public Administration, 2012: 5

104 Dosal, 2008

105 Ministry of Public Administration, 2006: 47, 48, 62

106 Ministry of Public Administration, 2013

107 UN, 2007: 51; UN, 2013: 17
4. Efficiency

The resources and inputs in terms of personnel and budgetary allocation have been utilised efficiently. Whereas anticipated expenditures for the original three year project period actually followed a pattern with approx. one fifth of expenditures in the first year, over half of the expenditures in the subsequent two years, and only a minor proportion of the budget in the last year, in fact expenditures have followed an upside-down pattern with minimal expenditures during the first year because of the rather late start of the project (with a six months delay in the beginning), and over one third of the budget spent in respectively 2013 and 2014 for both project components. Expenditures of the components implemented in Mexico are expected to remain within the overall budget.

Table 4.1: GLOX30, delivery planned in Project documents versus actual delivery

<table>
<thead>
<tr>
<th>YEAR</th>
<th>Delivery Planned in Project Document</th>
<th>Actual delivery</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>$62,663 (20%)</td>
<td>$8,052 (3%)</td>
</tr>
<tr>
<td>2012</td>
<td>$117,127 (37%)</td>
<td>$69,789 (22%)</td>
</tr>
<tr>
<td>2013</td>
<td>$115,063 (37%)</td>
<td>$121,096 (39%)</td>
</tr>
<tr>
<td>2014</td>
<td>$17,798 (6%)</td>
<td>$113,714 (36%)</td>
</tr>
<tr>
<td>TOTAL (overall budget)</td>
<td>$312,651 (100%)</td>
<td>$312,651 (100%)</td>
</tr>
</tbody>
</table>

Table 4.2: GLOX32 delivery planned in Project documents versus actual delivery

<table>
<thead>
<tr>
<th>YEAR</th>
<th>Delivery Planned in Project Document</th>
<th>Actual delivery</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>$22,433 (7%)</td>
<td>$6,518 (2%)</td>
</tr>
<tr>
<td>2012</td>
<td>$92,947 (30%)</td>
<td>$75,682 (24%)</td>
</tr>
<tr>
<td>2013</td>
<td>$180,603 (57%)</td>
<td>$114,785 (37%)</td>
</tr>
<tr>
<td>2014</td>
<td>$17,798 (6%)</td>
<td>$117,600 (37%)</td>
</tr>
<tr>
<td>TOTAL (overall budget)</td>
<td>$313,781 (100%)</td>
<td>$313,781 (100%)</td>
</tr>
</tbody>
</table>

In Mexico, UN procurement rules and procedures have been followed for the recruitment of consultants and companies to deliver particular outputs. Expenditures in relations to these activities have therefore been cost-efficient. According to the annual and semi-annual reports for 2011 to up to March 2014, no major deviations in activities, and cost and budget deviations occurred during the life span of the project (that is over five percent per activity). Furthermore, CONCAMIN organized and paid for a media event to highlight the publication of the legal diagnosis.

In Mexico, national project officers were recruited to manage the implementation of the two national-level components. In Mexico, two full-time project staff were recruited, as the government rule is that each project executed by the UN must have one full-time project officer. The project officers have been responsible for the implementation of the two projects from the very beginning until the end under the overall supervision of the P3 staff member coordinating the work at UNODC headquarters. There was no overturn of staff at the national level, and the management capacity in Mexico – in comparison to India - also offers an explanation for the more extensive opportunities available to this office for networking, holding extensive consultations with stakeholders and using a more intensive, participatory approach to project design and implementation, although the scope of involvement of the government (with three levels) was also more extensive than the involvement of the Government of India.
The planned outputs of the in Mexico implemented components of GLOX30 and GLOX32 have been achieved. Mexico’s legal system of public procurement has been reviewed, and the report ‘Legal Assessment of Mexico’s compliance with article 9 of the United Nations Convention against Corruption in the Federal Government, the Federal District and the State of Puebla’ was published in Spanish in 2012, and in English in 2013 (GLOX30 output 2.1). Preceding the legal review, instead of the originally envisaged three only one management committee and one technical working group was set up with government and private sector representatives to provide advice, share knowledge and review the findings of the legal diagnosis (see section on partnerships and cooperation). Even though the same actors participated in these activities, the aim of the management committee was to discuss the methodology to develop the products and its implementation. In the working groups the outputs were discussed, and subsequently implemented directly with each counterpart.

