Corruption Fighters' Tool Kit

Civil society experiences and emerging strategies

Sam Sarath, Center of Social Development, Cambodia

Corruption Fighters' Tool Kit

Civil society experiences and emerging strategies

Transparency International

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The Corruption Fighters' Tool Kit

Civil society experiences and emerging strategies

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Jessica Berns
Project Manager, *Corruption Fighters' Tool Kit*
August 2002

Editor's Note

We hope that the *Corruption Fighters' Tool Kit* fosters discussion, sparks ideas, and inspires individuals and organisations fighting corruption around the world. For more information on any of the tools presented here, or to adapt a tool to your specific context, please contact the responsible organisation in order to benefit from their invaluable experience. All contact details are available from the Fact Sheets that accompany each description.

The *Corruption Fighters' Tool Kit* is a practical instrument designed to facilitate the sharing of experiences and to accommodate the new initiatives that will be included in future years. Each year descriptions of new tools will be added to the *Corruption Fighters' Tool Kit* until their volume exceeds the capacity of this Binder, at which time a new Binder will be produced. Accordingly, the *Corruption Fighters' Tool Kit* is divided into a number of sections, each of which begins with a new numerical sequence. In future years new sections may be added.

To order descriptions of tools when they are ready in 2003, please make sure to send in the pre-addressed post card found in the pocket of this Binder. In 2003 the inserts will be available free of charge and with no charge for postage. Returning the pre-addressed post card also assures that you will be notified when a new Binder is published.

An Introduction to the Corruption Fighters' Tool Kit

By Peter Eigen
Chairman, Transparency International

The *Corruption Fighters' Tool Kit*, first produced as an international edition in CD-ROM format in 2001, is a compendium of practical civil society anti-corruption experiences described in concrete terms and accessible language. It presents innovative anti-corruption tools developed and implemented by TI National Chapters (NCs) and other civil society organisations (CSOs) from around the world. Every single tool is testament to the creativity and commitment of the diverse groups engaged in the fight against corruption. The tools also confirm coalition building as the hallmark of effective work combating corruption.

Since 1993 the NCs of Transparency International have been fighting corruption – and, in so doing, using and developing practical tools with clearly defined goals. In 2001, the Transparency International Secretariat co-ordinated the collection and documentation of these experiences with the objective of sharing information and experiences, of building on past achievements and minimising duplication in this area of work. Thanks above all to the work and leadership provided by TI NCs, there are now more CSOs than ever engaged in this struggle. Therefore, tools developed and implemented by other CSOs are included here as well.

The *Corruption Fighters' Tool Kit* highlights the potential of civil society to create mechanisms for scrutiny and control of public institutions, and to demand and promote accountable and responsive public administration. It will provide ideas and inspiration for those within and outside the TI movement. It is an attempt to answer the question "How do you fight corruption?", a question which all those engaged in this struggle are asked daily. The results of the individual tools also demonstrate a great leap forward in strengthening the ability of the coalition against corruption to answer the question: "What impact does your work have?"

In reading the *Corruption Fighters' Tool Kit,* you will be introduced to tools geared towards creating public awareness about the problem of corruption, monitoring public institutions, encouraging citizens' participation in key decision-making processes and opening channels of communication between governments and their citizens, among others.

For example, operating in a country of extraordinary size, Transparencia Brasil has turned to the airwaves - designing radio spots to raise awareness among the public about the risks of everyday encounters with corruption. In Lebanon,

where the construction sector has been identified as one of the most corrupt in the country, the TI chapter-in-formation has designed a manual to help citizens through the process of acquiring construction permits. The circumstances may be challenging, but in Kazakhstan our colleagues have developed a programme to raise standards in the judicial system. Not content to be merely bystanders to democracy, TI Bangladesh is monitoring the proceedings of the Parliament in Dhaka. In the *Corruption Fighters' Tool Kit* you can also learn how TI Kenya made an impact with the design and implementation of an urban bribery index, a tool to diagnose bribery in Kenya's urban centres. These are but a few of the creative and practical tools you will find in the *Corruption Fighters' Tool Kit*.

The tools presented in the *Corruption Fighters' Tool Kit* inspire us and we think they will inspire you as well.

The *Corruption Fighters' Tool Kit* provides a vehicle through which you can learn about new tools and consider their adaptation to your local context. I encourage you to learn from these experiences, to share ideas with the organisations presented here, and to think about the application of these tools in your own country.

Infusing transparency and accountability into the global value system as generally recognised norms is an ongoing process, so this publication is viewed as work in progress. The work of corruption fighters around the world is continuous and developing, so we will continue to add tools every year to this print version and to the TI website. To make sure you receive updates, don't forget to send us the postcard included in this binder.

We consider the *Corruption Fighters' Tool Kit* a 'living work'. Despite our efforts to be as inclusive as possible in preparing this publication, we know that there are creative tools making a profound impact that we have not included. Please contact us if there are civil society efforts you know about that you believe should be considered for inclusion in future editions.

We commend all corruption fighters for the tools they have implemented to date, and hope that the descriptions contained here will serve to inspire and motivate experienced activists, as well as those just joining us.

Berlin
August 2002

I

Awareness Raising

Anti-Corruption Radio Spots, Brazil

I Fact Sheet

Name of the Tool: Anti-Corruption Radio Spots

Brief Description: Transparência Brasil (TBrasil) approached a São Paulo-based radio station (owned by the O Estado de S. Paulo media group, Eldorado plays exclusively in the city of São Paulo and primarily to an upper-middle-class audience) with the suggestion that it adopt as a permanent fixture the regular airing of short anti-corruption spots aimed at awareness-raising and behavioural change. The initiative, called 'Say no to corruption', began broadcasting in August 2001. Eldorado airs the radio spots four times per day, two of which are aired during prime time listening hours (intervals during its noon news programme).

Other Brazilian radio stations approached by TBrasil replicated the initiative (at the time of writing[1], nine other radio stations have joined the campaign).

Responsible Organisation: Transparência Brasil

Creation of Project: TBrasil wrote the texts for the radio spots and the radio stations produce them.

Problems Addressed by the Tool: Resignation, apathy, citizens' lack of awareness about the problem of corruption and their ability to make a difference in the fight against it.

Areas of Work: Awareness raising, education.

Alliances: Radio Eldorado (www.radioeldorado.com.br).

Financing: There were no costs involved.

For Additional Information, Contact:
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TBrasil website: www.transparencia.org.br

II Objectives

The main objective of the radio spots was to enhance awareness about the evils of corruption, particularly, but not exclusively, in situations in which citizens may find themselves personally involved.

1 June 2002

III Context

As the medium for public service messages par excellence, and the only such medium with a constant audience throughout the day, radio provides an excellent vehicle for short, repetitive messages aimed at promoting the objectives of this tool.

The idea to start the campaign was motivated by two factors: Eldorado's tradition of interspersing awareness-raising spots within its radio programming and the good relations between TBrasil and the station's directors.

Convincing other radio stations to join in the campaign has proven more difficult. Despite regular exchanges via email with hundreds of stations, a relatively small number have agreed to join the campaign. Many of the stations hoped to use the radio spots produced by Eldorado because it would save them production costs, which is impossible because of the exclusivity rights involved.

IV Implementation

The following is the text of a sample radio spot already aired:

Say no to corruption

Hey, you, behind the wheel.

Are you about to be fined?

Look out! Don't bribe the cop.

Look at that pothole over there.

Do you know that the city does not have enough money to mend potholes?

Traffic fines provide money for that.

But each time someone bribes a cop, some pothole is left open.

Bribery is like a pothole.

The more people pay bribes, the deeper the pothole becomes.

Don't bribe cops.

Do not allow corruption to be a part of your life.

A Transparência Brasil campaign.

The boldfaced lines are the same in all spots. An additional line that identifies the radio station and informs listeners of TBrasil's email address and website is also included.

The themes used in the spots are intended to address common questions related to corruption and, whenever possible, current events. All radio spots produced in Portuguese up until the writing of this tool can be read on TBrasil's website (www.transparencia.org.br).

Creating a Radio Spot: Implementation involves just two essential and interrelated steps: choosing the themes of the radio spots and then writing them up.

With the exception of very obvious events (such as elections), selecting themes is not an altogether easy task, and the more spots one creates, the harder the choosing of themes becomes. In addition, a good idea for a spot does not always prove to be feasible.

The radio spots produced to date have had the following themes:

- Corrupt people gloating over being 'clever'.
- Taking bribes is a crime, so is paying them.
- Feeling guilty about paying bribes.
- Instead of paying a bribe, make a complaint to the person's boss.
- Do not pay bribes to the traffic police.
- Information about money laundering (examining a local case).
- TI's Integrity Award for the Londrina anti-corruption initiative.
- Congressmen who resign to avoid losing their mandates. Don't vote for them anymore.
- Monitoring the procurements of your municipality.
- 'It is not the government's job to see that citizens are corrupted. It is the citizen's job to see that government is not corrupted.' [Robert H. Jackson, American judge in the Nuremberg trials]

This tool was only possible because TBrasil wrote the spots themselves. In a different situation in which the organisation does not have the necessary capacity, the writing of spots would be assigned to a professional (paid or voluntary). This would put the usual advertising-like strains on production (such as conveying ideas for the spot to the writer, supervising the writing of spots, and trying to achieve something via an intermediary).

With regard to content, the effectiveness of the tool essentially depends on the quality of the spots: The message must be significant and send a clear message within tight constraints. These constraints include the opening and clos-

ing phrases, especially the latter, the brevity of the text and the need to speak directly to the audience.

Each text must tell a story and try to avoid certain traps such as sounding sanctimonious, naïve or self-righteous. At the same time, as radio is a medium entirely dependent on sound, without the support of visual components (as with television) or the benefit of being able to re-read a text (as in the print media), it imposes very strict constraints on intelligibility. Phrases must be short, and words must be simple and flow well.

The composition must not only make sense, but it must also have rhythm and a smooth flow. Well-developed rhymes and alliterations add to the overall effect of a spot, while a lack of finesse tends to have a negative effect on the spot's message.

Recruiting for the Campaign: Obviously, the tool's effectiveness depends mainly on the number of radio stations that participate in the campaign. With this in mind, the difficulties faced by a country of such enormous territorial size as Brazil are larger than those faced by smaller countries. Hundreds, if not thousands, of participating radio stations would be necessary to reach a significant percentage of the population.

In order to get other radio stations to air the spots, TBrasil collected in a database information on over 500 radio stations, and then sent invitations to them via email to join the campaign and radio spots. The first such initiative in 2001 resulted in eight additional radio stations joining the campaign.

A second round of invitations in April 2002 resulted in three more radio stations joining the campaign. The complete list of participating radio stations to date is[2]:

- Alvorada de Rondônia – Ji-Paraná (Rondônia)
- Cidade – Brusque (Santa Catarina)
- Clube FM – Botucatu (São Paulo)
- Cultura AM – Araçatuba (state of São Paulo)
- Cultura de Poços de Caldas – Poços de Caldas (Minas Gerais)
- Delmiro AM/FM – Delmiro Gouveia (Alagoas)
- Difusora de Franca – Franca (São Paulo)
- Estância de Jacutinga – Jacutinga (Minas Gerais)

2 June 2002

- FM Canoa Quebrada (Aracati – Ceará)
- Liberdade de Caruaru AM/FM (Caruaru – Ceará)
- Teófilo Otoni – Teófilo Otoni (Minas Gerais)

Success in convincing the directors of radio stations to collaborate depends on the relevance of the campaign. In the case reported here, the main difficulty in achieving co-operation has been the fact that TBrasil's campaign has not been specific enough. However, as 2002 is an election year, spots addressing the elections will begin airing by July 2002, which we hope will establish a clearer focus to encourage other stations to join the campaign.

The frequency of airing particular spots depends on each station. Some spots are aired regularly, while others are not.

To inform an even larger audience about the campaign, TBrasil also asked about 800 people, 200 of whom are journalists who are informed on a weekly basis about TBrasil activities, to tell other people in their communities about the campaign. All spots are reproduced on TBrasil's website. TBrasil also invites people to submit ideas for new spots (see below).

Although TBrasil asks participating radio stations to let it know when other stations air spots, this is not always the case. For that reason, it may be that a number of radio stations air spots without TBrasil's knowing.

Local organisations created to curb corruption in their surroundings are also invited to take part in the initiative. One local organisation in the south-eastern state of Espírito Santo arranged to air spots with two radio stations in the state's capital, one of which was the state's leading AM/FM station. In this particular case, the local organisation (Transparência Capixaba) included a number of additional spots of their own, many of which referred to local cases of corruption. TBrasil reviewed all such 'new' spots and suggested alterations. Both Transparência Capixaba and TBrasil have endorsed these spots.

V Results

Quality: Despite working within the above-mentioned constraints, it cannot be said that the spots produced thus far show a uniform level of quality. As one must be creative in producing new spots to renew the audience's interest, different levels of quality are unavoidable.

Dissemination: The number of radio stations broadcasting the campaign has been to date very small vis-à-vis the size of Brazil. As stated above, we hope that the 2002 elections will change this. Finally, it is impossible to ascertain

the actual audience exposed to the campaign because radio audience polls are too expensive to be conducted by the average Brazilian radio station.

Feedback: Feedback is not frequently received and always comes in the form of praise of the initiative. Overall, some spots are praised more than others are. Criticism of spots always addresses the naïveté of expecting people to change their behaviour on the basis of such messages, which is, of course, quite true when looked at exclusively from that point of view, but also misses the point by not considering the awareness-enhancing dimension of the initiative.

Eldorado told us they receive favourable feedback from their audience. For example, a journalist working for an advertising magazine wanted to do a piece with the 'agency that created the spots'. However, when he learned that an advertising professional had not created the spots, he decided against this, which was only to be expected.

VI Recommendations

The main difficulty in getting radio stations interested in participating has been the actual production of the spots, for example, padding them with a proper musical background, etc. Many stations, especially those operating in medium- and small-sized communities, work with a very low budget and do not have professionals to record the messages. Possible reproductions of this tool would be well received if we were able to produce the spots as recorded tapes, CDs, or electronically encoded files and offer them to radio stations.

Description by: Cláudio Weber Abramo

Source Book Adaptation, Brazil

I Fact Sheet

Name of the Tool: Source Book Adaptation

Brief Description: The underlying idea behind the adaptation of the *TI Source Book* to the Brazilian context was to describe the roles of various institutions and actors within the framework of the Brazilian National Integrity System (NIS). In addition, the Brazilian adaptation describes the strengths and weaknesses of these institutions and actors in relation to the international model. The adaptation of the Source Book serves as a tool to make a diagnosis of the NIS. Through the participatory process of creating a Brazilian Source Book representatives from different sectors of Brazilian society were brought together.

Responsible Organisation: Transparência Brasil, in particular Bruno Wilhelm Speck, co-ordinated the adaptation of the Source Book. There were also individuals from other organisations involved in the project, although their participation was individual and not institutional.

Problems Addressed by the Tool: Public apathy and a fatalistic attitude towards corruption. A wide-ranging anti-corruption initiative, based on concrete reforms of the state, society and economy, is possible only when corruption is understood as a problem related to structural conditions and behavioural patterns of institutions which can, with effort, be changed. The concept of the NIS and a diagnosis of the country's NIS enters here.

Areas of Work: Diagnosis, information dissemination and awareness building

When the Tool was Implemented: The project started in May 2000 and was conducted in São Paulo, Brasilia, Curitiba and Rio de Janeiro. Since May 2002 the Source Book has been available online at Transparência Brasil's website www.transparencia.org.br/source.

A printed version was published by university publishing house Editora UNICAMP in August 2002. See Appendix 1 for a timeline of the implementation.

Financing: Transparency International, through a grant from the MacArthur Foundation, contributed a portion of the funding. Sinduscon, the union of the construction industry of São Paulo, affiliated with Transparência Brasil, assumed another portion of funding. Finally, the largest contribution came from

the academics, lawyers, journalists, administration experts and managers, who volunteered their time.

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Website: www.transparencia.org.br

II Objectives

From the content point of view, the main objective was to develop the first compendium on the NIS in Brazil using existing knowledge about the administration, the institutions and management of the institutions and actors in the Brazilian system, as well as to point out the various causes of corruption.

From a process-oriented perspective, the objective was to enlist the help of experts from different areas and regions in Brazil to develop further the newly formed organisation Transparência Brasil. The sheer size of Brazil makes it impossible to work at the regional level. Therefore, our aim was to create a larger base for action by enlisting the help of specialists from four different Brazilian regions. We hope to enlarge our base even further in the future, and the Source Book can be used in this regard to help mobilise political support for our new organisation.

III Context

The TI Source Book

First published in 1996, the *Transparency International Source Book* by Jeremy Pope helped pave the way for serious discussion about strategies to fight corruption. The basic premise of the *TI Source Book* is that the fight against corruption requires the collaboration of various institutions and actors within particular political systems. This collaboration has been subsumed under the concept of a National Integrity System (NIS). The *TI Source Book* attempts to clarify the role of the different actors of a NIS, and shares experiences in accessing information about institutions from different political systems.

In this respect, the *TI Source Book* uniquely articulates for the first time the notion that corruption fighting is a legitimate political field of its own. Up until the publication of the Source Book, corruption was generally considered either an endemic problem, a moral issue or an economically driven menace, or

strictly as a concern for the authorities. The international Source Book innovatively highlighted the necessity of understanding corruption control as a political challenge to be confronted comprehensively. In this regard, three groups of actors are involved: public institutions that regulate, help prevent and control corruption, individuals in society who act as external controls, and individuals who have close economic ties with the state. The *TI Source Book* is currently in its 4th edition (see www.transparency.org).

Since the inception of the *TI Source Book,* the idea has been to use it as a basis for national adaptations. Adapting the Source Book to each political system is necessary because the institutions and actors of each community reflect different normative traditions, have different notions about values and roles, and act within distinct environments with unique problems. These reasons more than underscore the necessity for developing national Source Books. Also, the adaptation of the Source Book is an important process in and of itself. Furthermore, by developing the Brazilian Source Book, a new sensitivity for issues involving corruption can be gained and first-hand experience of the work involved in this new political field of corruption control can be conveyed.

For a discussion of the validity of the international Source Book amidst national adaptations, see Appendix 2.

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National Framework

The climate for developing a national Source Book in Brazil is now particularly favourable as there were numerous corruption scandals in the 1990s which have brought the issue to the forefront of political discussion and heavily influenced public opinion. What for years had been accepted as normal behaviour became a newspaper headline. There was a risk that this new critical stance towards corruption might turn into pessimism because of a dearth of reform efforts. Creating a National Integrity System can contribute to transforming the frustration over a corrupt system into a productive initiative to fight against it.

IV Implementation

Conceptualising a Brazilian Source Book

For the development of the Brazilian Source Book, the basic idea was to describe the roles of the relevant institutions and actors, including their strengths and weaknesses, in the National Integrity System. Some adaptation to the particular Brazilian context was necessary here because some institutions de-

scribed in TI's Source Book had no function in the Brazilian system, whereas others deserved more recognition[2].

No additional surveys were conducted for this adaptation and, indeed, there was very little data available on the relevant areas of corruption. For example, there is not much information about prosecutions for corruption. With regard to topics concerning the importance of parliamentary control of the government and administration in Brazil, there were only isolated cases of investigation. The Treasury is still to be developed in Brazil. We realised with only the first edition of the Brazilian Source Book that few improvements in this area could be made. For this reason, our objectives were rather modest and we simply reviewed existing information about specific corruption-relevant problems as meticulously as possible.

The development of the Brazilian Source Book was useful for attracting the interest of academics, public sector experts and managers. These groups were keen to learn more about the new political field of corruption control. The institutions and field of corruption control mentioned above encompass a wide spectrum of academic disciplines and professional fields of action. Only by drawing on a group composed of lawyers, economists, academics, administration experts, politicians, managers, journalists and representatives of community organisations could a general and comprehensive picture of the state of corruption control be fully developed. All in all, about 40 specialists contributed as co-authors to the development of the Brazilian Source Book.

Creating the Brazilian Source Book

The timetable of the first phase of development was very strict. The idea of developing a Brazilian Source Book was first discussed at the end of May 2000. Several proposals were made within our organisation. One alternative to adapting the *TI Source Book* would have been to simply translate the original English version into Portuguese. The argument against doing this was that by doing so an adaptation to reflect the national situation would have been impossible or only very limited. The proposal that finally took shape was to develop a new Source Book specifically for Brazil with the help of a large number of experts. And because there were a tremendous number of specifically Brazilian topics that could be explored, the hope was to make use of these synergies

2 An additional chapter on extraordinary investigation commissions was not developed because these are almost non-existent in Brazil, whereas particular attention was given to the area of political corruption related to elections and performance of elected officials. A complete chapter was also devoted to parliamentary control of the government because this plays a unique role in Brazil, especially considering the number of parliamentary investigation commissions.

to help further develop our organisation. The publication of the Brazilian Source Book was delegated to Bruno Wilhelm Speck.

Subsequently, a financing proposal was presented to TI. TI approved US $8,000 for the project using funds from the MacArthur Foundation. As a first step, a thematic division of the actors and institutions of the state, society, and the economy was made, broadly based on the divisions made in the third edition of the *TI Source Book*. In addition, an outline of the different chapters was made. Afterwards, in a second step, the co-authors of each chapter were chosen. At this point, the intention was to have rather heterogeneous groups in order to avoid one-sided points of view. A speaker from each group assumed the co-ordination and the correspondence.

Only two months later, the results accomplished up until that time were presented at a workshop in São Paulo. With this first version of the Brazilian Source Book, almost half of the contributions were already completed. At the workshop, which was attended by only the group speakers and two guests from TI Mozambique, the texts were discussed and rated based on established guidelines.

The pace of the project slowed after this initial phase, as the texts were sent back to the groups for revision based on the comments from the workshop. There were difficulties that significantly delayed the publication of the entire book. For example, there were continuous delays because other responsibilities of group members sometimes prevented them from concentrating on the texts as was necessary. In many cases, new groups had to be formed. The publishing house was also working with us on a voluntary basis and hence had other engagements.

Since the idea was to make the whole panorama of institutions relevant for a system of integrity, it was impossible to eliminate texts without also replacing them. Nevertheless, in some instances only one author wrote the texts. All texts were completed by August 2001. The online version of the Source Book has been available on Transparência Brasil's website since May 2002 and the university publishing house Unicamp published the adapted Source Book in August 2002 (www.transparencia.org.br/source).

V Results

The Brazilian Source Book, Caminhos Da Transparencia, appeared online in May 2002 and was published in print in August 2002. The group of experts has been contacted about three additional projects (i.e., the Global Forum II NIS country study on Brazil, the Web forum of the Friedrich Ebert Foundation, and the International Seminar of the Goethe Institute).

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The objectives of developing the source book were related to substance and process. In this way, the adaptation of the TI Source Book can be declared a convenient and positive undertaking in the fight against corruption.

VI Future Recommendations

One recommendation related to the substance of the project is not to rely exclusively on the existing Source Book structure when adapting. Rather, the main objective should be to include the main pillars of a National Integrity System and assess the current level of experience so as to maximise its development potential. The resulting adaptation could therefore deviate in a particular way from the structure of the *TI Source Book*.

It must be accepted that the necessary expert knowledge and empirical data required to make a diagnosis may not be available for the first adaptation of a national Source Book. Only when enough time and financial resources have been made available to make special surveys could this deficiency be compensated for in the first adaptation. If resources for new investigations are limited, as was the case with the adaptation described above, it will be necessary to set more limited goals and work with existing knowledge in multidisciplinary groups. The development of a Source Book adapted to a national context based on recent data and surveys should be left for future projects.

For this reason, we recommend creating working groups to tackle specific subjects in the long term (elections, tender bids, etc). Later, these groups can create new surveys about aspects of corruption control that have been rarely studied. In addition, the group speakers should have the opportunity to write individual chapters, and this should be done in close co-operation with the editor of the Source Book. As the creation of the Source Book is considered a collective undertaking, the absence of only one speaker, which is almost unavoidable when contributions are made on a voluntary basis, can cause considerable delays in the publication of the Source Book.

Description by: Bruno Wilhelm Speck

Appendix 1

Timeline for the Brazilian Source Book Adaptation

May 22, 2000	Workshop Transparência Brasil: The idea of developing a Brazilian Source Book was presented.
June 9, 2000	Presentation of the first proposal to the supervisory board of Transparência Brasil.
June 20, 2000	**Financing** proposal submitted to TI Secretariat in Berlin.
July 4, 2000	Financing approved by TI Secretariat (US $ 8,000).
July/August 2000	The working groups develop documents for later chapters.
August 25-27	Workshop in São Paulo.
August 2000	Revision of the texts and development of the remaining texts needed.
September 2001	Revision of the texts.
October 2001	Presentation of the texts on CD-ROM in Prague.
May 2002	Publication of the Brazilian Source Book on the website of Transparência Brasil
August 2002	**Publication of the printed edition** by the university publishing house Editora UNICAMP.

Appendix 2

The Relevance of the TI Source Book Amidst National Adaptations

The international Source Book does not lose its validity with the development of the Brazilian adaptation of it for the following three reasons:

In the first place, an international reference framework is necessary in the adaptation process.

In the second place, the role of the Source Book in an exchange of international experiences is still important. The comparison of different institutions and practices at an international level, as well as the access to relevant materials and documents, will also be important components for future international co-operation in the field of corruption control. In this sense, a national Source Book cannot replace the original international Source Book.

Finally, the *TI Source Book* includes areas that go beyond the level of national integrity systems. These include primarily the different levels of international co-operation, which are gaining importance in the area of corruption control. For instance, the initiatives at the international level, the aims of which are a harmonisation and stronger co-operation in the area of criminal prosecution (OECD, OAS, and Council of Europe), cannot be reduced to a purely national context. In addition, there are anti-corruption programmes of international development agencies that play a major role in the propagation and financing of reform strategies (World Bank, UNDP). Furthermore, there are other forms of international co-operation that include actors of civil society and the economy that are gaining relevance. Hence, the international Source Book is not losing its validity in these fields even with the development of Source Books for solely national contexts.

'Clean Korea 21' Fair

I Fact Sheet

Name of the Tool: 'Clean Korea 21' Fair

Brief Description: This project aims to provide a forum for civil society, the public and private sectors to share and exchange information about best practices designed to fight corruption. In Korea, it has helped to create a more co-operative atmosphere between the different sectors. More than 30 organisation participated in last year's event.

Responsible Organisation: In 2000, Transparency International Korea managed the Tool with help from the Presidential Commission for Rebuilding Korea and the Association of Public Enterprises. In 2001, TI Korea and the Association of Public Enterprises organised the event alone.

Problems Addressed by the Tool: 1) Corruption and a lack of transparency in Korea. 2) Lack of co-operation between different parts of society to fight corruption.

Areas of Work: Building coalitions between different social sectors in Korea to fight corruption.

When the Tool was Implemented: Fairs took place in Seoul, Korea, in October 2000 and November 2001. A third fair is planned for Seoul in May 2003.

Financing: The cost of the 2000 event was about US $150,000. In 2001 the cost was around US $100,000.

About half of the financing has been provided by the Ministry of the Interior. The remaining costs have been met by TI Korea and the Association of Public Enterprises and by a fee charged for participating organisations.

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Website: http://ti.or.kr/
http://smg.or.kr/tikbbs/zboard.php?id=eng

II Objectives

The main objectives of this project were as follows:

1) For civil society, the private and public sectors to exchange knowledge and experience about corruption.
2) To produce CD-ROMs and videos for the Clean Korea project. These were distributed to the Korean public and at international conferences. For a two-week period part of the video was aired on television for 30 seconds per day. The theme was the co-operation of different sectors and the participation of citizens in the anti-corruption effort.

III Context

National

During the Korean military regime in the 1970s, there was little co-operation between the public and private sectors or civil society in the fight against corruption. The problem was viewed as being primarily the concern of the government. However, in the 1980s, civil society and the private sector became increasingly active in the campaign.

Since then, while corruption in the public sector has appeared to decline, it is still seen as a major problem in Korea. Members of civil society and the private sector continue to bribe public officials on a frequent basis.

TI Korea

TI Korea was developed as a network designed to fight corruption with the assistance of public organisations as well as the Federation of Korean Industries.

IV Implementation

The 'Clean Korea 21' project was set up by TI Korea in order to promote co-operation and knowledge sharing between the three sectors. It was achieved with the support and collaboration of the Presidential Commission for Rebuilding Korea and the Association of Public Enterprises. TI Korea mobilised these three organisations, representing the three different sectors, because all of them had experience and interest in curbing corruption.

A variety of different private, public sector and civil society organisations have developed effective practices to curb corruption and make Korea a cleaner, more transparent society.

TI Korea recognised the potential of an event of this kind to build social coalitions to fight corruption after witnessing other fairs and exhibitions held in Seoul.

Stages of Implementation

There were three basic stages of implementation:

1) A Secretariat for the Clean Korea Fair was established to organise the event and distribute information. The Secretariat was also responsible for circulating details of anti-corruption tools produced and developed by organisations from the different sectors. An organising committee was also set up composed of the CKF Secretariat and members from the public sector, private sector and civil society organisations.

2) The event itself takes place under the management of TI Korea. A specialist company was contracted to arrange the exhibition, symposium and workshop events.

   The fair itself includes a full programme of workshops, symposiums, displays etc. A special anti-corruption contest is held and an exhibition features the works of prize-winners.

   The following are a few examples of exhibits and displays:

   – Seoul Metropolitan Government displayed its OPEN computer system for E-government.

   – The Public Procurement Service exhibited a special internet-based E-Procurement system together with information about how it helped to reduce corruption in the organisation.

   – The Korea Customs Service publicised its efforts to reform certain regulations as part of the fight against corruption.

   – The public corporation for road construction and the private corporation Shinsegae (the country's biggest department store which is one of Korea's 30 biggest companies) exhibited employee codes of conduct and anti-corruption training programmes.

   The schedule of events was published in print and on the following website: http://cleankorea21.net

3) Meetings are held afterwards to evaluate the success of the event and identify problems and areas for improvement. A final report is later published along with CD-ROMs and videos.

Media

The media reaction to this event has been very positive and journalists have reported on the new degree of co-operation between civil society, the public and private sectors. The national press has also covered the main objectives of

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the event. National TV broadcasts also encouraged greater public participation and attendance at the Fair.

Alliances

In 2001, TI Korea participated with the following institutions:

1) Federation of Korean Industries
2) Korea Employers Federation
3) Korean Chamber of Commerce and Industry
4) Korea Federation of Small and Medium Business
5) Korea Foreign Trade Association
6) Council of Public Companies
7) Korea Electric Power Corporation
8) Presidential Commission on Rebuilding Korea
9) Ministry of Interior
10) Seoul Metropolitan Government
11) Several other municipalities.

TI Korea expects to maintain these alliances in the future.

Challenges/ Solutions

There was a general reluctance to participate from the private sector. Initially only two or three enterprises agreed to take part although this has since improved.

The quality of the different displays and exhibits varied. For example, the presentation of the online procurement systems was very effective and people could understand the process well. However, other exhibits were more obscure and did not seize the imagination of attendees.

The original principle was to leave the decision on what to exhibit as open to participants as possible so there were no criteria set for submissions. However, for the next meeting, the organisers intend to discuss how to deal with this problem and will consider ways of evaluating submissions prior to the exhibition.

In general, most people found the experience of the Fair both stimulating and absorbing. However, there was a problem attracting the interest of younger people. The organisers attempted to encourage their participation by organising a design contest for the Clean Korea 21 symbol. Five works were selected from over 80 student submissions. Still, the lack of younger people was a definite problem that needs to be addressed.

V Results

Although the collaborative work between the public sector, private sector and civil society is still in its infancy in Korea, this project has created an atmosphere conducive to building anti-corruption coalitions. It has also initiated a process to establish an organisation to facilitate this work and promote good governance.

TI Korea plans to hold Clean Korea 21 gatherings annually in the future. The next one is scheduled to take place at the time of the 11th International Anti-Corruption Conference in Seoul in May 2003.

VI Recommendations

1) In future, the organisers would suggest featuring an arts programme, including video production of dramas, films, etc. and a computer animation contest.

2) Other organisations or National Chapters planning to undertake a similar project in another country should organise the event systematically. In countries where it is difficult to build coalitions to help out in the planning stage, plenty of time should be allowed.

Description by: Chong-Su Kim

National Corruption Observatory, Morocco

I Fact Sheet

Name of the Tool: National Corruption Observatory, Morocco

Brief Description: The purpose of this project is to provide a central clearing point for all information related to corruption in Morocco.

Problems Addressed by the Tool: Lack of quantitative or qualitative data on corruption in Morocco; lack of a system for collecting the information that does exist.

Areas of Work: Raising public awareness about corruption; information management; improving public access to information.

When the Tool was Implemented: The National Corruption Observatory opened in Casablanca, Morocco, on 15 June 2001.

Creation of the Tool: Transparency Morocco

Responsible NGO: Transparency Morocco

Alliances: Collectif des Associations contre la Corruption

Financing: The project was funded by USAID.

For Additional Information, Contact: Transparency Maroc, 24 et 26 Bd de Khouribga, Casablanca 20 000, Morocco;
Email: transparency.Maroc@marocnet.net.ma

II Objectives

This project has two main objectives:

1) To make information about corruption more freely available to the public in Morocco.

This involves collating data from a number of different sources including old and current studies of corruption, then disseminating this information to the public and to the different organisations with an interest in the field (NGOs, government, judiciary, etc.).

2) To raise awareness about the problem, in the Moroccan government but also among the public at large.

To circulate this information as widely as possible to the public via the media, academia and the private sector. By improving the amount of information available about the problem and making it more easily available, Transparen-

cy Morocco hopes to assist the different organisations engaged in the fight against corruption. This invaluable body of knowledge will provide a solid foundation for an in-depth analysis of the social phenomenon of corruption in Morocco.

III Context

Since it was founded, Transparency Morocco has collaborated closely with a network of different associations linked to one another by what is commonly known as "the pact for a corruption-free Morocco".

This campaign has had a number of successes and has helped make corruption a major topic of public debate and concern in Morocco. However, there is still a serious lack of knowledge or understanding of the problem, and this has acted as a hindrance to the overall anti-corruption effort.

The phenomenon has never been subjected to a serious or prolonged study and this was the primary aim of the observatory project.

At the same time, the observatory project will systematically organise the collection of data about corruption, a process which had previously only taken place in a haphazard way.

In spite of the numerous problems facing the free press in Morocco, generally the media does have an interest in recounting stories concerned with corruption. Consequently, a great deal of information about corruption can be gleaned from the press.

IV Implementation

It is important to recognise that the observatory's mandate is not to become an authoritative source of correct or impartial information about corruption. It does not seek to establish facts with certainty. The aim is to build a depository for any and all information about corruption in Morocco, so long as it falls within a set definition of what constitutes corruption.

Initial Development

1) Orientation Committee

After the project was first conceived by Transparency Morocco, the first step was to bring together the different associations involved in combating corruption in order to form an orientation committee to oversee the development of the observatory.

These included: Espace Associatif, Association Marocaine des Droits Humains,

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Association Démocratique des Femmes du Maroc. This orientation committee elected a three-person executive responsible for managing the activity of the observatory. The work of both the committee and the executive is unpaid.

2) Logistics

The next step was to establish the physical space and equipment necessary for the project. An office was rented and the following equipment purchased: office furniture and filing cabinets, production material, personal computers, printers, management and database software.

3) Recruitment

From the start, at least one full-time worker was required to ensure that data was collected and processed properly. It was also necessary to recruit an 'information scientist', a specialist responsible for locating and conserving all the relevant information. This individual's tasks would include choosing and filing articles, preparing summaries, creating files and entering these into a documentation database.

However, it quickly became clear that more staff would be needed to cope with the sheer volume of work.

Trainee information scientists were called upon as well as a second full-time assistant responsible for selecting, cutting and filing as well as writing press releases and other administrative tasks. This back-up team allows the information scientists to concentrate wholly on their tasks.

4) Collecting Information

Information about corruption is collected from 18 daily newspapers, 25 weekly newspapers and 6 monthlies. This covers virtually all newspapers published in Morocco in both Arabic and in French of all political persuasions. All new publications are immediately included in the list unless they fail to meet minimum professional standards.

On average, 400 pieces of information are entered and summarised every month dealing with the following themes:

a) Corruption (according to the definition adopted by the observatory)

b) Specific anti-corruption actions

c) Measures put in place for a more transparent system of improved integrity.

In order to ensure the success of the project, ongoing relationships were established with the following groups:

- The media: via subscription to publications and relations with investigative journalists.
- Academic establishments that have undertaken research on the subject.
- The various departments of the judiciary concerned with legal actions related to corruption.
- Bar councils.
- Financial control institutions (General Inspectorates).
- Elected bodies that have undertaken investigative work against corruption.

5) Processing the Information

Before the library opened, preparatory work was undertaken to file and index data in order to build up the basic structure of the database. It was also necessary to develop a comprehensive set of rules governing the way the database should operate and be used. A number of reference points allow each article in the database to be identified. These are as follows:

- Codes identifying the publication and date the article was published.
- Classification in one of the following categories: act of corruption, activities of NGOs, local councils, public declarations.
- Classification category (i.e. key words).
- Author.

A summary of the article is also recorded in the database which is written in both Arabic and French. Information contained in the database is also summarised on a regular basis by producing the following material:

a) List of documents

When possible, relevant books, theses, studies and articles from specialist reviews are acquired and shelved in a library.

b) Analytical press review

The gradual development of this database allows the association to produce a monthly bilingual press review. This bulletin is on average eight pages long, and 1,000 copies are printed and distributed to all concerned parties (NGOs, government and public services, universities). The information is summarised and classified by column. A review section provides an opportunity to explore trends observed in the press on the issue of corruption.

An initial pilot edition of the press review, covering the period 15-25 June 2001, was produced. This was discussed by the committee which consists of Transparency Morocco volunteers and other members of relevant associations.

After the committee approved the pilot, a decision was taken to produce a trial press review covering the period from 25 June to 25 July. This bulletin was printed in early August and was given the number 0 to indicate that it was still a trial edition.

6) Dissemination of Information

The dissemination of information is carried out in the following ways:

- Bulletin: The monthly bulletin is circulated to NGOs, researchers, the press and government.
- Press Conferences: A press conference held in September 2001 informed the public about the new database.

  A second press conference took place on 6 January 2002 to announce the results of the 2001 report. This was also the date of Morocco's national anti-corruption day. This group intends to make this an annual event in order to keep the public informed of the observatory's activities.
- Annual Report: In December 2001, an annual report on corruption in Morocco was published. In addition to information gathered during the year, the report included a case study. In 2001, the obvious case to feature was the bankruptcy of the Crédit Immobilier et Hôtelier following the misappropriation of public property. A consultant was recruited to write up the case study.

Future Plans

The observatory plans to start a regularly updated website. Ultimately, the observatory also intends to draw up a list of particular sectors and situations at risk from corruption. Another possible area of work for the observatory is to set up a hot line that the public can call about issues of corruption and extortion. The phone-line could also function as legal counsel to victims of corruption. Another possibility would be to involve the observatory in monitoring corruption during the electoral process.

The group hopes to develop stronger relations with similar institutions in other countries. These partnerships will allow the observatory to benefit from the shared experience of other institutions.

V Results

The observatory project has created a watchdog to monitor acts of corruption covered by the press in Morocco. This is an essential component of any anti-corruption campaign. More than 5,000 press articles were entered in one year of work.

The project is an unprecedented and invaluable source of information about the problem and will ultimately help produce a comprehensive 'map' of corrupt activity in Morocco.

The information contained in the bulletins has been widely circulated and this is a vital step in the anti-corruption campaign. The more informed people are about the problem, the more difficult it becomes for corrupt activity to carry on unhindered.

VI Recommendations

Any other association seeking to replicate this project might find the following recommendations useful:

1) To explain as clearly as possible the exact role of the observatory and its strategic role in combating corruption.
2) To do everything possible to ensure that the information contained in the database and circulated is not tainted by partisan manipulation, defamation or overstatement.
3) To concentrate on a restricted number of media with a wide circulation rather than trying to cover all the media.
4) To provide only the facts and nothing but the facts.
5) To produce a manual with guidelines for the project in order to standardise and facilitate the process of collecting, entering and distributing information.
6) To select software that ensures the best possible use of all the information contained in the database.
7) To disseminate the information collected and record the reaction to it in order to constantly improve the work of the organisation.
8) To precisely define the parameters of the information to be collected. This requires the adoption of a clear definition of corruption and a definite plan of action.

Description by: Véronique Lerch, Marie Wolkers and Transparency Morocco

L'Observatoire national de la corruption

I. Fiche d'information

Nom de l'outil : Observatoire national de la corruption

Brève description : L'observatoire est un lieu de centralisation des données qui ont trait à la corruption au Maroc

Problèmes ciblés par cet outil : Manque de données quantitatives et qualitatives sur la corruption; absence de collecte des informations existantes

Champs d'activité : Sensibilisation, gestion de l'information, accès à l'information

Où et quand cet outil a-il été mis en place : Maroc, Casablanca, 15 juin 2001 et toujours en cours

ONG responsable : Transparency Maroc

Création de l'outil : Transparency Maroc

Partenariats : Collectif des associations contre la corruption

Principale source de financement : USAID

Information complémentaire :

Pour tout renseignement complémentaire, veuillez contacter la section marocaine de Transparency, transparency.maroc@marocnet.net.ma

II. Objectifs

- *Rendre disponible des données sur la corruption.* Il s'agit de rassembler les données éparses produites dans le passé dans des études, ainsi que celles produites quotidiennement, tant sur la corruption, que sur les actions très diverses entreprises pour la combattre, et disséminer cette information auprès de la population et en particulier à l'ensemble des acteurs sociaux concernés (ONG, gouvernement, univers judiciaire, ...) qui travaillent à réduire le niveau de la corruption.
- *Sensibiliser les pouvoirs publics et la population* : porter le plus largement cette information dans l'opinion, en en faisant profiter la presse, le monde académique, le secteur privé, et finalement le public le plus large.

Un tel travail d'information, portant sur l'information, permettra d'influer sur la situation de manière directe, en contribuant à éclairer les acteurs et à les guider dans leurs analyses et leurs actions. La masse des informations collec-

tées et diffusées donnera ainsi les fondements à toute analyse du phénomène de la corruption au Maroc. De plus, les actions d'une association de lutte contre la corruption manqueraient d'ampleur, de pertinence et d'efficacité sans des informations fournies.

III. Contexte

Dès sa création, Transparency Maroc a travaillé en étroite collaboration avec un réseau d'associations liées entre elles par le « pacte pour un Maroc sans corruption ». Cette action a eu pour principal résultat de faire de la corruption un sujet de débats et de préoccupations publics.

Si le mouvement des associations contre la corruption a connu un développement certain et la situation de l'opinion publique a évolué, une des faiblesses des initiatives contre la corruption est que la connaissance approfondie de ce phénomène demeure limitée tant sur le plan quantitatif que sur le plan qualitatif.

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Le phénomène reste largement sous analysé et ce projet d'observatoire vient donc combler cette lacune et permet par la même occasion de rassembler des données qui existaient de manière éparse auparavant. Ceci montre que les initiatives visant à combattre la corruption conservent pour le moment un caractère ponctuel et la simple collecte systématique des données existantes n'avait encore jamais été faite.

En dépit des blocages, des contraintes et des menaces auxquels la presse d'investigation est exposée, la presse marocaine relate de plus en plus d'affaires liées de près ou de loin à la corruption. C'est ainsi qu'un volume considérable de faits et actes de corruption est aujourd'hui disponible. La presse est donc devenue une mine de renseignements et d'informations permettant de mieux comprendre le phénomène de la corruption.

IV. Mise en œuvre

Il faut préciser que l'observatoire n'établit pas les faits avec certitude. Cela ne relève pas de ses fonctions : il se contente de relever toute information dès lors qu'elle correspond à la définition de la corruption choisie.

- **Conception**

Le projet a été entièrement conçu par Transparency Maroc.

- **Mise en place**

– **Création d'un comité d'orientation (ou comité de suivi)**

Le premier pas dans la création de l'Observatoire a été de réunir le collectif des associations contre la corruption afin de faire participer de nombreuses asso-

ciations à ce projet dans le cadre d'un comité de suivi, dans lequel plusieurs des plus importantes associations ont tenu à s'impliquer (Espace associatif, Association marocaine des droits humains, Association démocratiques des femmes du Maroc, notamment). De ce comité d'orientation émane un bureau exécutif réduit de 3 personnes qui auront la tâche de gérer l'activité de l'Observatoire. Le travail du comité et celui du bureau sont bénévoles.

– **Logistique**

Le point de départ est la mise en place de la structure physique devant accueillir l'Observatoire. Un local a été loué et les matériels suivants ont été achetés : mobilier de bureau et matériel de classement, matériel de production, matériel informatique (micro-ordinateurs, imprimantes), logiciel de gestion et base de données.

– **Recrutement du personnel**

Le fonctionnement de l'Observatoire nécessitait la mobilisation d'au moins une personne à plein temps qui assure la continuité du travail de collecte, de traitement et de suivi de la diffusion. Il a fallu dès le début du projet recruter un informatiste, c'est à dire une personne spécialiste du traitement et de la conservation de l'information (choix des articles, classement, préparation de résumés, création de fiches et saisies dans une base de données documentaire).

Le volume de travail a rapidement mis à jour la nécessité de renforcer l'équipe. Il a ainsi été fait appel à des informatistes stagiaires et à un second permanent chargé d'assister les informatistes (sélection, découpage, classement,...) et de prendre en charge toutes les taches relatives à la confection de la revue de presse, à sa diffusion et à tous les aspects logistiques et administratifs liés au fonctionnement de l'Observatoire.

Cette dernière personne se consacre entièrement aux tâches de confection du bulletin (relations avec l'imprimeur) à celles d'expédition, ainsi qu'à toutes les tâches administratives impliquées par le fonctionnement de l'Observatoire. Elle est aussi l'auxiliaire des informatistes quant au travail de recherche des documents, à leur découpage et à leur classement, afin que les informatistes puissent se concentrer entièrement à leur travail spécifique.

– **Collecte des informations**

Le travail de collecte s'effectue sur la base de 18 quotidiens, 25 hebdomadaires et 6 mensuels, ce qui correspond à quasiment tous les titres paraissant au Maroc, en arabe et en français, toutes tendances confondues, presse partisane ou privée. Toute nouvelle parution est immédiatement intégrée. Bien évidemment, certaines publications n'ayant pas le minimum de professionnalisme requis n'y figurent pas.

400 informations sont en moyenne saisies et résumées par mois. Ces informations portent sur les thèmes suivants : la corruption (selon la définition adoptée pour cet Observatoire), les actions de lutte contre la corruption et les mesures prises pour mettre en place un système d'intégrité.

Afin de pouvoir alimenter la base de données, des relations continues sont établies avec :

- les médias : abonnement aux publications et relations avec les journalistes pratiquant le journalisme d'investigation ;
- les établissements académiques qui ont entamé des recherches et des travaux sur le sujet ;
- les différents départements de la Justice concernés par les actions en justice liées à la corruption ;
- les barreaux d'avocats ;
- les institutions de contrôle financier (Inspections générales) ;
- les instances élues ayant exercé des missions d'enquêtes et de contrôle.

– Traitement des informations

Un travail préparatoire à la collecte des données a été réalisé pour mettre en place la bibliothèque, définir le mode de classement et d'indexation des données et concevoir la structure de la base de données en fonction du traitement envisagé de l'information. Enfin, il a fallu définir les règles pratiques de fonctionnement qui permettent de rendre intelligible la relation entre la base documentaire papier et la base de données informatiques, ainsi que le mode opératoire du traitement de l'information.

