

# FINAL EVALUATION

Project number

KGZ/T16

Project title

Creating Demand for Accountability in Kyrgyzstan through the General Prosecutor's Office  
(GPO)

Thematic area

Anti-Corruption/Rule of Law

Country

Kyrgyzstan

Report of the evaluator

Vera Devine, Independent Consultant, UK

UNITED NATIONS OFFICE ON DRUGS AND CRIME

September 2010, Vienna

## Disclaimer

Independent Project Evaluations are scheduled and managed by the project managers and conducted by external independent evaluators. The role of the Independent Evaluation Unit (IEU) in relation to independent project evaluations is one of quality assurance and support throughout the evaluation process, but IEU does not directly participate in or undertake independent project evaluations. It is, however, the responsibility of IEU to respond to the commitment of the United Nations Evaluation Group (UNEG) in professionalizing the evaluation function and promoting a culture of evaluation within UNODC for the purposes of accountability and continuous learning and improvement.

Due to the disbandment of the Independent Evaluation Unit (IEU) and the shortage of resources following its reinstatement, the IEU has been limited in its capacity to perform these functions for independent project evaluations to the degree anticipated. As a result, some independent evaluation reports posted may not be in full compliance with all IEU or UNEG guidelines. However, in order to support a transparent and learning environment, all evaluations received during this period have been posted and as an on-going process, IEU has begun re-implementing quality assurance processes and instituting guidelines for independent project evaluations as of January 2011.

## CONTENTS

Abbreviations and acronyms	4
Summary matrix of findings, supporting evidences and recommendations	4
Executive summary	5
<b>I. <u>Introduction</u></b>	
1 Background and context of the programme or project	8
2 Purpose and scope of the evaluation	10
3 Executing modalities of the programme or project	11
4 Evaluation methodology	11
5 Limitations to the evaluation	11
<b>II. <u>Major findings and analysis</u></b>	
1 Relevance of the programme or project	12
2 Attainment of the programme or project objectives	13
3 Achievement of the programme or project outputs	13
4 Institutional and management arrangements and constraints	16
<b>III. <u>Outcomes, impact and sustainability</u></b>	
1 Outcomes	17
2 Impact	18
3 Sustainability	18
<b>IV. <u>Lessons learned and best practices</u></b>	
1 Lessons learned	19
2 Best practices	19
<b>V. <u>Recommendations</u></b>	
1 Issues resolved during the evaluation	19
2 Actions recommended	19
<b>VI. <u>Conclusions</u></b>	
<b>VII. Annexes</b>	
1 Terms of reference of the evaluation	22
2 List of persons interviewed and field visit schedule	27
3 List of reference documents	29
4 Interview protocols for qualitative interviews	31

## Abbreviations and Acronyms

UNODC PO	UNODC Programme Office
GPO	General Prosecutor’s Office
NACP	National Agency on Corruption Prevention
OSCE	Organisation for Security and Co-operation in Europe
ROCA	Regional Office Central Asia
UNCAC	United Nations Convention against Corruption
UNDEF	United Nations Democracy Fund

## Summary matrix of findings, supporting evidences and recommendations

Findings: problems and issues identified	Supporting evidences	Recommendations
1. The choice of topic and counterpart for this project was relevant. With a lack of continuous political will, progress of technical assistance projects will, however, only be limited at best.	Corruption is a serious problem in Kyrgyzstan, and no other international assistance project has worked with the GPO—one of the key institutions responsible for the fight against corruption.	UNODC should continue to keep corruption on the agenda, in particular in countries with endemic levels of corruption. UNODC should also continue to work with those institutions that are, and are going to be, responsible for fighting corruption (instead of investing resources in new institutions).  UNODC should reflect on entry points and project design against the background of the lack of political will in the beneficiary country.
2. Project design was based on unrealistic assumptions and lacked risk analysis.	The project aimed at leading the country out of the ‘paralysis caused by corruption’, and at curbing the supply side of corruption.  The project documents do not contain any solid risk analysis.	UNODC and funding agencies (UNDEF) should be realistic about what technical assistance efforts can be expected to achieve, in particular in highly unstable political environments.  UNODC and UNDEF should ensure that risk analysis is carried out in all cases and that the discussion of risks and assumptions is documented accordingly.
3. The project depended too much on the availability of one international expert, difficulties in identifying a candidate all sides could agree on halted implementation for a great part of the overall duration of the project.	One year into the (2 year) project, the idea of the Anti-corruption Mentor had to be abandoned, and a decision was taken to rely on UNODC in-house experience and the eventual recruitment of a short-term expert.	UNODC should consider the time it takes to recruit high-calibre experts. Projects that rely heavily on a key expert should allow for a project inception period. They should also consider a back-up plan so that planned activities can be run to some extent should problems with availability of experts occur.
4. Capacity development might have happened at	Officials of the GPO have participated in training	UNODC should approach training strategically. The size of the target group has to

Findings: problems and issues identified	Supporting evidences	Recommendations
the individual level, but not at the institutional level.	activities, yet there is no evidence that this has led to a quality change of the GPO's operations with regards to corruption. No information was available on the usefulness of the study tours or the participation in workshops and conferences.	be identified, and taken as a starting point for determining the format of training. Training should not be one- off, and developed in conjunction with the relevant national training institution, which should also be heavily involved in designing and testing the content of the course modules; feedback needs to be consolidated for all project activities, and beneficiaries should be clearly communicated what they are expected to report back. For example, participants of study tours should be provided with clear instructions on the format and content of their reports so that project management can see how this activity was useful to them.
5. Monitoring and feedbacks from beneficiaries have not been systematic, making it difficult to track impact.	No evaluation forms were used by the project management, and mission reports from study tour participants did not follow a format agreed with participants.	For future projects UNODC should explore the possibilities for more systematic capturing of feedback from beneficiaries.
6. UNODC has, at HQ level, produced a range of high-quality resources. The project has, however invested in the development of a new prosecutor's manual, which does not represent value for money.	The manual is not being used in the mainstream training courses of the GPO's Professional Development Centre. The manual is based on experience from South Korea and is of limited applicability to the Kyrgyz context. The translation of the training manual produced in the framework of the project has not been finished, making it even less likely that it will be put to use in future.	Before commissioning original work, the suitability of existing resources should be verified.  As a rule, UNODC should consider using or adapting already existing resources before commissioning original material.
7. Despite a difficult operating environment, the Project has established good working relationship with national counterparts and international partners. Future assistance efforts will be able to build on this.	Representatives of the beneficiary institutions were positive about the project and ready to discuss follow-up efforts. International agencies, too, confirmed a constructive relationship with the Project. – Project design had been done in cooperation and consultation with OSCE.	UNODC should continue to involve international partners in discussions on project design and during implementation, in order to avoid a duplication of assistance efforts.  UNODC should continue to work with partners on technical questions in a constructive spirit even against the background of political difficulties.

## EXECUTIVE SUMMARY

This report presents the findings of the UNODC project “Creating Demand for Accountability in Kyrgyzstan through the General Prosecutor’s Office”, implemented from 1 December 2007 to 31 May 2010 (the initially 24 months project was extended by 6 months), with UNDEF funding of US\$ 310,625. The project’s overall objective was to effect Kyrgyzstan’s breaking the deadlock created by

corruption in the country. The project aimed to do this through increasing the capacities of the General Prosecutor's Office to dealing with corruption through the placement of an Anti-corruption Mentor in the institutions. The Mentor was to facilitate policy advice, including on the anti-corruption strategy, the development of work plans and training. Training was foreseen on: corruption prevention, public education campaigns, investigative techniques, mutual legal assistance and asset recovery. The GPO was also to receive support on conducting corruption surveys and legislative reviews.

The evaluated project (hereafter: the Project) operated against the background of a lack of serious political will and commitment by the Kyrgyz authorities to tackle corruption in Kyrgyzstan. While some might question the justification for implementing a technical assistance effort in such an environment, the evaluator takes the view that such a context makes it all the more important that the UN—an organisation perceived by national counterparts and international peers as a neutral partner—keeps the question of corruption on the agenda through projects and constant dialogue with the authorities and the administration. UNODC with its mandate to support UNCAC implementation is well placed to deliver this assistance.

The choice of the main beneficiary, the General Prosecutor's Office, too, can be questioned – the GPO is widely considered to be part of the problem of corruption in Kyrgyzstan, and trust in the institution is extremely low. However, the evaluator is of the opinion that such a choice can definitely be justified – although, having in mind the earlier mentioned lack of political will, probably not in terms of quick results. First, as a point of principle, it is preferable to engage with an institution, and so to try to affect change, even in an incremental way. Second, the GPO is at the centre of the judicial system, and effecting change in such a central institution will have an impact on the work of the courts and the police. Without changing the GPO, efforts to change the police and the courts will most likely fail. The Project was the only international effort at cooperation with the GPO on corruption-related issues.

