

ANTI-CORRUPTION AGENCIES STRENGTHENING INITIATIVE

IMPLEMENTATION GUIDE PART 1: STARTING UP

This guide provides Transparency International's National Chapters, National Contacts and Chapters in Formation with a comprehensive overview of the initiative, theoretical background and practical information to implement the initiative at national level.

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INTRODUCTION

THE IMPORTANCE OF ANTI-CORRUPTION AGENCIES

Today there are more than 100 Anti-Corruption Agencies (ACAs) around the world—40 in the Asia Pacific region alone. This growth signifies an identification of ACAs as indispensable partners in the fight against corruption. However, across the world a wide gap exists between the commitments displayed in establishing ACAs and the actual realisation of their mandate. With this in mind, Transparency International (TI) has developed a new and exciting initiative aimed at strengthening the effectiveness of ACAs in the Asia Pacific Region.

The United Nations Convention Against Corruption (UNCAC) prescribes the existence of independent bodies established through national legal systems to enforce, implement and promote anti-corruption policies and principles. A well-functioning oversight mechanism with a focus on anti-corruption is absolutely vital for good governance in any country context. TI embraces ACAs as natural partners in the fight against corruption.

Of the 30 countries in the Asia Pacific region¹ which have ratified the UNCAC, 25 have dedicated ACAs. In addition, Bhutan and Tonga have ACAs despite not being party to the UNCAC. The growth of ACAs in the region demonstrates a clear commitment by governments to combat corruption and should be commended. Despite these efforts, the effectiveness of many, if not most, ACAs is inhibited by a number of constraints such as insufficient independence, weak capacity and limited mandates.

Table 1: Status of countries in Asia Pacific, in relation to TI presence, UNCAC ratification and ACAs

	Country	TI Presence	UNCAC Ratification	Anti-Corruption Agency
1	Afghanistan	Partner	Yes	High Office of Oversight and Anti-Corruption
2	Australia	Yes	Yes	Australian Commission for Law Enforcement Integrity; Independent Commission Against Corruption and Police Integrity Commission New South Wales; Integrity Commission Tasmania; Queensland Crime and Corruption Commission; Independent Broad-Based Anti-Corruption Commission Victoria; Independent Commission Against Corruption South Australia; and Corruption and Crime Commission Western Australia
3	Bangladesh	Yes	Yes	Anti-Corruption Commission
4	Bhutan	Partner	Signatory but not ratified	Office of the Anti-Corruption Commission
5	Brunei Darussalam	No	Yes	Anti-Corruption Bureau
6	Cambodia	Yes	Yes	Anti-Corruption Unit
7	China	Yes	Yes	Central Commission of Discipline Inspection and Supreme Peoples' Procuratorate
8	Cook Islands	No	Yes	None
9	Fiji	Yes	Yes	Independent Commission Against Corruption
10	Hong Kong SAR	No	Yes	Independent Commission Against Corruption
11	India	Yes	Yes	Central Bureau of Investigation and Central Vigilance Commission
12	Indonesia	Yes	Yes	Corruption Eradication Commission (KPK)

13	Japan	Yes	Signatory but not ratified	None
14	Kiribati	No	Yes	None
15	Lao People's Democratic Republic	No	Yes	Government Inspection Authority
16	Macau SAR	No	Yes	Commission Against Corruption
17	Malaysia	Yes	Yes	Malaysian Anti-Corruption Commission
18	Maldives	Yes	Yes	Anti-Corruption Commission
19	Mongolia	Yes	Yes	Independent Authority Against Corruption
20	Marshall Islands	No	Yes	Anti-Corruption Unit
21	Myanmar	Partners	Yes	Anti-Corruption Commission
22	Nepal	Yes	Yes	Commission for the Investigation of Abuse of Authority
23	New Zealand	Yes	Signatory but not ratified	None
24	Pakistan	Yes	Yes	National Accountability Bureau
25	Papua New Guinea	Yes	Yes	None
26	Philippines	Yes	Yes	Office of the Ombudsman and Presidential Commission on Good Government
27	Solomon Islands	Yes	Yes	None
28	South Korea	Yes	Yes	Anti-Corruption and Civil Rights Commission
29	Singapore	No	Yes	Corrupt Practices Investigation Bureau
30	Sri Lanka	Yes	Yes	Commission to Investigate Allegations of Bribery or Corruption
31	Taiwan	Yes	Yes	Agency Against Corruption and Ministry of Justice Investigation Bureau
32	Thailand	Yes	Yes	National Anti-Corruption Commission
33	Timor-Leste	Partners	Yes	Commission Against Corruption
34	Tonga	No	No	Anti-Corruption Commission
35	Vanuatu	Yes	Yes	NONE
36	Viet Nam	Yes	Yes	Office of the Central Steering Committee for Anti-Corruption and Government Inspectorate