Conformément à la structure de la base de données, un ensemble d'identifiants sont liés à chaque article :

- Code identifiant la publication et la date de parution du numéro
- Rubrique de classification parmi les suivantes : fait de corruption, activités des ONG, collectivités locales, déclarations publiques, ...
- Descripteurs (mots-clés)
- Auteur

Un résumé de l'article est également introduit dans la base de données. La base de données est bilingue Arabe/ Français.

Une base de données a été établie. Les données accumulées sont traitées de la manière suivante :

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- Recensement des documents (et lorsque c'est possible leur acquisition et leur rangement dans une bibliothèque) : livres, thèses, études et articles de revues spécialisées
- Revue de presse analytique.

La base de données ainsi alimentée permet l'édition d'une revue de presse mensuelle, bilingue, 8 pages en moyenne, tirée à 1000 exemplaires et distribuée auprès de tous les acteurs concernés (ONG, services gouvernementaux et publics, universités,...). Outre les informations synthétisées et classées par rubrique, la revue consacre un espace à la tendance observée dans la presse sur les questions de corruption.

Une première revue de presse expérimentale qui couvrait la période du 15 au 25 juin a été produite, pour contrôler que les objectifs du projet avait été bien clarifiés. Le Comité de suivi, dont le noyau est formé de volontaires de Transparency Maroc, mais auquel participent des membres du Collectif associatif, a validé ce premier pas.

Après validation des tests par le comité de suivi, il a été décidé de produire une première revue de presse, qui couvrirait la période du 25 juin au 25 juillet, avec une période de préparation qui devrait permettre de produire un document imprimé aux premiers jours d'août, et auquel il a été attribué le Numéro 0, pour souligner son caractère de première expérience.

Le travail de synthèse sur la base de données a été réalisé mais il faut encore effectuer une analyse en profondeur.

– Dissémination de l'information

La dissémination se fait par les moyens suivants :

- *Bulletin* : La diffusion large d'un bulletin analytique mensuel (4 pages A4/ 1000 exemplaires) auprès des ONG, des chercheurs, de la presse, du gouvernement. Le numéro 0 a été diffusé en 1000 exemplaires dont 600 ont été envoyés par voie postale et 400 remis manuellement.
- *Conférences de presse* : Une conférence de presse tenue en septembre 2001 a informé le public de la mise en place de la base de données. Une seconde conférence a eu lieu le 6 janvier 2002 pour annoncer les résultats du rapport 2001. Cette date coïncide avec la journée nationale de lutte contre la corruption au Maroc. Cette forme de dissémination devra être institutionnalisée afin de tenir régulièrement le public au courant des activités de l'Observatoire.
- *Rapport annuel* : En décembre 2001, un rapport annuel sur la corruption au Maroc a été publié. En plus des informations recueillies au cours de l'an-

née, le rapport incluait une étude de cas. Pour l'année 2001, le cas qui s'est imposé est celui de la faillite du Crédit Immobilier et Hôtelier suite à l'abus de biens publics. Pour cette étude cas, un consultant a été recruté.

- **Perspectives**

L'Observatoire sera rattaché à la création d'un site web. Ce site mis à jour régulièrement sera la continuation naturelle du travail de l'Observatoire.

L'Observatoire aura également à terme la vocation de dresser un inventaire des secteurs et situations à risque.

Une autre direction possible pour le travail de l'Observatoire serait la création d'un téléphone vert (hot line) pour pouvoir avoir accès à l'information émanant du public quant aux cas de corruption et d'extorsion auxquels il est confronté. Un tel dispositif pourrait fonctionner également comme voie d'accès à un conseil juridique aux victimes de la corruption.

Enfin, une autre possibilité concernerait l'observation de la « privatisation de la fraude électorale ».

Des liens pourraient être tissés au niveau international avec des institutions similaires. Ces partenariats permettraient à l'Observatoire de bénéficier de l'expérience d'autres institutions.

V. Résultats

L'Observatoire a permis de mettre en place un système de veille informationnelle relative aux actes et faits de corruptions relatées par la presse. Cette veille est essentielle pour toute action de lutte contre la corruption. Plus de 5000 articles de presse ont été saisis en un an de travail. Cette mine d'informations, non exploitée auparavant, permet aujourd'hui de rendre visibles les lieux, actes et opportunités de corruption tels qu'ils sont rapportés par la presse. Elle permet de mettre en place une « carte » des faits de corruption.

Cette information, répertoriée, synthétisée et classée, est aujourd'hui largement diffusée. Ce qui amplifie l'écho de la lutte contre la corruption et augmente le coût pour les corrupteurs et les corrompus. En effet, plus on est informé, plus l'action des associations est motivée, argumentée et appuyée.

VI. Recommandations pour l'avenir

Certains écueils doivent être évités par ceux et celles qui voudraient demain dupliquer cette expérience, pour cela il serait utile de :

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- Prendre toutes les précautions pour expliquer le plus clairement possible en quoi consiste le rôle exact de l'Observatoire et quel est son intérêt stratégique pour les actions de lutte contre la corruption.
- Tout faire pour que les informations saisies et diffusées ne soient entachées d'aucune manipulation, diffamation ou surenchères partisanes.
- Ne pas chercher, dans un premier temps, à travailler sur des supports nombreux mais, plutôt, sur ceux à large diffusion.
- Relater des faits et rien que des faits.
- Elaborer et mettre en place un manuel de procédures dans lequel doivent être consignés les rubriques, le contenu de chaque rubrique ainsi que les descripteurs retenus, ce qui permettrait de normaliser et de faciliter le traitement de l'information, ainsi que d'homogénéiser l'action de saisie dans la durée.
- Choisir un logiciel permettant d'utiliser de manière optimale la masse d'informations saisies.
- Diffuser l'information collectée et recueillir les réactions afin de pouvoir corriger, ajuster et rectifier.
- Définir avec le maximum de précision possible le périmètre et la nature des informations à collecter ; ce qui nécessite l'adoption d'une définition claire de la corruption et l'identification des actions de lutte.

Description par: Véronique Lerch, Marie Wolkers et Transparency Maroc

Anti-Corruption Television Sketches, Niger

I Fact Sheet

Name of the Tool: Anti-Corruption Television Sketches

Brief Description: This project aimed to produce and broadcast a series of short television dramas in order to raise awareness about the problem of corruption in Niger. The films covered three sensitive fields in which corruption is viewed as a serious problem: health, education and customs.

Responsible NGO: Association Nigérienne de Lutte contre la Corruption (ANLC).

Creation of the Tool: The ANLC developed the tool with the assistance of Mourna, a young cultural enterprise specialising in film production.

Problems Addressed by Tool: Lack of public understanding of what constitutes corruption and the consequences it can have.

Areas of Work: Civic education, raising public awareness.

When the Tool was Implemented: The project was implemented in Niger in 2001.

Financing: Funding was provided by the Coopération Française.

For Additional Information, Contact: Aissata Fall Bagnan;
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II Objectives

The main objectives of the project were as follows:

1) Raising public awareness about corruption and the problems it brings in fields such as education and health.

2) To publicise the work of the ANLC and the actions the group aims to undertake in the future.

3) To improve transparency in civil society generally.

III Context

Corruption is a huge and growing problem in many African countries. The ANLC developed as part of a wider effort to deal with the situation in Niger.

The organisation has a clearly defined programme of action, and raising public awareness about the problem of corruption and bribery is a major part of this.

In this context, the ANLC decided to undertake a national television broadcast featuring sketches highlighting different themes in the fight against corruption. The project was launched shortly after the creation of the association in order to raise its profile in Niger.

IV Implementation

About the Films

The films last about three minutes each, and each has a specific theme: education, health and customs control. It is commonly known that corruption and fraud are a serious problem in all three sectors in Niger.

In each case, the ANLC produced and broadcast a brief film depicting a scene from daily life. The aim was to draw public attention to everyday forms of bribery of which everyone in Niger is aware, but against which the authorities seem powerless.

As well as being entertaining, the films all share certain themes. First, they highlight the presence of both a corrupter and a corrupted in every bribery transaction. Second, they emphasise that some public sector employees refuse to participate in corruption and instead conform to the proper ethics of their profession.

In each of these films, the highly stigmatised and weak administration always co-exists with a spirit of public service symbolised by the actions of a civil servant who is shown up as an example.

Each sketch ends with an advertisement for the ANLC which provides details of the association and its address. In order to reach as large an audience as possible, the films were broadcast in French as well as Hausa and Zarma, two of the languages spoken in Niger.

Film 1: Education – "You can pass when you have the means."

This film shows a richly dressed businessman visiting the high school of his son who has just taken the "Baccalauréat" examination. The businessman wants to see how he can falsify his son's marks so that he can get into university and asks a teacher about it. The teacher replies that his son's scores are not high enough so the father graciously offers an envelope of bank notes in exchange for the falsification of his report card.

"If my son cannot pass on his own, I have the means to make him pass," he says.

"If the means are not lacking, then his grades will not be lacking either," replies the teacher.

They go to meet another teacher to seek his co-operation. Unfortunately, the latter refuses to be associated with the transaction, citing the "honour and dignity" of the teaching profession. Instead he emphasises the need to look at the merits of individual students.

"I am not tempted by dirty money," he says.

The film ends with a firm judgment: "Corrupters and corrupted – you are a disgrace to our society."

Film 2: Health – "If there is no gift, there is no work."

This film is set in a hospital and depicts a man who has brought his wife for treatment but cannot find a bed for her. He approaches a member of staff he knows well. The latter shamelessly asks him if he has offered the traditional "motivation". He says that he has not, and the worker replies: "No motivation, no work." The ward employee then promises to help solve the problem. They go together to the head nurse who promises to "do something for them". In exchange for this assurance, the head nurse happily accepts a sum of money, a transaction he considers normal. More than a month later, his wife still has no bed so he complains to the doctor on duty. He explains the situation to the doctor and states that he wants the head nurse to reimburse the money. Surprised by this, the doctor decides to take care of the matter. They go and find the head nurse who admits to taking a bribe. In his own version of events, the nurse explains to his boss that he asked for nothing and it was the man who had offered him money so that he could have his wife hospitalised before anybody else. At this point, the doctor asks him to return the money. The head nurse has already spent some of it so the man is not fully recompensed. The doctor lectures the two of them about their sense of public service and they listen in shame, having been caught red-handed.

Film 3: Customs – "If I have to follow normal procedure, it'll cost me much more."

The third film deals with customs control. It depicts a transaction between a businessman and a customs officer responsible for assessing his goods. The businessman offers a large sum of money to the customs officer in order to circumvent the normal customs clearing procedure.

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"If I have to follow the normal procedure, it'll cost me much more," says the businessman as he offers the cash.

The corrupt customs officer attempts to associate his office colleague in the transaction. The colleague refuses to be involved and instead denounces the two accomplices for "attempting to corrupt a customs officer". Most of the rest of the film is set in a court room. At the trial, the attitude of the customs officer who denounced his colleague and accomplice is commended by the State Counsel. He also condemns the attitude of the corrupt officer and the businessman "who block the economic and social progress of our country". Both of them are sentenced to prison and fined. The State Counsel calls for a fight against corruption, which he describes as a "worm that is eating into our society". The film ends with the following motto: "Let's denounce and ban corruption."

Initial Development

Television was the obvious way to communicate the association's message because it reaches the widest audience possible in Niger. Even outside the capital Niamey, television is very popular. The use of this type of sketches is also a common way of raising public awareness in Niger.

Production

The ANLC project was produced with the help of the MOURNA drama troupe, which specialises in the production of public awareness films. MOURNA has distinguished itself in Niamey by producing films on themes such as the census, AIDS, etc.

The ANLC also played an active role developing the films in several ways including fundraising, choice of subject and setting.

The project was financed by the Coopération française with a contribution from the ANLC. The former is the first donor agency which has agreed to finance the activities of the association. The funds raised covered the cost of producing the films and broadcasting them on national television. The sketches were broadcast at prime time for six weeks prior to a national seminar on corruption organised by the ANLC. This strategy was devised in order to raise awareness about the activities of the association before its first major public appearance.

The project took place without any obstruction from the authorities, and the national television channel was happy to broadcast the films. By participating, the station was able to fulfil both its commercial purpose and its public

service mission. However, had the national TV channel been reluctant to co-operate for some reason, the ANLC could have broadcast the films on a private station.

Transmission

The sketches were broadcast on national television from 19 November to 8 December 2001. They were transmitted after the evening news bulletin. Priority was given to the films about health and education because corruption in these fields has implications for the whole of society. They were broadcast eight and nine times respectively. The customs sketch was broadcast three times.

Looking Ahead

The ANLC aims to produce similar films about two other fields in which corruption is a serious problem in Niger: the justice system and public procurement.

V Results

This is the first time that the issue of corruption has been tackled directly on television in Niger. Although it is very difficult to assess the overall impact of the films on public opinion, they do appear to have had some clear and discernible effects:

1) Citizens are more aware of the existence and activities of the ANLC.
2) The films highlighted the problem of corruption in Niger and its negative impact on society as a whole.

Challenges

The films raised considerable interest and became a point of conversation in Niger. But to what extent did they really contribute to the fight against corruption? It has to be said that their impact was probably limited because of their selective character. Funding was not extended beyond the period provided for in the initial agreements. Moreover, the project was expensive considering the limited resources of the ANLC.

VI Recommendations

The following recommendations would prove useful for anybody seeking to replicate this project in another country:

1) Careful thought should be given to the possible interpretation of the film plots. For example, some observers suggested that the film about the health

service gave the unintended impression that doctors are less corrupt than nurses. This was because the film showed a nurse accepting a bribe and a doctor admonishing him for it. This was accidental and it may have been better to have featured two doctors or two nurses instead.

2) More thought should be given to the general development of the sketches. For instance, in the customs film the judge pronounces a judgment without any right of appeal. In reality, this cannot happen and the mistake could have been avoided if there had been more time to write up the sketches.

3) Consideration should be given to the music to be adapted to the theme. A sum of money should also be held back to pay for the copyrights.

4) For this type of public awareness film to be effective, it should be accompanied by other activities designed to promote a social movement to eradicate corruption.

5) It might have been preferable to produce a documentary on the general theme of corruption before targeting specific areas.

6) Longer-term funding should have been sought for the films. The time allotted for the broadcasts was insufficient to make a serious impact on public opinion. Ideally, they should have continued for a six- or twelve-month period. Instead, the transmissions ended suddenly without arousing the expected interest of the public.

Description by: Mahaman Tidjani Alou

Les sketches télévisés anti-corruption

I. Fiche d'information

Nom de l'outil : Sketches télévisés anti-corruption.

Brève description : Ce projet consistait à réaliser et à diffuser à la télévision des sketches sur la corruption dans trois domaines sensibles (la santé, l'éducation, les douanes).

Problèmes ciblés par cet outil : Manque de conscience de la population par rapport à ce que recouvre la corruption et aux conséquences qu'elle peut avoir.

Champs d'activité : Education civique ; sensibilisation.

Où et quand cet outil a-il été mis en place : Au Niger, en 2001.

ONG responsable : Association Nigérienne de Lutte contre la Corruption (ANLC).

Création de l'outil : Association Nigérienne de Lutte contre la Corruption avec l'aide de l'entreprise Mourna, une jeune entreprise culturelle spécialisée dans la réalisation de films de sensibilisation.

Partenariats : Néant.

Principale source de financement : Coopération française.

Information complémentaire : Pour tout renseignement complémentaire, contactez Aissata Fall Bagnan, aissata_fall@caramail.com

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II. Objectifs

- Sensibiliser le public au phénomène de la corruption et aux problèmes que celle-ci soulève dans des domaines aussi sensibles que l'éducation et la santé.
- Faire connaître l'Association Nigérienne de Lutte contre la Corruption et montrer le type d'actions qu'elle compte entreprendre dans l'avenir.
- Avoir une plus grande visibilité dans la société civile.

III. Contexte

La montée de la corruption dans les pays africains suscite la création d'associations dont le but est de contribuer à la lutte contre ce fléau qui prend une ampleur jusque là inégalée. L'Association Nigérienne de Lutte contre la Corruption (ANLC) naît dans ce contexte avec l'ambition de lutte contre la cor-

ruption au Niger. Dans le cadre de son programme d'action, plusieurs actions sont prévues, parmi lesquels la sensibilisation occupe une place prépondérante. C'est dans cette perspective qu'elle entreprit de faire diffuser, par le canal de la télévision nationale, plusieurs sketches sur des thèmes variés. Ce projet a été mis en place lors de la première année de création de l'association afin de mieux la faire connaître.

IV. Mise en œuvre

- **Description des sketches**

Ces films durent environ trois minutes chacun.

Ces films ont eu pour thèmes l'éducation, la santé et le contrôle douanier, secteurs reconnus comme particulièrement touchés par le phénomène de la corruption. Tout le monde s'en plaint. Les fraudes de divers ordres dans le système éducatif sont régulièrement dénoncées ; les prestations sanitaires sont largement décriées pour leur vénalité et la douane régulièrement mise en cause pour les pratiques de corruption qu'elle couve au vu et su de tous. Dans les trois cas, l'association a mis en scène et fait diffuser des histoires se rapportant à des séquences de la vie quotidienne dans les secteurs concernés dans le but d'attirer l'attention sur un phénomène que tout le monde connaît, pour l'avoir vécu d'une manière ou d'une autre, mais face auquel les pouvoirs publics semblent impuissants.

Au delà du caractère divertissant de chacun de ces films, et comme le montrent les lignes qui vont suivre, ils mettent en scène certaines constantes : un corrupteur et un corrompu dans leurs transactions occultes qui révèlent les pratiques de corruption dans chacun des secteurs concernés. Chacun des films montrent aussi qu'il y'a des agents de l'Etat qui refusent la corruption et lui résistent en se conformant aux exigences déontologiques de leur métier. Dans ces films, le mauvais fonctionnement administratif, fortement stigmatisé, cohabite toujours le sens du service public que symbolisent certains fonctionnaires montrés en exemple.

1er film : Education
On peut avoir la moyenne avec des moyens

Dans le secteur éducatif, le film montre un commerçant richement habillé, venu au lycée de son fils admis à l'examen du baccalauréat, pour voir dans quelle mesure il peut faire falsifier les notes de son fils dans la perspective de l'orientation de ce dernier à l'université. Il s'adresse à un enseignant à qui il expose son problème. L'enseignant lui fait remarquer que son fils n'a pas de bonnes notes en classe. C'est alors que le père de l'élève offre gracieusement une

enveloppe de billets de banque en échange d'une falsification de son bulletin de note. « Si mon fils n'a pas la moyenne, moi j'ai les moyens », s'écrie le commerçant. L'enseignant accepte le principe de l'échange, arguant que « si les moyens ne font pas défaut, la moyenne non plus ne fera pas défaut ». C'est ainsi qu'ils partent à la rencontre d'un autre enseignant qu'ils ont voulu associer à leur basse besogne. Malheureusement, ce dernier refuse de s'associer à leur stratagème au nom de « l'honneur » et de la « dignité » du métier d'enseignant et déclare ne se baser que sur les mérites des élèves. « L'argent sale ne me tente pas » a-t-il dit. Le film se termina sur une sentence ferme : « Corrupteurs et corrompus, vous êtes la honte de notre société ».

2ème film : Santé
S'il n'y a pas manger-cadeau, il n'y a pas de travail

Le second film, consacré à la santé, se déroule dans un hôpital. Il met en scène un monsieur venu soigner son épouse mais pour qui il n'a pas été possible de trouver un lit en vue de son hospitalisation. Il se confie alors à un manœuvre de l'hôpital qu'il connaît bien. Ce dernier lui demande sans façon s'il a donné le traditionnel « manger-cadeau ». Il répond par la négative. Et au manœuvre de lui dire, « s'il n'y a pas manger-cadeau, il n'y a pas de travail ». C'est alors que le manœuvre lui promet de l'aider à régler son problème. Ensemble, ils sont allés soumettre leur problème au major du service concerné. Ce dernier s'engage « à faire quelque chose pour eux ». En échange de cette promesse, il reçoit une coquette somme qu'il accepte avec joie. Ce qu'il considère comme une attitude normale. Plus d'un mois après cette transaction occulte, il n'a toujours pas de lit. C'est alors que le mari de la malade décide d'aller se plaindre chez le médecin de service. Il lui rend compte de sa mésaventure et lui soumet son désir de vouloir que le major lui rembourse la somme qu'il lui avait offerte. Etonné de tout ce qu'il vient d'entendre, le médecin prend l'affaire en charge. Ils vont ensemble à la recherche du major, qui reconnaît sans rechigner son forfait. En donnant sa version des faits, il explique à son supérieur qu'il n'a rien demandé en échange de son service ; c'est le Monsieur qui lui a offert gracieusement de l'argent pour qu'il fasse passer sa femme avant les autres malades qui étaient déjà en attente. Sur ces entrefaites, Le médecin fait rembourser la somme perçue. Le corrupteur perd au passage une partie de son argent déjà dépensée par le major. Le médecin saisit l'occasion pour moraliser les deux protagonistes sur leur devoir et le sens du service public. Ils l'écoutèrent honteux d'avoir été pris la « main dans le sac ».

3ème film : Douanes
Si je dois suivre la procédure normale, cela me coûterait beaucoup plus

Le troisième film porte sur le contrôle douanier. Il met en scène une transaction entre un commerçant et un douanier chargé de lui établir l'impôt doua-

nier. Le commerçant offre une somme d'argent importante au douanier pour contourner la procédure normale de dédouanement. « Si je dois suivre la procédure normale, cela me coûterait beaucoup plus », dit le commerçant en tendant les liasses de billets au douanier corrompu. Ce dernier tente alors d'associer dans la transaction son collègue et voisin de bureau. Ce dernier refuse de se compromettre avec les « brebis galeuses » et décide de dénoncer les deux complices pour « tentative de corruption d'un agent de douane ». Une bonne partie du film se déroule alors au palais de justice. Au cours du procès, l'attitude du douanier qui a dénoncé son collègue et son complice est vivement saluée par le procureur de la république qui fait un vibrant plaidoyer en l'honneur du douanier modèle. Il fustige violemment l'attitude du douanier corrompu et du commerçant corrupteur, « qui bloquent le progrès économique et social de notre pays ». Après le procès, tous deux sont condamnés à des peines de prison ferme et au paiement d'une forte amende. Le procureur en appelle à la lutte contre la corruption, « ce mal qui gangrène la société et qui prend des proportions incontrôlées et incontrôlables ». Le film se termine par un vigoureux slogan « dénonçons et bannissons la corruption ».

Chaque film se termine par une publicité pour l'ANLC. Cette publicité détaille le sigle de l'association, ainsi que son adresse. Par ailleurs, les films ont été diffusés en français mais aussi en Haoussa et en Zarma, deux des langues parlées au Niger, de manière à toucher un public large.

- **Conception**

Le choix du medium pour communiquer le message de l'association s'est fait assez facilement. La télévision est le meilleur moyen d'atteindre un large public au Niger. Même hors de Niamey, la capitale, la télévision est très régulièrement suivie. Le choix de faire des sketches était également assez évident puisque cela est devenu un mode classique de sensibilisation au Niger.

- **Réalisation**

Ce projet de l'ANLC a été réalisé avec l'aide de la troupe MOURNA, une jeune entreprise culturelle spécialisée dans la réalisation de films de sensibilisation, qui s'était déjà faite distinguée sur la place de Niamey à travers ses nombreuses productions sur des thèmes aussi variés que le recensement, le sida, etc.

Cependant, il convient de souligner que la contribution de l'ANLC a été déterminante dans cette démarche. Cette contribution a pris forme à divers niveaux : choix du sujet à traiter, montage du scénario et recherche de financement, compte tenu du coût élevé du projet au regard des ressources de l'association.

Le projet a été financé par la Coopération française avec une contribution de l'ANLC. C'est le premier bailleur de fonds qui accepte de financer les activités de l'association. Le financement a couvert aussi la production des films ainsi que leur diffusion à la télévision nationale. Cette diffusion qui s'est étendue sur six semaines, intervient avant le séminaire national sur la corruption organisé par l'ANLC. Elle s'est faite à des heures de grandes écoutes, avant les journaux télévisés en français et en langues nationales, avec le but d'atteindre le maximum de téléspectateurs. Cette stratégie de communication devait aussi préparer les esprits dans la perspective de la première apparition publique de l'ANLC.

Tout ce processus s'est déroulé normalement, sans entrave particulière de la part des pouvoirs publics. La télévision a fait prévaloir sa logique commerciale mais aussi sa mission de service public dans un contexte où les secteurs traités sont plus que fustigés. C'est une dimension importante à prendre en compte dans ce type d'action. Car il est possible que les pouvoirs publics soient réticents à la diffusion par la télévision nationale de ce type de film de sensibilisation. Il faut alors envisager, comme ANLC aurait pu le faire, de le faire passer par les chaînes privées, s'il en existe.

- **Diffusion**

Ces sketches ont été diffusés du 19 novembre au 8 décembre 2001 sur la chaîne nationale. Ils étaient alors diffusés après le journal de 20.30. L'association a donné la priorité aux domaines de la santé et de l'éducation car la corruption dans ces domaines sensibles peuvent avoir un impact sur l'avenir d'une personne et touchent à son intégrité physique; c'est pourquoi les sketchs sur ces thèmes ont été diffusés respectivement 8 et 9 fois. Le sketch sur les douanes a été diffusé 3 fois.

- **Perspectives**

L'association a prévu de préparer des sketches similaires dans deux autres domaines où la corruption est très forte au Niger : la justice et les marchés publics.

V. Résultats

Il serait impossible d'apprécier l'impact réel de cette activité, mais on peut considérer qu'elle a eu plusieurs effets visibles : on peut considérer que cette activité a permis aux Nigériens de découvrir l'existence de l'ANLC. Elle a permis aussi, avec la diffusion répétée de ces films, de parler de la corruption en mettant en exergue ses conséquences malfaisantes. Il n'est pas rare d'entend-

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re parler les gens autour du petit film qu'ils ont vu à la télévision. Ils en commentent l'intérêt et reconnaissent que « ce sont des choses qui se passent dans les services de l'Etat ». Mais une telle démarche contribue-t-elle réellement à la lutte contre la corruption ? Il faut reconnaître que son apport est limité en raison de son caractère ponctuel. Le financement ne s'est pas prolongé au delà des périodes prévues dans la convention de financement. Par ailleurs, l'activité est coûteuse au regard des ressources de l'ANLC qui a toujours besoin d'aide financière pour mêner à bien ce type d'activités.

C'est la première fois que la télévision nigérienne aborde directement le sujet de la corruption.

VI. Recommandations pour l'avenir

Concernant le sketch sur le thème de la corruption dans le domaine de la santé, une des remarques qui a été faite est d'avoir choisi deux agents qui n'étaient pas du même grade, ce qui pourrait être interprété autrement. Il aurait fallu mettre deux infirmiers ou deux médecins face à face.

Le fonds sonore doit être recherché de manière à être adapté au sujet et il faut également prévoir le cas échéant une somme pour les droits d'auteur.

Cette sensibilisation par la télévision, pour être efficace, a besoin d'être relayée par d'autres types d'actions complémentaires qui permettent de susciter à terme un mouvement social orienté vers l'éradication de la petite corruption.

Il est nécessaire de prendre plus de temps pour concevoir en commun les scénarios.

Concernant le sketch sur les douanes, le juge prononce un jugement sans appel ce qui n'est pas conforme à la loi nigérienne. Cette erreur aurait pu être évitée si plus de temps avait été prévu pour l'élaboration des sketchs.

Il pourrait également être souhaitable de faire d'abord un documentaire plus général sur la corruption avant de cibler des problèmes particuliers.

La diffusion s'est arrêtée de manière brutale sans susciter l'intérêt attendu du public par un élément accrocheur qui fasse espérer la suite. Il faudrait peut-être essayer de prévoir des financements pour une durée plus longue. Le temps imparti pour la diffusion des sketches était insuffisant. Il aurait fallu le faire pendant 6 ou 12 mois.

Description par : Mahaman Tidjani Alou

Public Awareness Campaign, Slovakia

I Fact Sheet

Name of the Tool: Public Awareness Campaign

Brief Description: The aim of the public awareness campaign launched in November 2000 by the Slovak chapter of Transparency International (TI Slovakia) was to inform citizens about issues surrounding corruption in order to counter a growing trend of public passivity and mobilise public support for necessary reform.

Responsible Organisation: TI Slovakia.

Creation of Project: TI Slovakia initiated and directed this project, which was funded by USAID.

Problems Addressed by the Tool: A lack of information among the general public about the causes of, and solutions to, corruption; public passivity.

Areas of Work: Awareness raising.

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II Objectives

- To increase public awareness of the problem of corruption
- To encourage active civic participation in the fight against corruption

III Context

As shown in TI's Corruption Perceptions Index, the Slovak Republic is perceived as being a country with a high level of corruption. Slovak citizens are frequently confronted with corruption, yet they lack information about the causes of corruption and how it can be combatted. Before launching this project, TI Slovakia had already gained some experience of helping to raise public awareness about corruption by publishing articles in newspapers, holding student competitions and participating in TV and radio broadcasts. TI Slovakia was also involved in the study of corruption in Slovakia, as well as in de-

veloping the National Programme for the Fight against Corruption, which was adopted by the Slovak government in 2000. The success of this programme confirmed that the non-governmental sector has an important role to play in fighting corruption in Slovakia, particularly by educating the public and hence generating public pressure to keep the programme on track.

IV Implementation

Developing information in the form of anti-corruption tools

By authoring texts on issues ranging, for example, from conflicts of interest affecting public officials at the state and municipal levels to the transparency of public finances and public administration, 24 well-known Slovak experts created anti-corruption tools to be used in training seminars.[1]

These texts were then used as the basis for developing ten television programmes, each of which lasted 26 minutes and was broadcast twice on STV, the Slovak public television service, including one prime-time broadcast. TI Slovakia produced the programmes, while Slovak public television provided the airtime free of charge. Copies of the programmes can be obtained for use in workshops or as school materials. Currently TI Slovakia is preparing programmes where politicians and experts discuss various corruption-related issues. The programmes will be broadcast on STV prior to the parliamentary elections (in September 2002). The aim of these programmes is to offer a forum for reflecting on what transpired vis-à-vis the fight against corruption during the previous election period and to try to elicit pre-election pledges with regard to fighting corruption.

Developing and running training seminars

TI Slovakia conducted a series of seminars for journalists, representatives of regional NGOs, public administration employees, and assistants to members of parliament. The seminars included a one-day seminar for public officials, and a two-day seminar for journalists and NGOs. The seminar materials were written by more than 20 experts from various areas, including law, ethics and public administration. For example, a seminar was organised for the State Office of Non-Financial Assets of the Slovak Republic and for the Steering Committee advising the government on the implementation of the National Pro-

1 Other texts included issues surrounding: freedom of information; public procurement; legal tools for fighting corruption; discretionary decision making; ethics and ethical infrastructure; the role of control; auditing; the role of the police, prosecutors and the judicial system in the fight against corruption; the decentralisation of public administration and the fight against corruption; the role of the media and corruption in the media.

gramme for the Fight against Corruption. Journalists were also provided with a series of technical workshops on "Corruption in the Slovak Republic with an Emphasis on Investigative Journalism". These workshops focused on information gathering and the laws affecting journalists. Participants included representatives of both national and local media.

Developing information for schools and universities

Drawing on the resources of the National Institute of Pedagogy and the Faculty of Pedagogy at Comenius University, TI Slovakia has put together two groups to compose informational texts for secondary schools concerning corruption, anti-corruption tools and transparency, based on the anti-corruption tools mentioned above. In addition, TI Slovakia organised the training of teachers who co-operate in the implementation of this programme of study. The texts are currently being used in pilot programmes in a few Slovak schools. If these pilot programmes prove to be successful, TI Slovakia will push for them to be introduced into the national curriculum.

To reach a university-level audience, representatives of TI Slovakia gave lectures at various universities (University of Economics in Bratislava, Matej Bel University in Banská Bystrica, and Comenius University in Bratislava). In March 2002, a new course entitled "Economic Aspects of Corruption" was accredited by the University of Economics in Bratislava and is to be offered starting from September 2002. The textbooks for this course were also developed by the Faculty of Pedagogy at Comenius University, which educates new teachers of civic education.

Running a civic campaign to address conflicts of interest

- The legislation passed in 1995 concerning conflicts of interest has proved to be inadequate in more ways than one, for example, with regard to public officials. In the summer of 2001, a working group of members of parliament was formed to prepare new legislation.
- Under the leadership of TI Slovakia, an informal coalition, referred to as Alliance – Stop Conflicts of Interest, has been formed, composed of over 240 non-governmental organisations.
- The conflicts of interest of public officials as described in the texts mentioned above were published at www.konfliktzaujmov.sk. The website also provides information about, for instance, the voting records of members of parliament on relevant issues.
- Postcards were sent to members of parliament seeking their support for new anti-corruption legislation.

- A public survey was conducted regarding anti-corruption issues. The results received heavy media coverage.
- Press conferences have been held to present recent developments in the fight against corruption.

V Results

Corruption issues have been widely discussed at a highly serious level in the media. Public awareness of the consequences of corruption has grown, as has the desire to combat corruption. In public opinion polls, corruption is now named as the third most important problem facing Slovakia. The number of letters received by TI Slovakia from the public about the problem of corruption has also increased.

VI Future Recommendations

- Organisations should avoid getting involved in solving individual scandals and stress systemic solutions.
- In the field of education, it is necessary to keep in mind that introducing new subjects into school curricula requires a significant amount of time. Organisations should first run pilot programmes in a small number of schools. In order to make sure that the process continues even after the project is completed, specialised groups should be formed to update the curricula when the project is over.
- It is essential to co-operate with teachers, especially those with experience of introducing new subjects into school curricula and with training other teachers.

Description by: TI Slovakia

National Anti-Corruption Week, Uganda

I Fact Sheet

Name of the tool: National Anti-Corruption Week (ACW).

Brief Description: National Anti-Corruption Week is an annual event which takes place every October, organised by the Anti-Corruption Coalition of Uganda. It aims to mobilise civil society in the fight against corruption by encouraging people to participate in a range of different activities.

Responsible NGO: Anti-Corruption Coalition of Uganda (ACCU).

Problems Addressed by the Tool: Lack of popular awareness about corruption and related problems.

Areas of Work: Raising awareness and advocating transparency and accountability in Uganda.

When the Tool was Implemented: The project was first implemented in Kampala, Uganda's capital city, in 1996. It has since expanded to include 27 other districts in the country.

Creation of the Tool: The project was first developed and implemented by Transparency International Uganda. The ACCU was later formed from a coalition of like-minded individuals and organisations. It now oversees ACW.

Alliances: The following institutions participated in this project:

- International Anti-Corruption Theatrical Movement (IATM)
- ACCU Secretariat
- Office of the Inspector General of Government (IGG)
- Directorate of Ethics and Integrity (DEI)
- Human Rights Network (HURNET)
- Danish Co-operation for International Development (MS Uganda)
- Development Network for Indigenous Voluntary Associations (DENIVA)
- Uganda Debt Network (UDN)
- Uganda Consumers Protection Association (UCPA)
- National Ethics and Integrity Foundation (NEIF)
- Inter-Faith Organisation against Corruption (INFOC).

Financing: ACCU has received funds from a number of donors. In 2001, USAID, the Embassy of the Netherlands, ACTION AID, and MS UGANDA contributed to the organisation. TU also obtained funding from GTZ and individually financed up to 50 per cent of the ACW activities in 2001.

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II Objectives

The main aim of this event is to bring together individuals, civil society organisations (CSOs) and government institutions with similar anti-corruption goals to confront the endemic problem of corruption and bribery in public life in Uganda.

The specific objectives are:

1) The mobilisation of civil society to encourage advocacy, transparency and accountability.
2) To challenge, monitor and encourage government efforts against corruption.
3) To raise awareness and educate people about the issues of transparency and accountability in public life.
4) To build a strong coalition.
5) To share experiences, challenges and ways of combating corruption by different groups.
6) To enhance regional strategic alliances and advocacy for collective action against corruption.
7) To challenge, stimulate and involve people at different levels of the anti-corruption fight.
8) To empower and educate citizens to demand transparency and accountability in public life as a right.

III Context

National Context

Corruption has been a serious problem in Uganda for decades. However, civil society still lacks the resolve or awareness to demand real accountability from government officials. Most citizens have understood the need to take action

against the problem of rampant corruption in Uganda for years but were unable to speak out under the undemocratic regime, that ruled the country. The situation changed only when the current administration came to power in 1986 and put in place processes designed to assist the fight against corruption. These included:

1) An article of the 'Ten Point Programme' adopted in 1986 by the government has addressed the issue of corruption and abuse of office.
2) Constitutional Review Commission and General Law reform.
3) Establishment of the Inspector General of the Government (IGG) in 1986, strengthening of the Director of Public Prosecution, and later establishment of the Directorate of Ethics and Integrity (DEI) in the President's office.
4) An unprecedented policy of press freedom.
5) Genuine political will to take action against corruption.

Organisational Context

The following factors have helped Transparency Uganda ensure that the ACW is an effective anti-corruption tool:

1) The commitment and zeal of members drawn from diverse social backgrounds.
2) Support and assistance by some donor agencies such as GTZ and USAID.
3) Good media contacts as well as good media skills within Transparency Uganda.
4) Strong spirit of volunteerism.
5) Unprecedented political stability in Uganda.

IV Implementation

ACW takes place every October and is the highlight of the anti-corruption calendar. In 2001 it began on October 28 and ended on November 2.

Each year there is a guiding theme which serves as the focus of all activities of the week and year. In 2001 the theme was "Accountable Leadership – a New Chapter".

Implementation

The project is implemented on an annual basis in the following stages:

1) Consultative planning meeting of ACCU members to develop a suitable ACW theme; allocating ACW activities among members to avoid duplication; setting suitable dates.

2) Selecting and booking a guest of honour.
3) Identifying and appointing ACW district agents.
4) Identifying lead organisations for the different collective/ group ACW activities; creation of alliances.
5) Adopting an appropriate system of accountability for management of ACW reporting and funds.
6) Mobilising resources of the different member organisations.
7) Distributing ACCU Secretariat funds in order to pay for predetermined coalition activities.
8) Nation-wide publicity and advertising campaign.
9) ACW notification of the Inspector General of Police (IGP).
10) Inviting key government anti-corruption agencies (Inspector General of the Government and the Directorate of Ethics and Integrity).
11) Overseeing and managing Anti-Corruption Week itself.

Planning meetings are normally organised by an ACCU steering committee. Meetings are called by the ACCU Secretariat co-ordinator, and there are usually at least eight of these prior to the start of ACW itself.

ACW Activities

ACW involves many different actors, participants and locations. To co-ordinate this event it is crucial to have sufficient resources, and a comprehensive and acceptable programme for all of the parties and alliances involved.

Activities that normally take place include:

- Peaceful demonstrations and nation-wide processions are held in selected districts (the main limiting factor here is obtaining sufficient funding).
- A national conference held in Kampala.
- Speeches by government officials, donors and invited guests.
- Public forum and dialogue.
- An organised media campaign including articles, press conferences, talk shows, press releases, live phone-in radio and TV programmes.
- School debates and essay-writing activities.
- Letter-writing campaigns (sample letters are supplied to citizens in order to demand accountability in various corruption 'hot spots').
- Raising awareness of the problem through art, poetry, music, dance, drama and exhibitions.

- Public debates: The 2001 debates were on two topics: "Unfair distribution of resources: a cause of conflict?" and "Who is more corrupt, the giver or receiver?" The debates were organised among primary and secondary school students, and dramatised by artists.
- Religious sermons on anti-corruption.
- Public testimonies by witnesses or victims of corruption.

The alliances, collaboration and publicity surrounding this event encourage considerable media coverage.

V Results

After the event has taken place, further meetings are held to identify strengths and weaknesses. Participants also discuss any of the lessons learnt during the week that may require rectification the following year.

Achievements

The following concrete achievements have emerged from this project:

1) Changing people's morals and attitudes towards the use of public services in Uganda; persuading people to refuse to pay bribes to access them.
2) Introducing the mandatory display of name-tags for all public health officials during working hours for ease of identification.
3) The ACW has prompted the establishment of a number of commissions of inquiry in the Ugandan police service, the army and recently in the revenue authority.
4) The ACW serves as a platform for civil society to demand greater political commitment in the fight against corruption;
5) The ACW has led to the creation of the Directorate of Ethics and Integrity in order to generate more government support.
6) The project has stimulated donor support and attention to the problem of corruption in Uganda.
7) ACW has prompted the creation of many anti-corruption CSOs in the countryside.
8) The project has emphasised the need to revise existing legislation.
9) ACW has acted as a forum for discussion between government and CSOs.

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Challenges

Some critics have argued that by raising awareness in this way, the event actually backfires by offering the public corruption skills they did not previously posess, thus making them more sophisticated in techniques of bribery.

VI Recommendations

The event would have a much greater impact if it was expanded to all nations of Africa. Transparency Uganda has two main recommendations for such an event:

- To select a theme for the week.
- To work in a coalition of civil CSOs.

Description by: Waida F. Moses

Procurement

II

Licitenet.com: Making Public Procurement More Transparent, Ecuador

I Fact Sheet

Name of the Tool: Licitenet.com: Making Public Procurement More Transparent

Brief Description: The aim of the Licitenet.com project is to create an online database to inform the public about the process of public procurement in Ecuador, and to harness the power of the Internet to foment greater transparency and competitiveness. This is a joint initiative between the private sector and civil society.

Responsible NGO: Corporación Latinoamericana para el Desarrollo (CLD), Transparency International National Chapter in Ecuador.

Problems Addressed by the Tool: Discretionary power in public procurement and a lack of transparency.

Areas of Work: The acquisition of goods and services by state institutions.

When the Tool was Implemented: Licitenet.com started operation on 3 September 2001 and was officially launched on 16 November 2001. Initial development began approximately four months before the site first appeared on the Internet.

Alliances: The following institutions also assisted in the project's development:
State Attorney General's Office, www.pge.gov.ec
Quito Chamber of Commerce, www.ccq.org.ec
Quito Chamber of Construction, www.ccquito.org
Guaayaquil Chamber of Commerce, www.lacamara.org
Association of Municipalities of Ecuador, www.ame.org.ec

Creation of the Tool: Corporación Latinoamericana para el Desarrollo (CLD)

Financing: Licitenet.com initially cost US $40,000 (site development, hardware and employment of CLD personnel). Operating costs are US $5,000 per month.

The major donors to the project were:

- AVINA Foundation, www.avina.net
- Grupo Empresarial Gente por el Cambio (GPC)
- Grupo Empresarial Ecuador Positivo (E+)

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II Objectives

The general objective of Licitenet.com is to establish a website portal to allow citizens to monitor the acquisition of goods and services by public bodies in Ecuador.

Specific objectives of the project are:

- To encourage transparency and competitiveness in public procurement.
- To use the Internet to create a culture of citizen consultation and interest in public procurement.
- To produce statistics on trends in public procurement in order to develop proposals for improvements in the current system.
- To provide a value-added service to the private sector.

III Context

The process of public procurement around the world has been revolutionised in recent years by the emergence of new technology that has made old systems increasingly obsolete. Governments across Latin America are being urged to deploy technological tools to foster greater efficiency, transparency and better monitoring of the procurement process. This has also prompted a review of the complex legal provisions on public procurement in many countries.

In countries such as Mexico, Chile and Brazil, central governments have already seized the initiative and set up online systems for public procurement that citizens can access directly via the Internet. These “e-procurement” initiatives are part of a wider shift towards a public policy that emphasises free access to information, greater transparency and accountability.

Many of them have emerged from the effort to build more competitive systems for participation in regional and international markets.

National

In Ecuador, the government does not readily offer access to information on public procurement so the media cannot provide a complete or authoritative guide. Because of this lack of reliable and thorough information on public procurement, Licitenet.com was devised as a joint initiative by the private sector and civil society. The project seeks to bring about changes in public procurement processes.

For years, business associations and other organisations have expressed concern about the high level of corruption in public procurement in Ecuador. Since 1997, CLD has participated in several initiatives to try to reform the country's legislation but has met with little success.

After waiting in vain for Congress to modify the legislation, business associations such as Gente por el Cambio and Ecuador Positivo joined forces with CLD to undertake a new project. The purpose was to create a viable system offering relevant information both to the public and to state contractors, as well as providing a forum for the discussion of public procurement in Ecuador.

One of the most important objectives was to disseminate information to citizens. Anyone can visit the Licitenet.com site and make inquiries about procurement processes that are underway, completed or pending approval. They can find ample information to develop a clear and precise understanding of the procurement process in Ecuador since the system went into operation.

Access to this type of information is empowering for civil society. It provides citizens with more knowledge about the processes involved and enables them to demand accountability from the state if anomalies arise.

Licitenet.com and CLD are thus seeking to create a forum for discussion and analysis of this issue. First, the project aims to demonstrate that making information available to the public leads to cost savings and transparency for state institutions. It also aims to highlight the different failings that make current systems of procurement bureaucratic and inefficient.

Ultimately, it is hoped that this will foster the development of a better public service and prompt the state to acknowledge that legislative reforms are necessary.

At the moment, the specific goal is to reduce the discretionary power exercised by officials at different stages of the public procurement process. These include: the submission of specifications or pre-contractual tender documents; the obligatory fee to review the specifications; the requirement of disclosure

only for processes that exceed US $112,000; as well as the detailed conditions of each purchase, the ambiguity of the deadlines, etc.

About CLD

This initiative is part of a wider effort to resolve the structural problems in public procurement in Ecuador.

CLD is also working on other related programmes, including:

A) Project to reform the law on public procurement

B) Integrity Pacts

C) Transparent tenders and bids

D) Transparent procurement for international co-operation.

IV Implementation

The Licitenet.com project was carried out in the following stages:

Stage One: Conceptualisation

All of the project participants (CLD, Ecuador Positivo and Gente por el Cambio, the latter two being business groups) took part in this stage with CLD acting as a mediator. Workshops were held in which problems with public procurement were identified and possible solutions were proposed.

The Internet was viewed as an ideal medium to combat the lack of information on public procurement.

Stage Two: Investigating Information Sources

Ecuador Positivo undertook a three-month study to monitor different sources of information on current procurement processes.

The study identified 18 media outlets from which Licitenet.com selected information to post on its Internet site.

It is important to emphasise that legislation in Ecuador states that calls for tenders and public announcements on procurement must be published in the country's most widely circulated newspapers. However, in practice this area is poorly defined. There are currently at least 18 newspapers in which 90 percent of the information on state procurement processes is published.

These 18 sources are reviewed daily and all of the announcements are selected and transferred to digital format. This database on public procurement announcements that have been published throughout the country is updated twice a day.

At the same time, CLD identified other sources of information about public procurement and signed a contract with the Attorney General's Office to receive information on contracts that have been awarded directly. It also identified the State General Accounting Office, the municipalities and the provincial councils as institutions that gather information that could be collected in the future.

Stage Three: Technical Design

At this stage, members of GPC and E+ worked jointly with CLD and several technicians to build an interface between the offline and online databases. The interface was developed jointly by Web Conexión, EIS and the computer staff at CLD.

Stage Four: Project Team

While the website and the offline system were being set up, a three-person team was established at CLD to work on the database before it went online. The team worked mainly on gathering and inputting information.

Stage Five: Testing the System

On 3 September 2001, Licitenet.com went live on the Internet on a trial basis. This allowed experts and others to try out the system, offer their opinions about it and suggest improvements.

Stage Six: Public Launch

After a three-month trial period, the site was officially launched on 16 November 2001. In the interim, subscriptions had been sold and participating institutions informed their colleagues and clients about the system.

The Internet site was publicised in newspapers and magazines. Special events were organised and potential clients were contacted via mailing lists, etc.