The Project faced a range of difficulties in implementation.

Many of these were of an external nature. A political standstill, caused in great part by endemic corruption, and eventually resulting in a volatile situation turning to physical violence is one of these factors. Aid dependency, a lack of absorptive capacity on the side of Kyrgyz counterparts, as well as an employment market distorted by the presence of international aid projects with significantly higher salaries for staff are other factors to mention.

However, many difficulties can be traced back to the actual design of the project and concern both the way in which the project was shaped in order to reach its objective and aims (through the placement of an Anti-corruption Mentor), as well as the actual design process. The evaluator is of the opinion that the problems and mistakes made at that stage prevented the project from delivering its full potential.

At the level of achievement of the overall objective, i.e. the project being the vehicle to unlock the political paralysis created by corruption in Kyrgyzstan, the evaluator is of the opinion that it was unrealistic to expect it to be achieved in the first place, as is the objective of reducing supply (of bribes) through technical assistance and for this to be measurable in a project with a planned duration of 24 months.

With respect to the planned outcomes, i.e. the building of capacity of the GPO curb and reduce corruption, in absence of baseline indicators against which capacity building could be measured, the project might have had an impact at the level of individuals involved in specific activities. At the institutional level, the project has not had any impact that could be discerned at this point in time, partly, because the framework conditions for efficiently addressing corruption in Kyrgyzstan are lacking.

At the output level, the analysis of compliance with UNCAC, the corruption survey, and the training have received positive feedback from beneficiaries, though the effectiveness of training would have to be improved in order to create sustainable results. In terms of value for money, the production, in the

framework of the Project, of an “Investigation and Prosecution Practice Manual” on anti-corruption issues, is questionable. There is no evidence of the Manual being used at this point in time. While one might be sceptical about the relevance South Korean cases and legislation have in the Kyrgyz context, chance of the Manual ever being put to use are hampered by the fact that the project has been unable to ensure a high-quality Russian language translation of the text, which is disappointing.

The Project has funded the Kyrgyz participation in international conferences. Such participation might have been of some use to the individuals involved. There is, however, no evidence that it constituted capacity building at the institutional level. Following international debates on technical assistance, there is a realisation that conferences are of limited use for capacity building. The conferences themselves were of such a general character that it is questionable what has been achieved in terms of increasing knowledge, and if knowledge has increased, whether the cost-benefit-ratio is justified.

Also at the level of output, the evaluator has difficulties in seeing the value of this Project’s funds having gone into anti-corruption awareness raising in the framework of the Global Day against Corruption on 9 December in two consecutive years. While there might have been an argument in favour of this involvement, it does seem far off the original focus on the work with the General Prosecutor’s Office or the initial plan to train local media and organisations to be able to conduct such campaigns themselves.

In terms of management, the Project has—despite an overall very difficult operating environment—succeeded in maintaining good relations with national counterparts. Any future effort will be able to build on this. Cooperation with international partners has also been very good. Given the problems during implementation, as well as the political situation, it has, however, mainly remained at the informal level.

Given the specific challenges and problems faced (described above), it is difficult to extrapolate lessons learned and best practices resulting from the Project. Lessons learned concern mostly the importance of thorough project design, and the elaboration of a stringent project document that will be understood by all sides involved as the basis for action. Lessons should be learned on what is realistically to be expected from technical assistance projects in highly volatile environments, this, in turn, will determine a core set of outputs that can be delivered that are less at risk to be swept away with a change in the political situation.

Important lessons learned relate to training and the production of original training material, which has to be justified and has to take several elements into consideration, most importantly high involvement of counterparts throughout the development process and language and translation requirements. Training is highly complex, and there are many factors which have to be considered to make it effective. This should be reflected in the way training activities are designed.

## Recommendations and conclusions

Objectives for projects of this kind should be realistic. A project with a projected length of 24 months, and a modest amount of funding, is not likely to ‘move the country out of the current impasse and paralysis caused by corruption’.<sup>1</sup> Projects that claim to be able to deliver this should not be approved.

To the knowledge of the evaluator, no real risk assessment has taken place—it appears that it has not been a requirement for UNDEF project documents (the template for which this project followed). Risk assessment is standard practice for assistance projects, including UNODC projects. Not having a record of the discussion on potential risks inadvertently creates the impression of naivety in planning assumptions. A thorough risk analysis might also have led to a reconsideration of the stated objective

---

<sup>1</sup> See UNDEF Project Document Cover Page, p. 1.

of the project, and to a focussing on such outputs that have a greater chance of sustainability than others.

Where projects are heavily designed around a very limited number of key international experts, experience now suggests that attracting and recruiting the right calibre of expert is a lengthy process that needs to be accommodated in the project design. Highly qualified experts are in short supply and therefore, likely to be tied up and it might take time for those experts to join a project; at a minimum, one should allow for an inception period. At the output level, the Project confirms that delivering effective training is complex. Training activities should not be one-off, and preference should be given to tagging it to existing national training institutions and to developing these institutions' capacities to deliver relevant training themselves. Training has been delivered in cooperation with the GPO Professional Development Centre, but there is considerable scope for improving such an approach. While the project has considered the training to have been 'cascaded', the mere replication of the same training course in various locations does not, in itself, constitute 'cascading'.

As a rule, the design of training outputs should take into consideration the actual size of the target group. The format and amount of training events should be determined with that size in mind. In the case of Kyrgyzstan, a project of this size could, with the right approach, have reached out to all prosecutors of the country.

UNODC has, in the past, produced very valuable training resources, presumably at considerable cost.<sup>2</sup> Commissioning of new training material should be preceded by a thorough screening of already available resources, and a concise justification if new material is deemed to be necessary. If a decision is taken on the production of original material, then substantial time and resources will have to be allocated into identifying the best format and content in cooperation with the national training institution's need and existing curriculum, as well as in testing the resulting material in the local language translation, and in training a critical mass of trainers to efficiently use it in the institution's regular courses.

## I. INTRODUCTION

### A. Background and context

It has been a considerable challenge to reconstruct the different stages of development of the Project. Various Project documents refer to a UNODC mission of early 2006; the mission was carried out as a follow-up to a request for assistance addressed to UNODC by then president Bakiev. The result of the assessment mission was to develop a project that would support the initial stages of the newly created National Agency on Corruption Prevention (NACP).

An initial project idea forwarded to the NACP suggested that an Anti-corruption Mentor was to be embedded in the NACP to advise on relevant issues such as the internal organisation, workplans, strategic development, outreach, awareness raising etc. The NACP appears to have had a number of own suggestions which were communicated to UNODC. NACP felt that these suggestions were consistently ignored by UNODC and therefore eventually rejected the project. At the core of the NACP criticism appears to have been the idea of the Anti-corruption Mentor: staff felt that bundling the entire spectrum of topics to be addressed by the project in one expert might not deliver the best possible outcome, and that outputs therefore should be delivered through several experts on the specific topics.

According to staff involved in developing the project on behalf of UNODC, the core of the problem was that of conflicting expectations of what a project of this kind should do. Precedence had been set by a US-funded project to the Kyrgyz Drug Agency, where the project had topped up salaries of the Agency's staff. NACP expected this to happen through the proposed project, as well as the project

---

<sup>2</sup> For example the 'United Nations Handbook on Practical Anti-corruption Measures for Prosecutors and Investigators', at <http://www.unodc.org/pdf/crime/corruption/Handbook.pdf>.

financing some of its core activities (which should have been covered by the agency's own budget), and found it difficult to accept that this could not be done, while the proposed international Anti-corruption Mentor's salary was so high (taking up almost two thirds of the Project's overall financial envelope of just over US\$ 300.000). These unmet expectations then set the tone for the further negotiations on the project. The NACP's rejection of the project for the reasons described in the previous paragraph might have been some sort of face-keeping exercise for the NACP who had, at that time, no longer any interest in a project that would not provide a contribution to the NACP staff's salaries.

The final project document reflects the fact that it was initially drafted with the NACP in mind, as it contains a number of outputs that do not naturally fit a project which works on capacity building of the GPO. For example, output 2.2 aimed at training of '30 people from government civil society and media [...] in research methodologies, monitoring and report[ing] on corruption', or output 2.3 '60 people from civil society and the media trained in public education campaigns relating to anti-corruption initiatives'. During the lifetime of the project, the NACP's status has changed drastically, and, at the time of writing of the evaluation report, it had been all but dissolved. Working on these outputs has therefore been challenging at best, as the logical counterpart institution for them was in such disarray.