The findings and recommendations of the study were for the first time presented to fourteen representatives of the public and private sector in September 2012, and the final report was reviewed and approved by the Technical Working Group in December 2012. In addition, during a media event the findings of all four studies of GLOX30 and GLOX32 (the diagnosis, the legal study, the baseline studies) have been shared on 5 March 2014. The report provides an analysis, and gives at the end the ‘Main findings and areas of opportunity’. A clearer separation of main findings and areas of opportunity, and a more extensive description of areas of opportunity, would have been useful for planning and monitoring purposes.

Additionally, training needs of public actors have been assessed in a baseline survey, and a training programme on Mexico’s procurement laws and regulations has been formulated on the basis of the main findings of the survey as well as consultations with key stakeholders (GLOX30 output 2.2). The diagnosis report provided the background for the design of the baseline survey. In order to ensure anonymity because of the sensitive nature of the subject, an online survey was sent out in April 2013, and completed by a total of 157 persons from the public sector and only five from the private sector. The surveys revealed perceptions about the legal framework on probity, anti-corruption, accountability and transparency in the public procurement cycle, and training needs of public officials. Due to the limited response rate of the private sector survey, no recommendations were given for this target group. Although this low response rate can partially be explained by the sensitive nature of the topic, more details about the methodology would have


109 A total of 157 respondents completed the survey, with 15 of the federal government, 132 of the federal district and 10 of Puebla (UNODC LPO, 2014: 8). The survey administration period lasted from April 3 to May 6, 2013. A general invitation was made to companies from the Confederation of Industrial Chambers of the United Mexican States (CONCAMIN), the National Chamber of the Textile Industry (CANAINTEX), the National Chamber of the Garment Industry (CANAIVE), the National Chamber of the Pharmaceutical Industry (CANIFARMA), and the Mexican Chamber of the Construction Industry (CMIC), who in turn invited their affiliate companies. Five fully completed questionnaires from the Chambers of Commerce representing diverse enterprises were received. It is worth noting that the response period was extended by one week (until May 6), since the original deadline for the submission of questionnaires was April 29 (UNODC LPO, 2013d: 6-7).
been useful to provide lessons learned on the usage of online surveys in the field of corruption.\textsuperscript{110} However, field testing of questionnaires, and a different targeting strategy (e.g. each actor inviting potential respondents themselves) could at least partially have prevented the limited response.\textsuperscript{111}

An Academic Forum was subsequently organized to discuss the development of the training strategy with public and private sector representatives, and private and public universities. A total of six training modules were developed on the basis of extensive discussions with each actor for – respectively - the three levels of government and three private sector actors.\textsuperscript{112} In the modules private sector topics were introduced in the public sector training modules and vice versa to further enhance the understanding of participants of the other sector. The contract with the Tecnologico de Monterrey was signed in September 12 2013 and the analysis of the pre-post training tests shared in September 2014.

A better understanding of the public procurement regime has also been provided to public and private procurement personnel operating in Mexico in 2014 (GLOX30 output 2.3). Out of a total of 584 participants, 562 received a diploma. 76 percent of the trainees were from public institutions (the three levels of government) and 24 percent from the private sector (CANAINTEX, CMIC, Global Compact Local Network of Mexico). The analysis of the participants is gender-sensitive. The average of all evaluations of all participants provide evidence that both the substance of the courses and the teachers were considered to be very good. Furthermore, the comparison of pre- and post-tests showed an increase in knowledge, with the participants of the private sector showing a stronger increase in knowledge than representatives of the public sector.\textsuperscript{113}