Although 80 per cent of the information on the site is available to anyone who visits it, parts of it can be viewed only on payment of a fee in order to make the project sustainable. In effect, a system of paid subscriptions has been developed to allow users access to information that has been specially provided for companies with an interest in doing business with the state.

About the information the Licitenet.com offers to its users

As mentioned previously, Licitenet.com provides opportune information to its users mainly in regard to different public procurement processes, either current, closed, or pending adjudication. The website displays links to the three areas, through which users can ask for specific information by using the following criteria:

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- Date of Bidding
- Name of the institution issuing the tender
- Place of execution
- Type of project or service
- Type of contract
- Type of participant

In this way, if a user is looking for all the bidding processes that have to do with the construction of bridges, for example, he/she can simply choose this category under "Type of project or service", and activate a search. This will bring up as a first result all the current bidding processes at the national level that fall under "construction of bridges".

If on the other hand, the user desires more specific information, he/she must select more options before submitting the search query. For example, he/she can choose a "Place of execution", such as Pichincha. By doing so, the user will receive information on all the bidding processes on the construction of bridges that have been initiated by the Pichincha province. In this way, depending on the number of search options used, the information will be more or less specific.

The search results display a list of bidding processes containing the relevant facts matching all the search options. For example:

Search

Type of project: Construction of bridges

Place of execution: Pichincha

Result #1:

Date of bidding	Institution	Place of Execution	Type of project or service	Type of contract	Type of participant
5/jul/02	Ministry of Public Works	Pichincha	Construction of a bridge over the Pisque River	Bidding	Individuals or corporations
8/jul/02	Rumiñahui Municipality	Pichincha	Construction of a bridge over the Pita River	Public Tender	Individuals or corporations

Information that was searched for

Once he/she finds the bidding process that he/she is interested in, the user can access a new page by clicking on the bidding process in question. This page provides more detailed information on the particular bidding process chosen, specifying information about the type of contest, the requirements for participating, the amounts bid, the important dates related to the process, the origin of the funds, etc. Here the user may also access the original publication in PDF format.

This is the way that the three sections (processes underway, completed processes, and processes pending adjudication) work, except for the non-availability of the original publication announcement for the adjudicated bidding processes.

Citizens may access the current bidding section only up until the first list of results. Even though the information is not complete, he/she can still learn about the projects in any of the fields that are taking place and where they are located. In the other two areas, the access to information regarding closed or pending bidding processes is complete, and thus allows citizens to follow these projects more closely.

The subscriber, on the other hand, has complete access to all the information in all the areas and other services such as a message alert that informs him/her of bidding processes in his/her field of interest, as well as statistics.

V Results

Virtual Traffic

The number of 'hits' on the Licitenet.com site has grown rapidly. The site has received over 13,500 visits since its launch with an average of 15 hits per visit. In total, it has received approximately 202,500 hits.

Less than 10 percent of Ecuador's population is currently online but the government has placed considerable emphasis on increasing connectivity. For this reason we hope that the site will become increasingly popular.

Subscribers

A total of 37 companies currently subscribe to the service, which is fewer than hoped.

Work with the National Telecommunications Council

Licitenet.com was invited to serve on one of the working groups to develop Ecuador's National Connectivity Agenda. This will oversee progress on connectivity and telecommunications in the country for the next ten years. The group is considering making Licitenet.com the starting point for automating

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the entire process of public procurement in Ecuador (i.e. the creation of a fully-fledged e-procurement portal).

Agreements with the Public Sector to Extend Information Coverage

After signing a contract to receive information from the Attorney General's Office, CLD discovered that the data was available only in print – a format that was nearly impossible for citizens to access easily. Consequently, the Attorney General's Office developed a database specifically to send relevant information to Licitenet.com. This allowed citizens to view data in a much more efficient manner.

Assistance from Business Associations: A number of different business associations worked on the project free of charge, for example:

- The Quito Chamber of Commerce invited Licitenet.com to participate in the 'Ecuador: Business, Opportunities and Franchises' fair at no charge, which helped to promote the initiative.
- The Pichincha Chamber of Construction invited Licitenet.com to participate in its permanent exhibition of different construction services.
- The Guayaquil Chamber of Commerce organised an event to present Licitenet.com to its members at no cost.

In addition, business associations like Gente por el Cambio, Ecuador Positivo and the CLD joined forces with Licitenet.com. The role of these two business associations was very important. Both of them consist of senior, young executives at some of the country's most influential enterprises, who are keen to promote social progress and reform in Ecuador.

International and National Acclaim: The Latin American Integration Association (ALADI) has adopted Licitenet.com as its main source of information on state procurement in Ecuador. It has placed a link to Licitenet.com on its Internet site along with a list of all the other official sites in Latin America. Licitenet.com is a private endeavour and not an official government site yet it has become the point of reference for Ecuador.

Media Coverage: Media coverage was crucial to the success of the project.

Newspapers and magazines have published a series of articles and reviews of the site. Nevertheless, the coverage has fallen short of Licitenet.com's initial hopes because the media has been reluctant to provide it with free publicity, on the grounds that this is a private initiative that seeks to make money.

Citizen Reaction: Citizens have been the main users of the site and they tend to view it as an alternative way of accessing public sector information. The

questions and comments submitted by citizens who have visited the site have been very interesting and they change constantly. Frequently, individuals and companies have posed specific questions concerning public procurement, or requested help in understanding how the process works.

Although these communications are the most encouraging evidence that citizens are responding successfully to the project, we still feel that we have not reached the expected level of use. We believe that we could increase its popularity by including new, interactive instruments on the site, such as FAQs, suggestions, etc.

VI Challenges

Although Licitenet.com has won support from many sectors, the organisations that are implementing the project face a range of legal and practical challenges:

- The project's biggest challenge is the fact that current legislation on public procurement requires the publication of calls for tenders only if they surpass a set benchmark (US $112,000 in 2002). Smaller contracts are granted at the discretion of each institution. Accessing this information would involve contacting each state institution directly and is thus problematic. Consequently, a lot of information on smaller procurement deals is not available on Licitenet.com. To this end, new agreements are being negotiated with organisations such as the Ecuador Association of Municipalities and the Corporation of Provincial Governments to help boost the site's coverage.
- Many companies lack trust in technological solutions. Although 80 per cent of the information on the site is available to anyone who visits it, parts of it can be viewed only on payment of a fee in order to make the project sustainable. In effect, a system of paid subscriptions has been developed to allow users access to information that has been specially provided for companies with an interest in doing business with the state. This means that specific information is developed for registered subscribers, such as details of where to pick up specifications, when and where the calls for tenders will be opened, etc.

Financial Viability

To ensure the project's financial viability, a company was formed and several businesspeople contributed capital as partners. CLD contributed a considerable amount of funding (40 per cent of shares), and was able to benefit from an agreement with the Swiss Avina Foundation to match every dollar donated with a dollar of funding from the private sector. When the company starts to make a profit, the money will be used to finance similar projects.

The project also involved strategic partners from other sectors, including the following key public and private sector institutions:

- Attorney General's Office
- Association of Municipalities of Ecuador
- State General Accounting Office
- Corporation of Provincial Governments
- Quito Chamber of Commerce
- Guayaquil Chamber of Commerce
- Pichincha Chamber of Construction
- AROG (Guayaquil NGOs' Network)
- Latinaccess (Consultant)
- Profile Consultores
- Dinámica Consultores
- Paz & Horowitz Law Firm
- Bustamante y Bustamante Law Firm

VII Recommendations

Any other National Chapter seeking to replicate this project might find the following recommendations useful:

- **Build a strong relationship with the state institutions that handle information:** To carry out a project of this nature it is crucial to have strong relations with the state bodies that handle information. We would recommend that some of these key organisations should be actively involved in the development of the site, because they will be able to see the benefits that this sort of tool will ultimately provide to citizens.

- **Form an alliance with international e-procurement experts:** An initiative of this type has much in common with similar projects that are being carried out in other parts of the world. It is very useful to obtain advice from institutions that have experience in the field, preferably from a country in the same region (e.g. www.compranet.gob.mx in Mexico or www.chilecompra.cl in Chile. Another example is www.gem.wa.gov.au in Australia.)

- **Form an alliance with a software design group:** One of the most expensive aspects of the project was designing and perfecting the technical tools and the software. Having a software company on board to pursue the initiative jointly would be a great advantage.

• **Pay close attention to the availability of free and subscription-only services:** The fact that the system offers some information for free and some for a fee can result in conflicts of interest in the project. We recommend that intensive work be done to develop services and products that offer real value for subscribers, while not neglecting the quality and the availability of free information to the public.

Description by: Valeria Merino Dirani and Alfonso Abdo

Workshop on Public Procurement, Paraguay

I Fact Sheet

Name of the Tool: Workshop on Public Procurement

Brief Description: The aim of this project was to set up a programme of workshops about public procurement designed for government officials responsible for selecting suppliers in Paraguay.

The seminars sought to examine the shared experience of different officials in order to identify some of the informal practices that are commonly used in public procurement but which may conflict with proper regulations. Such practices bring the process into disrepute because they are illegal and may provide a cover for official corruption and bribery. These shared experiences of public procurement are then used to draw up a 'map' of potential risks and dangers involved in the process of public procurement. The risks that are highlighted are contrasted with the norms and practices that promote a transparent procurement process that is efficient, responsible and open to scrutiny.

Responsible Organisation: Transparencia Paraguay (TP)

Creation of the Tool: The tool was developed and implemented by Dr Federico Salgueiro and Dr Patricia Marchewka of Transparencia Paraguay.

Problems Addressed by the Tool: 1) Lack of knowledge about public procurement on the part of public officials; 2) Lack of transparency in public procurement in Paraguay.

Areas of Work: Transparency in public procurement and administration.

When the Tool was Implemented: The project was implemented between January and June of 2002. In March, the tool was used in the municipality of Coronel Oviedo. As of July 2002, Transparencia Paraguay had successfully introduced it to two other institutions (the national water company and the City of Asunción).

Alliances: TP has established bilateral alliances with different public entities.

Financing: The cost of each workshop was between US $2,000 and US $3,000. During the first six months of 2002 the Avina Foundation sponsored the project.

The Konrad Adenauer Foundation has given preliminary approval to sponsor the workshops during the second half of 2002.

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II Objectives

General Objectives

The two main objectives of this project were to arrange seminars in order to determine the problems and risks that exist in public procurement in Paraguay and to bring these processes in line with existing legislation by drawing up risk maps.

Specific Objectives

The project had the following specific objectives, although they are not listed in order of importance:

1) To provide officials with all of the necessary technical knowledge so that they are familiar with current legal provisions.
2) To provide officials with the relevant knowledge and skills to allow them to distinguish between the different types of public procurement applicable in individual cases.
3) To encourage officials to use the appropriate criteria in order to make the acquisitions made by public institutions more transparent.
4) To implement mechanisms that ensure officials follow the correct procedures for public procurement.
5) To make relevant suggestions to the respective organisations based on the results of this project.
6) To publicise the results and conclusions of the project.
7) To develop a more ethical culture among public officials.
8) To determine the risk factors and their rate of incidence.
9) Subsequently, to monitor the selection procedures that officials use in different public institutions.
10) To substantially reduce the risk of corruption by implementing necessary corrective measures.

III Context

National

In Paraguay, public officials responsible for procuring public goods and services on behalf of the state often lack the technical and juridical knowledge to perform this work effectively or punctually.

To make matters worse, there is an absence of clear or up-to-date legislation on public procurement. Current legislation is as follows:

1) The Law on Administrative Organisation dates back to 1909 and was revised in 1992.
2) The Law on Public Works dates back to 1973. It introduced substantial improvements that refer specifically to public procurement. In 2000 it was superseded by the Law on the Procurement of Works, which instigated a complex and bureaucratic system of selection. In general, this has a negative impact on the financial situation of the public institution making the call for tenders.

The laws that regulate public procurement rarely include sanctions or special clauses designed to fight corruption (either internally among public officials or externally in the private sector).

Some private sector operators work very closely with public officials. These are the state contractors who have formed a strong, closed and exclusive syndicate that often bars other suppliers or bidders in the same field from competing. These companies tend to stifle any rival companies and maintain a firm grip on state contracts despite charging exorbitant prices.

The seminars aimed to improve the culture and behaviour of high and mid-level public servants involved in public procurement in order to prevent corruption and promote greater transparency in government. The principle was for these workshops to be held simultaneously with officials from different public institutions across the country in order to ensure that they all observe the same rules and regulations.

Reasons for Using the Tool

TP first developed the idea for this tool while monitoring the different stages involved in the process of public procurement at different state institutions in Paraguay. These stages are as follows:

1) Public debate prior to the call for tenders.
2) Evaluation of tenders and cost comparisons.
3) Awarding the contract.

During this monitoring, TP noticed a clear lack of understanding on the part of public officials about the laws and general principles that govern a public call for tenders to select a supplier.

For example, in many areas public procurement decisions are often made out of habit and the legal provisions that are supposed to regulate the process are disregarded altogether.

Many of the mistakes or anomalies that were observed could have been prevented if the officials had applied the proper regulations.

In this context, TP realises that providing public officials with a theoretical and practical grounding in the tasks that they must perform will promote clearly defined procedures based on correct legislation.

IV Implementation

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Stages of Implementation

TP implemented the project in the following stages:

1) **Invitation:** TP invited a state agency or body to participate in a workshop on Public Procurement and Risk Maps. The invitation makes clear TP's objective of improving knowledge about public procurement and subsequent monitoring.
2) **Profile and Selection of the Participants:** After undertaking rigorous analysis of the institution in question, TP proposed a profile of workshop participants. There are several options here: working with the executives (superintendents, directors of public institutions), working with the legislators (city council, municipal board), or working with the officials in charge of the administrative areas involved in public procurement.
3) **Publication of the Programme:** See the sample workshop programme listed below.
4) **Scheduling:** The seminar takes place over a four-day period for three hours per day. More workshops may be held depending on the availability of officials and the location of the institution. If it is located outside Asunción, there will be fewer opportunities to hold another workshop.
5) **Workshop:** The workshop takes place at the appointed time.
6) **Evaluation/Conclusion of the Seminar**
7) **Evaluation/Final Discussion by Individual Participants**
8) **Workshop Ends**
9) **Presenting a Final Report**

Human Resources

Two staff members developed this tool. First, a TP legal specialist with a solid understanding of the theory and practice of public procurement at a local level. Second, a lawyer with specialised knowledge of tools for transparency, negotiation, and administration. They joined forces and shared knowledge in order to develop the programme and deliver the seminar.

Preparing the Workshops

The following technical and legal factors were included in TP's workshop programme:

1) Principles and legal considerations intrinsic to public procurement.
2) Obligatory legal procedures.
3) Economic/financial aspects.
4) Fiscal implications.
5) Resulting legal responsibilities.
6) Theory of the Administrative Act.
7) General background on rights, duties and powers.
8) Principle of legality in action.
9) Guiding principles on public calls for tenders.
10) Criteria for evaluating bids.
11) Public debate prior to issuing calls for tenders and specifications.
12) Standardisation of the terms of reference.
13) Transparency and public access to information during all stages of the procurement process.
14) Compliance with the basic criteria for the selection of suppliers.
15) Principles of public procurement: security, suitability, equality, effectiveness and timeliness.
16) Modes of procurement.
17) Procedures, limits and scope.
18) Problems and responsibilities.
19) Monitoring procedures: initial monitoring, parallel monitoring and subsequent monitoring. Advantages of monitoring public procurement.
20) Tools for technical and legal monitoring.
21) Monitoring factors.

22) Identification of risk factors in public procurement = risk mapping. Although it would be ideal to hold a second and separate workshop dedicated to developing a risk map, sometimes it is necessary, due to lack of time, to combine the two workshops into one.

The risk map presents the different aspects of the procurement process as a geographic map identifying the most frequent risks and problems. This tool is therefore a diagnostic framework. The risk map serves to identify the vulnerabilities throughout a procurement process.

TP designed and developed this programme, based on the organisation's prior experience of the subject. The workshops consist of group discussions followed by an open plenary session.

Work to Date

To date, one workshop on public procurement and another on institutional risk mapping have been hosted in the municipality of Coronel Oviedo, the capital of the Department of Caaguazú (March 2002).

Further seminars have been held with the officials in charge of public procurement at ESSAP, the state water supply company, and the city councillors of Asunción (June-July 2002).

At all the meetings related to public procurement held between January and June 2002, TP set out the urgent need to hold workshops for training and risk mapping.

Future Plans

In the second half of 2002, TP plans to host workshops or undertake monitoring at 14 different organisations:

1. Itaipú (Paraguay/Brazil hydroelectric company)
2. City of Asunción
3. Finance Ministry
4. National Electricity Administration/Japanese Co-operation Agency JBIC
5. City of Encarnación
6. National Police
7. Central Bank of Paraguay
8. Cattlemen's Fund
9. Water

10. Education and Culture Ministry/Spanish Internationals Co-operation Agency AECI
11. Bank Employees Retirement and Pension Fund
12. Justice and Labour Ministry.
13. Ministry of the Interior

Challenges

The fact that both managers and junior officials participated in the workshop created some problems. This was because the hierarchical structure that characterises public institutions made it more difficult to carry out a balanced analysis of an institution's acquisitions department. Junior officials were reluctant to speak out openly because they were concerned about the way their superiors would view their comments.

The project co-ordinators resolved this problem by assuring participants that all the information shared in the workshop would remain confidential.

For a variety of political and economic reasons, some officials were sceptical about the challenge of implementing the knowledge acquired at the workshop.

These problems were resolved by using negotiation strategies and a technical focus on specific cases. The negotiation strategy was the Harvard Law School Negotiation Project, supplemented by work on interpersonal communication skills.

V Results

1) The project substantially increased the technical knowledge of public officials about the use of legislation in the different processes of the procurement of goods and services. The communication of this knowledge helps to undermine the habit of improvisation that can lead to diverse and often erroneous interpretations of the law.
2) Participating officials learned about the legal considerations they are obliged to follow in the exercise of public duties.
3) Participants requested a second workshop specifically about the procedures involved in making calls for tenders. The workshops revealed a marked ignorance about the regulations involved in this sort of procedure.

For additional results concerning institutional risk maps, please contact TP.

VI Recommendations

TP has the following recommendations for the future of the workshop programme:

1) To arrange separate workshops on the procedures for direct purchasing, price comparisons and calls for tenders. This is related to the different stages of procurement as set out by law.

2) Facilitating broad and frank discussion of opinions and experiences of specific selection procedures.

3) The tool should continue to be used at both the national and international level.

4) In order to tailor the workshops to the main needs of the institution in question, it is important to identify the most commonly used procedures (direct purchasing, calls for tenders, price comparisons). Customising the workshops substantially increases the project's potential to succeed.

Description by: Dr Federico Saguaro and Dr Patricia Marchewka

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Building Transparency in Budgeting and Public Procurement at the Local Level, Serbia

I Fact Sheet

Name of the Tool: Building Transparency in Budgeting and Public Procurement at the Local Level

Brief Description: Immediately following the democratic changes in Serbia, the local TI Chapter commenced the programme 'Building Transparency in Budgeting and Public Procurement' in three pilot municipalities: Niš, Kikinda and Ćukarica (November 2000). The programme consisted of reforms aimed at more transparent and accountable budgeting practices and a public procurement system in the Serbian municipalities that were involved in the adaptation of procedures and practices to EU standards.

Responsible NGO: Transparency International Serbia.

Creation of the Tool: The Serbian National Chapter of TI launched the programme. Together with the Local Government Initiative of the Open Society Institute (LGI-OSI), the Dutch Development Agency (NOVIB) supported the pilot project and the campaign 'Citizens Select the Best Municipal Civil Servant'. Some of the related workshops were supported by the Transparency International Secretariat in Berlin.

Problems Addressed by the Tool: According to surveys, the most significant sources of corruption in Serbia are currently in the areas of privatisation and public procurement, and inefficient local public administration. Based on this diagnosis, TI Serbia therefore chose to focus on the area of local government generally and procurement specifically.

Areas of Work: Local governance (public finance and public procurement).

When the Tool Was Implemented: November 2000 to November 2001.

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II Objectives

Through this programme and its various activities at the local level, TI Serbia endeavoured to improve the functioning of public administration. One of the outcomes was the close co-operation established with more than 30 municipalities, which make up one-fifth of the entire Serbian population. The main objectives were to:

- Promote transparency in budgeting and public procurement.
- Introduce European Union standards in Serbian municipalities.
- Support better planning and more rational budget spending (with efficient controls).
- Link the municipalities into a single public procurement network with a joint public procurement website.
- Increase the quality of municipal services.
- Raise public awareness of anti-corruption activities (through media, pamphlets, stickers' campaign, etc.)

III Context

A pilot project relating to the reform of public procurement and budgeting practices included three Serbian municipalities: Niš, Kikinda and Ćukarica. This project was implemented during the period from November 2000 to November 2001. It was originally designed for three pilot municipalities, but because of the interest expressed by other municipalities, the other 14 municipalities joined the initial group as observers.

At the beginning of the programme, an independent opinion pollster prepared a survey in three municipalities. Three groups of people were questioned: (1) citizens as users of municipal services; (2) managers and employees of private firms, and; (3) public servants and their supervisors. The survey's results provided useful input for tailoring programme activities, and also provided TI Serbia with an accurate insight into the conditions that initially existed. TI Serbia worked with both groups of stakeholders: the civil servants, as well as with civil society organisations.

One year after the implementation of the programme, the number of municipalities interested in participating had increased ten-fold as a result of the very positive evaluation and feedback of the pilot municipalities. By June 2002, the project included 29 municipalities throughout Serbia.

IV Implementation

1. Training civil servants who participate in seminars and workshops led by international experts lecturing on budgeting and public procurement procedures

Municipal decision-makers participated in seminars on municipal budget planning and on alternative sources of municipal budget revenue. The lecturer was an expert on local public financing in the European Union (EU). He presented the experiences from EU countries, as well as experiences in transition countries. Seminar participants were also familiarised with budget tables prepared using EU standards.

The workshops on public procurement were organised in co-operation with the United Nations Development Project (UNDP). International experts from the International Trade Center, the United Nations Conference on Trade and Development (UNCTAD), and the World Trade Organisation (WTO) explained EU procedures on public procurement and tenders. The public procurement issue was a very important one, especially as there was no law regulating public procurement at that time. Instead, each bidder was using its own procurement procedure. After the workshops, the municipal decision-makers agreed to apply the procedures suggested by the international experts and Transparency International Serbia.

2. Bestowing an award on the best civil servant

TI Serbia began the campaign 'Citizens Select the Best Municipal Civil Servant' in three pilot municipalities in order to:

- Initiate the competition among public servants,
- Improve the relationship between citizens and their municipalities,
- Help transform the local governments into genuine service providers for their citizens,
- Initiate improvements in municipal management, and
- Promote new standards in municipal functioning.

The campaign included the hanging of posters and the setting up of information tables (with accompanying information) in municipal buildings.

Over a period of one month, citizens had a chance to evaluate the work of their local civil servants after visiting a municipal office. Questionnaires were placed next to each counter. The questions focused on their willingness, the efficien-

cy and success of the services provided, whether the clerk served anybody out of turn, as well as a space on the questionnaire for additional remarks. Respondents were asked to grade the civil servants on a scale from one to five before depositing the questionnaire in a box on their way out of the municipal building. In this manner, the best civil servant was selected and awarded a diploma. A picture of this civil servant was framed and hung in the city hall.

Since a lack of good information and communication between civil servants and citizens was perceived as a signficant problem for municipal services, charts were placed at the entrances of the three municipal buildings in order to provide citizens with basic information. Each chart contained basic information on the services provided: name, floor, areas of responsibility and working hours. In this way, it was possible to find the appropriate counter of the office at a glance.

3. Developing budgeting and public procurement software

Tailor-made budgeting software was created and distributed to the participating municipalities. The software includes the new budget system rules and approved forms to be upgraded on a regular basis in the subsequent two years. Moreover, TIS, in co-operation with the software firm INKO, defined the groundwork for the joint municipal Internet network for public procurement, that is, the basis for the municipal e-procurement to be regulated by the new public procurement law.

4. Preparing A Guide to Municipal Administration for New Belgrade

A Guide to Municipal Administration was prepared, published and distributed to each household in New Belgrade (80,000 copies). The guide is aimed at residents of New Belgrade and provides detailed information on the documents needed for various services provided by the municipality. This way citizens could inform themselves in this manner rather than visiting the municipal offices simply for information purposes. The municipality estimates that it receives more than 3,000 office visits per day.

5. Conducting opinion polls on the quality of municipal administration services

Public opinion polls were undertaken by the independent marketing agency Strategic Marketing in the three pilot municipalities at the beginning and end of the programme in order to evaluate the effects of the activities. In each of the municipalities, three types of respondents were interviewed: a) citizens, b) employees of companies and organisations, and c) civil servants. The comparative analyses of the opinion poll results indicated the following:

- The greatest problems identified by the public relating to the work of the local authorities were: large crowds, long waiting times, and complicated procedures.
- The percentage of respondents who made positive comments concerning the work of municipal civil servants doubled between November 2000 and June 2001.
- The majority of respondents (64 per cent of those interviewed) indicated that they were interested in the programme 'Towards More Transparent Budgeting and Public Procurement in Municipalities in Serbia' and expected positive results from it (69 per cent).
- An overwhelming majority (82 per cent of the respondents) supported the programme 'Citizens Select the Best Municipal Civil Servant', while 70 per cent expected positive results from it (in Ćukarica, 94 per cent expected improvements as a result of the campaign, while 100 per cent of respondents supported the action).

V Results

The local authorities, who were eager to participate in its the second phase, found the programme 'Towards More Transparent Budgeting and Public Procurement in Serbian Municipalities' to be a useful and significant initiative. Moreover, an additional 26 municipalities expressed a strong interest in joining the programme, which meant that a total of 29 municipalities were included in its second phase.

Furthermore, citizens from all three municipalities provided very positive feedback on the programme: 69 per cent of the citizens polled indicated that they believed the programme led to improvements in the work of the municipal administration (elsewhere the numbers were 70 per cent in Kikinda, 54 per cent in Niš, and 84 per cent in Ćukarica).

Similar responses were given when the citizens were asked about the campaign 'Citizens Select the Best Municipal Civil Servant': 70 per cent of those polled said the results were positive, whereas the numbers in other areas were: 71 per cent in Kikinda, 45 per cent in Niš, and 94 per cent in Ćukarica.

According to the polls, the campaign helped local administrations improve communication with citizens and be more accountable to their constituencies. Moreover, the project inspired the local municipal authorities to initiate their own activities. The newly established municipality New Belgrade proved to be the most successful municipality in this initiative.

During the final conference, the best municipalities, as determined by the polling results, were presented with awards. Kikinda was commended for the most positive, overall transformation. Ćukarica was also recognised for its implementation of the campaign 'Citizens Select the Best Civil Servant', and New Belgrade was commended for the programmes that it initiated. The awards provided a strong stimulus to the winners to continue improving their services to the public and created a very competitive atmosphere among the 29 municipalities participating in the second phase of the programme.

VI Future Recommendations

Political will is one of the crucial prerequisites for the success of the overall programme. Our experience clearly demonstrates that in municipalities in which mayors were heavily involved (e.g. Kikinda), the results were much better than those municipalities in which support from the top was more passive (e.g. Niš).

We also recommend the following:

- Selecting a local co-ordinator to co-ordinate programme activities in the municipality is vitally important for the success of the programme.
- Involving the media from the very beginning of the programme because their support can prove to be crucial especially when local administrations begin to resist reform activities.
- Initiating public campaigns aimed at explaining the benefits of the programme to citizens.
- Providing a stimulus for local authorities and civil society organisations to provide their own initiatives with regard to programme activities.
- Creating a competitive atmosphere among participating municipalities by giving an award to the most successful one. The same principle should be applied to civil servants (for example, the experiences from the campaign 'Citizens Select the Best Civil Servant' demonstrated the positive results from such an undertaking).
- Conducting public opinion polls on the quality of the local administration services - one at the beginning and one at the end of the programme – will provide a reliable basis for evaluation. Moreover, these polls will help to identify the strong and weak points of the programme.

Election Campaigns

III

Monitoring Media Election Coverage, Chile

I Fact Sheet

Name of the Tool: Monitoring Media Election Coverage

Brief Description: The aim of the project was to monitor different media sources (press, television, and radio) in order to determine the type of coverage provided for candidates, parties and political coalitions during the run-up to the congressional elections.

Quantitative and qualitative criteria were considered in order to analyse the different political agendas in the contest and the opportunities of the voting public to learn about the different proposals on offer.

Responsible Organisation: Corporación PARTICIPA

Creation of the Tool: PARTICIPA Corporation (using the methodology provided by the Instituto Federal de Elecciones de México).

Problems Addressed by the Tool: The inequitable media coverage of different candidates and their proposals during the election period; the lack of thorough or credible reporting by some media sources; the possibility of biased information being circulated by the media during election time which may work to the detriment or benefit of different candidates.

To this end, the monitoring promotes a media that provides increased access to transparent and timely information about candidates and their political campaigns with the objective of avoiding corrupt activities during times of elections.

Areas of Work: Access to information during election time; promotion of informational diversity; citizen control of political information in the media sources during the election period.

When the Tool was Implemented: The tool was implemented during October, November and December 2001 in Santiago, Chile. Parliamentary elections were held throughout the country on 16 December.

Alliances: Instituto Federal de Elecciones de México (www.ife.org.mx) provided the methodology for this tool to PARTICIPA.

The study received additional support from the Lawyers Association, the Reporters Association, and the Chilean Association of Advertising Agencies. The schools of journalism and political science at different universities based in Santiago also participated (Catholic University, University of Chile, Diego Portales University, University of the Pacific of Chile). An advisory council was

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created for the project, including representatives from each of these institutions. The group made suggestions during some phases of the project and reviewed the results.

Financing: The following institutions contributed to the financing of this project:
- PARTICIPA (organisation's own funds)
- Konrad Adenauer Foundation
- Ministry of the Secretary General
- University of the Pacific of Chile.

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II Objectives

The media has become a powerful intermediary between the citizenry and the politicians in Chile. Because of this, PARTICIPA wanted to determine the role of different media sources during election time, and whether they were providing all the necessary information so that the citizens could exercise their vote in the most informed way possible.

The project had two central objectives:

1) To promote the proper social and democratic functions of the media.
2) To promote equitable coverage of the candidates and their platforms in the media during the electoral period.

The specific objectives were as follows:

1) To analyse the coverage of candidates, political parties and coalitions running for Congress, in national television, radio and print media sources.
2) To periodically disseminate the results of the monitoring.
3) To promote citizens' access to the most objective and equitable journalistic coverage possible in the media.

III Background

In a world connected via the media, politics has moved from the soapbox in the town square to the television studio. As a result, the success of candidates

for public office and political groups nowadays depends largely on the media attention they receive, especially on television.

The substantiation for this thesis rests on the theory of Agenda Setting, which states that the influence of the media lies more in its potential to define the issues and the actors on the public agenda than to induce determined behaviour.[1]

The Media in Chile

In Chile, television is the most omnipresent medium. In July 2001, a viewers' poll by the Chilean National Television Council found that 98 per cent of those surveyed said that they watched television newscasts frequently and 79 per cent reported watching them every day.

However, the same study found that 58 per cent of those interviewed think that the newscasts on public television present the news too superficially and 78 per cent think that there is too much focus on news from the capital, Santiago. Certainly, there is a strong and discernible public demand for higher quality news in Chile.

In terms of political diversity on television, it is worth recalling the presidential elections that took place in December 1999. At that time, the television channels jointly organised a presidential debate with the two candidates that were the most likely to win according to the polls. The four other candidates for the presidency were left out and they protested at their exclusion.

It is important to note that in Chile the law on popular voting requires television channels to allocate one hour of airtime to each political party every month. However, this time is divided up in accordance with the results of the last popular elections. As such, the large movements and parties receive more television airtime than the smaller parties or independent candidates.

In terms of the print media, the two main political alliances exerted pressure to get the same amount of daily coverage, whereas the smaller or independent candidates were invisible.

In contrast, radio was the best performing medium, according to different studies.

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1 This theory is based on the ideas of Dr Maxwell McCombs, of the University of North Carolina and visiting professor at the School of Journalism at the Pontific Catholic University of Chile. Further information on this theory may also be found in McQuail; in Wimmer and Dominick: Mass Media Research, an Introduction, Wadsworth, Belmont CA, 1994.

This climate of biased and inequitable information during the campaign period is contrary to the citizen's democratic right to an informed and fair vote.

Parliamentary Elections

In this context, PARTICIPA felt that the December 2001 parliamentary elections in Chile were a good opportunity to monitor the behaviour of the media in terms of information provision.

PARTICIPA

PARTICIPA has a long history of promoting informed citizen participation in elections. The group does most of its work directly with youths in schools and other meeting places. In 2001, PARTICIPA decided to promote informed voting through this study, an idea that arose during discussions with the Konrad Adenauer Foundation, which provided financial support for this tool.

PARTICIPA also took into account the exhaustive research undertaken in Mexico by the Instituto Federal Electoral (IFE), which has a legal mandate to conduct similar media studies. Taking advantage of this experience, PARTICIPA invited IFE to Chile to present its methodology in a workshop.

IV Implementation

What to Measure

The study considered 12 media sources (including print, radio and television). An analysis was carried out of all the news from the selected sources that mentioned the different political candidates, coalitions or parties on a daily basis for 59 days.

According to the premise of Agenda Setting, which claims that the media sources have more influence on the actors and issues that predominate on the public agenda, it was decided to focus more on quantitative than qualitative variables in the study.

Analysis was done of what was reported when and by whom. The source's editorial slant was omitted. Because of this methodological decision, only journalistic reports were analysed. Opinion pieces and paid advertising were excluded from the survey.

All of the notes, articles and reports published or broadcast by the media sources that mentioned the candidates for a seat in Congress, the political parties competing in the elections, or the coalitions formed by the parties were included in the study.

The project focused on determining the range and visibility of the various politicians, parties and coalitions, regardless of whether the coverage was positive, negative or neutral.

Based on these criteria, different variables were established to measure each piece of information being analysed. To do so, a format was created containing the quantitative and qualitative variables considered in the study (see Appendix).

Record Card

The record card documents the running time or length of the report and the percentage of space or time that it occupies within the newspaper or the newscast. The size of the headline was also measured and was noted down if the item appeared on the front page or as a broadcast headline.

The number of times that each candidate, party or coalition running for Congress appeared in the media sources during the period was measured.

The subject of the report was also recorded (economy, domestic politics, health, environment) and the context if the information concerned an event other than the main topic under consideration (a soldier's death, eviction of the Communist Party, etc.).

Complementary Qualitative Information

Three qualitative variables were added to establish what type of news was being provided:

1) Character of the news in terms of importance and urgency of the report. "Hard" news is relevant to most people and must be broadcast or published urgently. "Soft" news is less significant for many people or else its publication may be delayed without losing timeliness.
2) News about the political actors' concrete proposals. These reports address the promises or policies of individual members of Congress (e.g. work plans, political promises, support or disavowal of bills). This variable made it possible to quantify how much of what the political actors talked about was related to the posts they were running for.
3) News with rebuttal. This implies assigning a code - when applicable - when the media source presented a divergent view on a given subject.

Media Analysed

Twelve national media sources were analysed (television, newspapers, and radio). The selection criteria were as follows:

1) Most established and best known media sources.
2) General media (i.e. not geared to a specific niche audience).
3) Possessing serious journalistic credentials to which the principle of impartiality and equitable coverage could be applied.
4) Most influential within their genre in terms of their journalistic, advertising and/or audience impact.
5) Belonging to a different owner from the others.

The following specific media and programmes were selected:

MEDIUM	NAME	SOURCE
TV	Chilevisión Canal 13 Universidad Católica Televisión Nacional de Chile TVN Megavisión	21:00 News, except for commercials, commentary and obligatory political advertising.
RADIO	Cooperativa Chilena Bio-Bio Agricultura	Morning news broadcast, except for commentaries and advertising.
PRESS	El Mercurio La Tercera La Nación La Segunda	All sections except editorials, op-ed columns, advertising, classified ads, letters to the editor, social events.

Disseminating the Results

The study was divided into three periods for analysis, from which partial results were developed and then full results of the coverage that each of the media sources gave the political candidates, the parties and the coalitions in the months leading up to the parliamentary elections.

Both the partial and the full results were presented at a press conference.

V Results

For 59 days PARTICIPA monitored the national coverage of four television stations, four newspapers and four radio stations.

The study analysed a total of 3,966 news items. Of these, 2,018 were obtained from the press, 1,558 from radio sources and 390 from television news.

The main results include:

1) Ranking of candidates by coverage in the media.

2) Ranking of candidates in the press.
3) Ranking of candidates on radio.
4) Ranking of candidates on TV.
5) Candidates who appeared in headlines.
6) Ranking of candidates and newsworthy events.
7) Candidates and appearance of subjects related to their campaign proposals.
8) Hard/soft news about the ten candidates with the most appearances.

Products

The study produced reports including conclusions and graphs. A CD-ROM was also published with all the information from the study, plus the tables produced in the analysis.

Dissemination

The partial and full results of the study were presented at a press conference. The reports and the CD-ROM with all the information from the study plus the tables produced in the analysis were distributed at this event. The information was also sent by email to all the media sources that were not present at the press conference. Over 100 CD-ROMs of the results were also sent to influential figures.

Challenges

Some media sources disseminated the results of the study. However, the coverage failed to live up to expectations because some media sources either did not show interest in the subject or did not want to publicise the results of their own performance.

The study was criticised because it concentrated on quantitative rather than qualitative data. However, this was a clear methodological decision that was taken because incorporating qualitative variables would have meant that the answers would have been subjective and therefore open to refutation. The real challenge in this study was to ensure that the variables and qualitative questions were objective and could not be disputed.

VI Recommendations

1) It is crucial that the project's advisory council emphasise diversity and credibility. It may also play a key role in disseminating the results.
2) It is important to carry out a test run before beginning the official monitoring period so as to correct the mistakes that will crop up.

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3) It is important to visit and/or inform the media sources that they will be monitored, so as to make the process more transparent.

4) To disseminate the findings of the survey, it is important to make contact in person or by telephone with the different media sources to encourage them to publish the results. One suggestion would be to organise press conferences at which the results are presented as a document, with conclusions and graphics. Reporters need to receive an executive summary including edited highlights plus a full copy of the study. The first format provides quick and easy access to the most important information while the second provides greater background detail for those who wish to delve further.

Description by: Andrea Sanhueza Echeverría, PARTICIPA Corporation Executive Director

Appendix

QUANTITATIVE VARIABLES

I.	**Identification Variables**
1.	Record card number
2.	Code (a numerical code should be kept in a separate list)
3.	Medium (press, radio, TV)
4.	Source name (24 Horas, Teletrece, etc.)
5.	Short title of the news item being analysed
6.	Running time in seconds (radio and TV)
7.	Number of pages of sample being analysed (press)
8.	Date
II.	**Thematic Variables**
9.	Party/political bloc named (a numerical code for each one should be kept in a separate list)
10.	Candidate named (a numerical code for each one should be kept in a separate list)
11.	Subject of the news item: national and international policy; regional and community policy; economy; environment; education; science and technology; communications, arts and entertainment; police news, judicial news and security; religion and leisure; human interest; other (a numerical code for each one should be kept in a separate list)
12.	Genre: news item, interview, report, other (a numerical code for each one should be kept in a separate list)
III.	**Radio and TV length and precedence variables**
13.	Length of news item in seconds
14.	Appears in headlines or end summary (Yes/No)
15.	Section where the news appears
IV.	**Press length and precedence variables**
16.	Square centimetres on the front page, if applicable
17.	Square centimetres on inside pages
V.	**TV broadcast variables**
18.	Live (Yes/No)
19.	Image and audio track of the candidate/party (infomercial or interview) (Yes/No)
20.	Graphics (Yes /No)

21.	Image only of the candidate/party (Yes/No)
22.	Recording only of the candidate/party (infomercial or interview without image) (Yes /No)
23.	No image or recording of the candidate/party (announcer-read report) (Yes/No)
VI.	**Radio variables**
24.	Live (Yes/No)
25.	Recording of the candidate/party (infomercial) (Yes/No)
26.	Music and/or special effects: (Yes/No)
27.	Recording of the candidate/party (announcer-read report) (Yes/No)
VII.	**Press variables**
28.	Square centimetres of photographs and/or graphics, if applicable
QUALITATIVE VARIABLES	
29.	Type of news (hard or soft)
30.	With rebuttal (Yes/No)
31.	Campaign platform issue (Yes/No)

Transparent Elections: Monitoring Election Campaign Expenses, Costa Rica

I Fact Sheet

Name of the Tool: Transparent Elections

Brief Description: Transparent Elections is the name of a project in which information regarding income and expenses of political parties during an election campaign was gathered and systematically organised. A monitoring programme was also put in place to keep track of electoral propaganda in the media. The development and implementation of the Transparent Elections Programme consisted of a Transparency Agreement that served as a starting point for the monitoring system to track the origins of a political party's resources and the spending by political parties during a campaign.

Responsible Organisation: Transparencia Internacional Costa Rica (TI Costa Rica).

Creation of Tool: Fundación Poder Ciudadano, Argentina.

Problems Addressed by the Tool: A lack of transparency in the funding of electoral campaigns, little or poor information about the origins and uses of political campaign funding.

Areas of Work: Transparency of political campaigns, electoral campaign financing.

When the Tool was Implemented: The project began in August 2001 and was initially planned to last until the presidential elections in February 2002. It was extended, however, for two additional months because of a second round of elections.

Alliances:

Poder Ciudadano, TI National Chapter in Argentina, supported us in the design and implementation of the tool.

Servicios Publicitarios Computarizados, S.A., led the technical job of measuring advertising space in print and audiovisual media.

Fundación Ambio provided logistical support and the office space for Transparencia Costa Rica, and the necessary services to carry out our activities.

Transparency International Secretariat facilitated logistical support and provided some funding.

In addition, TI Costa Rica is part of several regional support networks. The relationship to these networks served to strengthen the execution of this tool. The regional networks include: Transparency International Latin America (TILAC), the Inter-American Network for Democracy, and the Latin American Network of Observation.

Financing: The project was carried out using the existing capacity of Transparencia Internacional Costa Rica, with logistical support from Transparency International Secretariat, Poder Ciudadano and Fundación Ambio.

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www.transparenciacr.org

II Objectives

The main objective of this project is to foster preventive control and to promote general interest in civil society in transparency in electoral campaign financing. Other objectives are:

- To make financing of electoral campaigns more transparent.
- To provide objective information about the amount and origin of funds used to finance electoral campaigns.
- To generate citizen awareness about the financing of electoral campaigns.
- To generate information that will contribute to an informed voting public.
- To promote the adherence by political parties to the obligations stated in current legislation.
- To identify the strengths or weaknesses of public finance control systems.

III Context

National

Complaints over irregular and illegal funding of political campaigns in recent years demonstrate the existing dangers faced by democracies today.

In the case of Costa Rica, there is a legal framework that establishes the constitutional responsibility of the state to finance electoral campaigns. Certain regulations for this provision are defined under the same framework.

With the purpose of enforcing the strict prohibition of foreign funding and upholding the principles of transparency and disclosure of donations to political organisations, the current electoral code establishes an obligation to report any contributions.

In recent years, electoral spending has increased, which has led to speculation that there are significant sources of funding apart from the allocated state resources destined for political campaigns that are economically sustaining the political parties. The use of uncontrolled funds fosters opacity and has escalated campaign spending out of proportion.

Transparencia Internacional Costa Rica

Electoral campaigns produce material evidence such as minutes on television and radio or space in newspapers that can be evaluated. Transparencia Internacional Costa Rica implemented this tool in order to generate a climate of respect for the use of public funds that are destined to cover campaign expenses. This tool would also serve to elaborate measurement parameters for private contributions and their incidence on campaign spending for the first and second round of elections in February and April 2002 respectively.

This tool is based on a model previously applied in Argentina and Peru. The logic behind this tool is to follow the funds acquired and spent, enquire about expenses and compare the information to what was reported by the political parties. In the end, all information must be made public.

IV Implementation

First Stage: Agreement

Signature of the Transparency Agreement, 24 August 2001 (see Appendix 1)

As a result of the initiative of TI Costa Rica, seven of the eight registered presidential candidates signed up to the agreement and pledged to make all fi-

nancial information regarding the funding of their campaigns public upon request.

The task of collecting the signatures of all the candidates was very critical since it was essential to move quickly in this phase. A considerable lag in time from the public announcement about the agreement to the collection of signatures meant that interest in the initiative could be lost. To reach our objective, we personally met with candidates, beginning with the candidates who were more inclined to sign, and later concentrating on reluctant candidates. We could then naturally take advantage of the peer pressure generated by those who had already signed.

The points incorporated into the agreement were highlighted during the previous general elections as the most important elements on which all parties were obligated to present information in order to justify their right to receive the state's contribution to their campaigns (See the Agreement in Appendix 1).

Second Stage: Collecting Information

During this stage, parties were prompted to deliver information according to the terms to which they had subscribed under the Transparency Agreement. The entire agreement appears in Appendix 1, but the basic information required was as follows:

Regarding Income received for the Campaign:

a. Amount and date of bond issues for political debt that parties agree to produce in accordance with the law. They must include the indication of the type of bond, amount of issue and number of bonds, as well as the number of people that subscribe to them each month.

b. In the event that these bonds are discounted in the National Financial Sector or with private companies, an indication of the name of the financial institutions, amounts, discount percentages and interest rates should be included as well.

c. Loan amounts, with precise indications of the creditor's name and financial terms of obligation (amount, deadline, interest rate, name of bondsmen, location)

d. Amount and date of contributions and donations in cash or kind greater than 100,000 colones, guaranteed or not guaranteed with later bonds or issues, refundable or non-refundable, with an indication of the donors' names and guarantees and conditions if these exist.

Regarding all campaign expenses:

a. Amount and date for contracts that are agreed to *spread political propaganda* in the media with indication of all discounts received in value or kind, number of collaborators hired and production costs for the making of advertisements.

b. Amount and date of expenses under the concept of transport and vehicle rental with the indication of contract rates, fuel and repair expenses, insurance and driver salaries.

c. Expenses for commissions, interest payments and discounts incurred during negotiations for financing of the campaign.

d. Expenses for honoraria, indicating the name of contracted professionals, modality of payment, taxes withheld and a clear indication of the purpose of hiring the services.

e. Expenses for special services, indicating the people that have received such amounts and the objective pursued by such expenses.

We referred for information on party expenses to the Federal Elections Tribunal. Although this information is accessible to the public, there has been no effort to make it public in any way. The data obtained revealed serious inconsistencies between what the parties declared and what was actually spent. Independent monitoring of party expenses showed that from the beginning expenses exceeded provisions and budgets.

We were not surprised by the reluctance of the traditional parties to disclose truthfully information about their campaign expenses that legally should be made public. However, the persistence of TI Costa Rica throughout the course of the campaign allowed it to overcome this reluctance and point out the weaknesses of the campaign finance system.

The main local media enthusiastically supported the initiative for more transparency. The political parties were compelled to face their responsibilities and had to make a public commitment, at least for the time being, to significantly reduce their campaign expenses and to make all information regarding their funding public. Some have even proposed to submit their expenses to independent audits.

Third Stage: Systematically Organise Information

This stage was characterised by the systematic organisation, cross-reference, comparison and diffusion of information.

The local media supported our efforts by providing information throughout the process.

Finally, and during a second round of elections, monitoring was extended for two more months. During this process, the state did not contribute any funds to the campaign.

Diffusion

The information generated by TI Costa Rica could make an impact only if it were made public. For that reason, TI Costa Rica set out to motivate journalists and communicators to disseminate the information collected.