With an outright rejection (in spring 2007) of the project by the intended main beneficiary, and the fact that time was running out for the funds to be allocated to a project in Kyrgyzstan, the project design team identified the GPO as the new main beneficiary. The time constraints meant that there was insufficient time to work with the GPO on a project proposal that met the institution's needs in a more specific and detailed way, and that, as described above, a number of outputs were carried over from the earlier project idea.

The idea of the Anti-corruption Mentor was retained from the original project, which had foreseen to hire an expert who had worked on similar issues in the framework of a project of the Organisation for Security and Co-operation in Europe (OSCE) project, and then, in summer/autumn 2007 been funded for several months by a US grant to UNODC, with all sides having agreed to continue her involvement once the eventual approval of the UNDEF funds had gone through.

At the time of the start of the project, it was clear that a Mentor would first have to be recruited. The provisions made in the project document to adequately reflect the challenges such a recruitment process poses clearly do not suffice—it does take considerable time and effort to advertise and recruit, and to eventually install the right calibre of expert. This should have been reflected in allowing for an inception period of the project.

The project document also reflects the assumption that a qualified Russian-speaking candidate would be recruited—no provision had been made to allow for interpretation/translation. However, no suitable applications were received at all from candidates from the former Soviet Union. In terms of the budget, it is difficult to imagine how the scheme would have worked had there been an agreement on a Mentor without a Russian-language background.

In principle, there is no reason why an Anti-corruption Mentor embedded in the GPO should not have worked, and the impression is that this specific delivery mechanism has been particularly interesting to the GPO. Expectations on the side of the GPO ran high as regards the profile of the Anti-corruption Mentor, and there was a need for UNODC to safeguard transparent and open recruitment procedures when the GPO might have been under the impression that recruitment could take place through GPO staff's professional and personal contacts with GPO counterparts in the Russian Federation.

In fact, the GPO is still keen on having an Anti-corruption Mentor; but should UNODC ever revert to this idea, there would be need to clarify some 'first questions', in particular that the Mentor would mentor, not do the work that by definition should be done by the Kyrgyz GPO. The evaluator got a

strong sense of the GPO understanding the Mentor in the way of him/her doing a substantial amount of work of what should be the Kyrgyz GPO's portfolio.

As the idea of the Anti-corruption Mentor was being abandoned during late 2008, UNODC staff was drawn on as experts for specific activities. A short-term expert was hired by UNODC for six months in the second half of 2009, i.e. prior to the expiration of the project. The Terms of Reference for the expert were rather vague; while this is understandable in terms of wishing to keep flexibility for what the expert might be doing, it is actually problematic in that it uses up considerable time resources to identify meaningful activities.

In terms of financial resources, a modest amount can go far, or, *ex negativo*, more funds do not mean more success. For example, training, if strategically approached, could have reached out to all specialist staff of the entire GPO in Kyrgyzstan (according to numbers given by the GPO and the Professional Training Centre as well as international counterparts, approximately 1,100 people). For this, one would have had to have a more thorough planning process, and possibly, a train-the-trainers approach. Reflecting on the Project Document, there is no clear logic behind the figures that were defined in the Outputs.

The project document lacks concise risk analysis; while a couple of assumptions and risks are mentioned in the narrative section, no systematic risk assessment is done for the outcomes in the project logframe. The evaluator understands that the project document did follow UNDEF guidelines, and that these guidelines did not require any formalisation of considerations of risks and threats to the project in the logframe. It is stating the obvious when saying that this has become standard practice in project design for many years. Not only is it actually surprising to see a project document without risk analysis; it also makes it more difficult to evaluate a project on its merits without being able to trace whether any of the problems have been anticipated at the design stage.

Another 'anomaly' of the UNDEF Project Document is the fact that individual Outputs have been given indicators, something that in the experience of the evaluator is not necessarily done in project documents elsewhere—it is an unnecessary layer of project design as it produces tautological results, such as for example: "Key Activity 1.2.1 Comparative analysis of existing anti-corruption strategy and UNCAC", for which the output indicator is "Production [...] of comparative analysis", or "Key Activity 1.2.2 "Development of work plans to support necessary recommendations", for this output, the indicator is "Production of work plan".<sup>3</sup> The UNDEF Project Document requires the definition of indicators at two levels, both levels are being discussed in the Final Project Narrative Report. This report does not, however, discuss the achievements of the outcomes based on these indicators; it merely gives a general assessment as to whether the outcome has been achieved or not. In other words, the Final Project Narrative Report does not return to the initially established Outcome Indicators to prove success.

There is also some level of confusion regarding the title of the Project: "Creating Demand for Accountability in Kyrgyzstan through the General Prosecutor's Office". The activities that aimed at creating demand for accountability are those that were not as such to be implemented through the GPO, but with civil society.

## B. Purpose and scope of the evaluation

The purpose of this external terminal evaluation was to 'assess the results of the project and demonstrate to what extent it has achieved its objectives and has been relevant, efficient, cost effective and sustainable'. It was also to 'derive lessons learned and best practices from the evaluation findings, as well as recommendations.'<sup>4</sup> The evaluation concerned project activities carried out in Kyrgyzstan from December 2007 until March 2010. It also looked at the design process from early 2006 leading up to the start of the project. The evaluator conducted interviews with staff of the UNODC Office in

---

<sup>3</sup> See page 8 of the UNDEF Project Document.

<sup>4</sup> See page 2 of the ToRs of the consultant, the full text of which can be found in the Annex.

Kyrgyzstan, representatives of the beneficiary institutions, NGOs, and international organisations in Kyrgyzstan. In addition, she spoke to staff that had been involved in the project design or implementation at some point but had moved since, as well as with staff from the UNODC Regional Office in Tashkent, the short-term expert, and representatives of international organisations that had cooperated with the Project.<sup>5</sup>

### C. Executing Modalities of the programme or project

It is the understanding of the evaluator that initially, there were no provisions for staff in the UNODC PO, as the Anti-corruption Mentor was to operate on a day-to-day basis inside the GPO. Had this approach worked, the evaluator does not know what the financial disbursement arrangements would have been for the part of the budget that was not allocated to the Mentor's salary.

As the idea of the Anti-corruption Mentor was abandoned, an international staff was deployed to the UNODC PO Bishkek, also, there has been a part-time national project assistant providing administrative, including financial, support. Oversight and advice on substance was provided by the UNODC Regional Office for Central Asia in Tashkent, and the project was backstopped by UNODC Headquarters in Vienna.

Project activities were delivered after agreement with the main beneficiary of the project, the GPO.

### D. Methodology

The evaluator conducted a desk study of project documents and technical papers submitted by UNODC, and other relevant background material prior and after her field trip to Kyrgyzstan. During the in-country mission, she held a series of interviews including UNODC Country Office staff, project beneficiaries, NGOs, and counterparts of international organisations, along the questions set out in the Terms of Reference. Due to the shortage of time and given the difficult political situation in the country at the time of the mission—which had resulted in major staff turnover, including in the GPO structures—it was impossible to set up meetings with any of the participants of the training activities, who would have, however, been important to ascertain important aspects of the project.

The field mission was complemented by a series of semi-structured interviews with UNODC (including former) staff outside of Kyrgyzstan, the key short-term expert, and representatives of international organisations that had been in contact with the project.

During a debriefing with the UNODC PO, as well as during the following interviews with stakeholders, the evaluator sought to make sure that the critical points that would enter the evaluation report were communicated to them, so that the report would not contain any unpleasant surprises.

For the present report, the starting point for the assessment have been the UNDEF Project Document—as it is understood that on the basis of its contents, funding had been approved—and the UNDEF Third Round Final Project Narrative Report.

### E. Limitations to the evaluation

The evaluation had been foreseen to take place in spring 2010. However, severe political unrest, accompanied by physical violence and therefore, security concerns, put this planning on hold. When the evaluation was eventually able to take place, it had to be organised on very short notice and around previously entered commitments by the evaluator. As many counterparts were not, or no longer, in Kyrgyzstan, additional interviews (via Skype and telephone) had to be organised after the in-country mission had been finalised.

More importantly, the political turmoil in Kyrgyzstan resulted in a substantial turnover or dismissal of staff in beneficiary institutions, so much so that it has been impossible to track, for example, training

---

<sup>5</sup> A full list of interview partners can be found in the Annex.

participants for interviews; not all representatives of beneficiary institutions were aware of the project as they had arrived only relatively recently. A further significant challenge was the coinciding of the evaluation with a turnover of staff in international organisations, including the UNODC project manager, who had been in charge of the project full-time only from mid-August until end of December 2009 and who, by the time of the evaluation, had moved to a different duty station, and who was interviewed on two occasions via Skype

Personnel turnover in UNODC has also resulted in an overall loss of institutional memory, and it has been challenging to talk to staff who were involved in the project throughout the design and implementation process.