The outputs of the Mexico-component of the project ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ have also been achieved. A review of the legislation of Mexico related to corporate liability and legal incentives for companies to voluntarily report on internal incidents of corruption was completed (GLOX32 output 2.1).\textsuperscript{114} The main conclusion of the study was that corporate integrity is not

\begin{footnotesize}
\begin{enumerate}
\item[110] See for instance UNODC, 2013.
\item[111] Representatives of one of the government actors have however been critical regarding the results, although some of their views can also be explained by the fact that in particular this actor has been promoting anti-corruption efforts in public procurement for a long time. They considered that the effects were technically limited and sometimes failed to adequately reflect the national context - some of the reports only focused on the private sector, thereby missing the opportunity to share more information about the public sector. The key results of the legal diagnosis and the baseline study do not concur with each other, although this discrepancy in findings has been explained by the fact that public administration staff has changed because of the outcomes of the elections held in 2012 (UNODC, 2013g), and possibly the fact that the baseline surveys did not adequately reflect the reality of public sector respondents as well as the sensitive nature of the topic.
\item[112] UNODC, 2013g
\item[113] UNODC LPO/TdM, 2014: 15
\item[114] For this Initiative the following statutes were reviewed: the Federal Civil Code (CCF), the Civil Code for the Federal District (CCDF), Civil Code for the State of Puebla (CCP), Business Corporation General Law (LGSM), Federal Public Servants’ Administrative Responsibilities Law (LFRASP), Federal Public Servants’ Responsibilities Law (LFRSP), the State of Puebla Public Servants’ Responsibilities Law (LRSPEP), Federal Law for Protection of Individuals Involved in Criminal Procedures (LFPPIPP), Federal Law
\end{enumerate}
\end{footnotesize}
explicitly defined in a law or in regulation. This implies that actors are obliged to act in ‘good faith’ and refrain from taking part in corruption practices. A report on the findings of the legal study was published in Spanish in 2012. The different activities with respect to setting up the technical review committee, the provision of advice, information sharing and the review and approval of the findings of this study has followed the same pattern as GLOX30 for efficiency reasons. The respondents valued the diagnosis as well as the report as the analysis enhanced their understanding of the legislative framework in Mexico. The MoPA considered the latter report only useful to some degree only, as the focus was on the private sector.

In the so-called baseline study, training needs on corporate liability and legal incentives were formulated for law enforcement, judicial authorities and private sector representatives, and a training programme has been developed in close consultation with relevant sectors (GLOX32 output 2.2). The online baseline survey, which was used to guarantee the anonymity of the respondents, has been completed by 23 public sector officials (out of approx 50 persons approached for the survey), and 57 private sector representatives (out of the 269 members of the Global Compact Mexico branch approached for the survey) in the period of 27 March to 6 May 2013 (see for the further process Mexico GLOX30 output 3.2). Training needs were further identified in close collaboration with the five different entities targeted for the training in order to get a more in-depth understanding of actual training needs per entity (three public sector and three private sector).

Due to the process to get to the reports and the training activities, relevant authorities and private sector representatives have a better understanding of the legislation of Mexico on corporate liability and on legal incentives for companies to voluntarily report on incidents of corruption (GLOX32 output 2.3 – see for further information GLOX30 output 2.3)

The implementation of the projects started with a delay of several months. In consideration of the late start, the majority of activities and outputs have been delivered in a timely fashion, or with minor delays (up to approx. two months). The two projects were therefore extended with half a year until the end of September 2014, in order to complete all activities. The reasons for the delays in Mexico can be traced back to political events, such as national elections, the re-organization of particular sections of the government and the continued sensitive nature of the topic. Therefore, at the national level, more time than originally planned was needed to initiate and build up partnerships with relevant government actors and private sector representatives, which especially was a time-consuming activity because of the level of distrust between these two sectors. Also, the relatively low response in baseline surveys can also be explained by this fact.

In Mexico national elections were held in 2012. The period before the run-up to the federal and state-level elections, and the period following this major political event, when the newly installed federal and district level staff had to be introduced to the projects and the work of UNODC led to a delay of approx. two months. Although government commitment was generally not affected by the developments at the political level, as a consequence of changes of the organizational

Against Organized Crime (LFCDO), among others. The difference between the names of the outputs of the products is that the legal diagnosis (GLOX30) was wider and more specialized due to the variety of the legislation about public procurement processes. The legal analysis undertaken as part of GLOX32 was referred to as report because of the lack of specific legislation related to corporate integrity and legal incentives.