The information about income and expenses reported by political parties and the monitoring of propaganda expenses up to the conclusion of the first round of elections was made public by TI Costa Rica. TI's work has been to spread information that should be legally public, but has not been available to the public for diverse reasons.

TI Costa Rica brought the voters precise information on election expenses that it had collected from the parties. It also publicised information that it had obtained through the Supreme Elections Tribunal and the General Comptroller's Office. As a result, precise information about electoral expenses was made available from the start.

It is worth pointing out that the bulk of activities were carried out on a volunteer basis. To this effect, we received voluntary help from many people who put their time and knowledge at our disposal.

V Results

The main results of Transparent Elections are:

1. The signature of a Transparency Agreement between candidates.
2. A website with information about campaign finance in Costa Rica. www.transparenciacr.org.
3. The positioning of the issue of financing of electoral campaigns in political and social discourse. The parties, candidates and the electoral authorities all made statements and gave opinions on campaign finance.
4. The publication of donor lists by the Supreme Elections Tribunal (http://www.tse.go.cr/contribuyentes.html).
5. A workshop to present the results at the end of the process.
6. The important placement of TI Costa Rica in a civil society context. TI Costa Rica has managed to promote itself in an innovative way and to establish election campaign finance a topic of national relevance.

7. A pledge to continue the execution of this project in order to promote further changes in election finance.

Significant deficiencies in electoral control institutions were discovered, due to the difficulties that exist in legally accessing public information.

During the execution of this initiative, it was possible to identify specific weaknesses in the process of campaign finance control that came from both the public sector and political parties. The weaknesses that were pointed out can be corrected and avoided. For this reason, a plan to propose a reform in the electoral code, which will be submitted for consultation with the relevant actors in order to ensure that it will be approved as soon as possible, was put in execution immediately after the monitoring process. It is important to make sure that the country will operate with greater transparency and greater accountability with regard to contributions and spending during the electoral process, especially for municipal elections that will be held in December 2002.

The strong positioning of the issue of election financing in the public eye, and the criticism for a lack of transparency and excessive spending, had a deep impact on the two main candidates that ended up in the second round. The concepts of transparency and accountability became the main focus of criticism of the candidates. As a result, the candidates pledged to ensure more transparent electoral management and they manifested their willingness to be subject to the public's scrutiny.

The effort was strongly supported by the media, which joined the popular initiative for greater transparency in campaign financing.

The parties pledged to reduce significantly their campaign expenditures. They also made a commitment to make public all information about contributions. Some parties even proposed to subject expenses to independent audits.

Examples of Information Published by TI Costa Rica

- The Partido Unidad Social Cristiana reported income of 59.1 million colones[1] and expenses of 1.3 billion colones[2] to the Tribunal as of last 31 December. The difference – more than 1.2 billion colones[3] – is quite substantial. TI Costa Rica confirmed that the same party reported contributions made by companies that are not registered in the Public Register, and from people whom they failed to identify correctly with their respective identity numbers.

1 Corresponds to US$169,477 (exchange rate of 11 July 2002)
2 Corresponds to US$3,797603 (exchange rate of 11 July 2002)
3 Corresponds to US$3,441,156 (exchange rate of 11 July 2002)

- The information submitted by Partido Liberación Nacional was notably different from what TI Costa Rica had monitored. On the matter of propaganda, the party failed to report the significant sum of 375 million colones[4] to the Tribunal. In addition, when TI Costa Rica publicised the information about contributions submitted by the parties, there were many individuals named on the donation lists who had never made any contribution.

VI Recommendations

In order to get signatures from all candidates, initial pressure was put on the candidates of emerging parties. Later, the other candidates were approached, which added pressure generated by the signatures from candidates with less chance of winning the election.

The agreement concentrated on specific categories derived from a study of party expenses conducted during the previous elections. More appropriate measurement parameters were not available. For future implementations of this tool, the fields of action will be clearly outlined and the issues to be monitored will be more precise.

To achieve optimal coverage of the project, we recommend identifying some of the influential journalists who may become interested in this topic and then provided with the relevant information on a regular basis.

This model can be applied in any country with minimal legal provisions that expressly limit acceptable procedures for obtaining contributions and reporting expenses. Of course, it would be necessary to adapt the methodology to the particular legislation and conditions of each country. In general terms, processes are easy to apply and require, above all, precise dedication regarding the monitoring of party action. Furthermore, systematic diffusion is required to spread detailed information that results from the monitoring with a strong emphasis on detected irregularities.

Description by: Roxana Salazar and Mario Carazo

4 Corresponds to US$1,075,361 (exchange rate of 11 July 2002)

Appendix 1

Transparency Agreement

All signing presidential candidates, in the face of public opinion and in full exercise of our civic responsibilities, will subscribe to the present **Transparency Agreement.**

We consider that democratic strengthening begins with transparency and accountability. One way to guarantee that we reach this goal is to offer transparency in our finances and campaign spending. With this in mind, we pledge the following:

We have formally and irrevocably agreed to make public all information that constitutes proof of the transparency of our presidential campaigns. To this end, we will collaborate with the civic association Transparencia Internacional Costa Rica.

This patriotic commitment to which we have subscribed voluntarily includes:

FIRST: We are committed not to spend more than the amounts to which we are entitled to by law: 0.1 percent of Gross Domestic Product.

SECOND: We have given irrevocable orders to the treasurers of our campaigns and political parties we represent so that they produce monthly reports and authorise the publication of relevant information concerning campaign income and expenses:

Regarding income received for the campaign:

a. Amount and date of bond issues for political debt that parties agree to produce in accordance with the law. They must include the indication of the type of bond, amount of issue and number of bonds, as well as the number of people that subscribe to them each month.

b. In the event that these bonds are discounted in the National Financial Sector or with private companies, an indication of the name of the financial institutions, amounts, discount percentages and interest rates should be included as well.

c. Loan amounts, with precise indications of the creditor's name and financial terms of obligation (amount, deadline, interest rates, name of bondsmen, location)

d. Amount and date of contributions and donations in cash or kind greater than 100,000 colones, guaranteed or not guaranteed with later bonds or is-

sues, refundable or non-refundable, with an indication of the donors' names and guarantees and conditions if these exist.

Regarding all campaign expenses:

a. Amount and date for contracts that are agreed to spread political propaganda in the media with indication of all discounts received in value or kind, number of collaborators hired and production costs for the making of advertisements.

b. Amount and date of expenses under the concept of transport and vehicle rental with the indication of contract rates, fuel and repair expenses, insurance and driver salaries.

c. Expenses for commissions, interest payments and discounts incurred during negotiations for financing of the campaign.

d. Expenses for honoraria, indicating the name of contracted professionals, modality of payment, taxes withheld and a clear indication of the purpose of hiring the services.

e. Expenses for special services, indicating the people that have received such amounts and the objective pursued by such expenses.

Such information will be presented to Transparencia Internacional Costa Rica, with copy to the Supreme Elections Tribunal so that it can be verified within the first ten days of the month following their execution, allowing both entities to obtain all that is necessary in order to make all information public.

Transparencia Internacional Costa Rica, on its behalf, assumes full responsibility for the publication of information in the same uniform format used by campaign and party treasurers without adding any comments and pledging to maintain absolute objectivity in the handling of all data. The organisation expressly points out that its role is to present all information objectively to all citizens concerned. To such effect, TI Costa Rica will create a website at www.transparenciacr.org. This website will allow indiscriminate access to all users that wish to consult it. TI Costa Rica will send a copy of all the information incorporated on the website, which includes all data received, to the Supreme Elections Tribunal to confirm its absolute veracity.

As a guarantee of the honest and correct management of all information received, TI Costa Rica offers the names of the following distinguished citizens: Leonardo Garnier Rímolo, Juan José Sobrado Chaves and Helio Fallas Venegas.

San José, 24 August 2001.

Rolando Araya Monge
Presidential Candidate
PARTIDO LIBERACIÓN NACIONAL

Abel Pacheco de la Espriella
Presidential Candidate
PARTIDO UNIDAD SOCIAL CRISTIANA

Otto Guevara Guth
Presidential Candidate
PARTIDO MOVIMIENTO LIBERTARIO

Walter Muñoz Céspedes
Presidential Candidate
PARTIDO INTEGRACIÓN NACIONAL

Walter Coto Molina
Presidential Candidate
COALICION CAMBIO 2000

Ottón Solís Fallas
Presidential Candidate
PARTIDO ACCIÓN CIUDADANA

Vladimir De La Cruz
Presidential Candidate
PARTIDO FUERZA DEMOCRÁTICA COSTARRICENSE

Justo Orozco
Presidential Candidate
PARTIDO RENOVACIÓN

(NOTE: This document was signed by all people on the list with the exception of Mr Rolando Araya Monge)

Appendix 2

Press Release, Transparencia Costa Rica
11 February 2002

In declarations given to the press last Saturday, Fernando Naranjo Villalobos, the candidate for the first vice presidency from the Liberación Nacional Party, made declarations that we must comment on because of their source.

They refer to our insistence that candidate Rolando Araya Monge adhere to the commitment with the citizens to make public the origins of his resources and the destination of his expenses carried out toward the second round elections next 7 April. Mr Naranjo claims that the Supreme Elections Tribunal already exercises enough control and that 'there is no need for a private organisation to become involved'.

All civic attitudes are an expression of civil rights. Politicians must be the first to respect such rights.

During the second round, contending parties will not be able to obtain funds from the state. They are therefore obliged to accept private contributions that are not subject to control by the Supreme Elections Tribunal or the General Comptroller.

The publication of private contributions and expenses is an act that depends exclusively on the candidate's will. There is absolutely no legal obligation to report such expenses to anyone.

Citizens demand transparency and accountability of those who wish to govern over them. The message is very clear. The time when politicians afforded themselves the privilege of making public information confidential is over.

Making any requested information public should be a voluntary action on behalf of Mr Araya Monge. If he does not wish to respond to such a simple request, the citizens are advised of the reluctance of the Liberación Nacional Party to be transparent and accountable.

In the end, the citizens will decide for themselves.

Accountability Benchmarks for Political Parties, Germany

I Fact Sheet

Name of the Tool: Accountability Benchmarks for Political Parties

Brief Description: In the context of lobbying for corruption prevention measures this tool is used to identify the main areas in need of improvement and to formulate questions that go to the core of the problem, thereby comparing the answers from political parties and monitoring subsequent performance.

We identified a number of standard questions about key issues involving corruption that we wanted to ask to political parties prior to elections. By asking all the parties the same questions, we wanted to build a reference for an easy and standardised comparison between all of them. Furthermore, we wanted to use their answers at a later stage of the process as a reference to monitor their work after they had been elected.

Responsible NGO: TI Germany and its regional groups in Berlin, Hamburg and Munich.

Creation of the Tool: The tool has been used in a grass-roots context throughout Western Europe since the 1970s. Typical past topics were related to social and civil rights or peace issues. The tool was adapted to the context by TI Germany.

Problems Addressed by the Tool: Politicians and their parties are perceived as making general statements in favour of fighting corruption, especially before elections. We wanted them to express clearly what their positions and proposals were with regard to corruption prevention measures, so that we could later monitor how well they fulfilled their promises.

Processes: Public question-and-answer – process about corruption prevention policies.

Areas of Work: Lobbying work, in particular with a local or regional focus.

When the Tool was Implemented: Munich, January-February 2002, Hamburg, August-September 2001; Berlin, August 2001 and continuing for the federal elections starting July 2002.

Financing: TI Germany covered the costs of implementing this tool, approximately 500 Euros (See Implementation).

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II Objectives

Our primary objective was to help bring corruption to the centre of public pre-election discussions. We searched for a tool that could be used to help us do this. At the beginning, we thought it might be effective to ask exactly the same questions to everyone who might one day become influential in regional politics. On the basis of the questions, and their answers, we would then communicate to:

a) the general public what the parties and politicians viewed as necessary or important for good governance, and

b) to the respondents of the questions, so as to follow up on their answers and promises.

We felt from the start that such an initiative might be useful for regional TI groups.

The first immediate result we expected to get from the answers was a general idea as to whether the public actors shared concerns about the same problems, whether they saw a need for action, and what measures they envisioned putting in place.

The process should be entirely transparent from the beginning to the end. The questions and the respondents' names would be made public at the same time the questions were sent. There would be a time limit for the answers and a date would be announced when all the answers received would be made public. And then there would also be a pledge from our side to come back after a certain period to ask the same questions again and see what had changed and whether any of the promises indeed had been kept.

We decided to refrain from lobbying individual politicians in this process, among other reasons, for a lack of resources. This is why we decided to stick with the described benchmarking process and focused only on political parties.

III Context

The Country: Although we have had some remarkable cases of political corruption in Germany practically every year within the last half century (as well as systematic corruption under the Nazi dictatorship), political corruption has been exposed to the public extensively and discussed systematically only within the last ten years – in parallel with the OECD (Organisation for Economic Cooperation and Development) process. In 1999 the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions came into force, marking a turning point in the international fight against corruption and opening up space for real dialogue on the issue.

Particularly important for the creation of our benchmarking campaign in Berlin was the fact that the coalition government there broke apart after the discovery of a systematic graft and corruption scheme involving a state-owned bank. One of the former coalition partners claimed that the necessary steps to fight graft and corruption were, in effect, blocked by the other party. From this, we therefore expected a contest for the best methods to fight corruption, as well as a public discussion. The media, to a certain extent, had been very keen to scrutinise the details of the scandal.

The context in which we were working was that of forced multi-party elections that had come about because of corruption. There was a large segment of the electorate and media expecting 'something to be done' about corruption. This was also true for Hamburg – our second region for implementation of the benchmarking process. It was in Hamburg that graft had become such a problem over decades in which Social Democrats were holding power that many hoped for a change. A new party was even formed with a programme to 'clean up the city'. Parties in Germany had been exposed before to such a benchmarking process on different topics. For that reason, we could expect that they would generally be open to answer our questions.

The Chapter: In Berlin, we worked with a total of eight, and an average of about four, active members, with levels of participation changing at certain stages. The benchmarking for the elections in Hamburg was prepared primarily by the Berlin group (which also included our chapter president from Hamburg) and implemented with approximately the same time schedule as in Berlin. When a few months later the same tool was used in the Munich region, the group there joined forces with people from the Agenda 21 campaign (related to the UN environment conference/Rio de Janeiro process), which helped the process by adding their own questions to those of the Munich group. In future benchmarking, however, it will always have to be decided whether combining questions is seen as a dilution or enrichment.

IV Implementation

Brainstorming Stage

We began by brainstorming about the tools we might use to help focus the public discussion on corruption prevention during the election campaign. Instead of asking individual politicians whom we thought were important, or with whom we had contacts, we decided to pursue the benchmarking campaign, and hence approached only political parties.

We then concentrated on what we believed were the most urgent issues that needed improvement within the next five years. We chose the following issues:

- Public procurement
- Graft in the relations between politics and public enterprises
- Nepotism in public administration and public enterprises

Formulating Questions and Media Coverage

We tried to formulate questions about each of these topics. Four months prior to Election Day, we had formulated standard questions (The 13 questions used in the Berlin benchmarking can be found in the Appendix).

After a final discussion of the questions, we sent them to the party offices and arranged for a press conference on the premises of the Federal Press Conference (the location where many of the important political press conferences on the federal level are held). The press conference was held about two months prior to the elections. Using this venue proved to be an effective use of our resources, as roughly 60 journalists from various German and international media were in attendance. We later found about 15 different articles in at least twice as many newspapers. In addition, about half a dozen radio and TV interviews were broadcast.

The focus in the media coverage, however, was mostly on either particular scandals that had been previously reported on by the media, or simply on the fact that we had held the press conference. Typical questions from the journalists tended to focus on statistics and sometimes even finger-pointing, rather than on the causes of corruption and potential solutions.

Responses and Evaluation

The parties had about three weeks to return their answers. Surprisingly, this was adequate time for all parties in Berlin, except for the one that had broken away from the coalition in order to fight corruption more effectively. The new-

ly founded clean-up party in Hamburg, which could in any respect be called populist and chauvinistic, did not consider it necessary to answer our questions and did not even approach us when we publicised their stance. They still won about 20% of the vote and formed a coalition government with the conservative Christian Democratic Union (CDU), which had previously been the opposition party. The coalition also changed in Berlin: replacing the conservative CDU as the ruling party, the Social Democrats formed a new government with the Party of Democratic Socialism.

We later evaluated the answers to the questions that we had posed. We had made sure beforehand that yes/no answers would not be valid. We also had tried to formulate the questions so that the answers could be standardised and possibly displayed in a chart. The press conference at which we presented our results was not in the same setting as the earlier press conference, albeit at the address. We were well prepared for this closing press conference. However only a handful of journalists attended and the media coverage was, as a result, low. We also displayed our analysis and the answers to all questions on our website.

Post-Election Follow-Up

After the elections the next step was to evaluate the coalition agreements. In Berlin, the coalition was formed between the Social Democrats and the Democratic Socialists (the former communists). The latter had turned in the most detailed answers, which closely resembled the federal anti-corruption decree (which unfortunately was never put into force by the federal government). The word corruption or similar terms were not even mentioned in the coalition agreement. Only in the area of construction procurements was a rather general statement about the need for change included (this was an area in which several public employees had already been arrested and more prosecutions were known to be in preparation). The bankrupt, state-owned bank received a guarantee worth about 30 billion euros and the consultants employed in the restructuring received about 96 million euros, making it a hushed up scandal comparable in size to that of the Enron case. After the elections when we approached the most prominent politician of the Party of Democratic Socialism, by then the minister responsible for economics in Berlin, he replied laconically that he was now bound in his activities by his coalition partner. We will have to ask again.

In the meantime, we have met with the Social Democratic Party leader, who is also the senator responsible for planning and construction, and his deputy for anti-corruption matters. These meetings have proved to be very useful. We believe these officials to be dedicated servants with whom we can begin to dis-

cuss different approaches to fighting corruption. We hope to present our approach in the foreseeable future to all the employees of this administration.

The next scheduled steps are a six-month and a 12-month evaluation. We discovered through our questioning that Berlin is one of the few places in Germany that does not have an anti-corruption decree. We also learned that certain administrations have blocked such a decree because they have considered it to be ineffective.

All the funding for this campaign came from TI Germany. The main costs stemmed from working time (which in this case was voluntary), room rentals for the press conference, various mailings and the website. The estimate without the voluntary working time donations would be below 500 Euros. However a relatively high expenditure for visibility, such as for the press conference, is worthwhile.

V Results

In addition to the considerable media coverage given to our campaign, the important immediate effects of it have been:

- to set up a continuous agenda for further activities in the region, which in turn encouraged more people to participate;
- to create an ongoing agenda for discussions with politicians, media and others;
- to create an incentive for checking back with our interview partners to learn what actions have been undertaken to fight corruption;
- to intensify contacts with other groups working in related areas such as Agenda 21 and the European Network for Business Ethics;
- to receive several new members who were explicitly interested in the benchmarking process.

For TI Germany the tool is also a measure of the effectiveness of our lobbying efforts to provoke action in the fight against corruption.

VI Future Recommendations

For any future implementations, we recommend:

– To concentrate on as few questions as possible. (For any future implementation, we recommend starting with the three most urgent problems. Ideally, only one question should be formulated for each topic - with a maximum of three questions per topic and no more than ten questions.)

- To create some graphics with which to display the answers (at least as a table or chart).
- To try to provoke genuinely new answers (to avoid quoting from party propaganda).
- To 'personalise' questions (i.e., monitoring the initiatives and caucus behaviour of individual parliamentarians).
- To organise for each topic that is addressed working groups that monitor the performance of respondents for an extended period of time and continue discussion with them.
- To institutionalise the process so that it begins with new questions, and monitoring continues for the next legislative period.

Description by: Björn Rohde-Liebenau

Transparency International
Corruption Fighters' Tool Kit 2002

Appendix 1

Benchmarking Questions for the 2001 Berlin Election

Transparency International (TI) is an international organisation, which has been working since 1993 to increase transparency in economy, politics and the public services and has dedicated itself to the fight against corruption. The German chapter, Transparency International Deutschland (TI-D), considers the elections in Berlin and Hamburg and the recent events in these two cities (the banking scandal in Berlin and the questionable subcontracting procedures of the Work and Social Administration in Hamburg) as an opportune time to ask the political parties in both cities where they stand on the subject of public accountancy and transparent governance. We expect to receive the answers to our questions by 23 August 2001 and plan to make public the steps we will follow in this benchmarking.

This is the first step of a campaign, during which the conceptions of the parties will be put under close scrutiny and their achievements following the elections reported.

The next steps will be to:

- Evaluate the answers and publish the results by an ad hoc study group designated by TI-D.
- Initiate a public debate together with candidates and parties prior to the elections about the misuse of public power in the case of non-transparent attributions of public works contracts or subsidies.
- Request the political parties to express specific commitments in case of government participation.
- Compare and contrast the government policy and the action of the opposition parties after the elections with statements made and positions taken.
- Organise a similar campaign for the next elections, drawing on the experience acquired during this one.

Questions Posed to Political Parties

1. Transparency International suggested creating an Integrity Pact to guarantee more transparency in the procurement procedure used for the construction of Schönefeld International Airport. Under an Integrity Pact, all parties make a binding commitment that they will neither pay nor take bribes. A breach causes the contract to be rendered void. The shareholders of the Berlin-Brandenburg airport holding company (the federal government and the states

of Berlin and Brandenburg) saw no need for such a pact. However, the procurement procedure for the construction of the airport had to be cancelled because of a conflict-of-interest issue. Consequently, there have been delays and substantial additional costs for the taxpayer. This is only one example of inappropriate behaviour with regard to procurement procedures.

Therefore, we ask:

a) By which means does your party want to avoid future conflicts of interest, inappropriate assignment decisions and corruption in procurement procedures?

b) Do you think that the laws, rules and institutions governing procurement procedures are sufficient? Which measures should be taken to ameliorate the procurement procedure?

c) Do you have suggestions on how such procedures could be organised in a more transparent way in the future?

2. The example of the city of Hamburg - and probably the city of Berlin too - illustrates how certain practices in the subcontracting of work for government projects and other state-supported programmes lead to questionable behaviour - a direct result of the lack of transparency and blatant abuse of state power through political influence.

We ask:

a) How is your party going to guarantee that the procedures for disbursing public money to institutions are transparent and that the conditions are made accessible to all interested parties?

b) In which way should the public be informed about the periodically determined allocation of resources, including names of the beneficiaries, funding aims and the development of the supported project?

c) Which measures do you think should be in place to prevent conflicts of interest among employees of the public administrations that are promoting enterprise investment?

d) Which measures do you think are necessary to prevent politicians at the end of their careers from using their connections for private gain, as was the case of the former EU Commissioner Martin Bangemann? Do you think it would be necessary to implement new regulations similar to those in place in other countries?

3. The Berlin banking scandal revealed questionable collusive behaviour between the political structures of the city and the major sectors in which the state of Berlin participated.

We ask:

a) Do you consider it acceptable that a prominent politician (such as Klaus Landowsky, the president of the CDU in Berlin) simultaneously holds a leading position in a public enterprise and a government administration?

b) Using which measures will your party prevent the intertwining of parliamentary control and executive functions in public enterprises?

c) How does your party want to guarantee that when politicians are named to the seats of the supervisory board of enterprises their qualifications are the deciding factors in the naming process, instead of an intention to secure influence over a particular political party?

4. The banking scandal caused enormous financial damage to the city of Berlin.

We ask:

a) Do you consider it reasonable that the participation of the state in enterprises is limited to those that are of particular importance with regard to the public interest?

b) How does your party want to guarantee that the policies and strategic positioning of enterprises correspond to the interests of the public and do not outweigh any private economic interests?

c) Do you agree that the losses of enterprises, as well as other financial expenses of public enterprises, should not be paid for out of the public budget and that the parliament and the public should be informed of such developments and risks on a timely basis?

Access to Information

IV

Construction Permit Manual, Lebanon

I Fact Sheet

Name of the Tool: Construction Permit Manual ("How to acquire a construction permit")

Brief Description: The manual describes and simplifies the necessary procedures to acquire a construction permit in Lebanon. It provides an overview of the documents, fees, and deadlines required to obtain this permit, as well as the different institutions involved.

Responsible Organisation: The Lebanese Transparency Association (LTA)

Areas of Work: Administrative reform, advocacy of citizens' rights

When the Tool was Implemented: Lebanon, February 2002

Primary Sources of Funding: Amideast – Lebanon/USAID. The implementation cost $21,000.

For Additional Information, Contact:
Charles D. Adwan
Lebanese Transparency Association
Tel: 961 1 293045
Email: cadwan@inco.com.lb

Transparency International
Corruption Fighters' Tool Kit 2002

II Objectives

The purpose of the manual is to facilitate one of the most difficult bureaucratic transactions in the Lebanese administration. While making this transaction transparent to the public, and informing them of their rights vis-à-vis the public administration, it also seeks to empower citizens in their contacts with the state authorities, and thereby minimise the likelihood of corruption.

Furthermore, it provides citizens with the tools and knowledge to resist common corrupt practices in state administration. By listing the procedure and fees, the difference between standard and corrupt procedures becomes evident. In this way, deviation from the description in the manual can be pointed out to public officials, thus enabling the citizen to hold the public official accountable. Ultimately, raising the level of awareness and knowledge among citizens will enable them to reject corruption.

III Context

With the current post-war reconstruction in Lebanon, the real estate and building sectors have been booming, which has resulted in an increase in the number of applications filed for construction permits. A construction permit is a license that is required whenever a construction project is undertaken. Embarking on a construction project without holding such a license is unlawful. The issuance of a construction permit involves no fewer than five institutions, including various departments within each of these.

Publicly, it is well known that the process of acquiring a construction permit is corrupt. Research conducted by the Lebanese Center of Political Studies (LCPS) has also shown that the process is unique in the tremendous scope of corruption involved and the amount of bribes paid throughout the entire transaction, which can also double the official cost of the permit.

At an LTA strategic planning meeting, the idea of publishing an informative manual on administrative procedures was discussed. Several members of LTA's General Assembly stressed the importance of informing citizens of their rights and obligations and of raising their awareness about complicated administrative transactions. LTA's executive board volunteered legal and administrative consultancy services for the project.

Through its research for this manual, LTA was able to determine the factors that have helped to facilitate the corruption prevalent in the process for acquiring a construction permit. Leading to the complexity of the transaction, and hence the high level of corruption in its procedures, the most important factors are:

- Citizens' ignorance of their rights and the procedural steps to obtain the permit.
- The indifference of civil servants who consider bribery to be an acceptable form of a bonus.
- A lack of monitoring and control of these civil servants.
- The weakness of public complaint mechanisms.
- The dissipation of responsibility due to the high number of public institutions involved in issuing the permit.

These findings, as well as the specific recommendations to the administration on how to improve the process, were presented in a detailed report. The report described the loopholes in this transaction and suggested steps that the relevant institutions could take to simplify and reform the procedures.

Transparency International
Corruption Fighters' Tool Kit 2002

The report was submitted to various decision-makers and actors who are in a position to influence and reform the transaction process. These decision-makers and actors work in institutions such as the Office of the Minister of State for Administrative Development, Urban Planning Directorate, Order of Architects and Engineers, the main municipalities, and the parliament.

IV Implementation

The idea to address the issue of corrupt practices in issuing construction permits was inspired by the government's decision to assist foreign investors with bureaucratic procedures. The Investment and Development Authority of Lebanon (IDAL) developed desks it called 'one-stop shops' for foreign investors with the aim of simplifying the process of acquiring a construction permit. Instead of dealing with the multitude of public agencies usually involved in this process, foreign investors would have all paperwork processed by one desk at a fixed rate. LTA's manual was also conceived as a sort of one-stop shop, however, in this instance for all citizens interested in acquiring a construction permit.

The entire process of publishing the manual, from its conception to its final distribution, took about one year. Two researchers, several consultants and a coordinator developed the manual, at a total cost of approximately US $21,000.

The idea to publish this manual began to take concrete form during February and March 2001 after the executive board decided to implement the recommendation of the General Assembly on the necessity of raising citizens' awareness. A manual on general bureaucratic transactions was deemed too broad to produce practical outcomes, so it was decided that the focus of the project would be the construction permit. A proposal was submitted to Amideast in June and approved in July of that year. An action plan was subsequently prepared and the background research was finalised.

The field research that was conducted in November and December 2001 consisted of visiting the relevant agencies and interviewing professionals in the field and individuals from the public who had gone through the agonising experience of obtaining a construction permit. This was followed up by a discussion of the first draft with a focus group, which consisted of experts and practitioners from agencies relevant to this transaction. In January 2002, the contents of the manual were reviewed and the graphical design was agreed upon. The design of the manual required considerable attention, given the fact that it had to be simple and user-friendly enough to ensure that a wide audience was reached.

Finally, the manual was published and distributed in February 2002. It is distributed free of charge. The main channel of distribution consisted of media coverage of the guide. The press has been very helpful in the promotion and distribution of the manual. All the main newspapers have reported on the manual, which has led to a high demand from various areas of the Lebanese territories. In addition, the newsletter of the Center for Development Studies, which is distributed to NGOs and municipalities, included an article on the manual. A local TV station also reported on it.

During the duration of the project, LTA frequently collaborated with architects and engineers, as well as with the Office of the Minister for Administrative Reform (www.omsar.gov.lb).

V Results

Most of the manuals have been distributed not only to citizens but also to municipalities, libraries, NGOs, law firms, as well as architects and engineering firms. The response from the public has been overwhelmingly supportive and there has been strong encouragement for similar initiatives. Moreover, newspapers are still publishing comprehensive reports and features on the manual and the construction permit process.

It is too early to determine the direct impact of the manual on the administration itself, as discussions and negotiations are ongoing with the relevant agencies. However, the indirect impact of the manual is that citizens are using it frequently and some officials have received copies of it and found descriptions of their roles and duties with regard to citizens.

One major setback in the publication process was the lack of co-operation from some state authorities. Not only did this unnecessarily prolong the time required to create the manual, but it also had repercussions on the speed at which the recommendations of the report were adopted.

VI Future Recommendations

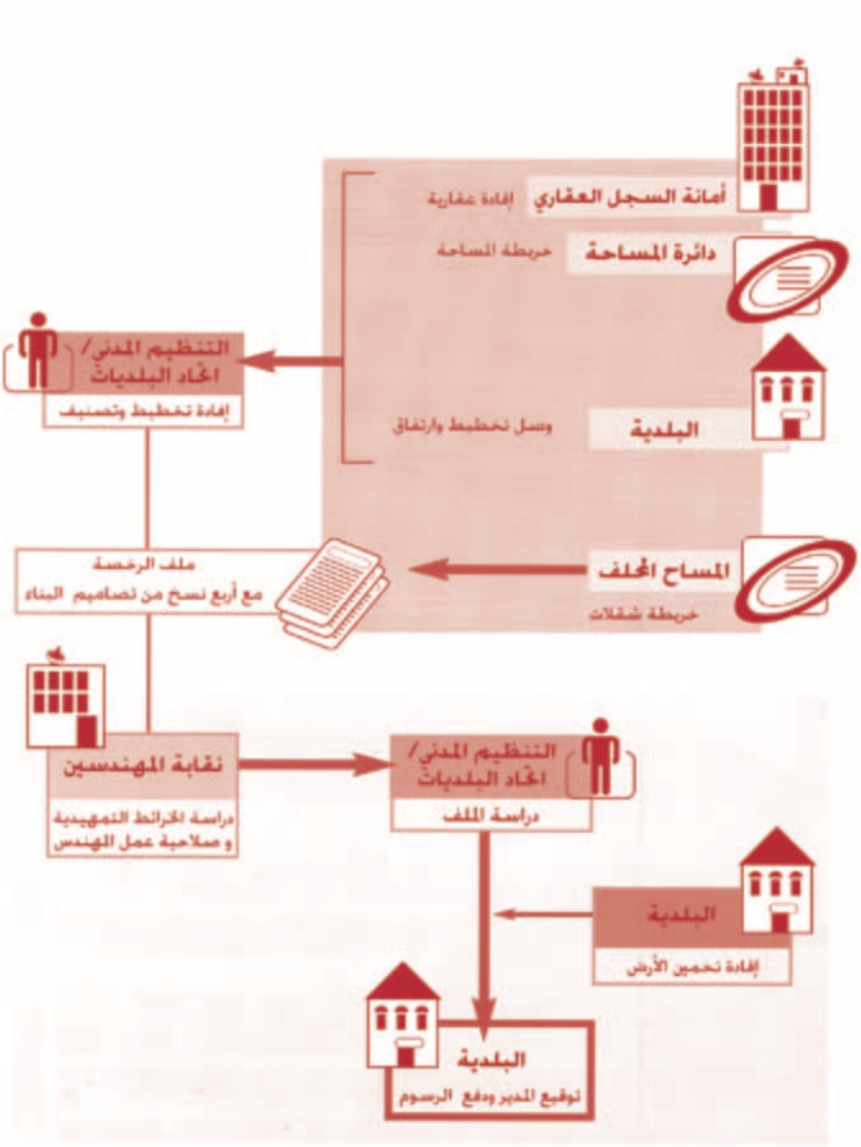
- **Partnership with a Public Institution:** Given the nature of the publication, a partnership with a state agency that is responsive to the need of creating such guides and manuals would facilitate the implementation of the project significantly.
  - **Researching:** The process of data collection would be simplified if a public institution would facilitate meetings between the implementing NGO and the different institutions involved.

  - **Reaching the Target Audience:** A partnership with a public institution would increase the likelihood that the target audience of the manual would be reached if the relevant agencies would agree to display it at the entrance of their premises or promote it through their own communication channels.

- **Manual Distribution:** The allocation of adequate funds for manual distribution is essential to ensure a wide audience and an efficient dissemination of the manual contents.
- **Electronic version of the Manual:** The allocation of funds to create an electronic version of the manual would increase readership. In addition, linking from the manual to the websites of the agencies in question would be an excellent method to further disseminate this information.
- **Response Evaluation:** Standardised means of evaluating citizen responses to the manual would improve the quality and content of future manuals, which is especially of interest if the manual is to be integrated into a long-term programme of publications on bureaucratic transactions.

Description by: Mina Zapatero

Transparency International
Corruption Fighters' Tool Kit 2002



رسم بياني يظهر الخطوات المتبعة للحصول على رخصة البناء خارج بيروت وطرابلس

Citizens' Legal Help Programme, Poland
(Program Interwencyjny)

I Fact Sheet

Name of the Tool: Citizens' Legal Help Programme (Program Interwencyjny)

Brief Description: The programme is a reaction to requests for legal help or intervention from citizens throughout Poland. Transparency International Polska provides advice to citizens on identifying the institutions to which they should direct their problems. These institutions include state and local government administration, housing co-operatives courts, social insurance, schools and universities, police and prosecutors, private sector and banks.

The organisation also intervenes in cases where normal administrative or court procedures have failed.

Responsible Organisation: Dorota Kijewska, Transparency International Polska (TI Polska)

Creation of Project: Julia Pitera, an activist in TI Polska and a councillor of Warsaw, initiated the programme in 2000.

Problems Addressed by the Tool: Insufficient knowledge and legal culture of society, a lack of awareness and understanding of the nature of corruption and of methods of counteracting it, inefficiency of state structures.

Alliances: The daily newspaper *Rzeczpospolita* (www.rzeczpospolita.pl)

Financing: The programme is run on a voluntary basis and operates with a minimal budget. It is run out of TI's Warsaw office. Communication expenses amount to approximately 50 Euros per month.

For Additional Information, Contact:
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ti@transparency.pl
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II Objectives

The main objectives of the intervention programme are:

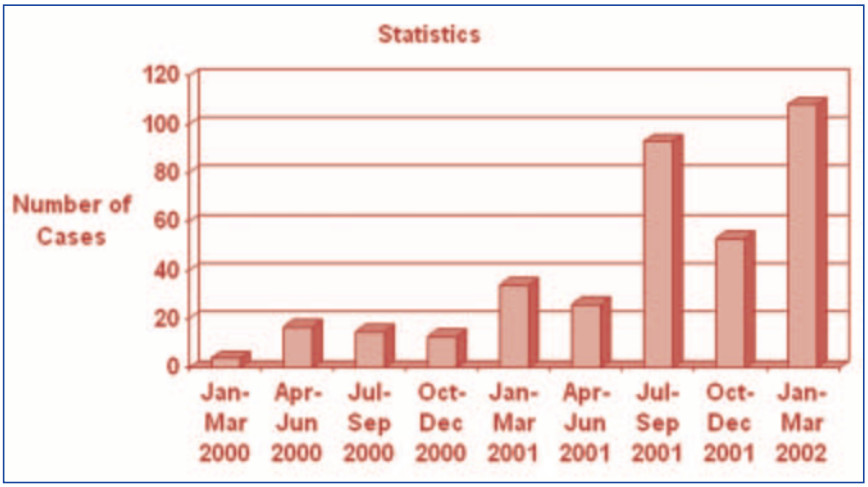
- Find a positive resolution of the cases.
- Provide moral support to people fighting corruption and to show that corruption can be fought successfully at the local level.
- Educate citizens to recognise democratic mechanisms.
- Examine how the state and local authorities operate and understand the mechanisms that foster corruption.

III Context

National Context

The programme began as a reaction to the many requests for legal help or for intervention we received from around the country. We receive requests from individuals, citizens' groups, associations and councillors. Requests come especially from small towns where the fight against corruption is particularly difficult.

Many people who requested our assistance in the past frequently stressed that they did so because they trust us. The reason for this was our reputation as a reliable organisation, politically unbiased and without government funding. The people requesting help also confirmed this trust by submitting their documentation to us. TI Polska could not leave these requests unanswered because



no reaction would have undermined the public's confidence in TI Polska, as well as in Transparency International.

We did not advertise the intervention programme in any way. However, the growing influence of our organisation, as well as the inefficiency of state institutions, has led to a sharp increase in the number of cases sent to us.

The Chapter

Volunteers run the intervention programme and its current form can be credited to the people managing it.

Julia Pitera, an activist in TI Polska and a councillor in Warsaw, initiated the programme in 2000. Her anti-corruption experience was wide enough to give the programme its current form. As president of our organisation, she continues to oversee the activities of the programme.

Dorota Kijewska manages the ongoing activities of the programme. She has many years of experience working in foreign trade offices and in other types of administration.

Furthermore, a group of 12 students and young university graduates, in particular law and sociology graduates, have worked continuously with the programme.

IV Implementation

Principles of the Programme's Activities

We base our activities on several principles:

- We take cases in which there is a suspicion of corruption, commercial abuse, non-disclosure of information or violation of the law by state or local authorities. We decline cases that involve family disputes or disputes between private companies.
- We intervene only after becoming familiar with the documentation. People requesting intervention must provide us with both their letters to the institutions and, most importantly, a full set of official documents.
- We do not take over all responsibilities for finding a resolution; instead, we help citizens to resolve their problems on their own. In particular, we try to help them understand the basis of their problem and who is responsible for it. (Years of Communism accustomed citizens to the fact that a single decision-making centre is responsible for their problems.) We make citizens aware of their rights, as well as the duties of the authorities. We

motivate them to act and jointly define a strategy for their activities. (The exception to this rule is the case of physically or mentally disabled citizens. In such a case, we represent these individuals before the authorities.)

- We also offer moral support to people actively fighting corruption. Our advice is free.

Resolution Methods

We use various methods to resolve problems, depending on the gravity and level of complexity of the case.

1. **Consultation:** In simple cases, we provide telephone or face-to-face consultation. (These consultations are not included in the statistics of our registered cases).
2. **Advice:** In more complicated cases, we require documentation. We analyse the case and then advise the citizen about which institution to turn to and in what form. We also help citizens write letters to the appropriate institution.
3. **Intervention:** We intervene in cases where normal administrative or court procedures have failed. This intervention may involve the institution in question or a higher institution. Frequently, we request the general prosecutor to re-investigate cases that have been previously closed.
4. **Media announcements:** TI Polska works with the prestigious daily newspaper *Rzeczpospolita* and journalists from many other media.
5. **Observation of court proceedings:** People fighting corruption are often the subject of attacks from the local heads of authorities. Often these attacks come in the form of legal suits. As observers of these cases, we provide both legal assistance and moral support to the defendants.

V Results

Positive Results

A direct result of the programme is, of course, the positive resolution of individual cases. This refers to approximately half of the cases in which we are involved. In the other cases, we are generally able to force the relevant institutions to act. (See Appendix 1)

Equally important are the indirect results of the programme. In particular these include raising the level of education of citizens and providing proof that fighting corruption successfully is possible.

An enormous benefit for TI Polska is the possibility of directly understanding the mechanisms that foster corruption, as well as how the institutions of the state and local authorities operate. We use what we learn in our educational, legislative and informational activities.

In March 2002, we were awarded the 'Złoty Paragraf' (Golden Paragraph) by the legal and business newspaper, *Gazeta Prawna*, as an acknowledgement of our achievements in the practical fight against corruption in Poland.

Challenges

We did not face any unexpected problems during the implementation of the programme. This was largely because we adhered to the principle of working with complete documentation in the cases.

We did encounter problems, however, that were to be expected because of the mechanisms that foster corruption or the slow operations of state and local authorities.

However, ironically, the success of the programme has become a problem. The number of cases we receive is increasing rapidly. The further efficient operation of the programme therefore requires that it be given a new organisational form.

VI Future Recommendations

- Creating a database and computer application to manage the legal help programme. The database should contain data on the cases submitted, their level of progress, and who is working on the programme. The application should allow for ongoing monitoring of the programme's progress.
- Establishing telephone consultations ('a citizens' confidence line'), so as to provide advice on straightforward cases and inform people about the principles of the programme's operations.
- Organising a secretarial office to manage the legal help programme, which could make a preliminary assessment of the case, pass it over to a volunteer or expert for analysis, monitor deadlines and handle correspondence.
- Enlarging the number of people involved in consultation by recruiting more volunteers and paid experts.
- Preparing a practical anti-corruption manual, written in a user-friendly manner and published in paper form and on the Internet.

- Organising training and workshops for local citizens' groups, especially in small towns.
- Organising systems for exchanging information through discussion panels, websites and Internet discussion groups.
- Extending the organisation's participation as observers in court proceedings.
- Creating an archive of cases of interventions.
- Preparing annual reports on organisational, legal and mental barriers that make it difficult for the country to operate efficiently and build a society based on citizens' rights.

Description by: Maciej Wnuk

Appendix 1

Review of Selected Cases

Case Number 29

A shop owner, Mrs K. from Lublin, accused the president of the housing co-operative of forcing the payment of bribes for renting the premises as a shop. The prosecutor's office closed the case stating that the president is not a public official and only public officials can be fined for taking bribes. The president sued Mrs K. for libel. The court in Lublin heard the case while flagrantly violating the rights of the shop owner. On her request, TI Polska sends its observer to each hearing. The observer's presence has resulted in the fact that the court has started adhering to the obligatory case procedures.

Case Number 212

In 2000, the local weekly newspaper *Nowiny Nyskie* wrote about corruption among councillors. The prosecutor's office commenced seven investigations on the basis of this article, which confirmed the majority of the accusations. Despite this, the councillors sued the newspaper for libel, the police carried out an illegal search of the newspaper's registered office and the court passed judgement on the journalist to pay a fine of 10,000 Euros for violating personal property.

We informed Program 1 of the national television about the case and consequently a report of this case was recently broadcast.

Case Number 224

The Act on Public Contracts came into force in Poland in 1996. In the case of contracts larger than 20,000 Euros, this act introduced the obligation to organise a tender. In order to bypass the provisions of the act, the municipality office of Bartoszyce concluded 10-year contracts in 1995 with the previous public service contractors.

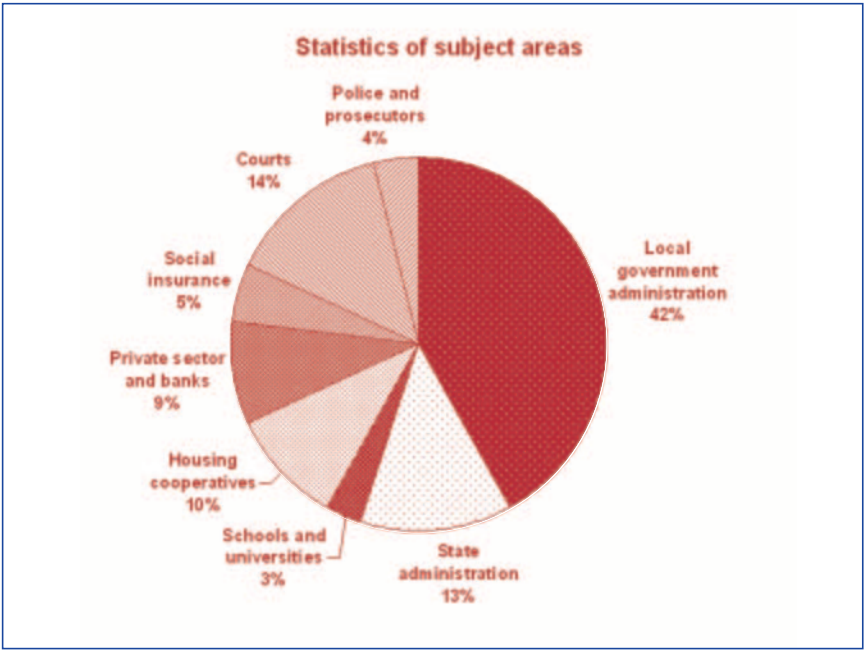
Interventions to the control institutions on the part of councillors resulted in no reaction. In February 2000, TI Polska sent a letter to the Supreme Control Chamber (NIK) and to the Minister of Finance with a request to carry out a review, and in April NIK commenced with it.

Case Number 314

Mrs Z. lives in a suburb of Warsaw. She is a homeowner. Construction work is underway on a neighbouring plot of land. According to Polish law, as a neighbour, she has the right to receive a copy of the decision on the building

permission and also the right to appeal against it to a higher administrative authority. For four years, the municipality ignored this right by refusing to inform her of the decisions issued.

We helped Mrs Z. write a letter to the Supreme Administrative Court citing the Act on Access to Public Information. The Supreme Administrative Court passed judgement in her favour. After 15 days, Mrs Z. received the copies of the decisions from the municipality.



Campaign to Promote Access to Information in Romania and the Federal Republic of Yugoslavia (FRY)

I Fact Sheet

Name of the Tool: Campaign to Promote Access to Information

Brief Description: This project was aimed at informing the public about the current situation with regard to access to information in Serbia and Romania. It was also an attempt to mobilise public support for the advancement of freedom of information within both societies. The common set of implementation rules used for the research and awareness-raising activities guaranteed the relevancy of the results for both Romanian and Serbian society. Beyond its immediate results, this project was also intended to facilitate future regional networks of communication among stakeholders who share our concerns about access to information.

Responsible Organisation: Transparency International Romania

Implementing Organisations: Transparency International Romania and the Center for Policy Studies in Belgrade

Creation of the Tool: Transparency International Romania, in partnership with the Center for Policy Studies (CPS) in Serbia and America's Development Foundation (ADF), initiated this project.

Problems Addressed by the Tool: Free access to public information.

Areas of Work: Public information campaign.

When the Tool was Implemented: April-August 2001, Romania and Serbia

Alliances: The Regional Corruption Monitoring System in Southeast Europe co-ordinated by Coalition 2000, Bulgaria; additional alliances were established within the operational network of the Regional Partnership for Democracy, co-ordinated by America's Development Foundation.

Financing: The project was supported by a grant of US $ 47,466 from the Regional Partnership for Democracy (RPD), a programme of America's Development Foundation, which is also part of a larger USAID programme.

For Additional Information, Contact: Oana Zabava, transparency@rol.ro, transparency@go.ro. Complete and detailed materials are available, in hard copy, from the headquarters of TI in Bucharest, Romania.