Getting hold of the necessary project documents has not been straightforward, and it has been challenging for the evaluator to reconstruct the different stages of the project development and to establish a coherent picture of project activities.

## II. MAJOR FINDINGS and ANALYSIS

### A. Relevance of the programme or project

Even though the Project has, in the view of the evaluator, not delivered its full potential (see below), as a point of principle, any effort addressing the problem of corruption in Kyrgyzstan is highly relevant, as is the fact that it has been implemented by UNODC, the UN agency in charge of overseeing and supporting the implementation of UNCAC. The UN is seen as a neutral partner in Kyrgyzstan, which gives it an advantage over bilateral agencies whose agendas are often second-guessed by national counterparts.

According to all available surveys, levels of corruption are endemic—Kyrgyzstan’s score in the Transparency International Corruption Perception Indices over the past years has, if anything, slightly deteriorated and in 2009, has been at a shockingly low score of 1.9<sup>6</sup> (in a survey where 1 is the worst possible score, and 10 the best). The think tank Freedom House ranks Kyrgyzstan’s prevalence of corruption with 6.5 (where 7 is the worst possible score and 1 the best), its judicial framework and independence scores at 6.0, and national democratic governance is 6.75.<sup>7</sup> While the evaluator acknowledges that all of these surveys are the results of perception, and while she is aware of the methodological difficulties with which the surveys are fraught, they are still a useful source of information and have, to her knowledge, never been dramatically wrong.<sup>8</sup>

Anecdotal evidence suggests that trust in the institution of the GPO is extremely low; the main building of the GPO was completely destroyed during the civil unrest in April 2010, which, analysts believe, has at least in part been an expression of the people’s frustration over the endemic corruption the country is embroiled in at all tiers of society.<sup>9</sup> Some donors and international organisation therefore chose not to work with the GPO. This is a legitimate policy, but so is the decision to try to push for change by engaging the GPO, as the Project has chosen. In some respect, the GPO is even a more natural counterpart than the initially foreseen NACP, as there will always be a GPO, while an anti-corruption agency might fall prey to political reforms or administrative restructuring (as has, indeed, happened in Kyrgyzstan). The GPO is an important pillar of the judicial system, and its role is central to the functioning of the police and the courts. Neither police nor courts can be reformed without the GPO being reformed, too. In sum, the evaluator feels that the project has, in principle, been relevant both in terms of the topic and in terms of the counterpart chosen.

---

<sup>6</sup> See Transparency International Corruption Perception Index 2009, at [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table).

<sup>7</sup> See Nations in Transit 2010 at <http://www.freedomhouse.org/images/File/nit/2010/NIT2010Kyrgyzstanfinal1.pdf>.

<sup>8</sup> I.e., it is unlikely that Kyrgyzstan does not ‘deserve’ the 1.9 score in the TI CPI.

<sup>9</sup> See, for example Op-Ed in the NY Times of 11 April 2010 by ICG’s Paul Quinn-Judge “When Patience Runs Out”, at <http://www.nytimes.com/2010/04/12/opinion/12iht-edquinnjudge.html>.

## B. Attainment of the programme or project objectives

The Project objectives were defined, in the UNDEF Project Document, as follows:

“It is hoped that [...] activities will move the country out of the current impasse and paralysis caused by corruption. [...]” The project also aimed at reducing corruption in the public sector and building the capacity to monitor, curb, and reduce opportunities for corruption. It was further aimed at building demand for transparency and accountability in the citizenry, so that the latter can act as a watchdog against corruption. The project also explicitly said that it would aim to reduce the “supply”, presumably meaning the supply of bribes.

As stated elsewhere, the evaluator believes that these objectives have been set too ambitiously in the first place. It is not realistic to expect from a limited technical assistance project of this kind that it achieves the above mentioned outcomes, in a political environment that even at the time of project planning and design was highly unpredictable.

The evaluator also questions whether the training activities that have taken place constitute meaningful capacity development, as they have been one-off, as well as possibly not reaching a critical mass of participants, nor building the knowledge and skills of the GPO training institution to deliver relevant training in the future. Equally, there is concern whether other activities were relevant in order to contribute to capacity building, such as the study tours, or the participation in international and regional events. The wider question is, of course, what is meant by ‘capacity building’ in the first place, and that international technical assistance in general is at a point where a better understanding of this needs to be developed and inform project design.

Due to the combination of problems with the design of the project and the political circumstances in which it operated, the objectives of the project have not been achieved.

## C. Achievement of the project or programme outputs

As described in the previous section on background, the Project under evaluation had originally had a different counterpart institution (the National Agency on Corruption Prevention/NACP). Discrepancies run through the Project Document that appear to reflect that fact that it was adapted, possibly in some haste, from what was initially a rather different project proposal.

These inconsistencies in the Project Document make assessment very difficult.

In terms of the outputs under Outcome 1, the following picture emerges.

“Output 1.1—One UNODC mentor operating on a day-to-day basis within the GPO office”

As described before, this Output has not been achieved. The GPO has found it difficult to agree to any of the candidates that came out as a result of the international advertisement for the post of Anti-corruption Mentor, as they felt that there were some requirements that they would not compromise on, in particular the fact that the Mentor-to-be should be a fluent Russian speaker, and come from a former NIS country, with a particular preference for an expert from the GPO in the Russian Federation. Although the recruitment process had been international, no such applications were received, and the Kyrgyz side felt that they could suggest specific professional contacts for consideration by UNODC. The evaluator strongly supports the position of the UNODC that this is no acceptable way of recruiting experts into projects, and that they insisted on the correct procedure to be followed. The responsibility for the Anti-corruption Mentor scheme not having realised in the project is to some extent with the Kyrgyz counterpart, and a missed opportunity as well as an indication of the limited level of absorptive capacity of the beneficiary institution.

“Output 1.2—Completion of revisions to the national strategy and development of work plans”

An analysis of the existing anti-corruption legislation in line with UNCAC was carried out, and recommendations were produced. According to the GPO, this analysis has been well received and found to be useful. It has informed suggestions the GPO has made to modify existing legislation. According to the Final Project Report, focal points were appointed in accordance with activity 1.2.3 in the GPO and the GPO Training Centre as well as in the NACP, however, it is not clear what the function of these focal points was to be. Activities 1.2.2; 1.2.4 under this output were not implemented, presumably, as they had been taken over from a previous project idea. The evaluator does not think that participation in Regional Meetings and Conferences can be justified as having contributed to the overall output, as they are very general in nature and in particular where these events are international, have limited practical applicability and, usually, follow-up for an individual country.

“Output 1.3—Review of existing legislative and administrative procedures and production of report to use by relevant authorities”

According to the Final Project Report, a report has been produced, but as this is the same as the one produced under Output 1.2, the Final Project Report would seem a bit misleading here, creating the impression of two reports. None of the outreach activities foreseen under this output were conducted.

“Output 1.4—Increased skills of Kyrgyz officials to investigate, prosecute and prevent corruption. 150 officials from relevant government bodies received training in investigation, prosecution, mutual legal assistance, asset recovery and preventing corruption”

The project trained 182 GPO officials. There are a number of points to be made here, both on project design in general, and on actual implementation. It is not clear how the actual figures for training were arrived at. A country the size of Kyrgyzstan, i.e. relatively modest in size, has a manageable target audience for this kind of activities. Project design should have been strategic and departed from the point of the actual size of the target audience (approximately 1,100 staff of the prosecution; this number does not include administrative/secretarial staff), and based on this, calculated what would constitute a critical mass of participants, or whether effective training should have focused on train-the-trainers. In other words, it is not clear how the target figure of 150 was originally calculated and what the thinking behind it was.

The training sessions appear to have been one-off in character, and although they have been organised in cooperation with the GPO Professional Training Centre (which primarily supported the events logistically), they have not increased the capacity of the Centre to conduct such trainings independently—something that would have potentially allowed for some form of sustainability of the efforts. There are at least a couple of reasons for this: first, given the project design, there was never an understanding with the beneficiary of this activity that it should lead to the Centre being able to independently carry out such trainings. Second, there is an aid dependency aspect to this—Kyrgyz institutions are used to, and expect, foreign assistance efforts to complement their own institutions’ lack of funding. Feedback from the training—captured by the Professional Training Centre—was overwhelmingly positive, pointing to a lack of professional knowledge and skills on the issue of corruption in the GPO. At the time of the on-site visit, it had been impossible to track down any of the participants of the trainings, due to the fact that as a result of the political unrest in the country, a great amount of officials had to leave their positions and were no longer reachable in their official capacities. This experience is shared by other international assistance efforts and thus, not unique to this Project. But it does illustrate how important it is to focus on interventions that might withstand rotation, dismissal, or turnover of staff.