115 UNODC LPO, 2012: 2
structure of the Government of the State of Puebla (an administrative fusion between the Secretariat of finances and the Secretariat of Administration), there was only limited involvement in the project in the first half of 2013.116

5. Partnerships and cooperation

In Mexico, the Ministry of Foreign Affairs (MoFA) is UNODC’s counterpart, and in close collaboration with the MoFA, the decision was made to request federal technical counterparts, namely the Ministry of Public Administration (MoPA) and the General Attorney’s Office, to take part in the activities. The MoPA is the federal institution in charge, among other matters, of the public procurement regulations and implementation of the public procurement policies, as well as the fight against corruption at an administrative level. The Ministry also monitors federal public servants to adhere to the law when exercising their functions, and promotes compliance with procedures of the federal government. The General Attorney’s Office acted as observer during the project. The two pilot States were Mexico City and the State of Puebla.117 The Public Procurement Unit and the Transparency Policy and International Cooperation Unit participated on behalf of the General Comptroller of the Federal District (Mexico City), and the Ministry of Finance and Administration of Puebla took part on behalf of the State of Puebla. An MoU was signed in the beginning of 2012 to create a management committee comprising the MoFA, the MoPA, the General Attorney’s Office and the state authorities of Mexico State and Puebla, thereby acknowledging the multi-layered legal framework and administration of the government of Mexico. The working relationship between UNODC and the Government of Mexico has been viewed as an effective and positive one. These different public sector actors appreciated the partnership with the UNODC Mexico because of its convening power, ability to generate trust the process and expected results, and the ensuing dialogue between the different actors. The invitation of UNODC by the Anti-Corruption Working Committee of the Senate to be one of the panellists during the review of the National Anti-Corruption Commission gives further evidence for this view.118

The Mexico Local Network of the UN Global Compact, a civil society organization, represented the private sector in this coordination committee in the initial stages as it was seen to be a neutral actor by the government. In the course of 2012 several other actors representing the private sector started to take part in the working groups, including the Confederation of Industrial Chambers of

116 UNODC, 2013a: 3

117 Mexico is a federal country with two 32 federal entities, namely 31 states and one Federal District. Comptroller General of the Federal District is responsible for the audit, evaluation and control of public management units, decentralized agencies, dependencies of the Government of the Federal District. It was the technical focal point representing the Federal District government for being the facilitator with the other authorities of this level of government. Ministry of Finance and Administration of Puebla is in charge of monitoring the procedures of acquisitions, leases and services, as well as awards of public works and services related comply with the criteria of efficiency, economy, honesty, transparency and legality of the State of Puebla.

118 recommendations given were based on the following topics: Co-responsibility between the public and private sectors. (Fostering the participation, involvement and obligations of the Mexican Chambers and individuals.); Strengthening of the channels of communication between the main actors of the public/private sector. (Intersectorial dialogue for the prevention and sanction of corruption); Liability of legal persons. (The possibility of implementing fines to those enterprises involved in illicit acts according to the UNCAC.) (UNODC, 2013c: 4),
the United States of Mexico (CONCAMIN), the National Chamber of the Clothing Industry (CANAIVE), the National Chamber of the Textile Industry (CANAINTEX), the National Chamber of the Pharmaceutical Industry (CANIFARMA), the Mexican Chamber of the Construction Industry (CMIC), and the National Association of Mexican Pharmacies (ANAFARMEX), a civil association. The following four actors have been the most important private sector interlocutors during the implementation of the two project components in Mexico:

- **CONCAMIN** is a representative body that brings together 46 national chambers, fourteen regional chambers, three generic chambers, and 44 associations of the various productive sectors in the country. It represents a total of 1,000,000 companies in Mexico.\(^{119}\) The confederation represents and promotes the interests of the various productive sectors, and supports industrial development in Mexico.

- **CANAIVE** is the national chamber of the clothing industry with nine state offices, thirteen national sections, and sixteen working committees. The number of members could not be found in the public realm. \(^{120}\)

- **CMIC** is an institution with approx. 9,500 members. The chamber represents the Mexican construction industry and defends the interests of employees.