II Objectives

The overall objectives of this project were to:

- Assess the current situation vis-à-vis freedom of information in both Romania and Serbia;
- Raise awareness about the importance of public access to information for the process of building accountable democratic institutions;
- Design a strategy for public advocacy and lobbying campaigns; and
- Establish a network between Transparency International Romania, the Center for Policy Studies in Belgrade and other identified stakeholders to help implement a strategy for public advocacy and lobbying campaigns.

III Context

In both Romania and Serbia, public access to information is limited. For this reason, classified information, which should be kept for the legitimate security of the state, should be clearly separated from unclassified information that should be accessible to the public. The public does not seek access to unlimited amounts of government propaganda, but rather to information that is useful in subjecting their governments to basic rules of accountability and transparency.

Access to information can render the processes of government more open and make those in power more accountable to their citizens. It is widely recognised that the openness of institutions, and the accessibility of the public to information about the functioning of the government, is a vital component of democracy. Access to information is inextricably tied to freedom of expression, which is a fundamental human right. The right to inform others, and be informed about public issues, is considered a part of the process guaranteeing free speech. Access to information is a way of redressing the imbalance of power between the citizen and the state and helps to promote the efficiency of public institutions.

Transparency in government in order to ensure that citizens' interests are pursued and protected by those in power is one of the reasons why access to information is essential to good governance. It provides the main tool for guaranteeing the accountability of public institutions and representatives. Since there are always limitations on the right of access to information, there will always be scope for refusing legitimate requests for access. Hence, there will always be a need for legislation that defines the procedures for review and appeal. There is also a need for recommendations and requests on behalf of civ-

il society and the private sector with regard to the bureaucratic practices involved in information disclosure.

In neither Romania nor the Federal Republic of Yugoslavia/Serbia was there a law concerning free access to information as of 2000 and 2001, although in both societies there was an acute need for such norms. TI Romania and CPS have been long involved in the public debate concerning the introduction of provisions related to a Freedom of Information Act (FOIA) into the legal systems of both countries. ADF's initiative - the Regional Partnership for Democracy - offered the opportunity to continue our efforts. The initial assessment indicated 2001 would be an appropriate time for the implementation of a FOIA. A comparative approach that took into account the different transition stages in each country, while acknowledging the equally urgent need for a FOIA, was used for the implementation proposal (i.e., early stage of transition in FRY/Serbia as opposed to the mature level in Romania). Public institutions were involved in the project from the start so as to provide a sense of ownership and to ensure the delivery of the expected results. A survey was also conducted to collect baseline data.

IV Implementation

Policy Paper and Public Relations

- The programme coordinator and two Romanian experts at TI Romania defined a common methodology for a policy paper (that is, the guidelines for the section on a legal and policy framework and the data-gathering on actual disclosure practices). They also proposed common tools for analysing data. The methodology was then discussed and agreed upon with the Serbian partner at the first working meeting.

- The IT officer designed and continuously updated the Internet site dedicated to the issue of free access to information in Romania and also designed and maintained the database used for monitoring the media on this issue. The Internet site was hosted on the website of TI Romania and initially contained a comprehensive web directory of links to sites of Romanian public institutions (including all levels of government, both central and local, and all branches - legislative, executive, and judiciary). The media monitoring activity supplemented the data gathered by providing useful indicators of public attitudes towards freedom of information.

- In agreement with the Serbian partner, TI Romania designed a poster and flyer intended to promote the idea of free access to public information and raise public awareness about the project and its objectives. The materials

were printed in Romanian and Serbian and were distributed on a national level through NGOs, citizens' advice bureaus, and public institutions such as city halls, county councils, local governments, ministries, and the parliament. To help with the distribution, TI Romania and the Center for Policy Studies used their existing network of partner organisations or collaborating NGOs.

- The first two-day meeting between the partner organisations took place in Timisoara. The meeting was called to finalise the discussions on the methodology of the policy paper and discuss additional implementation details of the project for an efficient collaboration.
- Once a month a member of TI Romania evaluated the status of the project and the financial issues concerning the part of the project in which CPS was involved. The evaluation was conducted in Belgrade and lasted two days.

Preliminary Report, Data Collection and Data Analysis

- TI Romania and CPS reviewed the legal provisions on access to public information and the implications of these laws and regulations for both countries. Interviews were conducted with the legal experts who were involved in the drafting of the relevant laws and regulations. Public policy experts, public officials, and media representatives were also interviewed. After one month, the result was a draft report on access to information in Romania and Serbia that outlined the main standpoints adopted in the legal and policy debates on this issue, as well as potential alternatives.
- How public institutions implement existing legal provisions directly affects citizens who try to make use of their constitutional rights. TI Romania and CPS collected data on how public institutions disclose information to citizens, organisations and media. Data collection was based on an experiment that consisted of requesting information from different public sources (central and local government, legal courts, parliamentary committees, etc.) on behalf of different types of petitioners (citizens, organisations and media). The data was stored in a database for further analysis.
- The analysis of the data collected measured how information disclosure varied according to the type of requested information, type of petitioner, category of public institution, and type of approach. Patterns of bureaucratic behaviour and tools of information disclosure were identified. The results were then used to draft the pocket guide, which was intended to inform and advise citizens about the ways they can access information from public institutions. The analysis also served as the empirical background

(baseline indicator) for the policy report on access to information and for policy recommendations.

Pocket Guide and Recommendations

- The pocket guide was an important part of our project because it helped to inform citizens about their rights to access information. It also described the procedures that they must follow to obtain information and provided advice about the most efficient means of accessing information, based on the analysis of disclosure practices.

- Based on the report on the legal framework and the analysis of the collected data on disclosure practices, two expert teams formulated recommendations about how to improve the legal provisions and institutional practices concerning access to information. These recommendations were included as the last chapter in the policy report and were then used as background information for public debates on future advocacy campaigns. The pocket guides were disseminated using the same networks of organisations and public institutions as with the promotional materials (i.e., the flyers and posters).

- The second and final working meeting discussed the final shape and content of the policy report. The report contained a section on the legal/policy framework with regard to access to information in Romania and Serbia, the results from the analysis of the data on the practices of information disclosure, and the recommendations to improve the current situation in both countries.

- The working language of the project was English, hence, the final version of the policy report had to be translated into Romanian and Serbian.

Seminars and Final Report

- At two seminars the results of the project were presented to open the debates and campaign officially. These seminars kicked off the advocacy and lobbying efforts to implement the recommendations in the policy report. Each seminar hosted participants from public institutions, media and NGOs of the country involved, as well as representatives of the partner organisation who explained the model used in the other country. About 40 participants participated in each of the seminars. The memorandum of understanding for a common strategy was prepared. The Internet site dedicated to free access to information was launched in Romania and Serbia and the electronic discussion group (e-group) was initiated.

- One seminar was held in Belgrade and one in Bucharest. The agenda of the seminars included the presentation of the project results, a workshop with media and NGOs on the topic of the public campaign and on the advocacy of the recommendations from the policy report. During the seminars, the participants signed a memorandum of understanding regarding the advocacy and lobbying strategy in the two countries aimed at promoting transparency in public institutions through free access to information. The memorandum also provided a starting point for the regional network promoting freedom of information.
- The last phases of the project consisted of evaluating all collected data on the project as specified in the expected results table and analysing the indicators. In addition, a report was drafted for ADF on the project evaluation, its impact and sustainability potential.

V Results

The following is a summary of the major results of our initiative:

- Through the use of posters, flyers, press releases, the pocket guide, website, and our participation in public debates, we were able to open a public campaign about citizens' rights to, and procedures for, accessing public information in Romania and the Federal Republic of Yugoslavia.
- With our policy report, we led the way in the advocacy of improving the procedures and legal framework involved in the access to public information. The policy report provided a professional assessment, analysis and recommendations about the current situation in Romania and Serbia. It was presented at two seminars with heavy media and official presence and distributed at all levels of local and central administration, parliament, judicial courts, government and public libraries.
- We initiated the development of a regional network (based on the memorandum of understanding signed at the final seminars) of organisations that fight for transparency in public institutions and define strategies about improving access to information. The communications of the network are supported via an e-group.
- As of 23 October 2001, Romania now has law 544 that addresses the issue of free access to information of public interest. At the beginning of 2002, methodological norms were adopted, using the valuable input from the informal coalition of NGOs supporting a FOIA in Romania. The same coalition is currently working on subsequent legislation such as the Regulatory-Making Process Transparency Bill, the Conflicts of Interest Bill, and the Lobby Activity Bill.

Difficulties Encountered

- Little synchronism of cross-border co-operation between the implementing organisations as a result of sharply differing political contexts - political developments were slower than actual implementation which resulted in low synergy and the need for repeated extensions of planned deadlines. In addition, political institutions were slower in their reactions to NGO/CSO proposals in FYR/Serbia than in Romania.
- Poor cross-border infrastructure. In particular, the Serbian banking system was not fully operational at the time the project was implemented.

VI Future Recommendations

The government of a society founded on democratic principles has the obligation to ensure access to all public information that is not deemed classified by the constitution or laws. The relation of government agencies and employees to citizens is often characterised by an ad hoc approach, that is to say an approach that lacks consistency and established procedures with regard to access to public information. There are practices that are characterised by inertia, that is, procedures that are defined by habit and custom rather than by respect for constitutional and legal provisions. On the other hand, such practices often foster a certain degree of volunteerism on the part of civil servants. However, the good will of a civil servant is no basis for the proper functioning of a state and its agencies and cannot be considered a guarantee of citizens' rights. There is therefore room for improving the inconsistencies and malpractices of the existing constitutional provisions.

In spite of these difficulties, the experiment has shown a greater openness of government at the local level (of four requests, only one was left unanswered) than at the federal. This is especially important because citizens communicate more often with local authorities. Only the adoption of a separate law on access to public information could adequately regulate the transparency of the work of government agencies and the access to public information in general. This would enable the institutionalisation of communication between citizens and public agencies, and protect this communication from the whimsical behaviour of those in power.

Specifically, we recommend implementing organisations to:

– Be flexible in their relations with public institutions and towards political developments. They should be patient after the process has gotten underway, although they must be aware that political developments tend to outpace NGOs/CSOs in their capacity to follow up with secondary and complementary legislation; and

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– Assess the infrastructure systems early in any project that entails cross-border cooperation so that solutions can be devised with respect to exchanging information, personnel, and financial resources.

Furthermore, donors should be aware of the difficulties that might be encountered, as well as the strategies to overcome them. They should also be patient as far as seeing results from the initiatives.

Description by:
Adrian Baboi-Stroe, Diana Ghinea & Ioana Copil-Popovici of TI-Romania
Mihaela Lambru, America's Development Foundation
Milan Nicolic, Ioana Aleksic and Mr Stevan Lilic, Center for Policy Studies, Serbia

TRANSPARENCY
INTERNATIONAL
ROMANIA
ASOCIAȚIA ROMÂNĂ
PENTRU TRANSPARENȚĂ
Access to Information
of Public Interest
in Romania
Bucharest, September 2001

te interesează?
interesează-te!
Știi cum? Știi unde?
accesul la informația publică
Asociația Română pentru Transparență / Transparency International Romania
Șos. N. Titulescu nr.14, bl.21, ap.3, sector 1 București
Tel/fax: 01-6593371, www.transparency.ro
Email: transparency@transparency.ro
proiect realizat cu sprijinul Agenției Statelor Unite pentru Dezvoltare Internațională (USAID)
și al America's Development Foundation
USAID

Public Institutions

V

Monitoring the Senate, Argentina

I Fact Sheet

Name of the Tool: Monitoring the Senate

Brief Description: The objective of this project was to monitor and analyse the institutional strengths and weaknesses of Argentina's Senate in order to develop strategies that promote free access to public information, citizens' participation in its activities and accountability on the part of legislators.

The project has the potential to promote, analyse and draw comparisons between formal laws/internal regulations and informal practices (conduct and individual behaviour) in different senates. This represents an invaluable contribution both to the parliament and to other institutions, as well as the citizens that monitor them and academia.

Responsible Organisation: The project was managed by the Poder Ciudadano Foundation (PC), TI National Chapter in Argentina.

Creation of the Tool: Poder Ciudadano

Problems Addressed by the Tool: Institutional disrepute and the lack of legitimacy of members of the Senate; lack of transparency in the handling of public matters; limited information about the workings of the Upper Chamber; inability of citizens to actively observe parliamentary activity; lack of a precedent for senators to be accountable for their activities.

Areas of Work: Civic participation in, and monitoring of, the National Senate.

When the Tool was Implemented: The project began in March 2001 and continues to date.

Alliances: No alliances were formed with other groups.

Financing: The project has no specific source of funding. It has been carried out by teams of volunteers with a PC co-ordinator. PC provides the basic supplies (telephone, Internet access, stationery, etc).

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or
Lic. Silvana Lauzán
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II Objectives

The objectives of the project were:

- To access public information produced by the Senate.
- To promote civic participation in public affairs.
- To produce information about the functioning of the Upper Chamber.
- To make officials and legislators accountable to the citizenry.
- To learn about the parliamentary work and practices of individual legislators.

III Context

In recent years, Argentina's economic, political and social crisis has worsened. In the political-institutional sphere, the depth of the crisis has been reflected in a growing number of reports of scandals involving legislators and other public officials engaged in acts of corruption.

In October 2000, a major national daily newspaper published a report about the alleged payment of bribes to national legislators in return for the passage of a law on labour reform. The news prompted the resignation of then Vice-President Carlos "Chacho" Alvarez, and Senator Juan Ignacio Melgarejo, a member of the Radical Civil Union (UCR) from Santa Cruz province. A few months later, the case was declared groundless.

According to media reports, the practice of bribing legislators of all political persuasions to pass laws is not a new phenomenon.

For this reason, PC felt that it was indispensable to develop a tool for civic monitoring that would illustrate the main strengths and weaknesses of this elected political body. A decision was made to apply to the National Senate PC's previous experience of civic monitoring of the Argentine Magistrate Council from the start of the parliamentary session the following March (2001).

The project provided an opportunity for both the people and the media to see how the Senate functioned at first hand, in the light of a report that questioned its transparency and legality.

In this context the tool provides:

- Information about the way the Senate functions.
- Information about the parliamentary activity of Senators.
- Information about the legislators' assets, academic background, professional experience and party affiliations.
- The opportunity for citizens to view public debates.
- Conditions conducive to establishing close ties between legislators and citizens.

IV Implementation

The tool was implemented at the start of the Senate's ordinary session on 1 March 2001. The annual session ended on 31 December 2001.

The different stages of the project were:

Annual Timetable

Period	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Activities	– Collection and study of internal regulations. Adaptation of methodology to the existing regulations. – Creation of teams of volunteers and scheduling of activities. – Start of permanent monitoring.	– Continuation of permanent monitoring. – Presentation of the results from the legislators' database.[1] – General meeting with volunteers.	– Continuation of permanent monitoring. – General meeting with volunteers.	– Presentation of the report on the Senate's strengths and weaknesses to the media, national legislators and other relevant parties. – Summary of the monitoring. – Conclusions

The decision to divide the year into quarters was made simply because these were the most convenient time periods in this context. The schedule could be modified and adapted to other specific circumstances if necessary.

The implementation of this tool includes the drawing up of a schedule of activities. However, once monitoring has commenced, it is probable that issues will arise that were not originally foreseen and that require the adaptation of allotted resources and time.

1 More information on the Political Database tool may be found in the *Corruption Fighters' Tool Kit* 2001, in the section on "Transparency in Electoral Processes": www.transparency.org

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Civic monitoring involves a range of permanent activities that must be repeated week after week.

The **permanent activities** for monitoring are:

- Attendance at plenary sessions and commission meetings by volunteers.
- Presenting written requests for public information.
- Systematic telephone calls to follow up on requests for information.
- Publishing news reports with regular updates and details about the project.
- Producing brief reports on what was observed during monitoring.
- Browsing and analysing the Senate web site.

There are other activities that are undertaken with less frequency but that are equally important for effective monitoring.

These **occasional activities** are:

- Meetings/hearings with senators, advisers and other officials.
- Meetings with legislators to give them the database form.
- Arranging large public events to draw attention to specific issues that need to be addressed or that are making monitoring difficult.
- Training workshops with officials on relevant subjects.[2]

Content

The requests for public information, as well as the monitoring of the progress of bills, were selected according to the areas in which PC works and to the most relevant subjects on the public agenda in the current political context.

Requests for information are designed to obtain information about: the internal regulations – both from the Chamber as well as from the commissions – that regulate the way the Senate operates; the administration of the budget and its execution, the Senators' sworn declarations concerning their assets; the honoraria and the commissions' meeting places, and other activities that the Senate undertakes on a daily basis (for a sample information request see **Appendix 1**).

2 For example, during the third quarter of monitoring the Senate, we organised - in alliance with the Red de Administradores Públicos (Public Administrators Network) - a brief training workshop in the Senate for officials on "The Role of Institutions in Access to Public Information". This arose from having identified a significant lack of familiarity among legislators and public officials concerning the notion of the right to access to public information and the republican principles of government.

The bills that were monitored were those that referred to the national budget, the funding of political parties, reforms to the electoral law, access to public information, personal benefits/privileges for public officials etc.

This information was collected through the permanent monitoring activities described above.

All these different tasks involve varying degrees of difficulty (see **Problems and Solutions**). We would suggest carrying out the following preparations before the start of permanent monitoring as they may ease the subsequent execution of the project:

- Request a hearing with Chamber authorities to present the objectives and the scope of the project.
- Send a letter to the authorities with whom personal meetings will not be held so as to inform them of the characteristics and objectives of the monitoring. We strongly suggest that a letter be sent to the Chamber's head of security. This could help prevent disputes with the security staff at the entrance who may be reluctant to let private citizens into the Chamber.
- We strongly suggest reading and becoming familiar with the internal regulations of the Chamber under observation so that monitors know which actions are legally allowed and those that require special permission. For example, the internal regulations of the Chamber of Senators of the Nation of Argentina stipulate that plenary sessions are of a public nature. As such, PC did not request any special authorisation for the volunteers to observe them. It was only necessary to ask for compliance with that regulation. One of the lessons learned through experience was that it was sometimes difficult to enforce compliance with that rule.
- Select the commissions to be monitored. The Argentine Senate currently has 51 permanent commissions. Choosing which ones to monitor can be based on the particular criteria of each institution. At PC, the selection usually reflects the particular subjects that the group works on and the importance of each commission within the Chamber. The volunteers who attend the commission meetings are not specialists, except in a handful of cases in which complex subjects are being addressed. In those instances, the monitors are university students with relevant expertise. It is recommended that volunteers do not attend Chamber meetings and sessions alone, but rather in groups of at least two people. If difficulties arise with officials and representatives, it is always preferable to have two witnesses in order to avoid subsequent misunderstandings.
- Training the volunteers: In our experience, there are five key points to bear in mind when using volunteers.

1) Volunteers must know the internal regulations of the Chamber and its most important formal rules.

2) When attending plenary sessions and commission meetings, volunteers do so only as listeners and may not speak.

3) Volunteers are not authorised to express personal opinions. If a volunteer wishes to express a personal view at the request of an official, legislator or at his or her own initiative, this may only be done after clarification that it is a personal position.

4) Any letter, report or document that volunteers receive from Chamber personnel should be handed over to the person in charge of monitoring.

5) The person responsible for monitoring should welcome any questions or suggestions from volunteers.

Challenges

Some of the key challenges encountered during monitoring were:

- The deep-rooted tendency of legislators and other officials to deny access to public information.
- Promoting representatives' accountability to the citizenry.
- Making the changes necessary to ensure that citizens have free access to public meetings.
- Producing information about parliamentary activity that promotes the involvement of citizens in public issues.

V Results

The most important achievements of the project were:

- **Report on the Senate's strengths and weaknesses:** PC's report on the Argentine Senate has had great public impact and significant results. Two months after presenting a summary of its findings, the then President Fernando de la Rua created a special Senate commission to draw up a bill on administrative reform in the Upper Chamber. The Reform Commission worked for two months and presented a reform bill that, according to declarations by three senators on the commission, was based on the recommendations that PC made in its report, which can be read at www.poderciudadano.org.ar. This bill is now before the Constitutional Affairs Commission and was pending a vote in summer 2002.

- **Requirements for entry:** After the actions that were undertaken to facilitate the entrance of citizens into the public sessions, the Senate ordered the posting of notices at all the access points to the Chamber stating the requirements.
- **Media publicity:** From May to December 2001, 38 reports on the results of the project were published in national newspapers.
- **Initial ruling in favour of PC:** According to the Law on Ethics in Public Functions, all elected and appointed state officials are obliged to make public sworn declarations of their assets. PC made the corresponding formal request to see these, but the Senate Administrative Secretary (in charge of receiving and keeping these documents) would not grant access. PC presented a petition of rights against this and the initial ruling was in favour of the foundation but the Senate Presidency launched an appeal. In July 2002 the initial decision was upheld in a federal court.
- **Fifty volunteers were trained in using the tools for monitoring and participation in the National Senate.**
- **Forty officials took part in a panel on training officials and legislators on access to public information:** The discussion revolved around different views of what should constitute 'public information'. A small survey was carried out on the state's willingness to provide public information.

On the other hand, some of the problems (and solutions) that arose during monitoring were:

- The reluctance of Senators and officials to provide public information: The long years of non-participatory and authoritarian government have resulted in institutional practices that are not very open to monitoring or citizens' participation. Modifying these practices is a long-term objective that involves systematic persistence in an attempt to get answers.

Occasionally, there are legal instruments that can be employed to ensure that information is delivered more promptly. For example, the Law on Ethics in Public Functions obliges all state officials to present sworn statements of their assets. PC successfully used this tool (as described in the **Results** section).

- Difficulties entering plenary sessions and Commission meetings: The best way to confront this problem is to be systematic about attendance. Individual actions can also help. For example, during the second quarter of monitoring, volunteers expressed concern at one of the general meetings about the difficulties that arose week after week when trying to freely access public sessions.

This was why PC decided to organise a "civic action" at the Senate entrance. On this occasion, volunteers attempted to enter the Chamber but did not withdraw after being denied access. Instead they convened the media. This was done because of the lack of credibility of the excuses that were being given to volunteers to deny them access to the public sessions. For example, on one occasion access was denied because of an alleged lack of space in the public galleries. However another volunteer who had earlier entered without problem later reported that the galleries were practically empty.

- Volunteer burn-out: In states as weak[3] as ours, participating in its activities or requesting information can be a difficult task. Most of the time, the interested party comes up against officials who do not consider accountability as being one of the fundamental requisites of their post, and they respond in a defensive manner. In addition, many of the results sought in the monitoring will be seen only in the long run. Occasionally this situation can be discouraging for volunteers. It is important to hold meetings periodically to allow them to express their doubts, questions and frustrations. This will lead to new ideas and a better understanding of the problems and their solutions. It also reinforces their resolve to continue the project.
- Last-minute changes in meeting places/times: This was a common problem that arose during monitoring which led to frustration and disappointment among volunteers. To avoid these situations we suggest that every person interested in attending a meeting or session calls the office in charge of confirming it before turning up.

VI Recommendations

- Limiting unrealistic expectations: Once the preliminary analysis has been undertaken in the first quarter, it is important to remember that some of the project's objectives will be achieved only in the long-term.

In weak states with limited democratic experience such as Argentina, citizens' participation demands extra effort. This is because neither the formal rules nor the informal practices that govern the day-to-day functioning of the organs of state are designed to serve citizens with an interest in obtaining information or participating in public activity. For this reason, it is important to bear in mind that some changes may take longer than expected and there may be more obstacles than were initially foreseen.

3 A state is understood as being weak when it cannot effectively carry out its specific tasks: charge taxes of the public, provide reasonable administration of justice and security, and the efficient administration of resources.

- Media strategy: In a project of this nature it is crucial to have the support of the media. The more effectively news and information are disseminated about the project, the more quickly the answers to requests for information will come and the easier access will be to public meetings.

An alliance with the media enhances the ability of citizens to exert pressure on officials. In the case of Argentina in particular, any information about the functioning of the Senate raises certain expectations because of the notorious bribery scandal mentioned above. PC was therefore well supported by the media and did not have to develop a specific strategy to attract their interest.

- Adaptation to circumstances: Before the start of monitoring it is important to know the internal regulations of the Chamber and the commissions, as well as the laws and constitutional articles that provide a legal underpinning for the project.
- Alliances with other organisations: Alliances with other NGOs, the media and networks of public officials, legislators and advisers committed to the project's objectives, are essential to its overall success. These alliances may emerge gradually as monitoring continues.

Description by: Lic. Silvana Lauzán

Appendix

2 June 2001
Buenos Aires

Mr José Canata
Senate Administrative Secretary
Buenos Aires

Dear Sir,

We write to you in order to request that you inform us of the date on which National Senator Alberto Rodríguez Saa presented the final sworn declaration of his assets, as required in Article 4 of the Law on Public Ethics (Law 25,188), which corresponds to his resignation. At the same time, we request a copy of said declaration.

Below find the requisites as per Article 10 of Law 25,188.

a) Carlos March, ID 18,802,288. Executive Director (Poder Ciudadano Foundation) Piedras 547 2nd bell.

b) Poder Ciudadano Foundation Piedras 547 2nd bell.

c) The reason for the request is to complete the Poder Ciudadano tool database of officials, which provides citizens with free access to information about elected officials.

d) I understand that which is set down in Article 11 of Law 25, 188 in respect of the disallowed use of the sworn declaration and the sanction established for whomsoever requests this and then engages in a disallowed use.

This request is based on the constitutional right to seek and receive information set down, among others, in Article 13 of the American Convention on Human Rights and Article 14 of the National Constitution of Argentina.

Cordially,

Carlos March
Executive Director

Parliament Watch, Bangladesh

I Fact Sheet

Name of the Tool: Parliament Watch

Brief Description: The aim of this project is to monitor the various activities of Parliament in Bangladesh, including parliamentary committees. Under this initiative Transparency International Bangladesh has started to monitor the role of the Speaker, points of order, President's speech, parliamentary question-and-answer sessions, passage of bills, attendance of Members of Parliament (MPs) etc.

Responsible NGO: Transparency International Bangladesh (TIB)

Creation of the Tool: TIB developed a framework to monitor the activities of Parliament after initial consultations with some MPs as well as other individuals and social groups.

Problems Addressed by the Tool: 1) Accountability of Parliament and Members of Parliament (MPs) in Bangladesh. 2) Inadequate governance and functioning of public institutions.

Areas of Work: Parliament and parliamentary committees in Bangladesh.

When the Tool was Implemented: TIB started monitoring the activities of the eighth Bangladesh Parliament from the first day of its first session on October 28, 2001. The project continues to date.

Financing: One full-time researcher is working on this tool and the total annual budget is US $3,500. TIB began the project in 2001 with the financial help of USAID.

For Additional Information, Contact:
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Email: info@ti-bangladesh.org or research@ti-bangladesh.org
or dr@ti-bangladesh.org;
Website: www.ti-bangladesh.org

II Objectives

The main objectives of this project are to measure the role of MPs, improve parliamentary governance, increase governmental accountability to citizens and monitor parliamentary practices in Bangladesh generally.

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The specific objectives are:

1) To monitor the practices of MPs;
2) To ensure accountability of parliamentarians to the nation;
3) To educate people about the work of MPs and Parliament generally;
4) To gather information on how the system of parliamentary committees works;
5) To ascertain specific problems of the Bangladesh Parliament and its overall level of performance;
6) To measure the role of Parliament in improving governance generally.

III Context

A strong and transparent parliament is one of the pillars of integrity defined in the *Transparency International Source Book* (www.transparency.org). An effective parliamentary system is a vital element for improving good governance. However, in Bangladesh the institution has never been allowed to play an effective or meaningful role ever since the country's inception.

National Context

Bangladesh is one of the least developed countries in the world with an average per capita income of just US $380 per year. Like many developing nations, it suffers from widespread poverty, over-population, illiteracy, malnutrition and a lack of resources. The economy is backward, the political system remains unstable and corruption pervades all levels of society and government. Although Bangladesh became independent in 1971, a democratic system was only introduced in 1991, and even then in a limited form.

Parliament is the key institution in the national system of accountability. As an elected body it is the organisation that empowers the government and grants it legitimacy. Parliament scrutinises the activities of the executive branch and holds it accountable to the citizens of the country.

However, in Bangladesh the experience of parliamentary government has been far from satisfactory. None of the first four Parliaments managed to complete their full tenure. The fifth and the seventh Parliaments proved to be largely ineffective due to a prolonged boycott by the main opposition parties. The sixth Parliament merits a mention in the *Guinness Book of Records* for its unexpectedly short existence.

The eighth Parliament is now in session. Both the people of Bangladesh and the donor community, which are working to improve good governance in

Bangladesh, have high expectations that the current Parliament will be more effective.

The Chapter

In 1999 TIB organised a conference called "Regional Seminar on Parliament and Good Governance: Towards a New Agenda for Strengthening Accountability in South Asia". It was held in collaboration with the Parliamentary Centre, Canada. The seminar, which focused on the issue of parliamentary accountability, lasted five days and concentrated on the following topics:

- Parliament and Good Governance in South Asia
- Strengthening Accountability to Control Corruption – An Emerging Agenda
- Strengthening Accountability – The Role of the Budget Process
- Building Institutional Capacity – A Leadership Role For Parliament
- Evaluation – Priorities and Next Steps

As a follow-up to the seminar TIB published a handbook entitled "Anatomy of Parliament: How it Works". This document was distributed to all MPs in the seventh Parliament and TIB intends to make it available to MPs in the eighth Parliament. An English version can be obtained from Md. Abdul Alim at TIB (see contact details listed above). TIB is also in the process of producing a detailed report on the working of the Parliamentary Accounts Committee (PAC), which it intends to publish soon.

TIB has been developing a two-pronged strategy to raise awareness about transparency and accountability in government:

1) TIB has been involved in encouraging greater citizen involvement by setting up Committees of Concerned Citizens (for a description of this tool see the *Corruption Fighters' Tool Kit 2001* at www.transparency.org).

2) TIB has also been working with MPs. Parliamentary sessions are being broadcast via radio and television in Bangladesh and, in order to increase awareness of the issue of accountability, TIB has been systematically monitoring parliamentary activity.

IV Implementation

TIB initiated this ongoing project in October 2001. The group releases a report on the activities of each session of the eighth Parliament (a Parliament session sits at least every three months and at the end of each session a report is produced and published). The stages of implementation of the tool are as follows:

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1) Recording Sessions

Parliamentary sessions are broadcast by the electronic media including radio and television. Using video and audio equipment, TIB records and monitors parliamentary activities as they take place.

2) Data Collection in the Draft Questionnaire

TIB has prepared a draft questionnaire called the Data Collection Format (DCF). This format was designed by research associate Abdul Alim. During the recording process, data is collected on the DCF by a researcher. Currently the DCF is only available in Bangla. However, more information about this questionnaire is available from TIB.

3) Questionnaire Completion

The data collected during stage two on parliamentary activity is then transferred onto the main questionnaire. This has several sections that are as follows:

A) Question-and-answer session.
B) Notices submitted by the members on Rule 71.
C) Placing and passing of bills.
D) President's address
E) Role of the Speaker
F) Quorum crisis
G) Walkout and boycott
H) Parliamentary committee activity.

Again, the questionnaire is only available in Bangla but details can be obtained from TIB.

4) Data Entry

Information collected in the questionnaire is then collated on a similarly formatted SPSS (Statistical Package for Social Science) computer software package. The Parliament Watch software is reasonably user-friendly and the SPSS programme was also designed by TIB's research associate. Training might be needed to further develop or adapt this software for other projects.

Volunteers

At present there are two data collection volunteers for the parliamentary sessions.

Access to Information

In Bangladesh, parliamentary sessions are broadcast by the television and radio media on the initiative of the government. This makes access to information fairly easy and TIB simply records and collects the relevant data. Information about committee meetings is collected from newspapers.

Dissemination

Information about the project is circulated to the media by arranging press conferences and distributing regular reports.

Analysis and Report Generation

The data is analysed using SPSS software and a report is produced on each session.

V Results

The following achievements have emerged from the Parliament Watch project so far:

1) Session reports: These reports include detailed factual and analytical information about what took place during each parliamentary session as well as a 'Report Card', featuring the total findings summarised in a brief document.

2) Advocacy work: This is undertaken by TIB based on the findings of the project.

3) Work with MPs: TIB plans to arrange an orientation course for newly elected MPs, including training on parliamentary activities, procedural regulations and group discussions.

4) Round-table discussions: Group discussions have been conducted with citizens and the press in order to encourage journalists to produce more coverage of parliamentary activity.

VI Recommendations

This is an ongoing project and new lessons are constantly being learned. New methods of analysis can and should be tried out or added in order to make the findings more constructive. Where possible, more information should be collected in order to facilitate better group discussions.

TIB is planning to arrange:

1) Special workshops for MPs using information obtained from the reports.
2) Group discussions with other stakeholders using information obtained from the reports.

TIB is ready to help train other national chapters and organisations to implement this tool elsewhere.

Description by: Mohammed Abdul Alim

Monitoring Municipal Governments, Bolivia

I Fact Sheet

Name of the Tool: Monitoring Municipal Governments

Brief Description: A monitoring committee, serving as a voice for Bolivian citizens, is charged with the responsibility of articulating and channelling the requests of social and grassroots organisations to the municipal government. In addition, a monitoring committee oversees the dispersion of financial resources of the municipality.

A monitoring committee is composed of representatives of community-based organisations (Organizaciones Territoriales de Base) from indigenous villages and communities, peasant communities and neighbourhood associations.

Responsible Organisation: While not legally responsible for the operations of the Monitoring Committees, some NGOs are working with the Monitoring Committees to increase public participation by providing advice and educational programmes.

Information about the Monitoring Committees was provided for the *Corruption Fighters' Tool Kit* by the Center for Participation and Sustainable Human Development (CEPAD) of Bolivia.

Problem Addressed by the Tool: A lack of citizen participation at the municipal level, a low level of civic interest in controlling the use and administration of public resources by municipal governments.

Areas of Work: Citizen participation, social control of public resources, transparency in municipal administrations, and promotion of social and grassroots networks.

Where the Tool was Implemented: The Monitoring Committees were established with the enactment of the Law for Public Participation (no. 1551) on 20 April 20 1994, which was created with the participation of politicians, social organisations and ordinary citizens. The Monitoring Committees operate in all 314 municipalities of Bolivia.

Alliances: The Monitoring Committees have received support from governmental organisations, NGOs and municipal associations.

Financing: The reform that created the Monitoring Committees was implemented with the help of public resources, multilateral and bilateral loans, and resources from international funders.

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II Objectives

The Law for Public Participation and its regulations set the following objectives for the Monitoring Committees:

- To check that municipal resources are invested equitably in urban and rural populations.
- To form a link to peasant communities, indigenous communities and villages, and neighbourhood associations to ensure that they exercise their rights as recognised under the law.
- To guarantee that no more than 15 per cent of the resources allocated for public participation covers the running expenses of the municipal government.
- To act as an authority on budgetary matters concerning the public resources of the municipal government, hence monitoring the accounting of expenditures and investments.

III Context

Historically, Bolivian public administration was centrally organised. Only 24 municipalities received public resources, and hence it was only there that local governments could be formed to address the needs of citizens.

Moreover, for more than 50 per cent of the Bolivian population - settled far away from the urban centres - the so-called 'municipal autonomy', which had been established by the Bolivian Constitution, was merely a rhetorical declaration empty of substance as no resources were actually allocated to cover municipal expenses.

It was in this context that the Bolivian government initiated a series of structural reforms in the mid-1990s aimed at modernising the state. These reforms included the decentralisation of public administration and the promotion of public participation.

On April 20, 1994, Law 1551 for Public Participation, which transfers resources and powers to the municipalities and declares that municipal planning will include citizen participation, was passed. With its passage, this law established the principle of social control of local administration.

In concrete terms, the Law for Public Participation increased the resources derived from national taxes destined to municipalities by 20 per cent. It also established a new point of reference for the distribution of these funds. Specifically, the number of inhabitants in each provincial section, a territorial category for identifying the jurisdiction of a municipality, determined the number of municipalities created and, consequently, the share of resources to be allocated. In this way, since Bolivia has 314 provincial sections, 314 municipalities were created.

The law also introduced a supervising body, the Monitoring Committee, to help oversee how municipal resources are utilised, thereby delegating this responsibility to the citizens, and to co-ordinate activities between community-based organisations and the municipal governments. The Monitoring Committees have legal status and are valid indefinitely. Subsequent legislation[1] established the characteristics, functions, powers and responsibilities of all Monitoring Committees.

IV Implementation

Committee Composition

Each municipality has one Monitoring Committee that is composed of representatives from community-based organisations.

The number of members of a Monitoring Committee depends on the number of cantons or districts[2] in each municipality. For example, a breakdown of the number of committee members (also referred to as supervisors) would be as follows:

1 Law for Public Participation; Regulations of the Law for Public Participation; Basic Territorial Organisations (Supreme Decree No. 23858); Complementary Regulations to the Law for Public Participation and Administrative Decentralisation (Supreme Decree No. 24447); Modifications to the Law for Public Participation and the Organic Law for Municipalities (Law No. 1702) and the Law for Municipalities Law No. 2028.

2 Cantons and districts are territorial units within a municipality. A municipality may have up to five cantons or districts.

- With one canton, the community-based organisations elect three members.
- With two cantons, the community-based organisations elect two members per canton.
- With three or more cantons, the community-based organisations elect one member per canton.
- In the case of districts, one member per district is elected.

The election of the committee members is conducted according to the traditions, customs or statutory regulations of the peasant community, indigenous village, or neighbourhood association in question. The representatives of the community-based organisations have two-year mandates and can be re-elected.

A substitute is also elected for each committee member, who serves in case of the death, resignation, dismissal, or physical impediment of a committee member, or when the committee member is on leave.

Noteworthy is also the fact that the work carried out by committee members is on a voluntary basis.

The media notifies the public of the upcoming elections for the Monitoring Committee three days per week, beginning 30 days prior to the end of a committee member's mandate. If the outgoing Monitoring Committee does not call an election, the directors of the community-based organisations do so.

Election Requirements for Committee Members

To be elected as a member of a Monitoring Committee, candidates must:

- Have reached the legal voting age.
- Have been nominated by a community-based organisation of the respective jurisdiction.
- Be a member and resident of the respective community.

Committee Member Duties

Committee members are obliged to:

- Participate and co-operate with solidarity in the execution of projects carried out in their cantons, districts and communities.
- Supervise the maintenance of public works of the municipality and of their own community.

- Report every two months to their electorates on activities that support the community-based organisations.
- Represent their electorates as effectively as possible.
- Promote activities and provide information to the communities on subjects related to the environment and its protection.
- Report to the directors of the community-based organisations and to the communities on the results achieved during their term of office, in particular with regard to social control and the co-ordination and supervision of health and education authorities.

Reporting on Committee Activities

The members of the Monitoring Committee are obliged to report on a periodic basis to the community-based organisations about their activities. Members report on their activities at public meetings or via another medium when requested either by the community-based organisations, or when the committee considers it necessary.

In addition, the Law for Public Participation allows the committee to issue declarations via any medium about the following subjects:

- The municipal government's use of public resources.
- The accounting of municipal resources.
- The formulation and fulfilment of the Plan for Municipal Development (a strategic forecast for the upcoming five years) and the Annual Operative Plan (the annual financial planning).

Revocation of the Mandate of a Committee Member

The primary responsibility of committee members is to represent the community-based organisations that help to elect them. A community-based organisation can revoke the mandate of their representatives in the following cases:

- When two-thirds of the committee claim negligence on the part of a member in fulfilling member duties as described in the Law for Public Participation and Municipalities.
- When a committee member has been absent from three consecutive, or altogether five, committee meetings per year.
- When a committee member has failed to report on committee activities to the community-based organisation.

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Legal Functions of the Monitoring Committee

The Law for Public Participation assigns two main functions to the Monitoring Committee:

- **Social co-ordination** between the community-based organisations and the municipal government.
- **Social control** of the use of public resources of the municipal government.

Social Co-ordination

To fulfil its **co-ordinating** function, the Monitoring Committee must:

- Maintain close ties with the community-based organisations that it represents.
- Ensure that the municipal government takes into account the interests, requests, and decisions of the community-based organisations.

Social Control

To fulfil its function as a social control mechanism, the Monitoring Committee must:

- Oversee that municipal investments benefit both rural as well as urban areas.
- Ensure that the municipal government includes the interests, requests, and decisions of the community-based organisations in its development plans and programmes.
- Ensure that no more than 15 per cent of the resources allocated for increasing public participation are used to cover the running expenses of the municipal government.
- Oversee that the municipal government makes the agreed public investments as stipulated in their programmes.
- Check that the municipal government reports regularly to the population on the public resources that it manages.

Operational Capacity of the Committee

To help it fulfil its functions, the Monitoring Committee requests affidavits or copies of relevant resolutions and ordinances that have been passed by the corresponding municipal government. The municipal government must provide the requested information within ten days.

With this information, the Monitoring Committee can then request further explanation and can make suggestions to amend the resolutions and ordinances. For example, the Monitoring Committee can arrange meetings with the mayor or

the municipal council in order to make observations, to ask for explanations and extensive information, and to co-ordinate activities. The municipal government is required to provide detailed answers to any such request and/or suggestions.

If the Monitoring Committee is not satisfied with the information it receives from the municipal government, or it concludes that the municipal government has acted negligently, it can report the municipality in question to the Treasury Department.

If the Treasury Department also finds that the municipal government has acted negligently, the municipal government is given a 15-day period in which to correct the problem. Otherwise, the Treasury Department requests the Senate to freeze the resources of the municipal government for increasing public participation until the problem has been corrected.

Committee Resources

Originally, the Law for Public Participation did not make provisions for committee resources. Instead, the law only established that municipal governments were to provide an office, working materials and basic equipment for the committees. However, a so-called Fund for Social Control was later created to cover the travelling expenses of committee members. This fund cannot be used to remunerate committee members though and is subject to the general regulations on the management of public resources.

The fund is supported with contributions from:

- Peasant or indigenous communities, as well as from their community or neighbourhood associations.
- Contributions from associations and foundations.
- Municipal resources as provided for by the Law for Public Participation.

V Results

Decentralisation of the Bolivian Administration

The new legal framework allows 61 per cent of the population living outside the large cities to receive a larger share of resources then previously was the case. The share of resources is based on population density and greatly exceeds the 10 per cent allotted to them under the earlier distribution system.

In addition, the revenues from real estate, vehicles and asset transfers now accrue to the municipality. With regard to the large cities, these taxes are now of greater significance for the individual incomes of local governments.

In institutional terms, the decentralisation of Bolivian administration increased the number of municipalities from 24 to 314. It also invested these new municipal governments with political authority, financial resources and administrative powers.

Monitoring Committees

In the context of decentralisation, the Monitoring Committees have played a leading role by demonstrating reliability and experience, and becoming the "eyes of civil society".

The Monitoring Committees and the municipal governments have developed good working relations. However, the Monitoring Committees have always remained diligent in the fulfilment of their functions, acting within the parameters provided them by the law.

One event that illustrates just how important and serious the role of the committees is to the communities was the hunger strike carried out by members of the community-based organisations in the square of the Municipality of Buena Vista (100 km north of Santa Cruz). The hunger strikers claimed the process for planning public participation was illegitimate because the municipal government had failed to consult the community representatives as stipulated by the law.

Another example of the effectiveness of the Monitoring Committees as a mechanism of social control is the position the Monitoring Committee of the municipality of Pucarani (30 km west of La Paz) took with regard to the private use of public goods. Specifically, the committee demanded that the mayor hand over the keys of the municipal pickup truck every Friday at 6:30 p.m. in order to prevent him from using it for his own personal benefit at the weekend.

The activities of the committees have contributed to making the management of municipal expenses more transparent and to helping ensure that citizen requests are taken into account.

VI Challenges

Education and management are areas that pose the greatest challenges for the committees. In some cases, the committees have not always met the expectations of the citizens they represent.

Overall the committees working in rural municipalities have proved more efficient than those working in the larger cities have. In a few cases the reason for this is that politicians attempt to persuade committee members to join their

political parties by offering benefits. For that reason, the necessary measures must be in place to avoid such a scenario.

One such precaution could be to level sanctions against parties that try to manipulate or bribe committee members serving in their municipality.

The media have failed to play their part in strengthening the role of the committees. Instead, they have covered only the committees that have been involved in scandals, following a sensationalist line rather than promoting citizen participation and social control.

Moreover, many mayors and council members are uncomfortable with external control measures and/or citizens participating in the administration of local governments, which has at times resulted in quarrels with committee members. However, there is no knowledge of any event that may have trespassed the boundaries of democracy.

Description by: Gastón Zamora Nogales of the Center for Participation and Sustainable Human Development

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Courts without Corruption, Kazakhstan

I Fact Sheet

Name of the Tool: Courts without Corruption

Brief Description: The aim of this project was to increase public awareness of corruption in Kazakhstan's judicial system, to raise standards through research and analysis of both the country's legal system and the informal practices that surround it, and to apply the experience of fighting corruption in other countries to Kazakhstan.

Responsible Organisation: Transparency International Kazakhstan Chapter managed the initiative.

Creation of the Tool: TI Kazakhstan Chapter (1999).

Problems Addressed by the Tool: 1) The absence of detailed knowledge about corruption in the Kazakh judicial system or its causes. 2) The lack of efficient mechanisms to fight corruption in the Kazakh judiciary and the apparent lack of interest of the media and the public at large. 3) Loop-holes in Kazakh legislation that have encouraged corrupt practices.

Areas of Work: The judicial and legislative branches in Kazakhstan.

When the Tool was Implemented: June 2000–June 2001

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II Objectives

The general objectives of the project were:

- To determine the causes and level of corruption in the judicial system.
- To evaluate the roles of different officials in the judicial process.

Specific objectives of the project were:

- To develop concrete proposals for reform and deliver them to the administration.
- To develop mechanisms for fighting corruption, particularly those involving the media and society at large.
- To dismantle the loopholes in existing legislation that encourage corruption.

- To apply international experience of fighting corruption to Kazakhstan.
- To produce and publish the report "Courts Without Corruption" (circulation 1,000 copies) containing the research results.

III Context

The judiciary in Kazakhstan suffers a serious corruption problem. At a meeting on the subject on April 19, 2000, the country's president acknowledged this and said the application of justice had room for improvement. The courts make frequent mistakes; there have been instances of judges taking a lenient attitude towards powerful criminals and of the forgery of forensic evidence. The decisions of regional courts are frequently overruled by the Supreme Court and by the General Office of the Public Prosecutor. The most widespread phenomenon is the use of red-tape to delay proceedings. Some senior judges simply do not merit such a high civic status, yet when their responsibility is questioned the judiciary tends to close ranks to defend those under scrutiny. The Supreme Court's work to develop a unified and credible judicial practice leaves much to be desired.

The level of corruption in any state's judiciary usually depends on the following factors:

1) Appointments to the judiciary.
2) Dismissal of judges.
3) Recruitment and career development.
4) Knowledge of current legislation by existing judges and the opportunity for them to increase their professional standing.
5) Judicial independence and the influence on the decision-making process by senior members of the judiciary, the executive branch and the Presidency.
6) Anti-corruption legislation.
7) The level of corruption in courts and the state at large.
8) The level of corruption in society as a whole.

IV Implementation

Topics of Research

Research on the causes of corruption extended to the following subjects:

- Relationships between the judiciary and the executive.
- Competence and qualifications of the judiciary.

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- System of judicial appointments, promotion, pay and dismissal from office.
- Relationship between the courts and the prosecutor's office.
- The role that lawyers play in the relationship between courts and clients.
- Procedural formalities and judicial responsibility for failing to adhere to proper judicial standards.
- Complaints from prosecutors, causes of miscarriages of justice, re-trials.
- Legislative failures in meeting the needs of the judiciary.
- Efficient execution of court judgements.
- Ways in which the existing system could be improved.