With regards to the training manual for prosecutors that was developed as part of this Output, the evaluator would want to voice concern as to whether this has been the most cost efficient activity. UNODC has produced a number of highly regarded original resources, including the “United Nations

Handbook on Practical Anti-corruption Measures for Prosecutors and Investigators.”<sup>10</sup> To include the production of new material in the Project Document is not, in the view of the evaluator, justified without making a convincing case against using existing material, or, at the minimum, adapting it. In the specific case of the manual produced for the Project, the short-term expert, who spent a considerable portion of his contract to developing the material, his document contains in excess of 130 pages, while the Russian version (i.e. the one to be used by Kyrgyz officials), contains just over 70 pages. The expert was aware of the issue, saying that the Russian translation had been considered to be of very poor quality, but time and resources had not been there to proofread and edit the Russian text. This cannot be considered a satisfactory outcome, nor is it a cost-efficient one. While various counterparts had questions with regards to the relevance of the South Korean legislation and practice to the Kyrgyz context (the Manual does bring quite a few examples and case studies from the South Korean context) and therefore, the potential use that could be made of the manual, not ensuring a sound translation diminishes the chances of its further use even more.

With regards to the 2 study tours (as opposed to the initially planned one), the evaluator has not been able, from the Mission Reports submitted by participants and from interviews, to get a sense on what specifically they took away in terms of professional benefit from the trips. There might have been an argument in favour of clearer articulating to participants what information the project management team had been after. Not receiving such information might also, however, point to the low capacity of the Kyrgyz counterparts in thinking in such terms about international technical assistance projects. The Kyrgyz side had repeatedly asked for a study visit to the training centre of the GPO of the Russian Federation, but was unable to make available to the project team any of the agreed relevant information to move this ahead. This, too, seems an indication of the low absorptive capacity on the part of the beneficiary institutions. For future projects, the introduction into the project work plan of study tours should be approached with caution, as there has been insufficient evidence, in the past, that this type of activities justifies the resource investments necessary, while providing ample scope for abuse (in particular with regards to the distortion presented by the payments of per diems).

The project also purchased 5 computers and 1 printer for the GPO. This equipment has been lost irretrievably when the building of the GPO was completely destroyed in spring 2010.

“Outcome 2 – Increased availability and demand for information on corruption and anti-corruption interventions by civil society organisations, media and the general public”

Indicators under Outcome 2, as well as outputs and activities are at odds, in the UNDEF Project Document, with the section on “Responsible Parties”. Clearly, most of the activities do not fall within the mandate of the GPO, and it is not clear why the GPO has been given a formal implementing role in the Document. The Project Document makes a passing reference to a Memorandum of Understanding between the GPO and civil society organisations having been signed at the time of project planning. The evaluator was unable to get hold of this document, and to her knowledge, it remained inconsequential for the work of the institution. While this could not have been known at the time at which the Project was designed, one could have expected a degree of caution regarding justifying the activities based on this one document. In terms of Outputs under Outcome 2, the following can be summarised:

“Output 2.1—Production of Corruption Survey”

UNODC contributed substantially to the development of the ToR for the survey, and the Project funded a major part of the survey, i.e. the household survey (the survey of public officials was financed by the World Bank). The report was issued in March 2010, at a time when the project had wound down already. The Project was in the understanding of the evaluator not involved in the dissemination of results or in feedback sessions with officials, activities that, given the highly volatile political situation at that time, would appear to not have been sensible to conduct anyway.

---

<sup>10</sup> The handbook can be found at <http://www.unodc.org/pdf/crime/corruption/Handbook.pdf>.

“Output 2.2—30 people from government, civil society and media trained in research methodologies, monitoring and reporting on corruption”

No activities under this output were organised, as government functions had changed in such a way as to make it difficult to identify the adequate counterparts. Similar to the comment made above regarding the setting of the participants for training, it would be useful if there was, in the Project Document, a justification on how the figure of 30 has been arrived at in the first place. I.e., was there a thinking, at the time, that 30 participants would form a critical mass of people that then could effect change?

“Output 2.3—60 people from civil society and the media trained in public education campaigns relating to anti-corruption initiatives”

The Final Project Narrative Report states this output to have been achieved partially, as the Project has organised public awareness campaigns on the occasion of the International Day against Corruption on 9 December 2008 and 2009, including a round-table meeting in which representatives of government, civil society, and international organisations participated. Also, the Project contributed to the development of media material on corruption.

Whether this type of activity should be considered to correspond to the initial rationale of this output is to be questioned. Training locals in the techniques of conducting public education campaigns seems to be quite a different thing from an international assistance project doing this itself, with the impact being difficult to measure. It is the understanding of the evaluator that these activities were carried out in cooperation with UNDP, which applies for a limited budget for awareness raising activities to HQ each year. The value of anti-corruption awareness campaigns has been discussed critically over the past years.<sup>11</sup> Experience suggests that awareness campaigns in itself have not had the intended outcomes of making people speak up or take action against corrupt officials. On the contrary, such campaigns have often contributed to increasing the level of cynicism in environments that were marked by endemic corruption and where there were no signs of the political leadership of the country taking serious action against it before calling on the people at grassroots level to contribute to the fight against corruption. UNODC should factor this into future project design. It should also consider whether scarce resources are really best spent on soft issues such as billboard campaigns, or whether projects should not rather focus on technical aspects that countries need assistance in to implement UNCAC, and where UNODC has both a clear mandate and an advantage as an implementing agency.

#### D. Institutional and management arrangements and constraints

The implementing arrangements for the project had to be changed once it had become clear that the Anti-corruption Mentor modality would not work out. From an intended day-to-day, hands-on, demand-driven support by the Mentor, the project moved to an approach that was activity-based and on a daily basis managed by the UNODC PO. These two delivery models radically differ from one another, and clearly have had an impact on what the project was eventually be able to achieve under the circumstances. However, the approach eventually adopted has been appropriate as it allowed the project to take place at all, and was the most pragmatic approach to take.

Cooperation with international partners has been good throughout. The design of the project had been informed by discussions with OSCE, who was, at the time, supporting anti-corruption measures in Kyrgyzstan. The understanding between OSCE and UNODC had been to provide as much as possible continuity in efforts and assistance between both projects. Efforts have been made to avoid duplication of efforts, for example by ensuring that the training courses provided by the project would thematically not overlap with efforts of OSCE, or under the US Millennium Challenge Corporation

---

<sup>11</sup> See, for example, M. Tisne, Smilov, D.: From the Ground Up—Assessing the Record of Anti-corruption Assistance in South-eastern Europe, 2004, at <http://cps.ceu.hu/download.php?oid=Tf1d22036d6d332c5380b811c2df3e04:aid=Tc10260e66613d2b508646e5518bb382:file=:download>.

project, a substantial part of which was dedicated to capacity building of the GPO Professional Training Centre.

In terms of monitoring, future projects might want to explore the possibilities for more systematic capturing of feedback from beneficiaries, such as through standard evaluation forms to be distributed to participants at the end of training, or a follow-up discussion with the responsible partner institution (such as the GPO Professional Training Centre as the host and co-organiser of training activities). As mentioned elsewhere, efforts might also need to be directed towards making reporting requirements for participants in study visits more stringent, so that it becomes clear what expectations are for the reports.

### III. OUTCOMES, IMPACT AND SUSTAINABILITY

#### A. Outcomes

“Outcome 1 – Strengthened institutional capacity of the GPO to be compliant with UNCAC”

“Outcome Indicators” under “Intended Outcome 1-Strengthened institutional capacity of the GPO to be compliant with UNCAC” are, for example:

- “Strengthened national anti-corruption strategy and work plans that are compliant with UNCAC”
- “Improved inter-ministerial coordination in relation to anti-corruption policies, strategies and work plans”
- “Percentage of laws and policies amended or adopted that are compliant with UNCAC”
- “Percentage of inter-ministerial institutions participating in capacity building programmes”
- “Increase in procedures that are compliant with UNCAC”
- “Rate of increase of adherence by government bodies to new procedures.”

As pointed out before, the Final Project Narrative Report does not discuss these indicators, while stating that the Outcome has been achieved.

None of the above indicators seem to be falling within tasks that are the mandate of the GPO, and it is therefore not clear how they could have been set to measure the attainment of the outcome.