There is no universal global standard for an ideal ACA. However, reasonable expectations on performance can be drawn from their enabling legislation and the role ACAs play in influencing national anti-corruption policies and principles. In a few jurisdictions within the Asia Pacific region some ACAs have shown tremendous commitment, courage and progress in fulfilling their mandate. These range from effective city-state model ACAs such as Hong Kong and Singapore to modern ACAs working with civil society organisations in complex political environments including Indonesia, Malaysia and Thailand.

The 2012 Jakarta Principles² developed in consultation with ACA heads, practitioners and experts from around the world, represent standards against which ACAs and their sponsoring governments can be held accountable. In practice, the extent to which countries are honouring these standards is uneven, in some cases due to the lack of political will by governments to provide their ACAs with the rights powers, legal standing, independence and resources. In 2011, the United Nations Development Programme (UNDP) developed a Practitioner's Guide for senior ACA officers, UNDP Country Offices and other anti-corruption practitioners to assist them to assess the capacity of ACAs.³

TI has responded to this opportunity by developing an initiative aimed at strengthening ACAs utilising TI's reputable expertise, networks and capacity. The proposed 'Anti-Corruption Agencies Strengthening Initiative' combines biennial assessments of ACAs with sustained engagement, dialogue and advocacy at both national and regional levels.

BENCHMARKING AS A PLATFORM FOR CHANGE

If you cannot measure it, you cannot improve it.

Lord Kelvin, British physicist⁴

Unless you are keeping score, it is difficult to know whether you are winning or losing. This applies to ball games, card games, and no less to government ...

Harry Hatry, The Urban Institute⁵

The first ACA in Asia Pacific, the Corrupt Practices Investigation Bureau (CPIB), was established in Singapore in October 1952 to replace its ineffective predecessor, the Anti-Corruption Branch in the Criminal Investigation Department of the Singapore Police Force. The success of Singapore's CPIB and later Hong Kong's Independent Commission Against Corruption (ICAC) has promoted the belief that ACAs are effective in combating corruption⁶ and resulted in the proliferation of many ACAs in the Asia Pacific region.

The latest call to establish an ACA in the Asia Pacific region came in the Solomon Islands and was made by Justice Stephen Pallaras, who had served with the high court for three years. As corruption is endemic and "everywhere" in the Solomon Islands, Pallaras recommended that "an ...[ACA] is needed in this country more than in any other country on the planet because it has so much work to do and the cost of not doing something is far too high."⁷

Despite the proliferation of ACAs over the last six decades, their record in curbing corruption has been mixed, with just a few success stories and many cases of failure. Indeed, the late Jeremy Pope observed that ACAs were "more often failures than successes."⁸ The 'ACA Strengthening Initiative' is proposed on the back of this mixed record in curbing corruption, and will use benchmarking as a coherent and practicable tool to support improved performance of ACAs.

By identifying weaknesses through comparison with the best practices and contexts of effective ACAs, benchmarking motivates ACAs and their governments to initiate reforms to improve their performance. While research has been initiated on the effectiveness of the ACAs in some Asia Pacific countries,⁹ this research is not comprehensive. Thus, the proposed benchmarking tool will be useful for policy-makers, anti-corruption practitioners, scholars, and the ACAs themselves for benchmarking their own performance and the adequacy of their policy contexts. In the long term, TI hopes that being able to benchmark ACAs against each other and against themselves over a period of time, will result in a sense of healthy competition and drive to improve.