Research Methodology

The project employed both quantitative and qualitative research. However, because the primary purpose was to determine the causes of corruption and to explore ways of reforming the existing system, the emphasis was on qualitative research. The research was an attempt to answer the questions 'Why is there corruption in the Kazakh judiciary?' and 'What forms does the corruption take?'

The target groups in this project were:

1. Officials in the courts of justice (e.g. judges, bailiffs)
2. Government officials in the executive and legislative branches
3. Prosecutors
4. Lawyers
5. Clients
6. Journalists.

Because the topic was considered a highly sensitive one for judges, bailiffs, lawyers and prosecutors, an in-depth, anonymous individual interview was used. See sample interview questions in **Appendix 1**. This method not only allowed researchers to collect the necessary information, but also to involve interviewees in the analysis of the problem of corruption in the judiciary and the formulation of ways to fight it. The reliability of this information can be checked with the help of triangulation (i.e. verifying the information with three different sources).

The last three respondent categories (i.e. clients, lawyers and journalists) were surveyed using regular interviews. They were asked a series of questions about judicial efficiency, accessibility, integrity, responsibility and possible cases of

corruption. The questionnaire was prepared in two languages with the help of advisers.

To guarantee the success of the project it was vital to ensure full co-operation with the authorities. TI Kazakhstan received approval from judicial authorities, the prosecutor's office and the Ministry of Justice. This was essential to avoid hostility from judges and officials. Official approval for the research project also reflected the authorities' commitment to its wider aims.

The project was conducted across six regions of Kazakhstan: the major cities as well as the North, West, South and East of the country. The majority of surveys took place in urban areas although some rural locations were also included. There were around 20 in-depth interviews with judges, several with bailiffs, executives, and around 20 with prosecutors, lawyers and journalists. The survey unveiled specific problems in each group as well as some qualitative and regional differences.

The scheme worked as follows: three specialists were dispatched for five days to a given region and met by a project co-ordinator who had already determined a sample group of respondents with links to the local judiciary. The interviewers were trained and briefed while arrangements were made to meet with officials. Interviews were conducted over the following two to three days with the last two days reserved for the collection of questionnaires and a report on preliminary findings. During this time discussion groups with members of the sample group were conducted. The entire process took around three months, including two and a half months of fieldwork and a month at the end to prepare the final report.

The research produced a wealth of quantitative and qualitative information. It also promoted the active participation of all interested parties, including the judiciary itself and government officials responsible for reforming it.

To help refine the methodology and eliminate practical difficulties, a pilot research project was also conducted.

V Results

The most important achievements of the project were:

- Proposals to modernise existing legislation were drawn up based on the research. These were submitted to the Security Council, Ministry of Justice, Supreme Court and Parliament of Kazakhstan.
- The results helped develop proposals for practical changes in the administration and the judiciary designed to fight corruption, as well as the formulation of a code of conduct. These will be published in magazines and

the mass media in order to promote discussion

- "Courts Without Corruption", a summary digest of the research results, was published.
- Mechanisms were developed to improve the delivery of judicial services. The project also helped formulate new roles for other bodies to play in the fight against corruption including the non-governmental sector, business, state and international organisations.
- A series of round-table discussions on the results were held.

Round-Table Discussions

The purpose of these round-table discussions was to explore and develop mechanisms for curbing corruption in the courts through improved transparency and better judicial administration. The discussions revolved around the establishment of a more sophisticated recruitment system, increased judicial independence and responsibility, as well as a decrease in the number of miscarriages of justice. The round-tables aimed to bring together expertise from international organisations, government bodies, businesses, NGOs and the mass media.

Specific topics for the round-table discussions included:

- The findings of the research project and TI Kazakhstan's legislative initiatives on the eradication of judicial corruption.
- The role of the NGO sector in monitoring the judiciary and fighting corruption.
- International experience of fighting corruption in courts.
- The position of existing national and international legislation against corruption.
- The judicial practice of fighting corruption.
- The creation of conditions that allow courts to maintain their independence from the state.
- The role and influence of the mass media in fighting corruption; improving the access of journalists to information relevant to judicial corruption.

In our view it is crucial to continue monitoring the judicial system in order to assess the impact of future reforms. It is possible that new methods of assessment will be developed over time, including improved interaction with the state structures that are responsible for reforming the judiciary.

VI Recommendations

Carrying out this project required specific skills as well as technical and methodological knowledge. Any other National Chapter seeking to replicate this project might find the following recommendations useful:

1) The research project should be co-ordinated and implemented with co-operation from the relevant governmental agencies (e.g. Supreme Court, Presidential administration). An official "Letter of Support" should be produced and circulated in the regions concerned.

2) Because the research covered different regions of Kazakhstan these letters were drafted and circulated to all the relevant agencies including a request for participation and support. The letters were circulated three to four weeks prior to the field study.

3) Selecting and training regional co-ordinators is a time-consuming process. In the case of Kazakhstan, the Chief Project Co-ordinator determined official guidelines for all of these individuals, including recommended interview procedures and advice on how to approach the relevant governmental agencies, make appointments, locate experts to conduct background checks, form focus groups etc. The chief co-ordinator also prepared detailed comments, goals and objectives for the project; questions for the interviewers, and detailed instructions on how to carry out and process the questionnaires.

4) The project requires extensive training of all participants. Official legislation needs to be studied carefully. Pilot polls and in-depth interviews must be conducted. Focus groups can be set up to identify problems and methodological gaps.

5) The most useful and informative findings are likely to emerge from the questionnaires and in-depth background interviews. Focus groups can present difficulties because respondents may be unwilling to talk about corruption in a group. Generally, officials are likely to be more forthcoming about the problem if they are questioned one-on-one in an anonymous interview.

6) Interviewers may produce more revealing results if they avoid direct questions ("Are courts corrupt?" etc.). In the case of Kazakhstan, interviewees were asked to answer specific questions about the conditions favourable to the development of corrupt judicial practices. The purpose here was to identify potential ways of improving court procedures and to increase the efficiency of different stages of the proceedings.

7) Specific questions were drafted for each separate category of respondents (judges, prosecutors, defence lawyers, parties to a trial, local executive authorities, etc.).

8) On the other hand, polling a range of different officials allowed us to cross-question and to obtain a deeper understanding of judicial practices associated with corruption. For instance, defence lawyers were asked to assess the professionalism of judges. The judges in turn assessed the performance of court officials and so on.

9) Evaluating the level of corruption was not the main challenge of the project. Our primary goal was to identify areas where improvements could be made in order to reduce corruption in the courts. As such, our final recommendations relate to specific improvements regarding improved court management and legislation, better human resources and funding policies etc.

10) We took great care to ensure the accuracy of our statistical sampling in different categories (Regions and cities – depending on the total adult population, rural-urban, male-female, occupational category (procurator, party to a trial, defence lawyer, mass media, etc.). This enabled us to produce objective, informative and complete results from the poll.

Description by: Sergey Zlotnikov, Janar Jandosova and Sofia Isenova

Appendix

Questionnaire used in the project

Classification (to be completed by an interviewer):

	Col 3
Oblast (District)	Code
Respondent	
Almaty, Almaty Oblast	1
Astana, Akmola Oblast	2
Atyrau, Atyrau Oblast	3
Petropavlovsk, NKO	4
Taraz, Zhambyl Oblast	5
Ust-Kamenogorsk, EKO	6

	Col 4
Respondent	Code
Clients	1
Attorneys	2
Judges	3
Prosecutors	4
Executive Power	5
Journalists	6
Judicial Administrators	7
Officers of the Court	8

	Col 5
Location	Code
City, Oblast Centre	1
Regional Centre	2

	Col 6
Respondent Sex	Code
Male	1
Female	2

Dear Respondent,

TI Kazakhstan Chapter is conducting research on the problem of corruption in the judiciary. Please answer the following questions to help us in our inquiries. The survey is entirely anonymous and your answers will be processed statistically. There is no way of determining the identity of individual respondents.

1. Your age

Col 7	1	2	3	4	5	6
	15-20	21-27	28-35	36-44	45-54	>55

2. How often have you appealed or been called to a Court?

Col 8	
1 (once)	1
2-3 times	2
more than 3 times	3

3. In which type of case?

	Col 9
Criminal	3
Civil	2
Administrative	1

4. Do you think that court appeals are the most effective and fair method to protect legal rights and interests?

	Col 10
Yes	2
Yes, depending on personal qualities of a judge	1
No	0

5. If you knew that a judge would make a decision that was advantageous to you during legal proceedings on payment of a bribe, how likely would you be to take this step?

Col 11	1	2	3	4	5	6
	0%	25%	50%	75%	90%	100%

6. What do you think the probability would be of an advantageous decision from a judge if you offered him a bribe?

Col 12	1	2	3	4	5	6
	0%	25%	50%	75%	90%	100%

7. Would you prefer to settle a dispute through bribery of an aggrieved party to avoid possible criminal investigation?

	Col 13
Yes	2
No	0
Difficult to answer	1

8. Instances of corruption are most likely to be observed in the following cases (do not mark more than three items):

	Col
Attorney – Judge	14
Plaintiff – Judge	15
Defendant – Judge	16
Case participant – Office of Public Prosecutor – to influence a judge	17
Case participant – Inquiry (investigation) – biased investigation	18
Case participant – Justice Department – to influence a judge	19
Case participant – Local government body- to influence a judge	20
Case participant – Officer of the Court	21
Condemned – Criminal – Executive authorities	22
Other	23
(write)_____	(24-25)

9. Which group of case participants do you feel is most inclined to pay bribes? (1 item)

	Col 26
Case parties on their attorney's initiative	1
Case parties on their own initiative (through the attorney)	2
Case participants (on their own)	3
Other	4
(write) _____	Col 27

10. Which of the following groups do you feel are the most susceptible to bribery? (do not mark more than 3 items)

	Col
Inquiry and preliminary investigators	28
Experts	29
Attorneys	30
Judges	31
Prosecutors	32
Officers of the Court	33
Police Officers	34
Other	35
(write) _____	36-37

11. Does a system of rotating judges:

	Col 38
Decrease corruption	2
Not influence corruption	1
Lower the quality of work judges do?	0

12. Do you think it would be possible to decrease the level of corruption in the judiciary by introducing more jury trials?

	Col 39
Yes	2
No	0
Difficult to answer	1

13. Is there genuine equality between the prosecution and defence parties during the judicial process?

	Col 40
Yes	2
No	0
Difficult to answer	1

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14. Is there genuine equality between the prosecution and defence if one of the parties involved is a state structure?

	Col 41
Yes	2
No	0
Difficult to answer	1

15. The determining factor in the pronouncement of a court decision is likely to be (do not mark more than three items):

	Col
Personal qualities of a judge	42
Judge's professionalism	43
Social status and personality of a defendant, plaintiff, accused, etc.	44
Complete set of evidence	45
Influence of a higher body	46
Non-procedural influence ("telephone rights")	47
Legislation	48
Constitution	49
Other factors	50
(write) _____	51

16. How effective would it be if each participant in a given legal proceeding began the case by individually stating their opposition to corruption?

	Col 52
Ineffective	0
Occasionally effective	1
Effective	2

17. After the passage of Kazakhstan's anti-corruption law of 2 July 1998 the judicial system has changed ...

	Col 53
For the better	3
To a limited degree in exceptional cases	2
Not at all	1
For the worse	0

18. How would you rate the following qualities of courts in Kazakhstan (mark one circle in each line):

													Col
Corruption	-5	-4	-3	-2	-1	0	1	2	3	4	5	Incorruptibility	54
Dependence	-5	-4	-3	-2	-1	0	1	2	3	4	5	Independence	55
Lack of transparency	-5	-4	-3	-2	-1	0	1	2	3	4	5	Openness	56
Red Tape	-5	-4	-3	-2	-1	0	1	2	3	4	5	Efficiency	57
Low qualification	-5	-4	-3	-2	-1	0	1	2	3	4	5	Professionalism	58
Disorganisation	-5	-4	-3	-2	-1	0	1	2	3	4	5	Organisation	59
Subjectivity	-5	-4	-3	-2	-1	0	1	2	3	4	5	Objectivity	60
Undue familiarity	-5	-4	-3	-2	-1	0	1	2	3	4	5	Respect to the process participants	61
Unfairness	-5	-4	-3	-2	-1	0	1	2	3	4	5	Fairness	62
Improbity	-5	-4	-3	-2	-1	0	1	2	3	4	5	Honesty	63
Blackmail	-5	-4	-3	-2	-1	0	1	2	3	4	5	Decency	64
Acquiescence to people of high standing	-5	-4	-3	-2	-1	0	1	2	3	4	5	Dignity	65

19. How would you rate the behavioural culture of people who work in the courts?

	Col 66
High	3
Satisfactory	2
Low	1
Very low	0

20. Is the following equipment available for use by citizens in court buildings?

	Yes (available)	No	Col
Photocopying equipment	2	0	67
Telephones	2	0	68
Free toilets	2	0	69
Seats in corridors	2	0	70
Seats in courtroom	2	0	71

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21. How good is the provision of the following equipment to court employees?

	Absence	Minimum	Satisfactory	Sufficient	Col
Telephones	0	1	2	3	72
Fax	0	1	2	3	73
Long-distance network	0	1	2	3	74
Computers	0	1	2	3	75
Copying machines	0	1	2	3	76
Standard-legal base	0	1	2	3	77

22. To what extent do you think the following factors influence the level of corruption in the judiciary?

I. Factors	Degree of influence	Col
Low salaries for judges	0 1 2 3 4 5	78
Complete absence of control from the rest of society	0 1 2 3 4 5	79
Ability of judges to make personal decisions	0 1 2 3 4 5	80
Pressure from the executive branch	0 1 2 3 4 5	81
Absence of tight control over the judiciary	0 1 2 3 4 5	82
Lack of an electoral system to appoint judges	0 1 2 3 4 5	83
Absence of jury trials	0 1 2 3 4 5	84
Low qualification of judges	0 1 2 3 4 5	85
Low ethical standards of judges	0 1 2 3 4 5	86
Nepotism/ family connections of judges	0 1 2 3 4 5	87
Offer of bribes by case participants (defendants, plaintiffs, attorneys, etc.)	0 1 2 3 4 5	88
Weak/ imperfect legislation	0 1 2 3 4 5	89
Need for officials to conform with the existing, flawed system	0 1 2 3 4 5	90
System of appointing judges	0 1 2 3 4 5	91
Officials' fear of superiors who can dismiss them from office	0 1 2 3 4 5	92
Vulnerability of judges before those who control judicial bodies	0 1 2 3 4 5	93
Economic dependence of the judiciary on the executive branch	0 1 2 3 4 5	94
Absence of duty organisation in courts	0 1 2 3 4 5	95
Other	0 1 2 3 4 5	96
(please add your own reason here) _____		97

23. Which of the following proposals do you think would help decrease corruption in the judiciary (please do not mark more than three items)?

	Col
Introduce tighter control of judges by the executive branch	98
Liberate the judiciary from the control of the executive branch	99
Introduce a more representative system of control of the judiciary	100
Establish a system of electing judges	101
Establish a more transparent system of appointing judges	102
Abolish life-long appointments for judges	103
Introduce jury trials	104
Increase salaries	105
Enforce legal protection for judges	106
Toughen up punishment for judges engaged in acts of corruption	107
Other factors	108
(write) _____	109

Thanks for your answers and active participation!

To be completed by interviewer:

Questioned by (Name and surname): _____

Date and time questionnaire was filled in: _____

Location : _____

Signature _____

Citizens' Manual for Monitoring Social Programmes, Mexico

I Fact Sheet

Name of the Tool: Citizens' Manual

Brief Description: This ongoing project is a joint initiative between the government and civil society to improve citizens' oversight of social programmes. The aim is to encourage greater citizen participation and to deliver more independent and unbiased control of these programmes.

The Citizens' Manual is distributed free of charge and consists of a printed guide as well as an Internet site (to allow for complaints and the monitoring of social programmes). The initial objective is to use Civil Society Organisations (CSOs) as depositories for receiving suggestions and complaints and to encourage them to serve the community at large. CSOs have the potential to serve as citizens' consulates charged with monitoring the federal system. The idea is that individual citizens will become more closely involved at a later stage.

Responsible Organisation: Transparencia Mexicana (TM)

Creation of the Tool: Transparencia Mexicana and Sedesol.

Problems Addressed by the Tool: The misappropriation of funds intended for social spending for political ends, especially during campaign periods.

Areas of Work: 1) Citizen monitoring of corruption. 2) Increasing the degree of collaboration between civil society and the public sector in order to foment administrative transparency. 3) Prevention and control of corruption.

When the Tool was Implemented: The initial work on the project began in July 2001 and continues to date.

Alliances: The project was co-ordinated jointly by Transparencia Mexicana and the Social Development Secretary (Sedesol).

The following organisations also contributed to the project:

- Secretariat of Social Development, Commission for Transparency and Fighting Corruption (www.sedesol.gob.mx).
- Secretariat of the Comptroller General and Administrative Development (www.secodam.gob.mx)
- Office of the Specialised Prosecutor for Electoral Crimes (www.pgr.gob.mx/otros_delitos/fepade/fepade_4.html)
- Federal Electoral Institute (www.ife.gob.mx)

Financing: Sedesol contributed approximately US $30,000 date. This has been used to organise workshops and design the manual itself (excluding printing costs).

For Additional Information, Contact: Eduardo Bohórquez, Director, Transparencia Mexicana; Tel: 55-56-68-095;
Email: tmexican@data.net.mx;
Web: www.transparenciamexicana.org.mx

II Objectives

The main objective is to involve Mexican CSOs in a process of social monitoring. The specific objectives of the project are as follows:

1) To encourage CSOs to become a conduit for citizens to report concerns or complaints about the misuse of public funds intended for social programmes, and to facilitate this process.

2) To increase the public's expectation that individual complaints concerning the operation and administration of social programmes will be received and addressed.

3) To ensure that CSOs report back to individual citizens about their complaints.

4) To organise the work of volunteers, social organisations and the authorities to ensure that social programmes are properly monitored and their benefits reach the intended beneficiaries.

5) To help prevent corrupt practices and anomalies in social programmes by improving public knowledge about how the government operates, and promoting accountability with the participation of the CSOs.

6) The Citizens' Manual also aims to promote good governance in Mexico.

III Context

The Country

In recent years, Mexican CSOs have taken action to improve their ability to monitor government activity and fight corruption. The Citizens' Manual project is an initiative that supports the efforts of these groups and their commitment to actively participate in a programme for social comptrollership.

The tool is part of the growing civic demand for more open government in order to prevent the misuse of resources intended for social programmes. With

around 35 national social programmes currently underway in Mexico, the character and economic cost of this type of corruption varies significantly. Corruption can take a number of forms, ranging from altering the criteria for beneficiaries, to a failure to deliver resources, subsidies and projects meant for the country's most disenfranchised groups. No precise information exists on how the misappropriation of these resources impacts on Mexican society but the issue is of the utmost importance to Transparencia Mexicana.

The government has demonstrated a willingness to be placed under the scrutiny of the CSOs and has also acknowledged their ability to participate in government programmes.

This political resolve to work with civil society is not new for the federal government. In the early 1990s the National Solidarity Programme (Pronasol) included a plan for the beneficiaries to participate in the programme's implementation, providing local labour and resources. However, the new government has sought to extend the participation of organised civil society to the supervision of social programmes.

The Citizens' Manual project emerged from the ability of civil organisations to monitor government activity combined with the political resolve to open up institutions to social scrutiny. The aim was to produce a guide to help reduce irregularities, prevent political impunity, reduce the use of public resources intended for social programmes for political and electoral ends, and to motivate and facilitate social participation in government. The tool is innovative because it proposes and defines a new and more open relationship between the CSOs and the government with the CSOs providing social comptrollership.

However, monitoring and overseeing these activities is no easy task for the CSOs. Most social programmes are highly complex, involving a large number of different people and resources. This creates the potential for administrative and criminal problems that the Citizens' Manual seeks to prevent.

The TI Chapter

Transparencia Mexicana has participated at every stage of the project, from initial development to implementation.

Two fundamental factors made the execution of this tool possible:

1) The close institutional relations and collaboration between TM and Sedesol.

2) The development of TM's technical expertise and ability to create an instrument that links citizens, public servants, institutions via information

technology. Sedesol identified a clear social demand and Transparencia Mexicana responded with a proposal for a tool to satisfy that demand.

The most important challenge in the development and practical application of the tool was securing the co-operation of the different government agencies and the state. Some of the details are still being worked out.

IV Implementation

The Citizens' Manual focuses on two basic points:

1) Access to information
2) Civic oversight of social programmes.

The first part provides citizens with specific information about how federal social programmes should operate according to central government regulations. It also contains a summary of current programmes that must be updated every year. The second part provides a practical guide to the correct functioning of social programmes.

In essence, the manual helps CSOs to determine what to monitor and define the best ways of doing so.

The print version of the Citizens' Manual includes the following features:

1) A fact sheet and flow chart for each of the social programmes, summarising objectives, requirements, benefits and stages in a simple and easy-to-read format.
2) An information section including details of how to present complaints about alleged anomalies in the operation of social programmes.

The printed document is around 200 pages long.

There is also a web portal that offers an interactive tool to encourage accountability in social programmes. With the support of the CSOs, citizens can use the site to register official complaints about Sedesol programmes and track their progress. This is much easier via the Internet because it bypasses bureaucratic red tape and reduces costs. The website is: www.sedesol.gob.mx/manualciuadadano.

Preparation

1) Identifying the Problem

Workshops were held including public servants, social policy makers, civil society organisations and beneficiaries. These identified the optimum conditions for social programmes in terms of transparency, efficacy and performance. This stage lasted about eight weeks.

2) Collaboration between Sedesol and TM

An agreement was reached between Sedesol and TM to oversee the project. This public agreement set out the individual responsibilities and powers of each organisation. This established a clear framework for co-operation.

The Citizens' Manual is part of a broader institutional programme that is called "Sedesol Visible to All".

3) Financing

The organisers determined the amount of funding needed to develop the tool and identified sponsors.

4) Defining a Strategy

The team held a series of meetings to discuss each of the subsequent stages including design, development and practical application of the tool. This team was made up of TM members, expert advisers and the Sedesol Transparency Commission. The design stage involved special workshops that emphasised technical concerns and needs.

The Citizens' Manual is not just a print document but also a mechanism for social participation. As such, the creation of the Internet site – an essential element in the project for virtual accountability to society via the CSOs – was another key focus. This stage lasted four weeks.

5) Developing the Print Version of the Tool

In this stage the content of the Manual was developed and written. Sedesol provided TM with the relevant documents and regulations needed to produce flow charts and fact sheets.

For the second component (practical information on how to make complaints), Sedesol requested information about how complaints about anomalies in the social programmes should be presented and submitted. This stage lasted about three months.

6) Reviewing the Tool

Once the flow charts and fact sheets were ready they were presented to Sedesol to ensure that the diagrams presented the regulations accurately and to avoid errors or inconsistencies. Producing the manual involved summarising 26 social programmes in 200 pages. 5,000 copies of the Citizens' Manual were then printed up. This stage lasted 12 weeks.

7) Training Workshop with CSOs

A meeting was held with participating government institutions to define the strategy and content for the CSO training workshops. In June 2002, the im-

plementation of the tool had reached this stage. It was decided that this event would be held in Mexico City, over the course of two days, with the participation of 80 CSOs representing a network of 340 organisations from around the country.

Most of these organisations work directly with the population on issues such as childhood, the elderly, the environment and human rights. Their strong links with the civil population are particularly helpful for the effective application of the tool and its use as an instrument for social accountability.

The workshops will address the following subjects:

a) Promoting citizen rights.

b) The relevance of social oversight of government programmes.

c) The importance of institutional channels for making complaints.

d) The creation of transparency networks between citizens and the state.

e) Experiences in social oversight and monitoring.

f) The technology for monitoring complaints.

The preparation for these workshops took eight weeks and the workshop itself will last two days.

Execution

1) Setting the Programme in Motion

This stage will begin at the end of the training workshop. It is expected that the CSOs that participate in the workshop will train other organisations and individuals in the use of this tool.

In the future, it is hoped that the project will encourage individual citizens to use the tool, as well as the social organisations who represent them.

2) Evaluation

This stage is still some way off. So far, the process has reached the stage of defining the practical application of the tool.

Human Resources

The practical application of this tool required a combined effort by a member of the Sedesol administration, a member of the Transparencia Mexicana administration, a senior consultant and two to five junior consultants. A further 15 public servants from different government institutions and 10 civil society organisations also participated.

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TM had complete organisational autonomy in the project in terms of financial, technical and human resources.

Role of the Media

The media expressed great interest in the tool during the design and development stage.

The organisers decided to wait until the project is formally underway in August 2002 before mounting a major publicity campaign. A workshop for the media will be held to familiarise them with the tool. TM and Sedesol are planning further plans for communication and dissemination of information about the project.

Terms of Collaboration

TM signed a communication agreement with Sedesol for the purposes of this project.

The following people have participated in drawing up this agreement:

- Federico Reyes Heroles (President of Transparencia Mexicana's Governing Council) www.transparenciamexicana.org.mx
- Eduardo Bohórquez and Eva Jaber (General Project Co-ordinator) www.transparenciamexicana.org.mx
- Roberto Castellanos (Consultant), Daniel Aguado, Michelle del Campo and Bárbara Castellanos (Executive Team Members)
- Martha Covarrubias (Publication Design)
- Rafael Domínguez Morfín (Representative of the Commission for Transparency and Fighting Corruption)

V Results

The project aims to enable CSOs to collaborate with the government in a respectful and intelligent manner. No rejection of the use of the tool is expected and there has been no reluctance on the part of CSOs to participate. Both parties are aware of the other's position in working toward a common goal: a simple, easy to implement, low-cost tool that enables civil society to monitor and review social programmes in Mexico.

Achievements

Bearing in mind that the tool's main objective is to involve civil society organisations in different governmental entities as a mechanism for social accountability, the following achievements have been observed to date:

1) Number of CSOs

At the start of the project, 100 CSOs from nine states had signed collaboration agreements with Sedesol. At the time of writing, 320 CSOs had signed similar agreements. This figure exceeds the project's original expectations by 200 per cent.

2) Number of Government Institutions

At the start of the development process, only TM and Sedesol were involved in the creation of the tool. Since then the project has generated interest and encouraged the collaboration of three other governmental entities: the Federal Electoral Institute (IFE), the Office of the Specialised Prosecutor for Electoral Crimes (Fepade), and the Secretariat of the Comptroller General and Administrative Development (Secodam).

3) Number of Programmes under Supervision

When initial discussions about the tool began, the efforts concentrated on the Sedesol programmes with the greatest social impact, in terms of the number of actual and potential beneficiaries, and the resources allocated to them. At the time of writing, all the social programmes that Sedesol is involved in have been included in the tool. Sedesol administers over 30 social programmes intended for people living in extreme poverty.

4) Alliances

Significant institutional alliances have been built and maintained in the collaboration agreement signed by Transparencia Mexicana and Sedesol.

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Indicators

As the project continues, TM will be monitoring the following indicators:

- Number of complaints, denouncements and requests presented as part of the programme.
- Number of organisations directly trained to use the Citizens' Manual.
- Number of organisations that participate in the CSO network that are part of the programme.
- Number of citizens reached in the programme.
- Number of corrective actions and sanctions applied.

Challenges

As mentioned earlier, this tool has not yet been fully launched. The problems that have arisen to date mainly concern the relations between the state and civil society.

One problem that arose was a delay in reviewing the content for the Citizens' Manual. This was because different Sedesol administrative units made numerous observations and the document needed to receive formal approval and validation before it could be printed and distributed during the training workshop with CSOs.

It is worth mentioning here that the project also identified a lack of clarity in the operating rules for social programmes. This was observed in the official publications that were used as the source documents to develop the Citizens' Manual, and it slowed down the development of the tool.

Although the operating rules include the elements that by law must be considered in any social programme, the format and style often failed to provide a clear explanation of how they actually operate. One explanation for this is that the operating rules for social programmes are drawn up based on a format established by a separate government entity.

These difficulties were overcome with the help of those in charge of the programme at the Secretariat of Social Development. However, the problem emphasised the need to adopt measures to facilitate possible future work re-editing the tool or for its use by other government entities. Plans exist to present these observations and discuss this situation with the corresponding authorities.

Participating CSOs are unlikely to have the technical training needed to use the tool. It is also likely that many of the complaints and requests that are presented via the Internet will lack the minimum requirements to be resolved through legal channels. Obtaining the resources needed to maintain a permanent programme of monitoring and social oversight will be a significant challenge for the CSOs.

There is also the risk that the tool could be used for political ends, although this should not distort the expected results. The CSOs' lack of institutional capacity, lack of knowledge about the issue of transparency and accountability, and ignorance of how the government works are some of the main areas that could lead to operating problems.

Finally, it is important to mention that all the decisions related to the project, including the solutions to the challenges that have arisen to date, have been made with consensus. Most of the potential points of conflict were foreseen when the collaboration agreement was drawn up.

Public Opinion

The public's reaction has been very positive so far and in general there has been widespread acceptance of the Citizens' Manual.

VI Recommendations

Improvements could be made in the procedures for reviewing and validating the manual by the different administrative units and government bodies. The best way to do this would be to clearly specify the stages in the development of the tool and provide explicit deadlines.

Where possible, subsequent editions of the Citizens' Manual will simplify the content, making it more accessible to grassroots organisations and citizens in general.

Another recommendation for any organisation interested in replicating this project overseas is to maintain good institutional relations with the government. A project like this is based on intense collaboration and its success will depend largely on the degree of co-operation with the authorities.

Description by: Eduardo Bohórquez and Roberto Castellanos

Business Ethics

VI

Comprehensive Ethics Programme for Small and Medium-Sized Enterprises (SMEs), Colombia

I Fact Sheet

Name of the Tool: Comprehensive Ethics Programme for Small and Medium-Sized Enterprises (SMEs)

Brief Description: The objective was to design, implement and monitor a comprehensive programme to promote ethics at SMEs in Colombia. The project aimed to improve relations between individual companies and the different interest groups they interact with by promoting a more ethical approach to business.

Responsible Organisation: The project was managed by Transparencia por Colombia, the national chapter of Transparency International.

Creation of the Tool: Corporación Transparencia por Colombia

Problems Addressed by the Tool: The lack of a culture of ethical behaviour at SMEs, which in turn encourages corruption and can impact negatively on other interest groups.

Areas of Work: Voluntary education and cultural change, corporate and social responsibility.

When the Tool was Implemented: The project was first implemented as a pilot exercise in November 2001. It was then decided to introduce it fully in three stages:

1) Design and development of a methodology.

2) Dissemination of the tool, training of facilitators through alliances.

3) Monitoring the success of the project and analysing its impact.

The project is currently in the first stage.

Alliances: Ethics Resource Center (www.ethics.org).

Financing: Transparencia por Colombia has so far spent US $20,000 donated by the Merck Sharp & Dhome Foundation and the Corona Foundation.

The total cost is expected to be around US $260,000. Other potential sources of funding are being investigated for the next stages.

For Additional Information, Contact: Rosa Inés Ospina Robledo, Executive Director, Corporation Transparencia por Colombia; transparencia@cable.net.co

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II Objectives

To design, publicise, and monitor the implementation of self-applied Comprehensive Ethics Programmes for SMEs as a management strategy. This strategy is geared towards helping the enterprise balance its relationships with different interest groups with which it interacts such as employees, clients, the community, suppliers, and owners of the enterprise. As it generates trust and credibility in its surroundings, the enterprise also increases its competitiveness.

The specific objectives of the project were:

- To promote a more ethical approach to business as a management tool.
- To build mechanisms to promote organisational excellence and to improve corporate ethics.
- To discourage corrupt practices at private SMEs.
- To improve relations between private enterprises and the interest groups they work with in order to raise productivity and enhance the overall business environment in Colombia.
- To raise the awareness of business people about ethical practices in management.
- To encourage business to make concrete commitments to social responsibility and the development of better ethical practices.
- To promote the consideration of ethical principles in corporate decision-making.
- To develop management models for implementing more ethical practices.

III Context

National

The 1991 Constitution redefined the role of enterprises in Colombia as important agents of economic and social development. It also committed the state to the task of strengthening and supporting Colombia's business community (Article No. 333) in exchange for a commitment to greater social responsibility.

Small and medium-sized businesses constitute one of the driving forces behind economic growth and development in Colombia. SMEs play an important role in creating jobs, wealth and thus the social and cultural well-being of the country as a whole. They participate in all facets of national life as the suppliers and producers of goods and services, and they make up the bulk of

the country's business community. There are approximately 200,000 SMEs in Colombia, representing some 90 percent of the total business community[1].

However, because of their size, SMEs are also more susceptible to downturns in the economy and structural weaknesses in domestic and global trade. These hardships can prompt companies to adopt unclear and disperse management policies that can sometimes be inefficient, dishonest or unfair.

To head off this risk, there is a need for Colombian companies to pay greater attention to their internal management processes, as well as their relations with the public and private sectors.

If SMEs make a conscious decision to tackle these problems, then corrupt practices will be less likely in their relations with both the public and the private sector[2]. This should in turn strengthen the culture of business ethics.[3]

The Colombian government is aware of the importance of SMEs and the difficulties they face, and is committed to supporting them. In 2000 this became official policy when Law 590 was approved to promote the development of smaller companies. The law reflects the fact that improving the institutional environment is a key element for the development and sustainability of SMEs (Article No. 1)

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The TI Chapter

A group of Colombian private sector enterprises expressed interest in leading an initiative to fight corruption and it found that Transparencia por Colombia was the most suitable organisation for pursuing this aim. The movement was strengthened when a considerable number of private sector enterprises joined up.

A decision was made to emphasise the core aim of "building corporate ethics and social responsibility for organisations". This involved the development of

1 A small business is an economic unit with 11 to 50 workers, whose assets are over US $67,000 and under US $670,000. A medium-sized business, as such, is an economic unit with 51 to 200 workers, whose assets are over US $670,000 and under US $2.1 million.

2 The most common problems in managing one's business and in conducting business between private parties are related to relations with employees (discrimination and abuse of authority), and conflicts of interest (bias in procurement, policy on gifts and perks, hiring of relatives) and the development of organisational processes (tax evasion, false advertising, etc).

3 Business ethics is understood as being a set of values that orient decision-making and the general behaviour of the people in an enterprise, in such a way that the consequences of their acts and decisions lead to prudent and fair results, to contribute to greater balance in the enterprise's relations with the different interest groups with which it interacts.

initiatives to create a culture of values and ethics in the business community. The Comprehensive Ethics Programme was conceived as a major part of this effort.

The project began with the implementation of a comprehensive ethics programme at an important enterprise, with the help of the Ethics Resource Center.[4] The need to work with small and medium-sized businesses was evident from an early stage, because most of the Colombian business community is composed of these types of enterprise. The group realised that SMEs represented a decisive vehicle for bringing about voluntary cultural change in order to strengthen ethics in the private sector.

IV Implementation

The Pilot Project

To ensure the success of the project it was important to understand the degree to which a culture of ethics had already developed at SMEs. As a test case, Transparencia por Colombia and the Centro Colombiano de Responsabilidad Empresarial (CCRE)[5] decided to work closely with a single company in the auto parts sector. As well as strengthening corporate ethics within the company, the pilot would also provide a general overview of the requirements and problems involved in this type of initiative.

The pilot included an analysis of the company's ethical climate as well as the development of specific commitments and the creation of a corporate code of ethics.

Transparencia por Colombia quickly learned from this experience that what was needed was the preparation of comprehensive ethics programmes reflecting the characteristics of individual companies. Furthermore, to have a real impact it would be necessary to find a way that these programmes could be introduced to SMEs nationally.

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4 The ERC is a Washington, D.C.-based institute specialised in the field of business and organisational ethics. The ERC has worked together with Transparencia por Colombia on the design and application of different tools implemented in the private sector and it has provided feedback on the development of this methodology. Later it participated in the pilot experience undertaken with a small enterprise, which formed the basis for the design and testing of the Comprehensive Ethics Programmes for Small and Medium-sized Businesses in Colombia.

5 CCRE and Transparencia por Colombia only worked together on the pilot project with the Hermagú auto parts company.

As work progressed, it became clear that the project would include the design of a self-administered management tool for SMEs as well as techniques for disseminating and monitoring it.

The Three Stages (See **Appendix 1**)

The project entails three main stages:

1) Design and development of a methodology for the Comprehensive Ethics Programme for SMEs.
2) Disseminating the tool and training facilitators through alliances.
3) Monitoring the application of the tool and analysing its impact.

Currently, the project is in its first stage at five SMEs.

Stage One: Design and Development of the Methodology

Transparencia por Colombia, with support from the Ethics Resource Center,[6] worked on defining the objectives and the modules for the project.

These characteristics were as follows:

A) Focus and General Characteristics of the Tool
- Self-administered: to be easy for a business manager to use so that a company can introduce it by itself.
- Dynamic: to promote corporate participation.
- Thought-provoking: to invite constant reflection.
- Adaptable: to be adaptable to a company's specific circumstances.
- Interdependent: these components should be interrelated and thus self-enforcing.

B) General Guide

The brief guide sets out the objectives, benefits, content and methodological characteristics of the Comprehensive Ethics Programme for SMEs. It aims to arouse the interest of the business community in the subject.

C) Basic Modules and Thematic Modules:
1) Ethics Climate Analysis
2) Building Ethical Commitments

6 The ERC concentrated on providing support to define the characteristics of the SMEs and the modules that should be included in the programme, according to the needs identified and the results of the pilot experience.

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The rest are thematic support modules containing strategies for improving the weak points that have been identified in the Ethics Climate Analysis.

Basic Modules

Module 1: Ethics Climate Analysis – A survey is used to identify weak areas that need to be reinforced in the company's ethics structure. This represents a snapshot of employees' perceptions and interpretations of the company's ethical climate. Staff answer the survey anonymously and return it in a sealed envelope. The results are processed using software that the company receives as part of the project materials.[7] The ethics climate analysis is applied using several variables that are addressed in the survey.

Module 2: Building Ethical Commitments – The survey allows the company to collectively develop **ethical commitments** that help shape corporate practices and decisions. These commitments define the values, the interest groups, and the risks faced by those who work at the company. These commitments are developed at a workshop that is held with all of the company's staff and management.

Thematic Modules

Taken together, these modules provide the company with the support necessary to strengthen a culture of values. If necessary they can be implemented simultaneously because, although they are self-reinforcing, they do not follow any sequence.

The thematic modules are as follows:

1) Defining and Implementing Mechanisms for Conflict Resolution: This module aims to create harmony within the workforce and between partners in the same field, by promoting a collective commitment to providing effective solutions to disagreements.
2) Designing and Implementing a Communications Strategy: Without a clear and constant communications strategy that encourages compliance with the defined ethics agreements, both inside the company and with others, the workers' enthusiasm will begin to flag over time.
3) Designing and implementing a training strategy: The organisation's culture is greatly influenced by the ethical training processes. The basic objectives of this module are to encourage ethical attitudes and practices among the work team, and to develop the necessary criteria for making decisions and resolving ethical dilemmas that arise in any enterprise.

7 Transparencia por Colombia developed this software with the support of the ERC.

4) Good Governance in Family Business: This module aims to create an environment of sustainable trust and responsibility at businesses where employees and owners are members of the same family.

5) Developing Ethical Leadership: A leader is responsible for enforcing corporate values and lobbying for the adoption of an improved ethical culture.

6) Evaluating Success: This module teaches employees to measure the success of the programme within each company. It seeks to evaluate the programme's content and methodology and to find ways to constantly improve it.

Stage Two: Disseminating the Tool and Training Facilitators through Alliances

This stage works on establishing good relations with business associations, institutions and organisations that represent SMEs. It is not yet underway. However, some business associations have been contacted in order to get feedback on the design and construction of the project's methodology.

Hopefully, at a later date these contacts will become important alliances that help to make the project sustainable in the following ways:

1) To promote the project massively.

2) To secure the resolve of the business community.

3) To support the training of people to teach the methodology to those who are interested (e.g. the workshop facilitators).

4) To provide assistance to companies on the self-administration of the tool.

5) The fora, meetings and seminars held by business associations also represent the ideal settings for Transparencia to present its project.

Stage Three: Monitoring the Application of the Tool and Analysing its Impact

A series of indicators will be developed to measure the success of the programme at each SME, and to determine the extent to which the tool has encouraged transparency, efficiency and honesty.

Current Progress and Advances in Implementation

Currently the first two modules (Ethics Climate Analysis and Building Ethical Commitments) of Stage I are being applied on a trial basis at the five SMEs that have so far joined the project, under the guidance of Transparencia por Colombia. Trained external facilitators have arranged workshops for these

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modules, along with business representatives and staff from Transparencia por Colombia. These workshops last an average of three hours.

The subsequent thematic modules are being developed with the advice of experts on organisational development, values education, conflict resolution, and the administration of family businesses. These external consultants have been contracted by the organisation, either hired directly or through an open call for tenders.

A preliminary version of the module on good governance in family businesses already exists, developed by the business administration institute at La Sabana University (INALDE), and is being tested at three enterprises. Experts have also been called upon to design the educational strategy and the communications strategy modules. The contract for the former has already been awarded while the proposals received for the latter are being assessed.

V Results

In stage one, as well as the results from the pilot project with the auto parts company, the following results have been obtained:

Progress in Testing the Modules

The following table summarises the current status[8] of the work with the five SMEs:

ACTIVITY	METALICAS	DONSSON	SCHOTT	NAVCAR	TOXEMENT
Module 1: Diagnosis					
1st Module Timetable	Yes	Yes	Yes	Yes	Yes
Delivery of information models for employee programme	Yes	Yes	Yes	Yes	Yes
Testing of the survey to make adjustments for the general application	Yes	Yes	-	-	-
Application of the survey	Yes	Yes	Yes	Yes	Yes
Interviews with employees to identify difficulties in filling out the survey	4	3	-	-	-
Survey tabulation	Yes	Yes	Yes	Yes	Yes

ACTIVITY	METALICAS	DONSSON	SCHOTT	NAVCAR	TOXEMENT
Meeting to analyse and interpret the results with the administration	Yes November 2001	Yes January 2002	Yes February 2002	Yes April 2002	Yes March 2002
Sharing of the results with the employees	Yes	Yes	Yes	Yes	Yes
Module 2: Ethics Commitments					
Agreement on timetable	Yes	Yes	Yes	Yes	Yes
Workshop on values identification	Yes February 2002	Yes April 2002	Underway (July 2002)	Yes May 2002	The company had already identified and worked on values.
Workshop on identifying risks to that threaten values	Yes	Yes May 2002	Scheduled for July 2002	Yes May 2002	Scheduled for July 2002
Workshop on Ethics Commitments	*	Scheduled for June 2002	Scheduled for July 2002	Underway	Scheduled for July 2002

* It was not possible to continue applying the tool at the SME Metálicas because the company began to experience economic difficulties. At present the programme is on hold.

Development of the Programme's Basic Documents

A preliminary draft of the general guidelines, modules one and two already exist. These are being modified as the testing process provides feedback and information on areas for improvement.

Development of the Thematic Modules

A preliminary version of the module on good governance of family businesses exists entitled "Guía práctica para la Empresa Familiar en Colombia" (Practical Guide for Family Businesses in Colombia). This is being tested at three businesses. Progress has also been made on the education module. This is being tested at 10 SMEs so as to adjust the content. The terms of reference exist for the modules on ethical leadership, conflict resolution and evaluating success.

Reaction from the Business Community

Small business owners have been very receptive to the modules that have been tested so far. Despite the fact that the analysis has not been particularly in-

depth because it is self-administered, owners claim that the findings reflect the enterprise's situation and have even complemented previous assessments undertaken by other groups specialising in organisational culture.

Business representatives have said that the workshops have helped in a number of ways:

1) Promoting a sense of corporate participation.
2) Creating a collective corporate consciousness.
3) Building a culture of accountability.
4) Providing a useful tool for resolving ethical dilemmas that would have been hard for managers to identify and address on their own.

As companies focus their attention on the project as a collective, they improve their general business environment. This in turn increases competitiveness in the medium and long term.

Challenges

Even when small businesses have responded positively to the programme, there are sometimes structural limitations that make it difficult to put it into practice.

The limitations are usually dictated by the time needed to implement the project. Often the work schedule is intense and cannot abruptly be interrupted for an exercise that requires a certain amount of time and commitment. Second, there are economic limitations that restrict the enterprise's ability to invest in the training it needs to apply the tool. Third, there may be limitations on human resources and a lack of trained people to lead these sorts of exercises. Fourth, the fact that many SMEs in Colombia are family businesses makes it difficult for workers to separate their blood ties from their labour relations. This can make it hard to work on the different obstacles that arise in the organisational environment.

Because of the limitations of the SMEs, creating a tool that is right for them has been a complicated task which has demanded creativity and versatility. Transparencia por Colombia designed the programme with two basic modules and the rest as thematic modules that could be applied as needed precisely because SMEs tend to vary greatly. Each one must therefore be given the chance to select which modules to apply.

One of the main questions has always been how to ensure that the tool will have a real impact on the SMEs and on the business community as a whole.

To achieve this, the project organisers realised that it would not be enough to test the tool and adjust it. It would also be crucial that Transparencia por Colombia obtain commitments from influential figures in the business community who are willing to promote the programme.

It is also vital to measure the impact of the programme's widespread application. This is the only way to ascertain the tool's contribution to changing the attitude of Colombian SMEs toward business. For this reason, it was very important to take care in the design of the monitoring indicators for the third stage.

VI Project's Sustainability

The sustainability of the project depends on:

a) Making sure the tool is of a high quality and can be applied in different types of SME.

b) Building Transparencia's ability to measure its results and impact.

c) Obtaining resources for replicating the experience, monitoring and getting different business associations involved in the project.

d) Although the dissemination of the programme is part of the second stage, which is not yet underway, overtures have already been made toward some business associations and organisations that have expressed interest in getting involved. It is worth mentioning that the interest of business leaders has arisen from the application of the programme in their companies. This has started to resound throughout Colombia's business community.

The business associations that have expressed interest in the project include:

a) Colombian Federation of Chambers of Commerce (Confecámaras): this business association is interested in applying the tool to the companies that have signed the code of honesty.

b) Bogota Chamber of Commerce: interested in applying the tool to the companies involved in its business development programmes.

c) The Colombian Association of Small Industries (ACOPI) and the Colombian Association of Clinics and Hospitals.

VII Recommendations

Because this is a tool for corporate administrators and managers, there shouldn't be legal restrictions in its application in other countries. The following are some recommendations:

1) Before applying the tool, it is important to pay special attention to the characteristics of the business community in the country so that the programme reflects particular national conditions and needs.

2) Establish preliminary alliances with one or more SMEs, or with a business association, in order to develop helpful contacts.

3) Try to seek results in the short term from which to learn, but remember that it will take time and resources for the programme to gain widespread acceptance, and to have real impact on the country.

4) Bear in mind that the Comprehensive Ethics Programme needs to be flexible and able to respond to variations in the business climate where it will be applied.

5) Be aware of the restrictions that small and medium-sized businesses may face when putting the tool into practice. It may be useful to determine whether the difficulties that arise are inherent to the sort of enterprise in which the work is being done, or whether they are the result of a lack of commitment on the part of the management and employees.

6) From an early stage establish ethics as a specific and important subject to address with the companies. They should be made aware that improved ethical standards can contribute to their corporate performance and to the country's economic development.

7) Where possible, systematise the experience as it proceeds. Every finding can be used to adjust and improve the tool.

8) Identify individuals in the business community who could become strategic allies for spreading and replicating the tool so that it has real impact.