The indicator, “Increase in number of successful investigations and prosecutions based on techniques and procedures” seems to directly pertain to the GPO, even though it would be unrealistic to expect that a 24 months technical assistance project would produce material for such an indicator, and even if there were an increase in the number of investigations, the direct link between the intervention and the increase in number would still be challenging to prove. The indicator “Percentage of targeted officials that are following new rules and procedures based on training curriculum” might have also been relevant to the GPO, though it would have been helpful had the percentage actually been set, for example, 80% of the targeted officials following new rules and procedures. Either way, it is not clear how this was supposed to be measured, as no provisions appear to have been made to systematically capture impact of, for example, the training activities.<sup>12</sup> Various stakeholders interviewed pointed out that it would be very difficult for any official to follow new procedures or rules in the absence of a dramatic change in the overall political environment of the country.

Outcome 1 aimed at strengthening the “institutional capacity of the GPO to be compliant with UNCAC”.

With regards to the individual outputs, there is likely to have been an effect of training offered through the project on the individual participants in terms of their increased level of knowledge on technical issues and techniques to confront different aspects of an investigation and prosecution. As a result of

---

<sup>12</sup> See UNDEF Project Document, p. 8.

the political turmoil in Kyrgyzstan in the first half of 2010, training participants cannot be located, and it has to be assumed that many of those have lost their posts, at least temporarily.

If this is the case, then the efforts invested are likely to be lost for the immediate future. With regards to the production of the training manual, unless translation is not finalised and thus, the Russian version of the manual brought up to quality, this time and resource investment will be lost.

With regards to the analytical reports provided through the project, in particular with regards to compliance of the Kyrgyz legislation with UNCAC, this has been found a useful stock-taking exercise by GPO counterparts and should be taken as a starting point for any future work of UNODC, and on which baseline indicators for technical assistance projects could be formulated.

With regards to study visits, there, too, might have been an effect on the level of the individual participants. Again, given the very high degree of political uncertainty in the country, the framework does not seem to be in place for applying new skills or professional contacts in practice; so, the effects are, if anything, not immediate and might, in the best case, become visible once the political situation stabilises.

Overall, the project might have had an impact at the individual level and not at the institutional level.

Outcome 2 aimed at increasing “availability and demand for information on corruption and anti-corruption interventions by civil society organisations, media, and the general public.”

For this outcome, there is a possibility that, if used to inform policy interventions, including future project design, the baseline survey could prove to be very useful. For this, one would need to promote it to the target groups initially foreseen in the UNDEF Project Document. Given the political situation in the country, this does not seem to be the best time to attempt this, but the results of the survey are likely to be useful for a certain time to come.

With regards to the overall outcome, if one agrees with the analysis that recent political unrest was to a great extent the result of endemic corruption in the country, then awareness and demand for responses from the government and administration from the side of civil society have been there to a great extent. It is unlikely, however, that this is the result of the project, nor should this have been the ambition of the project (see also discussion, below, of one of the indicators).

## B. Impact

If any impact has been created, the current political situation does not allow for any conclusions on this. Potential impact could be coming from the analysis of the compliance of the legal and institutional framework of Kyrgyzstan with UNCAC, if this work is being used in future and is going to guide concrete reform efforts. Also, the corruption survey, if used to inform policy-making as a baseline could have an impact beyond the project duration; the current political situation—the country is preparing for elections in October 2010—does not provide the right environment for using it. Impact might have been achieved at the level of individual participants in the training activities. As staff turnover has been very high, it is difficult to capture whether individuals have taken anything that they have learned during training into their work environment.

## C. Sustainability

The two outputs mentioned in the previous section, UNCAC compliance analysis and corruption survey, have the potential to become the vehicles for sustainability, if utilised. However, without outside interventions, it is uncertain that the GPO will be able to drive for example the implementation of the conclusions from the UNCAC report. Likewise, it is not clear who will be driving the follow-up of the survey findings once a new government has been elected, and if there is sufficient capacity there to utilise these findings to inform policy reforms. More work—beyond the improvement of the translation—would need to be carried out on the Manual for Prosecutors to increase the prospects of it

being used in the future. This would include testing it in practice, soliciting feedback, working with a local expert to address, in detail, the specificities of the Kyrgyz situation, adaptation, another round of testing, with high quality language support at each of these stages.

#### IV. LESSONS LEARNED AND BEST PRACTICES

##### A. Lessons learned

Prior to commissioning original research, projects should map the relevance and adaptability of existing UNODC materials.

Adaptation and/or the development of original research should be seen through by the project. This, however, means that there is a clear understanding of the cost and time implications of this: the content of training material needs to be defined in close cooperation with the beneficiary institution; further, training material needs to be tested, feedback might need to be incorporated into a next draft, which in turn might have to be tested again. Assuring high quality translation at all stages of this process is crucial in order to ensure that concepts and terminology are non-ambiguous in the beneficiary country.

The overall approach to training efforts should be reconsidered, in order to avoid one-off trainings to a selected number of participants and without ‘embedding’ it in a national institution that can carry future trainings forward.

UNODC might want to explore in detail what can be learned from this project and from similar projects in terms of what type of technical assistance it should be offering in unstable political environments. The spectrum of potential interventions might have to be culled, and one might have to limit outputs to relatively narrow technical tasks that relate to the implementation of UNCAC requirements, and that can be used should better windows of opportunity open up to advance anti-corruption reforms.

##### B. Best practices

Despite having operated in a difficult political environment, the Project has managed to continuously work well with national counterparts and international partners. Future efforts in Kyrgyzstan will be able to build on this.

#### V. RECOMMENDATIONS

##### A. Actions recommended

Based on the UNDEF Project Document, there is considerable scope for improvement of the clarity of the project document. First, objectives for projects of this kind should be realistic. A project with a length of 24 months, and a modest amount of funding, is not likely to ‘move the country out of the current impasse and paralysis caused by corruption’.<sup>13</sup> Projects that have this ambition should not be approved, as the likelihood of delivering this objective is minimal at best and making such a claim is irresponsible.

Risk analysis should be part of the project log frame—the narrative part mentioning overall risks does not seem to suffice. Risk assessment is standard practice for assistance projects. Not having a record of the discussion on potential risks inadvertently creates the impression of naivety in planning assumptions. A thorough risk analysis might also have lead to a reconsideration of the stated objective

---

<sup>13</sup> See UNDEF Project Document Cover Page, p. 1.

of the project, and to a focussing on such outputs that have a greater chance of sustainability than others.

Indicators should be developed at outcome level, but not at output level. Indicators need to be crafted carefully. “Increased demand (demonstrations, debates [...]) by the public to government to respond to corruption and accountability”<sup>14</sup> have a considerable potential to being misunderstood by the recipient government. Indicators should actually be used to monitor the project and on their basis, progress should be verified, including in the Final Narrative Project Report.

Where projects are heavily designed around a very limited number of key international experts, experience now suggests that attracting and recruiting the right calibre of expert is a lengthy process that needs to be accommodated in the project design. Highly qualified experts are likely to be tied up and it might take time for those experts to join a project; at a minimum, one should allow for an inception period.

It is important to develop an agency-level understanding of what is meant by ‘capacity’ of a partner institution, and, subsequently, by ‘capacity building’. This understanding should then serve as the baseline for developing technical assistance projects that aim at capacity-building. This is a point that is wider than the evaluated project—many international assistance projects face this dilemma. But as experience now suggests, projects do not build capacity by one-off training, or individual awareness raising campaigns, and different approaches need to be explored that offer a greater chance of sustainability.

Training needs to be approached strategically. The Project confirms that delivering effective training is complex. Training activities should not be one-off, and preference should be given to tagging it to existing national training institutions and to developing these institutions’ capacities to deliver relevant training themselves. Training has been delivered in cooperation with the GPO Professional Development Centre, but there is considerable scope for improving such an approach.

As a rule, the design of training outputs should take into consideration the actual size of the target group. The format and amount of training events should be determined with that size in mind. In the case of Kyrgyzstan, a project of this size could, with the right approach, have reached out to all prosecutors of the country.

UNODC has, in the past, produced very valuable training resources, presumably at considerable cost.<sup>15</sup> Commissioning of new training material should be preceded by a thorough screening of already available resources, and a concise justification if new material is deemed to be necessary. If a decision is taken on the production of original material, then substantial time and resources will have to be allocated into identifying the best format and content in cooperation with the national training institution’s need and existing curriculum, as well as in testing the resulting material in the local language translation, and in training a critical mass of trainers to efficiently use it in the institution’s regular courses.

UNODC might want to explore what can be learned from this project and from similar projects of what type of technical assistance it should be offering in unstable political environments. The spectrum of potential interventions might have to be culled, and one might have to limit outputs to relatively narrow technical tasks that relate to the implementation of UNCAC requirements, and that can be used should better windows of opportunity open up to advance anti-corruption reforms.

As UNODC goes along with developing its understanding on how to best support countries in the implementation of UNCAC, the agency might want to try to develop a distinguishable profile that

---

<sup>14</sup> See UNDEF Project Document Page 10.