- **Global Compact Network Mexico** is a dialogue platform for the organizations that are committed to responsible business practices. Today it consists of around 653 members\(^{121}\) (making it the bigger network in America and the third of the world). In Mexico, the Global Compact Network is legally constituted as a civil association (‘asociación civil’). It is an independent entity from the UN Global Compact in New York with whom they had signed a Memorandum of Understanding of local representation and joint commitments.

Instead of individual private companies, the decision was made to request umbrella organizations to take part in order to expand the actual impact of the work of UNODC in close collaboration with selected public and private actors in Mexico. This would guarantee the anonymity of individual companies in the process, and create space to build an atmosphere of trust between the public and private sector. These actors have therefore been involved in the discussions on the global diagnosis and baseline studies, as well as the development of training modules, and the conduct of training sessions for its members (CANAIVE, CMIC and the Mexican global compact branch).

The public-private partnership created during the course of implementation of the two project components has been viewed as a positive one, and a major achievement in Mexico. Whereas their relationship was initially based on reciprocal blaming, the individual meetings held with the different actors by the project officers, the comprehensive introduction to the areas covered in the management committee and the working group as well as the convening power of UNODC has actually prepared the ground for confidence-building and dialogue between these two sectors.

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\(^{120}\) [www.canaive.org.mx](http://www.canaive.org.mx)

\(^{121}\) Information obtained directly from Global Compact Local Network Mexico’s Coordinator.
Their gradual introduction into these meetings has brought down some of the walls which existed earlier between the two sectors, and along with the building of confidence between the different actors also a common understanding evolved with respect to public procurement rules and procedures, as well as opportunities to promote corporate integrity. These mechanisms have provided the opportunity to establish channels of communication, and although one suggestion was to also use video-conferencing more often in such projects, the value of face-to-face meetings – especially if there is still a general atmosphere of distrust – cannot be underestimated.

Civil society became only gradually involved in the project activities in Mexico, which started with the participation of the Mexico Local Network of the UN Global Compact in the technical working group mid 2012. With the invitation of two academic institutions to take part in the meetings of the technical working group in 2013?, civil society became more visible in project activities. The EGAP (Tecnologico de Monterrey) was ultimately selected through a competitive bidding process to develop the training modules, and conduct the training to the six target groups, which also appeared a logical choice considering the establishment of an anti-corruption training center at this institute.122

Other actors, such as the Inter-American Development Bank, the Mexican Institute for the Competitiveness (IMCO), the Federal Commission of Competency of Mexico (COFECO), Transparency International Mexico, Citizen participation for accountability (A.C.) and the Mexican Corporation of Law Consultants (COMAD) have also participated in at least one of the activities.

The role of the donor in Mexico has mostly been limited to receiving project progress reports about the activities implemented in Mexico. During the development of the project components, the UNODC Office informed Siemens Mesoamérica about the design details to ensure full transparency about the process, although the focus of their representative has been on the implementation of the two project components in accordance with related project documents and budgets. The semi-annual and annual progress reports have always been in accordance with the earlier made agreements between UNODC and Siemens.

6. Effectiveness

The project components of GLOX30 and GLOX32 implemented in Mexico have to some extent been effective. The outcomes were only partially achieved (see section on design). The projects have contributed to the potential reduction of opportunities for corruption in Mexico’s public procurement systems (GLOX30, outcome 2), and the establishment of a system of corporate liability and legal incentives for companies to voluntarily report on internal incidents of corruption and cooperate with public authorities is established in Mexico (GLOX32, outcome 2). Knowledge and communication gaps have been bridged between administrations, including those sections responsible for public procurement, and the private sector due to the partnerships that have been established. Compliance with UNCAC as well as gaps in existing practices have respectively been examined and identified during the studies, and been addressed in the training modules completed under these projects. Over 500 representatives of these two sectors have...