Description by: Natalia Currea Dereser with support from the Transparencia por Colombia team

Appendix

PROJECT'S STRUCTURE & TIMEFRAME

THEME	ACTIVITY
(1) Stage 1. Estimated time: 12 months (November 2001 – November 2002)	
Development of a methodology to be self-administered by the SMEs	1.1 Identify the institutions interested in supporting the design of the programme's modules.
	1.2 Design the modules
	1.3 Pilot test of the first modules
	1.4 Edit and publish the modules
(2) Stage 2. Estimated time: 24 months (November 2002 – November 2004)	
Dissemination and application of the programme	2.1 Identify the institutions interested in supporting the dissemination of the Comprehensive Ethics Programmes
	2.2 Identification, training of Facilitators
	2.3 Monitoring and follow-up to the application.
(3) Stage 3 Estimated time: 6 months (Starts 18 months after stage 2 began)	
Monitoring and Evaluating the Programme	3.1 Monitoring the programme's implementation.

Diagnostics

Fact-Finding Survey on Good Governance in Public Institutions, Bangladesh

I Fact Sheet

Name of the Tool: Fact-Finding Survey on Good Governance in Public Institutions or Fact-Finding Exercise (FFE)

Brief Description: The aim of this project was to assess the strengths and weaknesses of public institutions in Bangladesh using a Fact-Finding Exercise. A FFE is a research and diagnostic tool used to examine in detail the activities, performance and weaknesses of an institution or organisation.

Responsible NGO: Transparency International Bangladesh (TIB)

Creation of the Tool: TIB

Problems Addressed by the Tool: Lack of transparency and accountability of public institutions in Bangladesh.

Areas of Work: Public sector institutions.

When the Tool was Implemented: TIB initiated the project at the Bangladeshi Anti-Corruption Bureau in 2000. A report was published based on the findings of a round-table discussion held on December 30, 2001.

Alliances: Bangladesh's Anti-Corruption Bureau participated in the project.

Financing: A full-time researcher is currently employed on this project who receives US $3,500/year. TIB launched the exercise with the financial help of USAID.

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II Objectives

The main objectives of this study were as follows:

a) To analyse the evolution of an institution to its present form.

b) To examine the existing legal framework of a public institution.

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c) To analyse the institution's structure.

d) To review the way in which it functions.

e) To ascertain its efficiency, or lack thereof.

f) To assess the performance of officials of the organisation.

g) To analyse the role of the institution in tackling corruption.

h) To raise awareness among officials and the public at large.

i) To exert pressure on the government to undertake reform and make necessary changes.

j) To enable TIB to play an effective role in curbing corruption and in improving accountability and transparency in the delivery of public services.

III Context

Bangladesh is one of the poorest countries in the world with an average per-capita income of around US $380 per annum. Like many developing countries, it suffers from widespread poverty, over-population, illiteracy, malnutrition and a lack of resources. The national economy is chronically weak while the political system remains unstable. Pervasive corruption is a serious problem throughout the country's social and state institutions. Although Bangladesh became independent in 1971, a democratic system of government was only introduced in 1991 (although even then in a limited form). Corruption is the main obstacle to the social and economic development of the country. Bangladesh now has a parliamentary system, but it lacks a tradition of accountability or transparency. The government sector is characterised by monopolies and the widespread use of discretionary powers.

Transparency International Bangladesh

TIB is working towards a corruption-free Bangladesh by advocating transparency and accountability in the administration, the legal system and in all areas of civil society in order to promote stronger economic growth and respect for human rights. Unfortunately, despite 30 years of Bangladeshi independence, corruption is increasing in virtually every sphere of national life.

IV Implementation

TIB undertook three FFE on three of the country's most important watchdog agencies:

- Bangladeshi Anti-Corruption Bureau
- Office of the Comptroller and Auditor General
- Public Accounts Committee.

The work started in early 2000. The tool was intended to analyse the overall structure of institutions and the way in which they function in order to assess their efficiency and analyse the role they play in curbing corruption. It also sought to evaluate the kinds of corruption that exist in different institutions and make recommendations for improvements. This in turn can stimulate the government to undertake necessary reforms and raise awareness of the problem.

The stages of implementation of this tool are:

1) Selection of an organisation/institution:

   So far the institutions selected have been watch-dog agencies but FFE may extend to other service delivery agencies that have been the object of media reports on mismanagement or corruption.

2) Preparation of a "concept note", a paper listing the basic purpose of the institution selected for the project, its structure, background, the kind of constraints it has. This serves as a basis for discussion and a starting point of the process outlined below.

3) Development of a detailed work plan.

4) Preparation of a list of facilitators both within and outside the chosen institution who are relevant for the study. These could be officials working at the institution being surveyed or other people with knowledge of the organisation (e.g. representatives from civil society, academics, former staff, and journalists). This is a crucial 'trust-building' exercise that will facilitate access to information during the study.

5) 'Brainstorming' session with the facilitators in order to establish what the FFE should focus on, identify what the sensitive/problematic work areas of the organisation are and how the FFE can best illustrate them.

6) Review of literature: Information from existing literature about the institution under scrutiny can be used as secondary data source. It allows the project facilitators to improve their understanding of the organisation, identify its strengths and weaknesses and gather general background knowledge. A review of relevant news-clippings may also be helpful. In the final report, the sources of information are duly referenced.

7) The actual survey is carried out via interviews with officials at the organisation. Questions focus on the efficiency of the service. For example, staff are asked how long it takes for a file to be processed. If a large number of people need to be interviewed, a standard questionnaire may be developed. Sensitive information may also be obtained anonymously from insiders.

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For a sample survey the activities of the Bureau and influences of the ruling party on the Bureau see *Appendixes 1 and 2*).

8) Preparation of draft report.

9) Discussion of draft report with the relevant individuals for reaction and comment. The draft report may also be reviewed by a specialist with relevant expertise.

10) Preparation and publication of the final report.

11) Dissemination of the report to relevant government officials, policy-makers, civil society and media.

This process is also an opportunity to build a pool of concerned individuals who can help carry out the survey and continue to monitor the institutions under scrutiny.

TIB has so far released one report, and another two are in their final stages. The study period of a fact-finding exercise lasts about six to ten months. The first project involved a process of learning through experience.

Further Analysis

With the last FFE report, TIB presented a working paper on a proposal for an Independent Anti-Corruption Commission (IACC). From the reception by the media and other groups it became apparent that making constructive suggestions in the form of a working paper and the use of critical analysis via a FFE served to raise the level of the debate by making it easier for parties to look ahead. TIB also arranged discussions on the proposed IACC in different parts of the country. TIB is now working with a group of lawyers to prepare a draft bill for an IACC. TIB is also developing indicators to monitor the activities of these organisations for further analysis.

V Results

The report on the Anti-corruption Bureau has been very effective. Many people are paying close attention to the performance of the institution based on its findings. TIB understands that the responsible authorities are also paying due attention to the report. In Bangladesh, the report is the first of its kind and will ultimately be a success if its suggestions are implemented and the Bureau is mobilised to act in accordance with the spirit of its principles.

The FFE on the Anti-Corruption Bureau can be downloaded from the internet at: http://www.ti-bangladesh.org/research/FFE.htm

VI Challenges

TIB experienced a number of problems during the FFE. A brief summary of these follows:

1) Lack of institutional co-operation.

   Often the initial response was unhelpful. However, with perseverance the organisations under scrutiny generally decided to co-operate.

2) Difficulties obtaining recent data.

3) Change of emphasis on the areas to be focused on during interviews.

4) Hostility of interviewees.

5) Interviewees were sometimes unwilling to give their names and titles.

6) Sometimes it was hard to get people to agree to be interviewed.

VII Future Recommendations

The development of the FFE has been a learning experience in itself. Each time the tool is implemented, additional questions and analytical methods can and should be tried out. In future projects TIB plans to include:

A) Working paper on recommendations. The working paper for the FFE on the Anti-Corruption Bureau actually came as an afterthought. However, fortunately both the FFE report and the working paper were published simultaneously.

B) Continued monitoring of the activities of the institution. After the Fact-Finding Exercise it is helpful to measure the changes and effects the FFE has had. This will determine whether recommendations have been followed.

C) TIB plans to develop standard criteria for selecting the institution to survey.

TIB is ready to help train other national chapters and interested parties to implement this tool.

Description by: Zia Haider Rahman and M. Anwarul Amin

Appendix 1

Opinion Survey on Anti-Corruption Bureau

Below is the survey conducted by TIB on the activities of the Bureau and influences of the ruling party on the Bureau:

Methodology of the survey: Responses collected on a given questionnaire through interviews.

Respondents to the survey: Among the respondents are Deputy Director, Directors and Director General of the Bureau. Other respondents included six employees of the Bureau. The survey also included 50 respondents not involved with the Bureau, but employed with various government departments. These governments' officials hold the ranks of Assistant Secretaries, Senior Assistant Secretaries, Deputy Secretaries, Joint Secretaries, Additional Secretaries and Secretaries. Responses received in the survey are included in the report.

Table (a): Neutrality in Bureau's activities

Neutrality of Bureau Officials	In your opinion are the officials of the Bureau working neutrally?		
	Answer		
	Officials working in the Bureau	Officials not working in the Bureau	Neutrality: Percentage
Officials are working neutrally			
Officials are working mostly neutrally			
Officials are working slightly neutrally			
Officials are not working neutrally			
No opinion			
Total			

Table (b): Level of satisfaction with Bureau's activities

Level of satisfaction	How satisfied are you with the activities of the ACB?		
	Answer		
	Officials working in the Bureau	Officials not working in the Bureau	Level of satisfaction: percentage
Highly satisfied			
Slightly satisfied			
Neither satisfied nor dissatisfied			
Slightly dissatisfied			
Highly dissatisfied			
No answer			
Total			

Table (c): Ruling party and its effect on Bureau

Ruling Party and its effect on Bureau	In your option does the ruling party use or want to use the ACB as a tool to harass the opposition?		
	Answer		
	Officials working in the Bureau	Officials not working in the Bureau	Level of satisfaction: Percentage
Yes			
No			
Don't know			
Total			

Appendix 2

Questionnaire for eliciting the views of Public Prosecutors (PP)

1. What are the legal basis, policies and procedure for the selection of the PP?
2. Which authority appoints the PP and in which manner?
3. Which authority is vested with the responsibility of supervising the work of the PP?
4. Is there any mechanism for evaluation and monitoring of the work of PP? If so, how is it implemented? If not, is monitoring required and for what reasons?
5. What is the honorarium paid to the PP? Is the rate sufficient? If not, should it be raised and why?
6. How many dates are given for a case by the court? In reality, how many dates are required in your opinion?
7. What is the status of the relationship between the PP and the officers of the Anti-Corruption Bureau?
8. It is often observed that the main reason for delays in cases is the lack of goodwill of the PP. What is your opinion in this regard?
9. It is often alleged that the PP come to an understanding with the accused after eliciting benefits from them. How do you assess this observation?
10. What are the obstacles to the proper functioning of the PP? Are these hindrances old or new? If old, then why do the PP come forward to discharge this responsibility, knowing the situation quite well? With what objectives do the PP assume their responsibility?
11. Apart from specified duties, what other assignments do the PP carry out? Do they face any obstacle in the process?
12. How many cases are reviewed by a PP in a year? How many punishments and acquittals occur as a result? If the acquittals are greater in number, then what reasons are responsible for that in your opinion?
13. How many cases do the PP handle at a time? Of them, how many would lead to punishments in the opinion of the PP?
14. Do you recommend re investigation of complaints for eliciting, verdict in favour of the ACB? Do you hold discussions with the ACB officials when you find the cases to be weak?
15. What are your recommendations for raising the quality of investigations and occasional re investigations in order to obtain verdicts in your favour?
16. What is the opinion of the PP regarding the role of the court and the judges in corruption cases?

17. Does a junior take up the case when the assigned PP remains absent? If so, what is its legal basis? Does the possibility of the verdict going in favor of the accused increase as a result?
18. In whose favour do the verdicts of the court mostly go? To which segment do these people mostly belong?
19. Which categories of cases mostly come to you as a PP?
20. In your opinion, what are the reasons for delays in the disposal of cases?

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Measuring Transparency in Municipal and Central Governments, Japan

I Fact Sheet

Name of the Tool: Measuring Transparency in Municipal and Central Governments

Brief Description: The aim of this project was to create an index in order to measure the level of transparency in municipal and central government in Japan.

Responsible Organisation: Freedom of Information Citizen Center and the National Citizen Ombudsman Liaison Conference.

Creation of the Tool: Freedom of Information Citizen Center

Problems Addressed by the Tool: The lack of transparency or public access to key information in municipal and central government in Japan.

Areas of Work: Municipal and central government offices in Japan

Alliances: No alliances were formed with other groups.

When the Tool was Implemented: The group has been monitoring access to public information in Japan on an annual basis since 1996 and has disseminated the findings widely in order to raise public awareness of the problem.

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II Objectives

The main objectives of this project were:

1) To increase the level of transparency in both municipal and central government.

2) To publish credible benchmarks on key 'access to information' indicators on a regular basis to influence public policy on the issue of transparency in government.

III Context

Ever since the economic crisis that rocked Japan in the 1990s and the financial scandals that emerged from it, citizen groups have voiced their concerns about the use of public funds. The national media has repeatedly confronted the issues of corruption and cronyism at all levels of government, prompting a major public debate.

The discussion has encouraged a push towards better monitoring of the functions of the state, especially the organisation of public budgets. In response to public pressure for more effective disclosure of information, the central government and various provincial governments introduced a series of laws to improve access to information. This legislation requires public bodies and agencies to disclose all relevant information to the public. However, anecdotal evidence suggests the new rules have been applied unevenly in Japan.

To combat this problem and to raise public awareness, the Freedom of Information Citizen Center in association with the National Citizen Ombudsman Liaison Conference Group decided to create an index to measure the level of transparency in municipal and central government.

IV Implementation

The process took place in three distinct but inter-related stages:

1) Design and development of the indices.

2) Collection of relevant information by independent entities.

3) Determination of a composite score and development of comparative benchmarks.

In total the project took about six months to complete. The first stage (design and development) lasted around one month. Data collection lasted about three months while evaluating the scores and drawing conclusions took another month.

For the purposes of this project, the concept of 'access to Information' was divided into four specific themes:

1) Quality of information available in the public domain.

2) Information on budget spending.

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3) Process of decision-making.

4) Ease of access to published information, including relevant charges and fees.

Scores of between 0 and 30 were then assigned to each of these themes. For example, in terms of quality of information a municipality receives a perfect score of 30 if all relevant data is made available in the public domain and a zero if nothing is available at all. In terms of ease of access, if the documents are available at the rate of 1 – 10 yen per sheet, a municipality receives a score of 30. If the fee is above 21 yen, the score is zero.

Further details of the scoring system can be viewed on the following web page: http://www.jkcc.gr.jp/pdf/6th.pdf (only available in Japanese).

Once the index scoring system was ready, the Ombudsman Liaison Conference Groups began collecting the information. Every ombudsman in each prefecture in Japan undertook the necessary procedure to request information for each government office. After receiving the information, they checked the data and assigned a score.

These ombudsman groups are independently constituted local bodies. To ensure that the whole process was as transparent and participatory as possible, the preliminary results were sent to the government bodies under scrutiny in order to obtain their feedback and comments.

A final score was only reached after this process had taken place. The scores were then added up and the municipalities were ranked in terms of their total composite scores.

All of the 47 prefectures (Municipal Governments) and all central ministries in Japan are now being evaluated by this tool on an annual basis. The latest available index is for March 2002.

Of the municipalities, Miyagi prefecture obtained the highest ranking while the Miyazaki prefecture was the lowest. Of the central ministries, the Cabinet Secretariat and the Ministry for Public Management emerged as the top two respectively. The Ministry of Foreign Affairs and the Defence Agency were the least transparent.

To access the index visit the website: http://www.jkcc.gr.jp/

It is also available in the annual report of the National Citizen Ombudsman Liaison Conference.

The Freedom of Information Citizen Center uses the data in an organised campaign in order to promote the index in the media. The ranking is published

every year at the centre's annual general meeting, providing a good opportunity for media coverage of the event.

The research involved in the preparation of the ranking also provides the group with other information related to transparency in the Japanese government, information which can be shared and can help to develop new proposals.

The project cost has been minimal because the only expenses were copying and repro-graphic charges. All of the other work was carried out on a voluntary basis.

Challenges

Some government bodies and municipalities complained that their scores were too low and did not reflect their true level of transparency. Otherwise the project has been welcomed as a success.

V Results

The wide dissemination of this exercise through the media has encouraged many local governments to pay closer attention to the issue of transparency in Japan. The ability to make comparisons with other agencies also acted as a powerful incentive for government agencies to address the problem.

The project has been in existence now for the past five years, a testament to its success and durability. There is also evidence that the exercise has had a marked impact on the spending habits of local government officials. For example, in the past one notorious abuse of power was the practice of taking 'foreign visits'. This was adopted by many officials, ostensibly to learn about new policies overseas. However, once the information on specific budgets began to circulate in the public domain, these visits became much less common.

In our experience, this tool is a very effective anti-corruption strategy. It could also be implemented in smaller administrative units such as town and village councils.

VI Recommendations

The project is an effective tool for increasing transparency in government. Because government offices are keen to obtain a good score, they adjust their existing internal policies and as a result became less opaque.

However, the fastest method of increasing transparency in government is to install a good mayor at the election polls. This has been shown to be true in the results of our analysis.

Description by: Gopakumar Krishnan Thampi

Urban Bribery Index, Kenya

I Fact Sheet

Name of the Tool: Urban Bribery Index

Brief Description: The aim of this project was to conduct a pilot research survey that sought to go beyond conventional studies of corruption, and to measure empirically the problem of bribery in Kenyan public institutions using a specially designed Urban Bribery Index. This was a product of preliminary analysis of a larger study conducted by Transparency International Kenya on the extent of corruption in Kenya.

The Index, which ranked 52 organisations, was based on a survey conducted in March and April 2001, in which ordinary Kenyans reported their daily experience of dealing with corruption. It reflects the response of Kenyans living and working in urban areas and includes information on whom they bribed, how much they paid, and what the bribe was for.

Responsible Organisation: Transparency International Kenya

Creation of the Tool: Transparency International Kenya

Problems Addressed by the Tool: 1) Lack of information on the nature and the extent of bribery in Kenya. 2) Lack of a tested research methodology to obtain information on bribery.

Areas of Work: Corruption and bribery in everyday life in urban Kenya.

When the Tool was Implemented: The project was carried out during 2001-2002 in Kenya.

Alliances: Field research and preliminary data analysis were conducted by a research team of the Kenya Rural Enterprise Programme Advisory Services (KAS). TI-Kenya contracted KAS to conduct the fieldwork and cross-tabulation. A second alliance was with the Nation Media Group, which allowed TI-Kenya to use its nation-wide distribution network of vendors and bookshops. As a result over 2,500 copies of the Index have been disseminated to the public at large.

Financing: Funding was provided by the Department of International Development (DfID) of the United Kingdom and the Royal Netherlands Embassy in Kenya.

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Website: www.tikenya.org

II Objectives

It should be noted that this was a pilot study and the objective was to establish the viability of empirical research on corruption. TI-Kenya's other objective was to test the hypothesis that in Kenya, so-called 'petty bribery' results in as great if not greater an economic and direct financial cost as so-called 'grand corruption'. The study confirmed this hypothesis, which has major implications in a country like Kenya where much of the focus has been on punishing high-level corruption. Ultimately, TI-Kenya seeks to create a data-set for independent research and academic work. The project will truly have achieved its goal if this data is used for analysis in combination with the data compiled by the official Kenya Government Central Bureau of Statistics.

TI-Kenya also sought to bolster the demand for institutional change and reform by creating a credible benchmark which public organisations can use to gauge their performance against other public organisations; and which proponents of reform can use to evaluate their effectiveness and monitor public organisations.

To quote David Ndii, TI-Kenya's Public Awareness Adviser:

"What TI-Kenya would like to see happen to the Index is that in three to five years, an organisation that started out with a 76 per cent incidence of bribery is down to 5 per cent. The Index should then become a tool organisations use to set performance targets. If it does all this it will have achieved our objective."

In summary, the main objectives were:

- To provide knowledge and obtain data on the size and the nature of the bribes.
- To generate public awareness and discussion of the issue.
- To use these data to advocate reforms.

III Context

In Kenya, the use of bribery to influence decision-making is the most prevalent form of corruption. However, as elsewhere, there is a critical lack of con-

crete information on the nature and incidence of corruption in general and bribery in particular. Consequently, anti-corruption efforts tend to be informed primarily by perceptions and anecdotal evidence. This tends to weaken the arguments of anti-corruption activists to raise public awareness of the problem. Citizens find it hard to understand the negative impact of corruption on public life because it cannot be reduced to Kenyan shillings and cents.

From the outset, Transparency International-Kenya has implemented a research-driven programme. It is hoped the results will generate public awareness, discussion and demand for advocacy and change (either by the chapter itself or by independent civil society and governmental actors).

IV Implementation

Survey Methodology

David Ndii, TI-Kenya's Public Awareness Adviser, designed the survey instrument and was the principle researcher throughout the project. His methodology was subjected to review prior to implementation by the Vice-Chairman of TI-Kenya, Harris Mule, who has ultimate oversight over TI-Kenya's research work. The fieldwork was carried out in March-April 2001 by a team of six research assistants supervised by one field manager. KAS wrote the first draft of the basic report, which was reviewed at a closed-door workshop in Nairobi at which selected members of Kenyan academia and civil society questioned the findings. David Ndii wrote the final report and it was published and released to the media and public by TI-Kenya in January 2002.

The survey was conducted using a questionnaire administered through personal and telephone interviews. The survey instrument was a structured questionnaire and a total of 1,164 individual responses were obtained during the survey interviews. In turn, these provided a total of 6,400 observations of interactions with public organisations over the previous 12 months. Specifically, respondents provided information about the frequency and purpose of their interaction with public organisations, the incidence and nature of bribery transactions as well as perceived trends in corruption.

The questionnaire was administered in six towns in Kenya: Nairobi, Mombasa, Kisumu, Eldoret, Nyeri and Machakos. The data collected was used to estimate the extent, incidence and direct financial cost of bribery and to produce a league table of the incidence of bribery – the Kenya Urban Bribery Index (KUBI) which ranked 52 public organisations according to the six indicators described below.

The cost of conducting the survey was relatively low.

Compiling the Urban Bribery Index

From the information provided by respondents, six indicators were isolated. Taken as an aggregate this comprised the basis of the Urban Bribery Index. The six indicators are:

1) Incidence – How often respondents were asked for bribes by organisations with whom they dealt.

2) Prevalence – The percentage of the population that is affected by bribery in the organisation.

3) Severity – The consequences of declining to pay a bribe (eg. unsatisfactory service or no service at all).

4) Frequency – The actual level of bribery in an organisation (e.g. how many bribes officials of the organisation receive).

5) Cost – The estimated cost to the public (measured as a bribery tax in Kenyan shillings per person).

6) Bribe size – The average size of bribes paid to officials of the organisation.

Dissemination of Research Findings

The publication of the Index was preceded by a three-day "teaser" campaign in which small ads announcing an upcoming bribery report from TI-Kenya were placed in all national newspaper dailies. Advance embargoed copies were provided to newspaper editors so that they could prepare analyses of the report. The press embargo was respected and the report dominated the headlines the day after the report was officially launched at a well-attended press briefing on 18 January 2002 in Nairobi. The Nation Media Group has distributed 2,500 copies of the Index nation-wide through its network of vendors and bookshops. The Index is for sale at a cost of 50 Kenya Shillings (about 65 US cents). It can also be read online at www.tikenya.org and was featured on the Chapter's radio programme "Face-Off" which can be heard online at www.face offonline.com

Predictably, the worst performing organisations were extremely unhappy with the Index and hostile responses were received from the police (the organisation ranked lowest in the survey), the Prisons Department and the Chief Justice. TI-Kenya studiously avoided being drawn into public arguments regarding its motivation, but presented the findings and defended the methodology used in press conferences and letters to the press. TI-Kenya also wrote to all of the named organisations after the launch and plans to develop advocacy and technical assistance engagements with those who respond. So far,

these include the Kenya Revenue Authority and local government authorities.

TI-Kenya believes the Index has provided the chapter with a great opportunity to build new partnerships with the public sector.

Implementation Problems

The survey had several limitations – all of which were candidly acknowledged in the published report. Examples include a return mailing complement (targeted at professional and business associations) that failed to achieve substantial responses, indicating that this may not be an appropriate method to elicit the views of Kenyans.

Quite apart from the poor quality of postal services in Kenya generally, there is also an unavoidable respondent bias when asking for information about stigmatised and illegal behaviour such as bribery. Obviously people who have more to hide are less likely to respond. Thus the survey registered a low response rate from the corporate sector, reflecting a lower incidence of business bribery than one might reasonably expect.

Finally, the small field research team (only six people) meant that the fieldwork took two months, which was longer than desirable.

V Results

The first result of this project was the publication in January 2002 of the Kenya Urban Bribery Index. Transparency International-Kenya hopes that once the limitations in the pilot scheme have been addressed, this Index, to be released annually, will serve as a benchmark of integrity (for the public and the private sector) based on the actual incidence of bribery in named Kenyan public organisations.

The survey generated a tremendous response from the public and created new opportunities for advocacy, networking and coalition building with public organisations. New partnerships were also built with the public sector. After the Index was published there was a fresh demand for engagement with TI-Kenya by several of the organisations ranked in the Index. This took various forms, including confidential requests for disaggregated data on individual institutions as well as requests for information on best practices from the global movement.

TI-Kenya has received requests for assistance in replicating the Urban Bribery Index from TI-Botswana and has been asked by Forum Civil, the TI chapter in Senegal, to create a tool for use by Francophone TI chapters in Africa.

Other results include:

1) TI-Kenya confirmed the validity of the survey methodology. For example, the findings mirror those in independent studies by inter alia the Kenya Anti-Corruption Police Unit, the Presidential Permanent Commission on Human Rights and UN HABITAT by finding that Kenya's police, prison service and law enforcement generally are riddled with corruption.
2) In at least one ministry (Public Works) an official circular was published alerting staff to the Index's findings and requiring corrective action.
3) The board of the Kenya Revenue Authority convened a special meeting to discuss the organisation's ranking and the Index generally.
4) Unauthorised police traffic road-blocks disappeared from the country's highways in the weeks after the Index came out (a temporary relief to Kenyan road-users).
5) The Kenya police and Kenya Prisons Department held separate news conferences condemning the Index as "unscientific" and challenging the validity of its findings. These denials were criticised widely by press editorials, and ultimately the police approached TI-Kenya for assistance in identifying the root causes of corruption within the police force. The Prisons Department also announced that it "has opened up and welcomes positive, realistic and constructive suggestions to help improve our penal institutions".
6) The report received widespread coverage in both the local and international press. Among others, it was picked up by CNN, BBC, *LA Times, Time* Magazine, South African Press Association, Reuters, Associated Press, and Chicago Public Broadcasting Service.

VI Perspectives and Recommendations

Perspectives

Transparency International-Kenya plans to make the Bribery Index an annual research project. The second Index will be published in September 2002. It will feature a larger sample size (2,000 people) and cover both rural and urban Kenya. The field research team has increased in size to 40 people and this should allow the data to be collected over a period of two weeks rather than two months. Finally the 2002 survey will be administered in local languages as well as English and Kiswahili.

Recommendations

It is possible to survey bribery in an empirical manner but the following points are worth bearing in mind:

1) In Africa, postal questionnaires may not be returned to the researcher.

2) It is important to anticipate reactions to the findings and to have a well-thought out policy of media response.

Description by: Mwalimu Mati

Appendix

Urban Bribery Index Ranking

Kenya Bribery Index

1	KENYA POLICE	68.7
2	MINISTRY OF PUBLIC WORKS	41.0
3	IMMIGRATION DEPARTMENT	36.1
4	MINISTRY OF LANDS	34.8
5	NAIROBI CITY COUNCIL	33.0
6	JUDICIARY	32.3
7	MOMBASA MUNICIPAL COUNCIL	32.1
8	OTHER LOCAL AUTHORITIES	31.5
9	PROVINCIAL ADMINISTRATION	29.5
10	PRISONS DEPARTMENT	29.4
11	KENYA PORTS AUTHORITY	29.3
12	REGISTRAR OF PERSONS	28.4
13	PUBLIC HOSPITALS (EXCL. KNH)	27.7
14	KISUMU MUNICIPAL COUNCIL	26.7
15	KENYA REVENUE AUTHORITY	26.5
16	ATTORNEY GENERAL'S CHAMBERS	26.1
17	TEACHERS SERVICE COMMISSION	25.4
18	FORESTRY DEPARTMENT	24.4
19	MINISTRY OF LOCAL GOVERNMENT	23.7
20	AGRICULTURAL FINANCE CORPORATION	23.5
21	MOTOR VEHICLE LICENSING DEPT	23.0
22	EMBASSIES & INTERNATIONAL ORGS	22.4
23	MINISTRY OF HEALTH	20.8
24	OTHER CENTRAL GOVERNMENT	20.7
25	KENYA BUREAU OF STANDARDS	20.1
26	POSTAL CORPORATION	18.8
27	KENYATTA NATIONAL HOSPITAL	18.7
28	KENYA AIPORTS AUTHORITY	18.4
29	DEPT. OF WEIGHTS & MEASURES	17.7
30	NATIONAL WATER & PIPELINE CORP	17.5
31	TELKOM KENYA	17.3
32	OTHER STATE CORPORATIONS	16.8
33	MINISTRY OF EDUCATION	16.7
34	KENYA POWER & LIGHTING CO.	15.6

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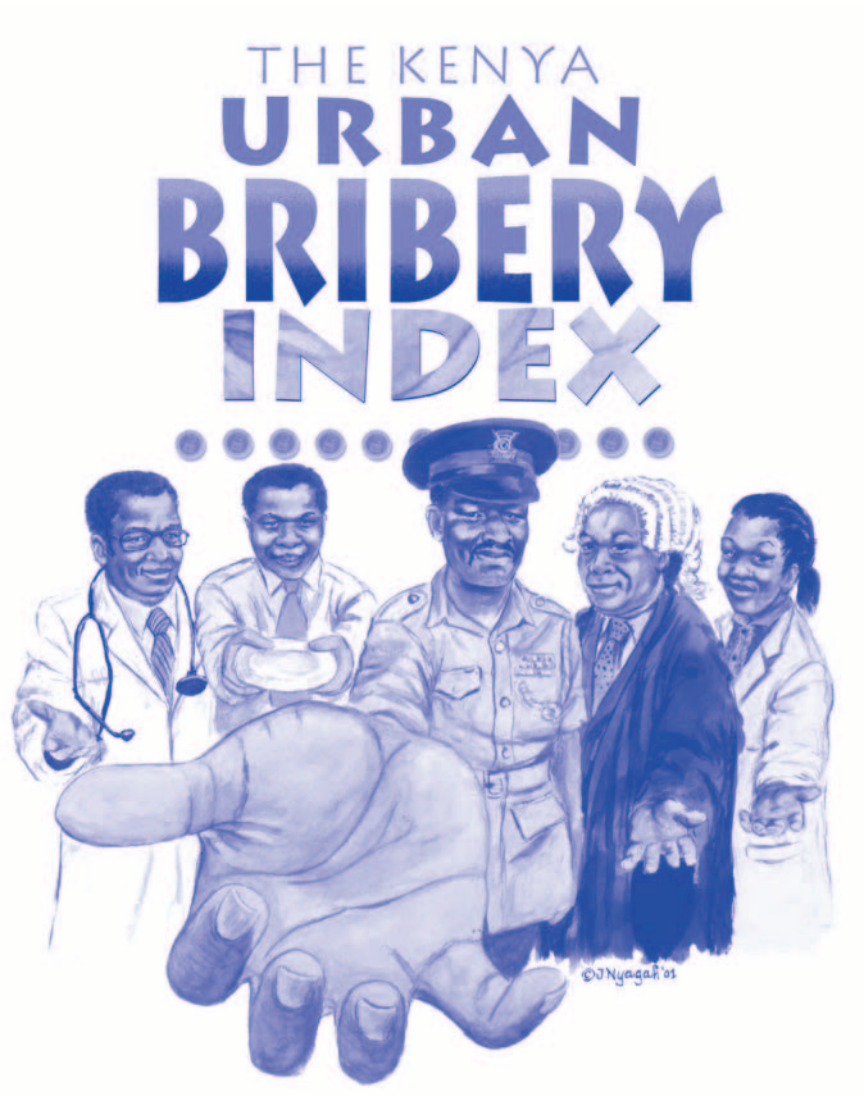
35	NATIONAL SOCIAL SECURITY FUND	15.0
36	CATERING LEVY TRUSTEES	14.9
37	KENYA RAILWAYS CORP	14.7
38	KENYA NAT. EXAMINATIONS COUNCIL	14.3
39	KENYA SUGAR AUTHORITY	12.5
40	KENYA TEA DEV. AGENCY	12.2
41	NATIONAL HOSPITAL INSURANCE FUND	11.8
42	MINISTRY OF AGRICULTURE	11.2
43	MINISTRY OF FINANCE	9.3
44	HIGHER EDUCATION LOANS BOARD	8.7
45	KENYA COMMERCIAL BANK	8.6
46	KENYA BROADCASTING CORPORATION	8.3
47	UNIVERSITY OF NAIROBI	8.3
48	COMMISSIONER OF INSURANCE	7.4
49	NATIONAL BANK OF KENYA	7.2
50	PRIVATE SECTOR	5.6
51	KENYA WILDLIFE SERVICE	5.2
52	CENTRAL BANK OF KENYA	0.2


THE KENYA
URBAN
BRIBERY
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Indice de corruption urbaine, Kenya

I Fiche d'information

Nom de l'outil: Indice de corruption urbaine, Kenya

Brève description: L'objectif du projet était de réaliser une enquête-pilote sur la corruption, plus poussée que les recherches traditionnelles, et de mesurer de façon empirique le problème de la corruption dans les institutions publiques kenyanes en utilisant un Indice de corruption urbaine spécialement adapté. Ce projet est le résultat d'une analyse préliminaire à une plus grande enquête menée par Transparency International-Kenya sur l'étendue de la corruption au Kenya.

L'indice, qui classe 52 organisations, a été établi à partir d'une enquête menée entre mars et avril 2001, au cours de laquelle des citoyens kenyans ordinaires ont rapporté leur expérience quotidienne de la corruption dans leur pays. Cette enquête reflète les vues de Kenyans habitant et travaillant dans des zones urbaines. Elle donne des informations sur les personnes corrompues, le montant des pots-de-vin et le but de ce dessous-de-table.

ONG responsable: Transparency International-Kenya

Problèmes soulevés par l'outil: 1) Absence d'informations sur la nature et l'étendue de la corruption au Kenya. 2) Absence de méthodologie de recherche fiable pour obtenir des informations sur la corruption au Kenya.

Champs d'activité: La corruption quotidienne dans les zones urbaines au Kenya.

Où et quand cet outil a-t-il été mis en place: Le projet s'est déroulé au Kenya en 2001/2002.

Partenariat: L'enquête sur le terrain et l'analyse des données préliminaires ont été conduites par une équipe de recherche du *Kenya Rural Enterprise Programme Advisory Services (KAS)*. TI-Kenya a passé un contrat avec KAS pour mener le travail de terrain et la tabulation à double entrée. Un deuxième partenaire fut le groupe de presse Nation Media Group qui autorisa TI-Kenya à utiliser son réseau national de vendeurs et de libraires. C'est pour cette raison que plus de 2500 exemplaires du rapport sur l'Indice de corruption au Kenya ont pu être distribués au grand public.

Création de l'outil: Transparency International-Kenya

Principale source de financement: Le financement a été assuré par le *Department of International Development (DfID)* du Royaume-Uni et par l'ambassade des Pays-Bas au Kenya.

Informations complémentaires:
Pour plus d'informations, contactez Mwalimu Mati, Directeur général adjoint ou David Ndii, responsable de la Recherche, Transparency International-Kenya,
PO Box 198-00200, Nairobi, Kenya ;
Courriel : mmati@tikenya.org ou kli@wananchi.com,
Site Web : www.tikenya.org

II Objectifs

Nous tenons à souligner qu'il s'agissait d'une étude-pilote dont l'objectif était d'établir la viabilité d'une enquête empirique sur la corruption. Le deuxième objectif de TI-Kenya était de vérifier l'hypothèse selon laquelle, au Kenya tout du moins, la soi-disant « petite corruption » a des conséquences directes aussi néfastes sinon pires sur l'économie et les finances du pays que la soi-disante « grande corruption ». L'étude a confirmé cette hypothèse, ce qui a des implications importantes pour un pays comme le Kenya où l'attention s'est surtout portée sur la répression de la grande corruption. En fin de compte, TI-Kenya cherche à créer un ensemble de données disponibles pour ceux qui mèneraient des recherches indépendantes ou pour des universitaires. La réussite de ce projet sera totale si les données recueillies sont utilisées en combinant les données officielles du Bureau central des statistiques du gouvernement kényan.

TI-Kenya soutient également les appels en faveur de réformes et de changements institutionnels en créant un référent crédible utilisable par les organisations publiques pour calibrer leurs résultats par rapport à celles d'autres organisations publiques. De même, un tel référent peut servir aux partisans des réformes pour évaluer leur efficacité et pour surveiller les organisations publiques.

Comme l'a souligné David Ndii, Conseiller pour la sensibilisation du public à TI-Kenya:

« Ce que TI-Kenya souhaite, c'est que d'ici 3 à 5 ans, grâce à cet Indice, une organisation pour laquelle l'incidence de la corruption était au départ de 76%, puisse réduire cette proportion jusqu'à 5 %. L'Indice deviendrait alors un outil permettant aux organisations de fixer des objectifs de résultats. Si nous parvenons à cela, alors nous aurons réalisé notre objectif. »

En résumé, les principaux objectifs sont:

- Obtenir des informations et des données sur le montant et la nature des pots-de-vin.
- Sensibiliser le public à la question et générer des débats à ce sujet.
- Utiliser ces données pour préconiser des réformes.

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III Contexte

Au Kenya, l'utilisation de pots-de-vin pour influencer le processus de décision est la forme la plus répandue de corruption. Toutefois, comme partout ailleurs, il y a un manque certain d'informations concrètes sur la nature et les conséquences de la corruption en général et sur la nature et les conséquences des pots-de-vin en particulier. En conséquence, la lutte contre la corruption se base avant tout sur une perception de la réalité et sur des preuves anecdotiques. Cet état de fait tend à limiter la portée des arguments utilisés par ceux qui luttent contre la corruption et qui s'efforcent de sensibiliser le public à cette question. Les citoyens éprouvent beaucoup de difficultés à comprendre l'impact négatif de la corruption sur la vie publique parce que le montant de cette corruption n'est pas exprimé de manière concrète en shillings et cents kenyans.

Dès le départ, Transparency International-Kenya a souhaité développer un programme tourné vers la recherche. Les résultats de ces enquêtes devraient, espérons-le, sensibiliser le public, générer des débats et permettre des réformes et des changements (soit par la section elle-même, soit par la société civile et les acteurs gouvernementaux).

IV Mise en oeuvre

Méthodologie de l'enquête

C'est David Ndii, Conseiller pour la sensibilisation du public à TI-Kenya qui élabora l'enquête et qui fut le responsable de la recherche dès le début du projet. Son approche méthodologique a dans un premier temps était discutée et modifiée avant d'être acceptée par le vice-président de TI-Kenya, Harris Mule, qui supervise au final le travail de recherche de TI-Kenya. Le travail de terrain a eu lieu en mars et avril 2001 par six assistants-chercheurs sous la direction d'un manager. KAS élabora le premier jet du rapport préliminaire qui fut revu lors d'un atelier à huis-clos à Nairobi, atelier au cours duquel quelques universitaires et représentants kenyans de la société civile débattirent des résultats de l'étude. David Ndii rédigea le rapport final qui fut publié et rendu public par TI-Kenya en janvier 2002.

L'enquête était basée sur un questionnaire réalisé sous la forme d'interviews téléphoniques ou face-à-face. Grâce à ce questionnaire structuré, on a pu obtenir 1164 réponses individuelles au cours du sondage. Ces réponses ont fourni un total de 6400 cas d'interactions avec des organisations publiques au cours des douze mois précédents. En particulier, les personnes interrogées ont fourni des informations sur la fréquence et l'objet de leurs échanges avec des organisations publiques, l'incidence et la nature des pots-de-vin ainsi que leur appréciation personnelle sur l'évolution de la corruption au Kenya.

L'enquête s'est déroulée dans six villes du Kenya: Nairobi, Mombasa, Kisumu, Eldoret, Nyéri et Machakos. Les données ainsi recueillies ont permis d'estimer l'étendue, l'incidence et le coût financier directement induit des pots-de-vin. Ces données ont permis l'établissement d'un classement sous la forme d'un tableau de l'incidence de la corruption, intitulé *Kenya Urban Bribery Index (KUBI),* Indice de corruption urbaine au Kenya, qui classe 52 organisations publiques selon les six indicateurs décrits ci-dessous.

Le coût de cette enquête fut relativement peu élevé.

Composition de l'Indice de corruption urbaine

A partir des informations fournies par les personnes interrogées, on a pu isoler 6 indicateurs. Une fois rassemblée, ces indicateurs ont formé la base de l'Indice de corruption urbaine. Ces 6 indicateurs sont:

1) Incidence – La fréquence à laquelle les personnes interrogées se sont vues demander des pots-de-vin par les organisations à qui elles avaient à faire.
2) Prévalence – Le pourcentage de la population affectée par la corruption dans les organisations.
3) Sévérité – Les conséquences qu'entraîne un refus de payer un pot-de-vin (par exemple: service partiellement rendu ou pas du tout).
4) Fréquence – Le niveau réel de corruption dans une organisation (par exemple: le nombre de pots-de-vin reçus par les responsables d'une organisation donnée).
5) Coût – Le coût estimé pour le public (mesuré sous la forme d'une taxe à la corruption au Kenya en shillings par personne).
6) Montant – Le montant moyen des pots-de-vin payés aux responsables d'une organisation donnée.

Publication des résultats de l'enquête

La publication de l'indice fut précédée par une campagne d'« aguichage » (« teasing ») de trois jours. Cette campagne prit la forme de petites publicités dans tous les quotidiens nationaux annonçant la parution prochaine d'un rapport de TI-Kenya sur la corruption dans le pays. Des exemplaires sous embargo furent remis à l'avance aux rédacteurs en chef des journaux pour qu'ils puissent analyser le rapport. L'embargo fut respecté et le document fit la « une » le lendemain de sa publication officielle à l'occasion d'une conférence de presse le 18 janvier 2002 à Nairobi, conférence de presse à laquelle participèrent de nombreux journalistes. Le Nation Media Group distribua dans l'ensemble du

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pays 2500 exemplaires de l'Indice grâce à son réseau de vendeurs et de libraires. Le rapport est en vente au prix de 50 shillings kenyans (environ 0,65 dollar américain). On peut également le lire sur le site web: www.tikenya.org. Il a également été diffusé sur le programme radio de la section, « Face-Off », que l'on peut écouter sur le site Web : www.faceoffonline.com

Comme on s'y attendait, les organisations qui ont été mal classé par cet indice ont vivement critiqué le rapport. Il s'agit en particulier des organisations ou personnes suivantes: la police (classée en première position dans le sondage), le Ministère des Prisons et le Ministre de la Justice. TI-Kenya a soigneusement évité d'être impliquée dans le débat public concernant ses motivations, préférant présenter les résultats de l'enquête et défendre la méthodologie utilisée au cours de conférences de presse et de lettres aux médias. Au lendemain de la publication du rapport, TI-Kenya a également écrit à toutes les organisations nommées dans le document. TI-Kenya envisage en effet de développer un programme de sensibilisation et de fournir une assistance technique avec les organisations qui ont répondu. A ce jour, le Kenya Revenue Authority, le service des douanes et les autorités locales (Local Government Authorities) ont répondu.

TI-Kenya estime que la publication de l'Indice donne à la section la perspective d'un nouveau partenariat avec le secteur public.

Problèmes relatifs à la réalisation de l'étude

Plusieurs problèmes ont limité la réalisation de l'enquête. Ces problèmes ont d'ailleurs été soulignés ouvertement dans le rapport. Parmi ces problèmes, citons un questionnaire complémentaire envoyé par la poste et adressé aux associations professionnelles qui n'a reçu que peu d'écho. Cela semble indiquer que cette méthode n'est pas adéquate pour recueillir l'opinion des Kenyans.

Outre la mauvaise qualité des services postaux kenyans, il y a de la part des personnes interrogées un préjugé inévitable lorsqu'on leur pose des questions sur des comportements illégaux et régulièrement condamnés comme la corruption. Il est évident que les personnes qui ont quelque chose à cacher auront tendance à être plus réticentes à répondre aux questions. C'est pour cette raison que le taux de réponse de la part du monde des affaires fut relativement peu élevé, révélant dans le rapport final une incidence moins importante de la corruption dans le monde des affaires que celle que l'on pourrait attendre.

Enfin, le nombre réduit d'enquêteurs sur le terrain (seulement six personnes) signifie que l'enquête a duré deux mois, plus longtemps que ce qui était souhaitable.

V Résultats

Le premier résultat de ce projet fut la publication en janvier 2002 de l'Indice de corruption urbaine au Kenya. Transparency International-Kenya espère qu'une fois résolus les problèmes inhérents à l'étude pilote, cet Indice servira de référent d'évaluation d'intégrité (pour le secteur public et le secteur privé) basé sur l'incidence réelle de la corruption dans les organisations publiques kenyanes connues.

Le sondage a provoqué de nombreuses réactions de la part du public, créant ainsi une nouvelle occasion de sensibiliser l'opinion à ce problème, de développer un réseau ou de renforcer les relations avec les organisations publiques. Un nouveau partenariat avec le secteur public est ainsi en train de voir le jour. A la suite de la publication de l'Indice, plusieurs organisations citées dans le rapport ont demandé l'assistance de TI-Kenya. Cela a pris des formes multiples: demandes confidentielles en faveur de données spécifiques sur des institutions particulières ou encore demandes d'information sur des pratiques éthiques recommandées par le mouvement.

TI-Kenya a également reçu une demande d'assistance de la part de TI-Botswana en vue d'élaborer un Indice similaire. De même, le Forum Civil, la section sénégalaise de TI, a demandé la création d'un outil utilisable par les sections francophones de TI en Afrique.

Autres résultats

1) TI-Kenya a confirmé la validité de la méthodologie utilisée pour l'enquête. Ainsi les résultats sont comparables à ceux d'études indépendantes comme par exemple, celles de l'Unité de police anti-corruption du Kenya, de la Commission permanente présidentielle sur les Droits de l'Homme et de UN HABITAT. Ces études ont révélé qu'au Kenya la corruption règne dans la police, les services pénitentiaires et d'une manière générale le système judiciaire.

2) Dans au moins un ministère (celui des Travaux publics), une circulaire officielle a été émise pour les personnels détaillant les résultats du rapport et exigeant la mise en place de mesures correctives.

3) Le conseil d'administration du service des douanes kenyan s'est réuni en session extraordinaire pour discuter du classement du service et plus généralement de l'Indice.

4) Dans les semaines qui suivirent la publication de l'Indice, et au soulagement temporaire des automobilistes du pays, les barrages routiers illégaux sur les routes du Kenya ont été levés.

5) La police et le Ministère des Prisons ont tenu des conférences de presse séparées qualifiant l'Indice de « non scientifique » et critiquant la validité des résultats de l'enquête. Toutefois, ces dénégations furent largement critiquées par les éditorialistes avant que la police n'approche TI-Kenya pour lui demander une assistance afin d'identifier les causes profondes de la corruption au sein des forces de police. Le Ministère des Prisons s'est pour sa part déclaré « ouvert en accueillant favorablement toutes suggestions positives, réalistes et constructives pour améliorer les institutions pénales ».