OVERVIEW OF THE ACA STRENGTHENING INITIATIVE

The proposed ACA Strengthening Initiative attempts to encourage ACAs, and their respective governments, to realise and achieve their mandate to tackle corruption, taking into consideration the internal and external factors relating to their performance. The influencing factors will include the country context, operating environment, the institutional mandate and the delivery of such a mandate.

Accordingly, **the first phase** of the initiative will involve a participatory assessment exercise by which the ACA's performance and other important factors are measured against a set of 50 pre-defined indicators. The results will culminate in a narrative that reflects the performance status of each ACA relative to its capacity

and enabling environment. This overall benchmarking will be presented in the form of a categorised grading system where the performance of each ACA in the region relative to its environment can be examined comparatively.

The assessment tool has been developed over a period of two years in consultation with experts and practitioners from around the world. In June 2013, TI convened an experts meeting in Kuala Lumpur to explore the possibility of developing an ACA assessment tool. After receiving encouraging feedback and useful inputs, TI commissioned a background review and assessment framework by anti-corruption specialist, Alan Doig, which focuses on the external factors like the country's context, corruption situation and governance arrangements, and these three internal dimensions of the ACA: its management; activities and outputs; and impact or outcomes.¹⁰ The concept received further interest and backing from the ACAs in the Asia Pacific region during the 18th and 19th Steering Group Meetings of the ADB/OECD Anti-Corruption Initiative for Asia-Pacific in 2013 and 2014.

In 2014, TI commissioned anti-corruption expert Jon Quah to further refine Doig's framework, producing a set of 68 indicators incorporating elements of TI's National Integrity Systems assessment methodology and other relevant tools and principles. In April 2015, TI organised a Focus Group Discussion in Bangkok, bringing together practitioners, researchers and ACA officials to scrutinise the indicator framework and approach. The tool was revised and subsequently piloted in Bhutan with an assessment of the Bhutanese Anti-Corruption Commission taking place in June 2015. Following review and lessons learned from the experience, the tool was finalised with a total of 50 indicators in September 2015.

The second phase will use the benchmarked measures as a catalyst tool both within and outside of ACAs, with the aim of forming a platform for dialogue and support for improved performance. Examples of best performing ACAs, as well as ACAs performing under numerous constraints (such as a lack of resources or political freedom) will support discussion among the key stakeholders of their envisaged expectations vis-à-vis actual performance. This dialogue is intended to provide a spring board for cross-learning, resource mobilisation and an analysis of the factors which promote or hinder ACA performance. Indeed, as Michael Johnston has noted, "the indicators-and-benchmarks strategy" sends "important signals to potential bad actors."¹¹

The benchmarking will be done every two years to measure progress periodically and enable comparison over time. During the interim period, the ACAs will work to address policy and practice recommendations stemming from the assessment and subsequent dialogue. Ideally, the ACAs will draw up an action plan with concrete targets for change, with technical support to be provided by other stakeholders where needed. The implementation of these plans will be measured as part of future benchmarking exercises.

IMPLEMENTATION FRAMEWORK

The project will be implemented simultaneously in many countries across the Asia Pacific region. At the national level, specific objectives and activities will differ to suit national contexts and Chapter priorities, but the broad results framework is as follows:

GOAL

Improved support for and effectiveness of ACAs leading to reduced levels of corruption in the Asia Pacific region

PURPOSE

To support ACAs in the Asia Pacific region to improve their effectiveness and performance through partnership building, dialogue, evidence-based advocacy to governments, and comparative evaluation of institutions, activities and outputs, including a range of relevant stakeholders

RESULTS

- ✓ TI's assessment of each ACA produces objective and concrete evidence for policy and procedural reform

- ✓ ACAs, government, civil society and other relevant stakeholders are engaged in dialogue around the findings of the assessment and are supportive of reforms to better support and enable a high-performing ACA
- ✓ Advocacy recommendations are implemented by the ACA through an action planning process, with monitoring and capacity building support from TI and others
- ✓ Advocacy recommendations are implemented by government, civil society and other relevant stakeholders

COMPONENT 1: ENGAGEMENT

Throughout the project the Chapter will engage relevant stakeholders, most significantly the ACA, to facilitate dialogue, knowledge sharing and capacity building in order to attain the desired changes. Building a supporter base to promote advocacy recommendations and demand reform is crucial to the success of the project.