122 EGAP (tecnologico de Monterrey) is in the process of designing an anti-corruption centre, which will include a graduate programme. The work of the UNODC could potentially support this centre, while the centre could continue using the materials developed under the project. The EGAP has offered their facilities to carry out the workshops and to coordinate the experts that will deliver the trainings. (UNODC LPO, 2013b: 1)
received training on UNCAC and the prevention of corruption in public procurement and other sectors.

The objective of the project ‘The 6Ps: Public-Private Partnership for Probity in Public Procurement’ (GLOX30) is to promote States’ implementation of article 9 of the United Nations Convention against Corruption, to support private actors’ efforts to comply with the 10th Principle of the United Nations Global Compact [...] and to reduce vulnerabilities to corruption in public procurement systems through the establishment of Public-Private Partnerships for Probity in Public Procurement’. An enabling environment has been created in Mexico to promote the implementation of article 9 of UNCAC through establishing public-private partnerships, and supporting training, and other educational activities on the above article. The results of the Mexico components have contributed to the overall project objective, to compiling good practices at the global level, and possibly to a reduction in vulnerabilities to corruption in public procurement, although it is too early to confirm if this is actually a result of the project.

The overall objective of the project ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ project is to promote States’ implementation of articles 26 (liability of legal persons), 32 (protection of witnesses, experts and victims), 37 (cooperation with law enforcement authorities) and 39 (cooperation between national authorities and the private sector) of UNCAC and to facilitate private actors’ compliance with the 10th principle of the UN Global Compact [...] through the creation of a system of legal incentives to companies’ integrity efforts in the beneficiary countries, hence encouraging business to come forward and report internal incidents of corruption (GLOX32). The project has contributed to identifying lessons learned, model practices and innovative approaches for governments to encourage and reward companies’ spontaneous and substantial cooperation with, and reporting to, relevant public authorities in line with UNCAC. The implementation of the project in Mexico has contributed to a first-hand understanding of the existing challenges and opportunities to promote the implementation of these four articles, and an enabling environment has been created in Mexico to promote corporate integrity.

7. Impact

The impact of the components of the projects ‘The 6 P’s: Public-Private Partnership in Probity in Procurement’ (GLOX30), and ‘Incentives to Corporate Integrity and Cooperation in accordance with the United Nations Convention against Corruption’ (GLOX32) that have been implemented in Mexico have been visible in different areas, although this must be considered in light of the other initiatives undertaken in this field by the Government of Mexico. At the global level, the results have possibly contributed to the fact that Mexico became a first-place winner in the field of ‘Preventing and combating corruption in the public service’ of the annual UN Public Service Awards in 2012.123

At the political level, the UNODC projects’ activities implemented in Mexico have also contributed to a stronger profiling of the UNODC staff as experts on anti-corruption issues. Thus, in 2013, the Mexican Government began major anti-corruption legal reforms, with the main aim to set up a National Commission against Corruption. As part of this initiative, the Mexican Senate

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123 UN Conference of State Parties to the UNCAC, 2014: 4
undertook a review of anti-corruption laws and practices. UNODC was asked to provide advice on increasing transparency, rule of law and inter-sectoral cooperation based on the findings of the studies undertaken for GLOX30 and GLOX32. The outcome of this review was shared in a federal government declaration.\(^\text{124}\) In addition, the need for public-private partnerships was reflected in the NDP 2013-2018, which is a legally binding document for Federal Public Administration representatives, and the efforts undertaken to set up these partnerships within the overall framework of the two project components have certainly contributed to this reference.\(^\text{125}\)

The impact can also be observed in strengthened cooperation, interaction and information exchange between public and private sector actors – at least for the duration of the two projects in Mexico – as well as between the different levels of government in the field of corruption. For instance, although the MoPA has been involved in fighting corruption for a long time, and although the two project components did not have a national approach, which the ministry had initially hoped for, representatives found the projects’ results interesting, especially with respect to public-private sector relations, thereby contributing to a revised landscape of partnerships. Also, the General Comptroller of the Federal District considered the established public-private partnership highly useful in order to get a better understanding of private sector actors and vice versa. Although the Federal District Government had initiated some anti-corruption plans, the projects’ activities increased their awareness about the need to modernize their public procurement system in certain areas, such as implementing a system comparable to the one used by the Federal Government of Mexico (Compranet) to strengthen the transparency, objectivity, and equal opportunity for all bidders. Furthermore, one interlocutor also noted that the two projects led to more dialogue and interaction between different levels of government, which has resulted in an increased awareness of the Ministry of Finance and Administration of the State of Puebla on anti-corruption policies of the Federal District and the Federal Government.