<sup>15</sup> For example the ‘United Nations Handbook on Practical Anti-corruption Measures for Prosecutors and Investigators’, at <http://www.unodc.org/pdf/crime/corruption/Handbook.pdf>.

should not be diluted through interventions that might be better carried out by other UN agencies (public awareness campaigns, incl. billboards, production of stationary etc.)

## VI. OVERALL CONCLUSIONS

The evaluated project was relevant as an attempt to keep the issue of corruption on the agenda in Kyrgyzstan through offering of technical advice to the GPO, one of the key institutions in the fight against corruption. Although the GPO is itself considered to be part of the problem, the choice is legitimate as it is an institution that is there to stay, and based on the argument that it is better to work from the inside than to be criticising from the outside. The Anti-corruption Mentor scheme—although it has not worked out to plan in the project—represents a model that could yield results, and the GPO is still keen to pursue such an approach in the future.

Future projects should spend more time and establish a model for systematically measuring impact and results, in accordance with the indicators that have been established in the project documents.

A future project will need to spend more time on agreeing the specifics of the interventions with the eventual beneficiary—something that for objective reasons could not be done in the lead-up to this project. UNODC should focus on its core mandate to provide support on UNCAC issues, and not dissipate unnecessarily into issues that touch UNCAC implementation only at the margins. There is a plethora of technical issues that future projects could address—relating to harmonising legislation, capacity building, training—but they should be approached in a more strategic way. Having said that, any project should reflect in its planning assumptions that fighting corruption is a technical issue only to some extent, and that the effectiveness of assistance offered cannot replace the political will needed to implement reforms.

## Annex 1: Terms of Reference

Title:	Independent Evaluator (Consultancy)
Organizational Section/Unit:	UNODC Regional Office for Central Asia
Duty Station:	Bishkek, Kyrgyzstan
Proposed period:	July 2010
Actual work time:	10 working days

---

### 1. Background of the assignment:

In line with UNODC's Strategic Programme Framework for Central Asia (2008 – 2011), the UNODC assistance in Central Asia targets seven main sectors, as follows:

- I. Improved regional coordination
- II. Mutual Legal Assistance
- III. Enhanced information / intelligence collection, analysis and exchange
- IV. Effective regional precursor chemical control
- V. Strengthened border control & cross-border cooperation
- VI. Effective responses to drug abuse and HIV/AIDS prevention, treatment and care
- VII. Strengthened national capacities in countering trans-national organized crime (i.e. human trafficking and smuggling of migrants), corruption, money laundering & terrorism

Project titled "Creating Demand for Accountability in Kyrgyzstan General Prosecutor's Office" KGZ/T16 accommodates and addresses a number of the sectors mentioned above by being designed to support the strengthening of the capacities of the General Prosecutor's Office (GPO) in Kyrgyzstan in dealing with corruption cases. The project strategy is partly a result of a UNODC mission to Kyrgyzstan held in February-March 2006, which examined the government's anti-corruption framework, programmes and activities in an effort to assess progress made since the adoption of the Kyrgyz State Strategy for Combating Corruption in June 2005. Subsequently, the project introduced activities supporting targeted anti-corruption initiatives that build the capacity of the GPO through training and knowledge transfers, thus enabling them to better address corruption cases. In addition, the project provided assistance to the national Anti-Corruption Agency in developing national anti-corruption action plans, revising legislation in line with the provisions of the UN Convention against Corruption and in raising awareness on anti-corruption issues.

The project objective is to assist Kyrgyzstan to improve national mechanisms and capacities against corruption.

The project outcomes:

- Strengthened national anti-corruption strategy and work plans that are compliant with UNCAC with increased inter-ministerial coordination.
- Increased skills of Kyrgyz officials to investigate, prosecute and prevent corruption.
- Laws and policies amended or adopted that are compliant with UNCAC.

- Adherence by government bodies to new procedures
- Successful investigations and prosecutions

The terminal evaluation of the projects will be carried out by an independent evaluator appointed by the UNODC.

Costs associated with the evaluation will be borne by the project. The evaluator will act independently in his/her individual capacity in order to adhere to the independence and impartiality of the evaluation process discussed in the UNODC guiding principle for evaluation at all times of the evaluation. The evaluator therefore must not have been involved in the development, implementation or monitoring of the project before, neither will he/she be rendering any service to UNODC in the near future to avoid conflicts of interest.

## 2. Purpose of the assignment:

In compliance with the project document and requirements of the United Nations Democracy Fund (UNDEF), the external terminal evaluation is initiated by UNODC to assess the results of the project and demonstrate to what extent it has achieved its objectives and has been relevant, efficient, cost effective and sustainable. It will also derive lessons learned and best practices from the evaluation findings as well as recommendations. These will then be incorporated in the designing and implementation process of similar projects.

The Evaluation will further be supported by the UNODC Evaluation Functions in regards to the provision of guidelines, formats, assistance, advice and clearance on evaluation procedures and quality control of evaluation outputs.

A Core Learning Partnership (CLP) is proposed to encourage a participatory evaluation process. Members of the CLP shall be the World Bank, UNDP, OSCE. The CLP will be briefed on key findings of the evaluation and can provide comments, as appropriate.

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

The terminal evaluation will be a project life span evaluation and consequently cover the time period from the starting date of the project's implementation in Kyrgyzstan up to the end of the project. In particular, the specific areas addressed by the following evaluation questions should be covered by the evaluation:

### (1) Relevance

- Were the objectives of the project in line with defined needs and priorities?
- Should another project strategy have been preferred rather than the one implemented to better reflect those needs and priorities? Why?
- Have the needs of project beneficiaries been met by the project? If not, why not?

### (2) Effectiveness

- To what extent have the project's objectives been reached?
- To what extent was the project implemented as envisaged by the project document. If not, why not?
- Were the project activities adequate to realise the objectives?

### (3) Efficiency

- How well inputs (funds, expertise, time etc.) are converted into outputs?

(4) Sustainability

- To what extent has the project established processes and systems that make it likely that the capacity building in the GPO will continue after the project ends?
- Are the involved parties willing and able to continue the project activities on their own (where applicable)?
- Are the project outcomes likely to be sustainable? If not, why not? Which remedial actions would have been good to take?

(5) Impact

- To what extent has/have the realization of the project objective(s) had an impact on the specific problem the project aimed to address and on the targeted beneficiaries?
- To what extent the project has caused and is likely to cause changes and effects, positive and negative, foreseen and unforeseen, on society?
- Is the project likely to have a catalytic effect? How? Why? Please provide examples?

(6) Project design and performance assessment

- Was the project design appropriate? If not, why not?
- Was the project managed efficiently?
- Were risks appropriately identified by the project? How appropriate are/were the strategies developed to deal with identified risks?

(7) Partnership

- What was the role played by the implementing agency in leveraging resources, internal or external, and expanding partnerships with other actors to support and expand this project?

4. Expected tangible and measurable output(s):

The evaluator will work under the guidance of the Programme Officer (Team Leader for Central Asia, Pakistan & Iran), Integrated Programming and Oversight Branch, Division of Operations, UNODC, Vienna.

The evaluator will develop and propose a thorough evaluation methodology that will include:

1. The study of relevant project documents and project progress reports, including reports produced by outside experts etc in a thorough desk review
2. an Initial briefing by responsible UNODC staff in the Programme Office in Bishkek;
3. Interviews of training participants, with the national counterparts, and, where it is necessary and required, international partners.

All evaluation findings need to be at least cross checked and at best triangulated through various sources and methods in order to ensure their credibility and reliability.

While conducting the evaluation, the evaluator will be guided by relevant international standards, such as “Guiding principles for evaluation at UNODC”, “Standards of evaluation in the UN system”, and “Norms for evaluations in the UN system”.

Upon completion of the fact-finding and analysis phase, the evaluator will prepare a draft evaluation report. The draft will then be circulated among the CLP and IEU for comments. The evaluator will take into account these comments when writing the final evaluation report where feasible but without at the same time giving up the independence and impartiality of the evaluation and its findings. For the Final Evaluation Report, he/she will be solely responsible.

Further Roles and Responsibilities:

While the Project Manager is also part of the Core Learning Partners, his/her role is also to manage the process and logistics of the evaluation. The Independent Evaluation Unit (IEU) of UNODC in Vienna will backstop this evaluation and approve the selection of the consultant as well as the evaluation methodology proposed by the hired evaluation consultant. IEU will also comment on the draft and final evaluation report.

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

The evaluator will be briefed and debriefed on the project by the Programme Office in Bishkek. The latter will also provide necessary substantive and administrative support.

Although the evaluator should be free to discuss all matters relevant to his/her assignment with the authorities concerned, the incumbent is not authorized to make any commitment on behalf of UNODC or the Government.