6) Le rapport a été largement couvert par les médias locaux et internationaux. Citons, entre autres: CNN, BBC, *Los Angeles Times, Time* Magazine, l'Association de Presse d'Afrique du sud, Reuters, l'Associated Press, et le Chicago Public Broadcasting Service.

VI Perspectives et recommandations pour l'avenir

Perspectives

Transparency International-Kenya envisage de publier chaque année un Indice de corruption. Le deuxième indice sera publié en septembre 2002 et inclura un nombre plus important de sondés (2000 personnes). Il couvrira les zones urbaines ainsi que les zones rurales du Kenya. L'équipe d'enquêteurs comprendre 40 personnes, ce qui permettra de recueillir les données en deux semaines seulement contre deux mois pour le premier Indice. Enfin, les questionnaires seront élaborés dans les langues locales ainsi qu'en anglais et en kiswahili.

Recommandations

Il est possible d'enquêter sur la corruption de manière empirique, mais il faut garder à l'esprit les points suivants:

1) En Afrique, il est courant que les questionnaires envoyés par la poste ne soient pas retournés aux enquêteurs

2) Il est essentiel d'anticiper les réactions et les critiques aux résultats de l'enquête et d'élaborer une réponse médiatique adéquate et cohérente.

Déscription par: Mwalimu Mati

Appendice

Classement par ordre décroissant des organisations en fonction de leur Indice de corruption urbaine

Indice de corruption du Kenya

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Mapping Corruption, Lithuania

I Fact Sheet

Name of the Tool: Mapping Corruption

Brief Description: The purpose of this project was to monitor and create a database of institutional and geographical aspects of corruption in Lithuania. This included an evaluation of:

- Attitudes of the general public and the business community towards corruption, its level and role in society.
- Personal experience of the general public and the business community in confronting cases of corruption and bribery.
- Sources of information about corruption for the general public and the business community.
- Anti-corruption measures proposed by the general public and the business community.

When was the Tool Implemented: The project took place in Lithuania over a four-month period during mid-2001.

Responsible Organisation: Transparency International's Lithuanian Chapter managed the initiative.

Creation of Project: Lithuanian National Chapter of TI

Problems Addressed by the Tool: The lack of knowledge or clear geographical information about corruption in Lithuanian institutions.

Areas of Work: Corruption and bribery in Lithuanian institutions.

Alliances: The TI Lithuanian Chapter carried out most of the work. Empirical data was collected by "Baltic Surveys"/ The Gallup Organisation. Methodology was prepared by the Chairman of the Board of TI Lithuania A. Dobryninas, TI Director L. Zilinskiene and the director of the "Baltic Surveys"/ The Gallup Organisation R. Alisauskiene.

The Lithuanian Chapter collaborated with the Embassy of the United Kingdom in Lithuania, the Embassy of the Republic of Finland in Lithuania, the World Bank Lithuanian Office, and the Lithuanian public opinion and market research company "Baltic Surveys"/ the Gallup Organisation.

The TI Secretariat provided useful advice and assisted in finding out whether the methodology had been applied previously.

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International organisations (embassies, the World Bank Lithuanian Office) played a significant role in the implementation of the project. The media was also very active in commenting on the final results.

Financing: The total cost of the project was US $29,000.

The main sponsors were:
- Embassy of the United Kingdom in Lithuania
- Embassy of the Republic of Finland in Lithuania
- The World Bank Lithuanian Office

For Additional Information, Contact:
Laima Zilinskiene
Executive Director of TI Lithuanian Chapter
Tel: 370-5-212-1687 or 212-6951
Website: www.transparency.lt

II Objectives

The objectives of the project were:

- To examine corruption as a social phenomenon in Lithuania generally.
- To prepare practical measures to combat the institutional and geographical specificities of corruption in Lithuania.
- To inform state officials, the non-governmental (NGO) sector, businesspeople, representatives from embassies, the mass media, university students and the public at large about corruption "hot spots" in different Lithuanian institutions.
- To draw the attention of Lithuanian society to the problems of corruption in various state institutions.
- To provide the general public with geographical information about corruption in Lithuanian institutions.
- To explore different ways of disseminating information about corruption in Lithuania.

Specific objectives:

- To hold a press conference in order to spread information about corruption in Lithuanian institutions via the mass media.
- To arrange a conference in Vilnius in order to present an institutional and geographical map of corruption in Lithuania to state officials, the non-governmental and private sectors, embassies, university students and to identify corruption hot spots in different Lithuanian institutions.
- To prepare the report "Map of Corruption, Lithuania".

III Context

In the 2002 TI Corruption Perceptions Index (CPI)[1] Lithuania occupied 36th place out of 102 countries with a score of 4.8 out of 10. In the Central and Eastern European region only three countries obtained a higher (or "cleaner") ranking - Estonia, Hungary and Slovenia. Still, Lithuania is a long way from banishing corruption and bribery from its borders. Nevertheless, the CPI is only a general indicator of the popular perception of corruption and does not reflect specific problems.

The cost of corruption for public life and the national economy is an issue that has been discussed intensively by politicians, businesspeople, academics, and the public at large. A recent World Bank report on corruption in Central and Eastern Europe - "Anti-Corruption in Transition: A Contribution to the Policy Debate" (2000)[2] - identifies Lithuania as a country with medium state capture and a high administrative corruption index. In countries such as these, corruption has a negative impact on sales and investment growth as well as public revenues. It contributes to inequality and is closely tied to the overall level of poverty.

It is clear that the reduction of administrative corruption and especially its main form – bribery – is one of the most important tasks in the Lithuanian government's newly adopted national anti-corruption strategy.

A number of factors were helpful to the implementation of this project, including the interest of international organisations in the activities of the TI Lithuanian Chapter, the experience derived from previously conducted research and substantial media coverage.

The most challenging task was to develop an appropriate methodology because this type of research had never been carried out before.

1 Transparency International Corruption Perceptions Index 2002. Transparency International Secretariat: Berlin, 2002. http://www.transparency.org

2 Anticorruption in Transition: A Contribution to the Policy Debate. Washington: The World Bank. 2000.

IV Implementation

Stages of the Project:

Stages	Date
1. Preparation of the methodology and project design – Consultation with experts. – Identifying the organisation of the sociological survey. The methodology, project design and the report were written by Dr A.Dobryninas (criminologist), Dr L. Zilinskien (sociologist) and Dr R. Alisauskien (sociologist). The empirical data were collected by "Baltic Surveys" / The Gallup Organisation in July–September 2001. Some of the details of the methodology were discussed with Joel Hellman (The World Bank, USA), Prof. Kauko Aromaa (criminologist) (HEUNI, Finland).	May–June 2001
2. Collection of the empirical data by "Baltic Surveys" / The Gallup Organisation. See "Data Collection" section below.	July–September 2001
3. Analysis of the attitudes, personal experiences and sources of information of the general public.	August 2001
4. Analysis of the attitudes, personal experiences and sources of information of the business community.	September 2001
5. Preparation of the project report. See: www.transparency.lt	September 2001
6. Presentation of the project for the mass media.	October 2001
7. Presentation of the results to the President's office, political parties, the government, Special Investigations Service, Confederation of Lithuanian Industrialists, the international community etc.	October 2001–April 2002

Data Collection

This project was carried out using empirical and analytical research. The empirical data was collected during three survey phases.

The first survey was carried out among Lithuanian business leaders in July-August 2001. Senior executives and owners of private firms were interviewed, with one respondent selected per company. The sample was based on registers of Lithuanian companies and data published by the Department of Statistics about the number of companies by county, the size of each firm as well as their main sphere of activity. The selection was a representative, random sample, divided up by district. In each of the ten counties, the number of firms in-

terviewed corresponds with the share of that county's companies in the national register.

A quota was applied for larger companies in order to ensure their minimum statistical representation in the sample. In total, 1,005 business leaders were interviewed. The margin of error in the results of this survey does not exceed 3 per cent.

The second part of the interviewing process comprised a national representative survey of the Lithuanian adult population. The fieldwork took place in two phases during August and September 2001. In total, 2,028 respondents were interviewed. The size of the sample was chosen in order to collect sufficient empirical data about the issues with a relatively low level of penetration in society as a whole. The margin of error in this part of the survey does not exceed 2.5 per cent.

The survey was conducted at respondents' homes during face-to-face interviews. The sampling procedures used were as follows:

Multi-stage random sample design was used for the study. The first stage of the sampling procedure was to identify the administrative districts or counties of Lithuania of which there are ten in total. The sampling points were then selected according to the size of the settlements that are grouped into large, medium, small towns and villages. The number of sampling points in each category was dependent on the percentage of the population living in settlements of that type. One sampling point represents approximately 1 per cent of the population surveyed (12 interviews per sampling point). In small villages the sampling point in some cases was represented by six interviews.

The total number of sampling points selected was 223. The survey was carried out in the capital Vilnius, six main cities (Kaunas, Klaipeda, Siauliai, Panevezys, Alytus, Marijampole), 40 towns and 60 villages. These sampling points were selected at random from the list of sampling points of each size (except for Lithuania's main cities, all of which are included).

Random route methodology was used to select respondents at each sampling point. Kish tables were also used (separately for male and female sub-samples) to select a respondent in each household. Up to two call-backs were carried out to obtain an interview with the selected respondent.

To ensure the data was properly verified, supervisors maintained control over the project by checking on 10 per cent of each interviewer's respondents.

V Results

The most important achievements of the project were:

- The creation of a new methodology for a survey of corruption in Lithuania.
- An insight into the corruption situation in Lithuania generally and the identification of hot spots.
- The possibility of applying the same methodology to other countries (especially those with a Soviet heritage) in order to draw comparisons. As of August 2002 this has not yet been done.

Areas of the project that could be improved:

- Detailed surveys of certain institutions (especially in spheres such as public procurement, courts, etc.)

The project was carried out at a time when the state was preparing an anti-corruption strategy, so various institutions based their calculations on its findings. The Government of Lithuania suggested that a survey of corruption should be carried out on an annual basis. This would allow officials to carefully monitor the situation in those areas most closely identified with corruption.

The results of our research were discussed in Lithuania's largest daily newspapers, magazines, TV and radio shows, as well as in the overseas media.

The research data was presented to the general public, the business sector and the NGO sector, as well as to political parties, organisations and other institutions. Generally speaking, the reaction was very positive although, unsurprisingly, the institutions that were criticised in the report were less supportive of the findings.

VI Recommendations

Because the project went relatively smoothly there were few areas that required adjustment. The President's office, the Government and the Seimas (parliament) as well as political parties, special institutions, NGOs and the mass media have all used the results of our research and this is a reflection of its success.

Our advice to any National Chapter planning to undertake a similar project in another country would be to employ exactly the same methodology. This would allow direct comparisons between different countries, creating a joint international anti-corruption initiative.

The Lithuanian Chapter is planing to undertake an annual corruption monitoring project and the national government is currently exploring ways of funding it.

Description by: Laima Zilinskiene and Jolanta Piliponyte

Appendix

Surveys

A) General public

	Number of respondents	%
Total	2028	100
Gender:		
Male	948	47
Female	1080	53
Age:		
Up to 20 y.o	210	10
20-29 y.o	443	22
30-39 y.o.	392	19
40-49 y.o.	327	16
50-59 y.o.	325	16
60+ y.o	331	16
Household monthly income		
Up to 500 Lt	354	22
501-800 Lt	400	25
801-1200 Lt	432	27
1201 Lt +	427	27
Size of the settlement:		
Rural	642	32
Towns	476	24
Cities	910	45

B) Entrepreneurs

	Number of respondents	%
Total	1005	100
Gender:	591	59
Male	409	41
Female		
Age:		
Up to 35 y.o	314	31
	Number of respondents	%
36-45 y.o	364	36
46+ y.o.	315	31
NA.	12	1

Household monthly income		
Up to 1500 Lt	246	25
1501-2500 Lt	262	26
2501 + Lt	280	28
NA	217	22
Number of employees:		
Up to 10	503	50
10 - 50	318	32
51-100	117	12
100+	67	7
Sector (multi-choice):		
Production	216	22
Retail	516	51
Service	439	44
Presence of foreign capital		
Yes	107	11
No	898	89
Counties		
Alytaus	42	4
Kauno	200	20
Klaipedos	120	12
Marijampoles	46	5
Panevezio	77	8
Siauliu	92	9
Taurages	30	3
Telsiu	42	4
Utenos	34	3
Vilniaus	322	32

Surveys on Corruption in Madagascar

I Fact Sheet

Name of the Tool: Surveys on corruption in Madagascar

Brief Description: The aim of this project was to analyse the extent and nature of corruption in the private sector and society at large in Madagascar. It consisted of two opinion polls undertaken in the private sector and in individual households as well as a qualitative study of integrity across the country.

Responsible NGO: Transparency International-Initiative Madagascar (TI-IM) and the International Secretariat of Transparency International.

Creation of the Tool: International Secretariat of Transparency International and adaptation by TI-IM.

Problems Addressed by the Tool: The lack of information about corruption in Madagascar.

Areas of Work: Statistical surveys of corruption in Madagascar.

When the Tool was Implemented: The project took place in Madagascar between December 2000 and November 2001.

Alliances: None

Financing: The following organisations provided funding for the project:
- Canadian International Development Agency
- MacArthur Foundation
- USAID.

For Additional Information, Contact: Transparency International – Initiative Madagascar, transparency.mg@dts.mg or Marie Wolkers at the International Secretariat: mwolkers@transparency.org.

II Objectives

The anti-corruption effort in Madagascar has been hobbled by a critical lack of information about the problem. The principle behind this project was to conduct an in-depth survey in order to assist TI and its partner organisations and deepen their understanding of the nature, causes, manifestations and frequency of corruption in Madagascar.

Specifically, the project set out to obtain a full and representative picture of social attitudes towards corruption, from both a quantitative and qualitative

perspective. The survey made no attempt to verify the experiences of those interviewed.

The objective of the qualitative study was to complete the quantitative approach of the surveys in the private sector and households. It attempted to analyse Madagascar's "National Integrity System", in other words the laws, regulations, ethical practices and existing institutions, which form a system of prevention, recourse and sanction of acts of corruption.

The project also had the following aims:

1) To inform people of the facts and raise awareness about corruption in Madagascar.
2) By publishing data about corruption, TI-IM hoped to generate meaningful debate and constructive dialogue on the issue.
3) To assess the condition and effectiveness of legal, administrative and institutional provisions designed to prevent corruption and reinforce integrity in Madagascar.
4) To create a database that helps draw up priorities and measure the evolution of the phenomenon over time. The data will also allow TI-IM to assess progress and identify failures in vulnerable areas that have been most affected by corruption.
5) To apply pressure to institutions and provide them with data that will be useful in the development of a reform programme.

III Context

Corruption is considered to be a major obstacle to economic and social development in Madagascar but there is a lack of reliable factual information about the nature and scale of the problem.

These surveys were part of a wider programme developed by TI to analyse corruption in three countries in francophone Africa. Morocco and Senegal undertook similar surveys.

IV Implementation

Target Groups

The household survey was carried out on a sample of 1,140 households. Some 58 per cent of these were in urban areas (the capital, provincial towns and secondary urban centres) and 42 per cent in rural areas. Each individual polled was at least 18 years of age and represented the views of a single household.

The survey of business and the private sector was more restricted in its coverage. It was limited to four cities: Antananarivo, Antsirabe, Toamasina and Toliary. A total of 819 officials were polled, of which 57 per cent were in the 'formal' business sector and 43 per cent in the 'informal' sector.

Questionnaires

The research was conducted using the following three instruments:

1) Questionnaire for private enterprises
2) Questionnaire for households.

The questionnaires included some of the same questions but were also tailored to address the specific concerns of the two target groups. The common questions concerned the following themes:

- General trends and evolution of corrupt practices.
- Principal causes or reasons of corruption.
- Social acceptance of corrupt behaviour.
- Degree of prevalence by sphere.
- Personal experience.
- Reactions to the phenomenon.
- Degree of corruption in the political sphere.
- Impact on socio-economic development.

In the private sector survey, additional specific questions were asked about the customs service, invitations to tender and the measures taken by businesses in order to combat corruption.

In the household survey, additional specific questions were asked about public access to education, health services, water and property rights.

3) Factual questionnaire to be answered in focus group discussions.

This questionnaire included a series of questions designed to assess the condition of the legal, administrative and institutional provisions put in place to prevent corruption and reinforce integrity (i.e. National Integrity System). This exercise involved drawing comparisons between an ideal model system and the everyday reality experienced by interviewees.

Preparing the Surveys

The research instruments were prepared and approved by the International Secretariat after consultation with international experts and other agencies

with experience in the field. TI-IM then adapted the questionnaire to the national context of Madagascar.

Execution

The research project was implemented in the following stages:

1) Contacting potential polling organisations.
2) Selecting six polling candidates.
3) Call to tender for polling project.
4) Selection of a consulting firm responsible for the survey.
5) Adaptation of questionnaires to the country's socio-cultural context.
6) Execution of a pilot 5 per cent sample of the total sample.
7) New adaptations to the questionnaire.
8) Data collection.
9) Interview via group discussions.
10) Production of summary reports for each survey.
11) Production of a general summary report.

Media Coverage

The publication of the survey results was postponed for several months because of a political crisis in Madagascar.

However, the results were finally announced at a press conference on 28 June 2002. Around 60 people attended, including journalists, representatives of the President and the Prime Minister, a minister, Members of Parliament, ambassadors and funding agencies.

There was significant media coverage of the survey around the country.

Challenges

The project was not trouble-free and TI-IM recognised the following problems during the preparation and data collection stages:

1) Preparation

- It proved difficult to choose a sample size and geographical coverage which was both sufficiently representative and not overly expensive to undertake.
- The lack of a recent or reliable set of national statistics in Madagascar also presented problems in the formulation of a representative sample.

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2) Data Collection

– Transportation difficulties presented another problem in the survey. Getting to and from sample sites was not always easy or quick.

– Despite the promise of anonymity, some of those interviewed were reluctant to answer certain delicate questions on their personal experiences.

– Because of the subject matter, the responses were often subjective and a reflection of personal opinions rather than reality.

V Results

The project has provided TI-IM with a reliable set of data on the nature, cost and acceptability of corruption in Madagascar.

The publication of these surveys has raised public awareness about the work of TI-IM at the national level. Consequently, the project has been a driving force in the development of TI-IM's future activities.

The project results encouraged debate and constructive dialogue about the issue of corruption. The project was widely covered in the media and three ministers (justice, police and the interior) made specific commitments to combat corruption.

TI-IM intends to repeat the exercise in a few years' time in order to examine how much has changed over time.

An initial comparison will also be carried out between the results obtained in the three countries where the pilot surveys have been carried out.

VI Recommendations

Any organisation seeking to duplicate this project might find the following recommendations useful:

1) The project required specific technical skills and knowledge. It is therefore vital to recruit a specialist consultant in the field of statistics in order to co-ordinate the surveys.

2) In order to select the most competent polling institutes possible, it is advisable that a statement of interest be publicly announced followed by a restricted call to tender. The validity of the results collected will depend to a large extent on the quality of the service providers.

Description by: Véronique Lerch and Marie Wolkers

ENQUÊTES – Madagascar

I. Fiche d'information

Nom de l'outil : Enquêtes sur la corruption à Madagascar

Description brève : Ce projet était composé de deux enquêtes (sous forme de sondage) quantitatives portant sur la corruption, l'une auprès du secteur privé, l'autre auprès des ménages et d'une étude qualitative analysant le système national d'intégrité.

Problèmes abordés par cet outil : Le manque d'information sur la petite corruption.

Domaine de travail : Statistiques/ instruments de mesure

Où et quand cet outil a-t-il été mis en place ? à Madagascar entre décembre 2000 et novembre 2001

Organisations responsables : Transparency International- Initiative Madagascar (TI-IM) et le Secrétariat International de Transparency International

Création de l'outil : Secrétariat International de Transparency International et adaptation par TI-IM

Partenariats : Aucun

Principales sources de financement : Agence Canadienne de Développement International, Fondation Mac Arthur, USAID, Pact Madagascar.

Information complémentaire : Pour tout renseignement complémentaire, contacter Transparency International Initiative Madagascar
transparency.mg@dts.mg
et au Secrétariat International Marie Wolkers, mwolkers@transparency.org.

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II. Objectifs

- Recueillir des éléments factuels susceptibles d'aider les partenaires de TI, en l'occurrence TI IM, à approfondir leur compréhension de la nature, des causes, des manifestations et de la fréquence du phénomène de la corruption à Madagascar. Il s'agissait plus précisément d'obtenir une image représentative, aux plans quantitatif et qualitatif, de la perception des phénomènes de corruption par les personnes consultées. L'exercice n'a que de manière incidente cherché à vérifier que l'expérience des individus interrogés, et non la réalité, corroborait les opinions exprimées.
- Concernant l'étude qualitative, l'objectif était de compléter l'approche quantitative des enquêtes auprès du secteur privé et des ménages. Elle vi-

sait à analyser la corruption à partir de l'existence et du fonctionnement des lois, règlements, pratiques déontologiques et institutions existantes, formant le système de prévention, de recours et de sanctions des actes de corruption (système national d'intégrité).

- Informer et sensibiliser l'opinion publique à partir de données factuelles. La diffusion des résultats devait permettre de légitimer l'ouverture d'un débat et d'un dialogue constructif sur un sujet que l'existence d'informations objectives aura permis, au moins partiellement de dépolitiser.
- Evaluer l'état et l'efficacité des dispositions légales, administratives et institutionnelles mises en place au niveau national pour prévenir la corruption et renforcer les pratiques d'intégrité.
- Créer une base de données permettant de définir des priorités d'action, de mesurer l'évolution du phénomène dans le temps, d'évaluer les progrès réalisés et les échecs encourus, notamment dans les secteurs les plus touchés et chez les personnes identifiées comme étant les plus vulnérables.
- Faire pression sur les institutions tout en leur fournissant des données utiles pour définir des priorités dans les réformes à engager.

III. Le contexte

La réalisation de ces enquêtes se situe dans le cadre d'un programme développé par TI-S sur la région visant à mener trois enquêtes pilotes en Afrique francophone.

TI initiative Madagascar avait alors manifesté son intérêt à mettre en œuvre ce type de projet dans un pays où la corruption est ressentie comme un obstacle majeur au développement économique et social et où les données factuelles pour l'évaluer et la mesurer font défaut.

IV. Mise en place

Groupes cibles

L'enquête auprès des ménages a été menée sur un échantillon de 1140 ménages dont 58% en milieu urbain (capitale, chefs lieux de province et centres urbains secondaires) et 42% en milieu rural. A noter que chaque individu enquêté devait être âgé de 18 ou plus et représenter un ménage et un seul.

L'enquête auprès des entreprises du secteur privé avait un objectif de couverture plus restreint, limité à 4 villes (Antananarivo, Antsirabe, Toamasina et Toliary). 819 responsables d'entreprises, dont 57% dans le secteur formel et 43% dans l'informel, ont été sondés.

instruments de recherche

Les instruments de recherche comprennent trois composantes :

- Un questionnaire destiné aux entreprises privées
- Un questionnaire destiné aux ménages.

A noter que les questionnaires ont été construits autour d'un tronc commun aux différents groupes cibles (ménages et secteur privé) et de parties spécifiques à chacun d'entre eux, touchant les domaines dans lesquels ils sont plus spécialement impliqués.

Le tronc commun des questionnaires soumis aux ménages et aux entreprises du secteur privé abordait les thèmes suivants :

- Tendance d'évolution générale
- Principales causes ou raisons
- Acceptabilité des comportements
- Degré de prévalence par secteur-milieu
- Expérience personnelle
- Réactions par rapport au phénomène
- Degré de corruption des milieux politiques
- Impact sur le développement socio-économique

Pour le secteur privé, les questions spécifiques posées en plus ont porté sur la douane, les appels d'offres et les dispositions prises par l'entreprise pour lutter contre la corruption.

Pour les ménages, les questions spécifiques ont porté sur l'accès à l'éducation, aux soins de santé, à l'eau et au fonctionnement du service des domaines.

- Un questionnaire factuel auquel répondront les participants aux groupes de discussion (focus group discussions). Ce questionnaire comprend une série de questions fermées permettant une première évaluation de l'état des différents éléments composant un système national d'intégrité, c'est-à-dire de l'état des dispositions légales, administratives et institutionnelles mises en place pour prévenir la corruption et renforcer les pratiques d'intégrité. L'exercice consistait à confronter un modèle de système idéal aux réalités vécues par les participants.

Conception des enquêtes

Les instruments de recherche ont été préparés au niveau du Secrétariat International pour chacun des trois aspects de la recherche au terme d'une démar-

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che de consultation avec des experts internationaux en ce domaine et de différents acteurs et agences impliqués dans des exercices similaires.

Ils ont ensuite été adaptés au contexte du pays (modifications apportées aux questionnaires par exemple) par TI-IM avec l'aide d'un consultant spécialisé dans ce domaine.

Processus d'exécution des enquêtes

1. Appel à manifestation d'intérêt
2. Sélection d'une liste de six candidats
3. Appel d'offres restreint auprès des six organismes présélectionnés
4. Sélection des cabinets en charge des futures enquêtes
5. Adaptation des questionnaires aux réalités socioculturelles du pays
6. Réalisation d'un pré-test auprès d'un échantillon correspondant à 5% de l'échantillon global.
7. Nouvelles adaptations portant sur le questionnaire
8. Collecte des données
9. Réalisation des entretiens sous forme de groupe de discussion
10. Production des 3 rapports de synthèse pour chacune des enquête-étude
11. Production d'un rapport général de synthèse.

Médiatisation des travaux de ces enquêtes

Les résultats de ces enquêtes ont été annoncés lors d'une conférence de presse le 28 juin 2002, à laquelle ont assisté une soixantaine de personnes, journalistes, un représentant du Président et du premier ministre, un ministre, des députés, ambassadeurs et bailleurs de fonds. La couverture médiatique a été importante sur tout le territoire. Il faut à cet égard relever que la date de publication des résultats des enquêtes a été reportée plusieurs mois en raison des troubles politiques survenus à Madagascar.

Contraintes rencontrées dans la mise en place

- Dans la phase de préparation des enquêtes.

Il a été difficile de choisir une taille d'échantillonnage et une couverture géographique qui soit à la fois suffisamment importante pour être représentative et qui n'implique pas un coût trop élevé.

La constitution de l'échantillonnage statistique a aussi rencontré des difficultés, en raison du manque de base statistiques nationales récentes et fiables.

- Au cours de l'exécution (collecte des données)

Les difficultés d'accès pour se déplacer sur le terrain et rencontrer les individus sont à relever. La réticence des personnes interrogées à répondre à certaines questions délicates sur leurs propres expériences notamment, malgré l'anonymat qui leur était garanti, a été pour certaines questions une réelle contrainte. Des mesures de précaution pour prendre des rendez-vous afin de prévenir les individus et éviter trop de refus lors des entretiens.

Compte tenu du sujet abordé, les réponses collectées sont souvent plus le reflet d'opinions personnelles et souvent subjectives que celui de la réalité.

V. Résultats

TI IM dispose désormais de données fiables sur la nature, les manifestations, les coûts et l'acceptabilité de la corruption à Madagascar.

La publication des enquêtes a donné à TI IM une meilleure visibilité et reconnaissance au niveau national. Ces enquêtes ont été pour la section de TI un moteur pour le développement de leurs activités à venir.

La diffusion des résultats a permis d'ouvrir le débat sur la corruption et d'engager un dialogue constructif à partir de données objectives. Elle a donné lieu à une large couverture médiatique et surtout à des engagements précis de la part de 3 ministres (justice, police, et intérieur) à lutter contre la corruption.

VI. Perspectives et recommandations pour l'avenir

Perspectives :

Un tel exercice pourrait être renouvelé dans quelques années afin d'établir une comparaison dans le temps.

Une première comparaison sera aussi effectuée entre les résultats obtenus dans les trois pays où ces enquêtes pilotes ont été menées.

Recommandations :

Ce projet impliquant des compétences techniques bien spécifiques et nécessitant un suivi très régulier, il est fortement recommandé à la section prenant la responsabilité d'en coordonner un similaire de recruter un consultant spécialisé dans le domaine des statistiques et de la coordination d'enquêtes.

Il est aussi conseillé comme cela a été fait à Madagascar, de lancer un appel à manifestation d'intérêts afin de présélectionner les instituts de sondages les plus compétents puis de lancer un appel d'offre restreint. La validité des résultats collectés dépendra en effet beaucoup de la qualité des prestataires.

Déscription par: Véronique Lerch et Marie Wolkers

Municipal Government Evaluation Instrument, Nicaragua

I Fact Sheet

Name of the Tool: Municipal Government Evaluation Instrument

Brief Description: This is an instrument for measuring performance in transparency, citizen participation, administrative probity and the efficacy of municipal administration, developed jointly by Grupo Cívico Ética y Transparencia and the mayors of specific municipalities in Nicaragua. Its purpose is to contribute to good governance at the local level.

Responsible Organisation: Grupo Cívico Ética y Transparencia (EyT)

Problems Addressed by the Tool: A lack of transparency and participation in municipal performance; a lack of citizen mechanisms for monitoring the municipal government.

Areas of Work: Fostering the participation of local citizens, promoting municipal transparency.

When the Tool was Implemented:
Phase I (the pilot project) was executed from April to December 2001. Since February 2002, phase II has been in effect, with three new components. (See **Recommendations**)
The instrument was applied in 17 municipal governments in departmental and regional capitals.

Alliances: A co-ordinated alliance was formed with the Nicaraguan Municipalities Association (AMUNIC). This institution, by means of its President, Mr. Melvin Romero (Mayor of Boaco), and its Executive Director, Doctor Alejandro Bravo, facilitated our contact with the participating mayors.

Financing: The instrument was funded by EyT and the Swedish Embassy (a total of US $130,000 over a period of two years).

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II Objectives

General Objective

- To contribute to democratic local governance with the use of evaluation, monitoring and incentives to promote transparency, administrative probity, citizen participation and general performance of municipalities throughout the country.

Strategic Objectives

- To provide the municipalities, municipal entities, international co-operation agencies, and society in general with an understanding of the local situation using an instrument for standardised information that guarantees the periodic measuring of the level of transparency of expenditures at the municipal level.
- To encourage civil society to monitor the daily practices of local governments using tools developed to verify the proper management of public affairs.

III Context

The Country

The new electoral law ordered that municipal elections be held in November 2000: these were the the first municipal elections ever to be held independently of national elections.

In the framework of this electoral process, the new, central role of the municipalities raised expectations among citizens by creating new opportunities for their direct participation. This also made the elections for local government a mechanism for encouraging a stronger sense of responsibility in public administration and decision-making mechanisms.

Given the existence of corruption at all institutional levels in Nicaragua, the citizens of municipalities demanded during the campaigns in 2000 that mayoral candidates be more open with regard to the management of public resources. They also agreed to monitor the daily operations of local governments, these being the institutions with which they had closest contact.

During the municipal elections, EyT, with more than 4,500 volunteers throughout the country, decided to go beyond mere electoral observation. Instead, it focused on 17 municipalities in which the need for performance monitoring of the recently elected municipal authorities was needed.

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The project received little national media coverage. However, the evaluations received much publicity in the local media.

The Organisation

Since 1996, EyT has given Nicaraguans the opportunity to play an active role in five different electoral processes (municipal, regional and national). Today, EyT is recognised throughout the country as a guarantor of trustworthiness in electoral processes, and as an effective mediator in conflict resolution.

In 2000, EyT observed the first municipal elections. Its presence in each municipality was significant in reinforcing the organisation's efforts and broadening its mission at the municipal level.

In addition to the monitoring that took place during the electoral process, many Nicaraguans demanded closer monitoring of elected officials. For this reason in 2001, 17 of Nicaragua's 151 local governments embarked on a programme aimed at evaluating their performance and providing incentives for better governance. For this, a measurement tool was developed jointly by the mayors and EyT with the specific objectives of measuring the levels of transparency, citizen participation, administrative probity, and efficacy of municipal performance.

IV Implementation

Phase I was considered a pilot experience, as this was the first time that such a project had been implemented. The first step was the development and presentation of the project to each of the mayors of the 17 local governments in the departmental and regional capitals, the direct beneficiaries of the Evaluation and Incentive System. This first activity was somewhat complicated in that it took place at a fairly delicate time - the municipal administrations had only recently been elected and other political and electoral events were soon to be held (the municipal elections in 2000 and presidential elections in 2001).

The second step was to host a ratification workshop with the participation of the 13 municipal delegates (excluding Jinotepe, Masaya, Rivas and Granada). Despite the circumstances, the first meeting was held and the first national and worldwide municipal evaluation tool, which had been developed jointly by representatives of the municipalities and EyT, was ratified. The purpose of the tool was to foster active social control, and it consisted of indicators that enabled us to collect information on (see a detailed list of indicators in *Appendix 1*):

- **Transparency:** 21 indicators on planning and policy, municipal administration, personnel and contracting, publicity and the dissemination of activities.
- **Participation:** 28 indicators on city councils, open town councils, local commissions, territorial representatives, relations with local organisations, and municipal structure.
- **Probity:** Nine indicators on property and assets, salaries, travel expenses and the use of the municipal government's property.
- **Efficacy:** 20 indicators on municipal planning, municipal administration, public works, performance and management, and inter-municipal relations.

Furthermore, as the result of our workshop - and a long and tortuous process of direct persuasion by means of numerous visits - and despite the fact that at first some mayors showed a certain reluctance to participate in the evaluation system, 16 of the 17 participating mayors and EyT signed the Montelimar Co-ordination Agreement (see *Appendix 2*). The main points in the agreement were:

- EyT promised to undertake evaluations of the transparency, citizen participation, administrative probity, and efficacy in municipal performance, in a technical, professional and impartial manner.
- The local government administrations promised to facilitate access to public information (municipal budgets, properties, assets, salaries, travel expenses, co-operation agreements, spending plans, management of resources for public works, etc.)

In the end, the agreement was ratified by 16 mayors (one mayor, from Jinotega, declined to sign the agreement because he had just been recently elected and wanted to ensure the smooth transition from the old administration). However, the auditing was carried out in 16 municipal governments, including Jinotega and Managua's five districts, which resulted in the first annual evaluation.

The municipal evaluation tool was used in 17 municipal governments for social audits. An auditing firm was hired on the basis that, this being the first time that such an audit was conducted, it was necessary for a counsel of experts to provide us with advice and training in the field of audits, and with respect to specific subjects such as budgetary execution, financial and administrative control, etc.

To select the auditing firm, EyT took into consideration the experience of several companies in the municipal environment. Deloitte & Touche, KPMG Peat

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Marwick, HH Lic. Wyman Hoker K., C.P.A. and González Chávez Consultores y Asociados all submitted proposals. EyT selected one that had experience in financial and administrative auditing, having worked at the municipal level with governmental institutions, national and international entities and private enterprises.

The firm provided training to EyT personnel and municipal co-ordinators, supported the collection of data for the evaluations, and certified the results of the audits of the 17 municipal governments in the departmental and regional capitals.

The data collection stage was undertaken in periods of two and three days in each municipal government, by teams made up of two auditors, the national network departmental and/or municipal co-ordinator, for a total of 17 voluntary co-ordinators and 2 members of the EyT technical team.

The auditing firm used primary and secondary sources in conducting the audit. The secondary sources were primarily minutes of municipal council meeting, budgets, development plans, income and expenditure statements, agreements with donor agencies and the like. The primary sources included interviews with town councillors, mayors, deputy mayors and the issue and personnel directors of the municipalities.

The information collected with the tool was presented to the evaluation committee that consisted of:

- The EyT president
- A member of the EyT Directive Council
- A member of the EyT Technical Team
- A consultant on the Transparency project
- A representative from the Nicaraguan Municipalities Association (AMUNIC).

The committee was charged with the following duties:

- Adding up the points obtained by each municipal government.
- Analysing the information collected.
- Assigning a ranking to each municipal government for each element.
- Giving the certification to each municipal government.
- Presenting the awards to the best municipal governments.

The following table shows the various phases of project execution:

Phase	Area Covered	When
I	17 departmental and regional capitals	April-Dec. 2001
II	17 departmental and regional capitals and 10 additional municipalities of over 30,000 inhabitants, for a total of 27 municipalities evaluated.	Jan. 2002 Jan. 2003
	50 municipalities for institutional strengthening (administrative and financial control structures)	
III	All municipalities	Feb. 2003 – Feb. 2004

It is worth mentioning that the greatest reward is the prestige gained from being nominated as one of the three top-scoring municipal governments out of the 17. The programme's main purpose is to acknowledge and motivate political commitment and progress.

V Results

In general, the evaluation results were satisfactory. EyT provided a unique standardised instrument with indicators that could be used in decision-making by institutions such as AMUNIC, INIFOM (a decentralised government agency that works at the municipal level carrying out public works projects), national and international NGOs, international co-operation agencies, the municipal governments that were evaluated, and the remaining municipal governments.

One of the main objectives of the project was to reward the three municipal governments with the best scores. The prize, although symbolic, was US $3,000 for each of the winners.

The municipalities used the money to set up a public service window in Estelí, provide a light in the municipal cemetery in Ocotal, and build a pedestrian shelter and repair a pedestrian bridge in the municipality of Matagalpa.

The most innovative result of the programme was the instrument for standardising indicators such as transparency, participation, probity and efficacy.

The results of the evaluations were made public. They were presented to the media, international co-operation agencies, the country's municipal governments, different municipal entities, and to the general public.

The most controversial indicator showed that some salaries of municipal officials were relatively large given the low levels of taxes being collected in the relevant municipality.

The participating municipal governments used the results to compare their situation with that of those municipalities that scored higher in the evaluation, sparking a process change and improvement that would be verified in Phase II, which is now underway.

The project has had other results that, while not collateral, are still important such as:

- Certain municipal information, that previously had never been collected, has been standardised, such as the salaries of the mayors and deputy mayors, among others. This may serve as a database for AMUNIC.
- After EyT collected the comparative information and then sent the participating municipal governments the final recommendations, many municipalities were able to improve and incorporate some instruments for citizen participation, transparency, probity and efficacy into their performance.

In general terms, it may be said that the project has served to deepen the process of good local governance and, as such, the local development process for Nicaraguan municipalities. This has in turn reinforced what has been called the triangle of governability, which is based on the three tenets: accountability, citizen participation and transparency.

It is worth mentioning that the project owes part of its success to the importance that the mayors gave to the awards and to the recognition that EyT gave to the best municipal governments. However, some mayors were reluctant at first to participate and provide information, which can be attributed to the fact that this was the first time that an initiative of this sort had been undertaken.

Although there was no strategy to promote the project, the national and local media often published the results of the evaluations. The results consisted mainly of the indicators on salaries, travel expenses, and the use of resources, which made it possible to compare spending in different municipal governments and the level of responsiveness of the local governments to citizens' problems. The winning municipal governments made use of their resources to promote their services and facilitate resource flow, hence they used the recognition gained from EyT to their advantage.

VI Recommendations

In Phase II, we feel it appropriate not only to provide hard data on the municipal situation, but also to reach a consensus with the institutions involved in changing the services and responding to the people's needs.

Some elements did not work well. The project had little publicity, specifically the administrative probity indicator, which was partially evaluated by means of documents that the mayors, deputy mayors, city councillors and financial and administrative managers had signed.

As such, in Phase II, which is currently underway, we have included three new components with the objectives of overcoming these weaknesses and evaluating processes not monitored in Phase I, which consist of the following:

- Firstly, we are considering extending the incentive system to 10 additional municipal governments whose municipalities have over 30,000 inhabitants (for a total of 27 local governments under evaluation). This would enable the scope of the instrument to be much broader. We would have the results of new indicators for the 17 municipalities being evaluated for a second time, and thus be able to monitor progress and setbacks. On the other hand, we would obtain results for 10 smaller municipalities that would be subject to evaluation for the first time. Thus, we hope to obtain an instrument that provides a clear view of the level of transparency, administrative probity and efficacy in the performance of 27 municipalities. This sort of instrument could be used as a guide for directing funds.
- In terms of the 17 municipalities from Phase I, the objective would be to oversee aspects that were not considered previously such as municipal procurement processes.
- Phase II will include providing training and consulting to 50 municipal governments, hence strengthening their local skills in areas such as structures for financial and administrative oversight. A team of EyT financial and administrative auditing specialists will conduct the training programme. The objective is to guarantee the good management of public administration by providing mechanisms for internal auditing of municipal activities in such a way that weaknesses may be detected and corrected.

Description by: Nadia Arévalo Muñoz

Appendix 1

Indicators

Citizen participation

1. Attendance level of councillors to ordinary councils
2. Attendance level of councillors to extraordinary councils
3. Summons to ordinary councils announced on notice/advisory boards
4. Summons to ordinary councils announced in local media
5. Level of public participation in the municipal capital in the last four ordinary council meetings
6. Level of compliance in the following four months to agreements established
7. Number of annual general town councils
8. Percentage of participation from the municipal capital in the two most attended town councils of the year
9. Percentage of women from the municipal capital in the two most attended town councils of the year
10. Percentage of town council summons announced by a local media
11. Number of obligatory meetings held by local commissions in the last four months
12. Number of non-obligatory meetings held by local commissions in the last four months
13. Average of participants in the last three best attended local commission meetings in the last four months
14. Percentage of women participating in the last three best attended local commission meetings in the last four months
15. Percentage of communities or neighbourhoods with sub-mayors, auxiliary mayors or geographical representatives
16. Percentage of sub-mayors, auxiliary mayors or geographical representatives elected by the community
17. Percentage of female sub-mayors
18. Percentage of local organisation whose work is *known* in the mayor's office
19. Percentage of local organisations *co-ordinated* with the mayor's office
20. Percentage of projects and activities organised by the mayor's office *with the participation* of local organisations
21. Number of women working in the government team
22. Percentage of women working in the technical and administrative team

23. Percentage of men in assistant roles
24. Existence in the government of areas of citizen participation, community relations, or other similar areas
25. Number of cultural and recreational activities sponsored by the municipality in the last four months
26. Number of geographic and/or thematic town councils, assemblies carried out by the municipality since February
27. Average number of participants at geographic/thematic town councils, assemblies carried out since February
28. Percentage of women participating in these events.

Transparency

1. Percentage of technical experts of the former team kept on in current administration
2. Percentage of personnel in assistance roles of the former team kept on in current administration
3. Number of opposition councillors in responsible positions: Commissions, Areas, etc.
4. Public information on the salaries of political, technical and auxiliary personnel (statements, notice board, publications)
5. Public information on travel expenses, representation expenses and contracts (statements, notice/advisory boards, publications)
6. Existence of notice/advisory boards
7. Periodical publication with activities and economic information on the mayor's office
8. Municipal window for Citizen Services
9. Number of monthly interventions in local radio and television on municipal information
10. Number of monthly municipal activities transmitted by the local media

Integrity

1. Document on the commitment to an annual asset declaration (mayors, vice-mayors, councillors and in general public offices in charge of fund administration)
2. Document on the commitment to authorise asset verification by third persons (mayors, vice-mayors, councillors and in general public offices in charge of fund administration)
3. Salary amount of mayors, vice-mayors and councillors

4. Percentage of the municipal budget allocated to travel and representation expenses
5. Percentage of justified travel expenses
6. Actualised inventory of state goods.

Efficiency

1. Existence of a Municipal Development Plan and/or Strategic Plan
2. Existence of a Municipal Investment Plan
3. Existence of an Annual Operation Plan
4. Existence of an Urban Planning Plan
5. Existence of other plans (environment, prevention, emergency, housing)
6. Fiscal efforts in IBI[1] tax collection
7. Level of personnel hiring by the actual mayor's office according to the official procedures
8. Level of public works contracts by the actual mayor's office according to the official procedures
9. Percentage of the rise in individual income (taxes, fees, services, rents, etc.)
10. Investment in municipal works (C$/habitant), in the last 5 months
11. Percentage of the municipal budget dedicated to investments
12. Investments in works (C$/habitant) with international co-operation funds
13. Percentage of works in the municipality carried out with municipal license in the last five months
14. Number of additional municipal services that are not obligatory by law
15. Number of (temporary) socio-economic activities (joint activities of the economic and social sector) carried out by the mayor's office on competitions not strictly municipal
16. Number of inter-municipal and inter-department relations
17. Number of formal inter-municipal relations
18. Number of current treaties between the mayor's office and central institutions
19. Number of current co-operation agreements with foreign entities (town-twinning, etc)

1 An annual tax based on property valuation.

Appendix 2

Montelimar Agreement

COOPERATION AGREEMENT
BETWEEN GRUPO CÍVICO ÉTICA Y TRANSPARENCIA
AND THE MAYORS OF 17 DEPARTMENTAL CAPITALS

Considering: That the municipality constitutes the basic territorial unit for the organisation of the state and that the local authorities are responsible for the population's socio-economic development, the provision and management of all the issues facing the local community, and the provision of opportunities for citizen participation.

Considering: That organised civil society is a political actor that guarantees and promotes human rights, and guarantees ethics and moral values, citizen participation and, on occasion, acts as a facilitator and intermediary between the different political actors that participate in the process of democratic transition that our country is experiencing.

Considering: That in order to strengthen local democratic governability, it is necessary to undertake joint initiatives involving local authorities and civil society organisations; as in the case of the Municipal Transparency and Citizen Participation Programme promoted by the Grupo Cívico Ética y Transparencia, which purports to contribute to the promotion of honest and effective municipal performance, by means of an incentive regime.

Considering: That to facilitate compliance with the Municipal Transparency and Citizen Participation Programme, it is appropriate to come to a formal agreement with the object of establishing the commitments that the local governments of the 17 departmental and regional capitals will make to the members or representatives of the Grupo Cívico Ética y Transparencia, and this group's commitment to undertake all of its labours in a technical, professional and objective manner, independent of the individual political leanings of its members.

THEY AGREE

We, the undersigned representatives of the 17 municipal governments in the departmental and regional capitals of the Republic of Nicaragua, and the representative of Grupo Cívico Ética y Transparencia, being aware of the need to formalise methods and actions in favour of strengthening our local performance, declare and sign:

The Grupo Cívico Ética y Transparencia Foundation, promises to carry out evaluations every six months and to undertake all of its labours in a techni-

cal, professional, objective, honest, clean, impartial and transparent manner, and that the results will determine the awards for the three municipal governments receiving the highest scores in the evaluations.

In turn, the 17 mayors of the departmental capitals promise to provide access to public information such as municipal budgets, properties, assets, salaries, travel expenses, co-operation agreements with other municipal governments and central government institutions, and co-operation agreements with foreign entities and governments. They will also provide information on spending plans, municipal plans, annual spending proposals, spending for the medium and long term, plans and execution of public works, management of the resources for carrying out public works, percentage of the public works funding with their own resources and resources for co-operation and institutional transfer payments.

This agreement is binding for the respective parties once the official representatives have ratified it or those expressly designated for this by the pertinent municipal governments.

In accordance with what have been set out above, we sign a single original copy, at the offices of Grupo Cívico Ética y Transparencia in the city of Managua, on 26 July 2001.

READ AND SIGNED BY:
Granada Municipal Government
Managua Municipal Government
Masaya Municipal Government
Jinotepe Municipal Government
San Carlos Municipal Government
Rivas Municipal Government
Boaco Municipal Government
Puerto Cabezas Municipal Government
León Municipal Government
Chontales Municipal Government
Matagalpa Municipal Government
Chinandega Municipal Government
Estelí Municipal Government
Jinotega Municipal Government
Ocotal Municipal Government
Bluefields Municipal Government
Etica y Transparencia
Somoto Municipal Government

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