Capacity has been built by means of actively involving the target groups in the development of training modules, and providing training on sound public procurement processes and corporate integrity. For CANAIVE, the training – as well as the participation in other activities - represented an opportunity without precedent. As a result, CANAIVE was able to provide substantive advice to one of their member companies (PROCEMEX LAUNDRY). On the basis of a sound understanding of public procurement processes, the company won the bid.

Furthermore, the discussion and related activities to promote corporate integrity triggered the creation of special anticorruption task forces within CONCAMIN’s Public Procurement Committee, which actually led to a broader discussion in this organization regarding ethics, equality and non-discrimination. As an example, two concrete actions were taken, including the project ‘Eyes that See’ for persons with a visual handicap, and the ‘Integrity Award’ for those companies that comply and implement better corporate integrity systems. A Commission of Social Responsibility has been created in CONCAMIN to promote the prevention of corruption with its affiliates. The Commission has ten counsellors which debate and propose strategies for


\(^{125}\) The text of the National Development Plan 2013-2018 is as follows: “determining actions of collaboration between the public-private sectors are necessary in order to promote mechanisms of self-regulation, internal controls and programs of integrity, and it highlighted some areas that have to be addressed, such as promotion of the complaint culture, under a scheme of social responsibility, as well as the dissemination, formalization and implementation of the integrity incentives”.
stakeholders, media, authorities and civil society to engage in social responsibility activities, including through the organization of the annual integrity award. 126

For the Global Compact Network, the activities implemented under the two project components of GLOX30 and GLXO 32 were a very tangible way to strengthen their efforts against corruption. The activities helped companies to understand how to apply this principle in the policies and operations of their work. Reportedly, the Annual Global Compact Meeting of the national networks recognised the achievements of the two project components, especially by creating a solid channel of communication and participation across sectors.

Another area of potential impact is that Mexico is better prepared to receive review missions as part of the first and second rounds of the UNCAC Review Mechanism set up in 2010. The studies undertaken to review legislation and policies, and to understand the current state-of-affairs of knowledge of public and private sector representatives, their practices, opportunities and challenges can contribute to the review mechanism, especially the second round which will focus on prevention, and thereby – directly and indirectly – strengthen existing efforts to implement UNCAC in Mexico (see also sustainability).

8. Sustainability

The sustainability of the different results must be considered in light of the ‘program for a modern government’, which has been outlined in the NDP for 2013-2018, and the fact that the project components have contributed towards more knowledge about public procurement rules and procedures and corporate integrity among public and private sector actors, which can possibly contribute to the second round of the UNCAC Review Mechanism.

Institutional change has been limited as a consequence of the implementation of the two project components in Mexico. The focus has instead been on creating an enabling environment for such change to happen in the near or more distant future at the country-level. The technical committees in the shape they gradually took on during the implementation of GLOX30 and GLOX32 have however ceased to exist as the government has not expressed an interest in taking the lead to continue with this particular partnership. However, the heritage of the two project components in the form of improved confidence, - potentially – continued open communication channels and enhanced knowledge about transparent public procurement processes and corporate integrity could provide the necessary conditions for institutional change to actually take shape.

Two concrete examples of institutional change are the special anti-corruption task force within CONCAMIN’s Public Procurement Committee and CONCAMIN’s Social Responsibility Commission, which have reportedly been established as a result of the two projects, is expected to continue to function beyond the project’s life-span providing that continued in-house support and capacity continues to be available to man these entities.

With respect to further education in the field of public procurement and corporate integrity, the training material has been shared with public and private sector actors. An interest in this material

126 UNODC, 2013s: 4; UNODC, 2014g: 8
was expressed by the MoPA and the Comptroller General’s office of the Federal District at an early stage. The aim is that the training modules will also be utilized in the future by the anti-corruption training institute of the University of Monterey. It remains however to be seen to what extent these interests and intentions will materialize in the longer term because of the recent completion of the projects, including the training activities, especially as capacity is necessary to take these issues further.