The evaluator will submit a draft evaluation report to UNODC Headquarters – the Independent Evaluation Unit, to ROCA, as well as to all “Core Learning Partners”. The report will contain the draft findings, conclusions and recommendations of the evaluator as well as a recording of the lessons learned during projects implementation. Further, the evaluator will follow the instructions provided by the Evaluation Handbook of UNDOC regarding the content, structure and annexes of evaluation reports.

The evaluation expert, while considering the comments provided on the draft, would use its independent judgment in preparing the final report.

The final report should be submitted to UNODC no later than two weeks upon completion of the mission. The report will be distributed to the CLP and by UNODC as required to the governmental authorities.

The expected timetable of Evaluation Mission as follows:

5 working days in Kyrgyzstan

5 working days for writing the draft and final evaluation report

The suggested date for the evaluation mission: July 2010

The mission will include the meetings with the national authorities.

6. Indicators to evaluate the consultant’s performance:

- Timely provision of debriefing of Evaluation Findings in Kyrgyzstan
- Timely submission of draft Evaluation Report
- Timely submission of final Evaluation Report

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

The evaluator should have the following qualifications:

A minimum first-level university degree and a minimum of 10 years of relevant work experience in, or in lieu of a first-level university degree. Further, a minimum of 10 years of professional experience in at least one of the following areas:

- Developing evaluation methodologies and carrying out evaluations, including the drafting and finalization of evaluation reports.

- Criminal Justice/Crime Prevention/Anti-corruption issues (with knowledge of the requirements of the UN Convention against Corruption)
- Institutional capacity building / organizational management / training of law enforcement personnel

In addition, the evaluator should have:

- Experience in conducting independent evaluations (if possible, within the UN system);
- Familiarity with the situation affecting anti-corruption policy in Kyrgyzstan;
- Knowledge of bilateral/multilateral technical cooperation, particularly in counter-narcotic enforcement issues
- Excellent analytical, drafting and communication/writing skills in English. Knowledge of Russian will be considered as an asset.

8. Payment terms:

The Evaluators will be issued a consultancy contract and paid as per the common UN rules and procedures.

The fee for the services will be defined according to the UN rules and procedures and depending from the qualification of the candidate, but shall not exceed 500 USD per day.

The projects will cover all the cost related to travel of evaluator and provide him/her with DSA for Bishkek based on the UN rates established for each location to be visited.

The fee will be paid only after the final report is accepted by the UNODC.

## Annex 2: Mission Schedule and List of Persons Interviewed

### a) Schedule of mission in Bishkek, Kyrgyzstan, 26-27 July, 2010

Time	Monday, 26 July	Meeting participants
11:00-13:00	UNODC Office in Bishkek	- Ms Vera TKACHENKO, Head of UNODC Programme Office; Ms Madina SARIEVA, UNODC National Project Officer
14:00-15:00	Meeting with General Prosecutor's Office (GPO)	- Mr Talantbek Akunovich KOJONOV, Head of the Department on Implementation of Corruption Laws, GPO
15:00-16:00	Meeting with National Agency on Prevention of Corruption (NAPC)	- Mr Kanat Turgunbekovich TURGUNBAEV, Deputy Director of NAPC
16:00-17:00	Meeting with GPO Training Center	- Mr Asanly Beksultanovich KYDYRMYSHEV, Deputy Director of GPO Training Center;
17:00-18:00	Meeting with Transparency International - Kyrgyzstan	- Ms Aigul AKMATZJANOV, Director - Mr Adylbek SHARSHENBAEV, Chairman
Time	Tuesday, 27 July	
10:00-11:00	UNDP	- Dr Erkyzbek Shaktybekovich KASYBEKOV, Programme Manager
11:30-12:30	Meeting with US Millennium Challenge Account Threshold Program	- Ms Baktygul KOUBANYTCHBEKOVA
12:30-13:00	Debriefing	- Ms Vera TKACHENKO, Ms Madina SARIEVA, UNODC PO
17:00-18:00	Meeting with Soros Foundation	- Ms Takhmina ASURALIEVA, Law Programme

### b) Additional Interviews (via telephone and Skype) in the period of 17 August to 26 August 2010

Ms Kimberley BULKLEY, OSCE Belarus, former OSCE Kyrgyzstan

Ms Olga SAVRAN, Manager Anti-corruption Network for Eastern Europe and Central Asia, Organisation for Economic Cooperation and Development (OECD), France

Mr Erik LARSEN, International Prosecutor, Bosnia-Herzegovina, former UNODC (expert on the project)

Mr Sukyung CHO, Prosecutor, South Korea (short-term expert on the project)

Ms Zhuldyz AKISHEVA, UNODC Vietnam (previous project manager)

Mr Phil MATSHEZA, UNDP New York (former UNODC)

Mr Stuart GILMAN, World Bank (former UNODC)

Ms Olga ZUDOVA, Legal Expert, UNODC ROCA

#### Contacts per e-mail

Ms Catherine VOLZ, former UNODC Ms

Alexandra MARTINS, UNODC HQ Mr

Nodirjon IBRAGIMOV, UNODC HQ

### Annex 3: Reference Documents

- UNODC Project Document for Project KGZ/T16 “Creating Demand for Accountability in Kyrgyzstan General Prosecutor’s Office”, no date
- Two Annual or Semi-Annual Project Progress Reports (APPR), no dates
- UNDEF Third Round Final Project Narrative Report, 30 March 2010
- Report on activities devoted to 9 December, International Anticorruption day, Bishkek, Kyrgyz Republic; 2009 (containing schedule of events, list of participants, and “Program of Joint Actions on Prevention and Fighting Corruption”) and Russian version of schedule of events and list of participants
- Report on the Compliance of the Legislation of the Kyrgyz Republic with certain provisions of the United Nations Convention against Corruption, in Russian (ОТЧЕТ О СООТВЕТСТВИИ ЗАКОНОДАТЕЛЬСТВА КЫРГЫЗСКОЙ РЕСПУБЛИКИ ОТДЕЛЬНЫМ ПОЛОЖЕНИЯМ КОНВЕНЦИИ ООН ПРОТИВ КОРРУПЦИИ), Ibragimov, N., no year/date
- Report on the “Efficiency of the Work of State Officials (Household Survey)” in Russian, Centre for the Research of Public Opinion and Prognosis, no year/date
- Astana Statement on Good Governance and Fighting Corruption, Anti-corruption Network for Transition Economies , Russian and English, draft version, 30 July 2009
- Investigation and Prosecution Practice Manual Anti-corruption, Final Version, English, Cho, S., no year/date
- ПРАКТИЧЕСКОЕ РУКОВОДСТВО ПО РАССЛЕДОВАНИЮ И СУДЕБНОМУ ПРЕСЛЕДОВАНИЮ- БОРЬБА С КОРРУПЦИЕЙ, Russian Version, no year/date
- ПРОЕКТ ПРОГРАММЫ “Борьба с коррупцией и надлежащее управление как условия для устойчивого экономического и социального развития Восточной Европы и Центральной Азии”, agenda of international conference organised by OECD, Kazakhstan, 16 – 18 September 2009
- Programme for Training on “Best Anti-Corruption Practice in detection/investigation/prosecution of corruption offences”, Issyk-Kul 14 and 15 October 2009, and Osh 21 and 22 October 2009, in English and Russian, list of participants in Russian
- Mission Report Study Visit of representatives of the GPO of the Kyrgyz Republic to the Baltic States, September 2009, in Russian, no date
- UNDP Anti-corruption Stakeholder Assessment Kyrgyz Republic, Walters and Associates, July 2007 and January 2008
- UN Handbook on Practical Anti-corruption Measures for Prosecutors and Investigators, Vienna, September 2009 at <http://www.unodc.org/pdf/crime/corruption/Handbook.pdf>

- Transparency International Corruption Perception Index, at [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009](http://www.transparency.org/policy_research/surveys_indices/cpi/2009)
- Freedom House “Nations in Transit: Kyrgyz Republic” at <http://www.freedomhouse.org/template.cfm?page=17>
- “Kyrgyzstan: A Hollow Regime Collapses”, International Crisis Group (ICG), 27 April 2010, at <http://www.crisisgroup.org/en/regions/asia/central-asia/kyrgyzstan/B102-kyrgyzstan-a-hollow-regime-collapses.aspx>
- “When Patience Runs Out”, Op-Ed by Paul Quinn-Judge, NY Times, 11 April 2010 at <http://www.nytimes.com/2010/04/12/opinion/12iht-edquinnjudge.html>

#### **Annex 4: Interview Protocol**

The evaluation did not use a questionnaire. Questions were asked covering the points in the Terms of Reference (see Annex 1).