9. Conclusion

The implementation of the project components of ‘The 6Ps: Public-Private Partnerships for Probity in Public Procurement’ (GLOX30) and ‘Incentives to Corporate Integrity and Cooperation in accordance with UNCAC’ (GLOX32) in Mexico have to a large extent been efficient and effective. The design process was participatory to some extent only and although the logical framework was comprehensive at first sight, the indicators developed to measure the results were not all in accordance with the SMART criteria. Both project components are relevant, as these address the needs of the government and private sector, the UN (as reflected in the UNDAF) and the regional/national-level strategy of UNODC ROMENA. While UNODC’s partnerships with the government and private sector have been extensive and viewed positively, those with civil society have been more limited in nature. Profound positive changes have been observed in the field of public-private partnerships at the national, federal district and state-level, and in partnerships between the different levels of government in Mexico. The two projects have led to an effective channel of communication and cooperation amongst sectors, specifically with respect to the promotion of integrity and inter-sectoral collaboration. Furthermore, knowledge on probity in public procurement and corporate integrity among representatives of the two sectors has been strengthened, and also a further understanding of the prevailing gaps in the legislative framework in the field of corporate integrity have been project results. The activities have supported an enabling environment for further action in the respective fields and the acceleration of the processes to support legal compliance with provisions of UNCAC, although the sustainability of some of the project results – especially in the field of their incorporation at the institutional level - remains an issue of concern.

10. Recommendations

The following recommendations can be made to the Government of Mexico: Continue with further enhancing the implementation of relevant legislation in the field of public procurement; Consider strengthening legislation in the field of corporate integrity; Adapt if necessary, and utilize the training modules developed under the two projects; Consider replicating the aims of the to promote public-private partnerships as well strengthen intra-governmental knowledge sharing and collaboration on corruption issues at the state level.

The following recommendations can be made to private sector actors: explore in-house opportunities to further shape institutional change in favour of corporate integrity; utilize
available training modules to provide in-house training on public procurement and corporate integrity.

Based on the lessons learned given in section eleven, the following recommendations can be made to UNODC: In the design phase some further thought must be given to the timing of different activities based on an in-depth understanding of the situation on the ground; An assessment must be undertaken on the ground to examine the existence of public-private partnerships in the field of corruption, and the opportunities and obstacles to utilize and overcome these; In the design phase more attention must be given to the development of SMART indicators, as well as indicators that capture progress in processes, such as in the case of setting up, nurturing and possibly strengthening public-private partnerships; More attention must be given to the development and implementation of research methodologies, and the provision of sufficient detail about the methodology in reports to fully comprehend the findings, and possibly provide lessons learned; If possible, include academic and/or other research institutions with expert knowledge on research in the meetings in order to use their expert knowledge on designing research studies, and to allow them to build up their knowledge to facilitate the development of training modules if applicable; Continue to utilize the agencies’ convening power in the field of public-private partnerships to fight corruption; Consider providing support to the Government of Mexico to replicate some parts of the projects (although in an adapted shape) to promote public-private partnerships as well as strengthen intra-governmental knowledge sharing and collaboration on corruption issues.

11. Lessons learned

The following lessons learned can be identified on the basis of the project (see for lessons learned on design the main body of the evaluation report)

- UNODC provided enough ‘moral authority’ to support the establishment of public-private partnerships. In other words, UNODC has the necessary convening power to diminish tensions between public and private representatives when trying to establish partnerships to promote work in sensitive areas such as corruption. Respondents admitted that they thought that the open discussion between the two sectors was ‘something they did not realize could happen’.

- There continues to be a need for such initiatives to provide a neutral ground where different sectors can meet to build confidence, begin communication and move to a dialogue to share information and get a better understanding of the perspectives of others taking part in the meeting.

- When implementing research activities, including the academic/research institution from the beginning would have been more effective in order to utilize their knowledge about methodologies, and to enhance their understanding of expected training activities on the basis of the findings of the outputs;