Chapters will establish a working relationship with their respective ACA, ensuring clear expectations of roles and a joint vision for change. Throughout the project, the Chapter will nurture this relationship, providing technical assistance and facilitation where needed. Additionally, the Chapter will engage other relevant stakeholders many of whom they already have working relationships with to build external pressure and support.

Activities may include:

At the very beginning:

- Conduct stakeholder analysis and identify champions
- Conduct environmental scan and political will analysis

Prior to the execution of Component 2:

- Invite ACA to join the project, establish terms of relationship and mutual objectives
- Formalise arrangement with ACA through a memorandum of understanding
- Publicise relationship with ACA through a public event
- Meet with ACA regularly to monitor progress and adjust plans

Subsequent to Component 2:

- Meet with relevant government departments, civil society organisations and media to discuss project aims and collaboration
- Meet with relevant stakeholders regularly to share knowledge and define joint actions
- Facilitate dialogue and knowledge exchange between the ACA and other stakeholders
- Facilitate technical support and capacity building by relevant stakeholders for the ACA

COMPONENT 2: ASSESSMENT

Advocacy and policy recommendations rest on having up-to-date, unbiased and comprehensive evidence about the ACA's structure and performance. This will be achieved through a focused assessment of the ACA highlighting its strengths, weaknesses and areas for improvement.

Chapters will implement a national assessment of the ACA and its environment. Research will involve primary and secondary data collection, context analysis and scoring against pre-defined indicators. The resultant report will be quality assured, and externally validated before being published.

Activities may include:

- Contribute to finalisation of the research methodology
- Recruit and train research team
- Gather examples of ACA successes and develop into stories
- Conduct biennial assessments of ACA, analyse results and form conclusions and recommendations
- Compare results with assessments of other ACAs in other countries to enable further analysis

- Validate findings through consultation with relevant stakeholders
- Produce, publish and disseminate report and other papers digitally and physically
- Present findings graphically and visually to promote wider accessibility and interest

COMPONENT 3: ADVOCACY

Using the evidence gathered the Chapter will support the ACA to develop appropriate policy recommendations and action plans to implement them. Thereafter Chapters will proactively support and encourage the ACAs to work towards the desired changes, monitoring progress and providing technical input where needed. In parallel to this we will build public support through media and outreach work, and target policy makers through relevant lobbying and campaigning activities.

At the regional level, the TI Secretariat will coordinate analysis of all assessments conducted to compare and contrast ACAs, with which to develop and promote advocacy messages using regional platforms.

Activities may include:

- Facilitate reflection on assessment results and formulation of recommendations by ACA
- Facilitate discussions between ACA and relevant government bodies on solutions to challenges
- Assist development of a measurable action plan to implement recommendations by ACA
- Provide additional research or technical support to ACA as needed
- Monitor implementation of the action plan by ACA and provide guidance on process

- Participate in regional advocacy planning workshop
- Develop strong advocacy messages and narratives
- Release assessment results through a high profile launch event
- Promote ACA successes and highlight areas for improvement via social, online and print media
- Promote advocacy messages through blogs, articles, interviews and talk shows
- Facilitate public debate and dialogue to raise awareness and increase demand for reform
- Lobby decision-makers to implement recommendations through meetings and letters

- Promote regional analysis of ACAs to provide comparison and encourage healthy competition
- Promote advocacy messages by participating in regional events and fora such as ADB OECD annual meeting
- Promote a set of standards for ACAs to adhere using a regional voice
- Support champions and allies to promote advocacy messages through their networks and contacts

TIMELINE

TASK	TIMEFRAME	DURATION
Appointment and training of Project Team	Inception	15-30 days
Primary and secondary research	Month 1-2	20-30 days
Report writing and review	Month 2-3	10-15 days
External consultations	Month 3	3-5 days
Report writing and review	Month 3-4	20-30 days
Printing	Month 5	5 days
Public launch of report	Month 5	1 day
Action planning workshop for ACA	Month 5	1-2 days
Advocacy planning workshop for Chapter	Month 5	1-2 days
Advocacy, media and stakeholder dialogue ongoing	Month 6-18	

CONTEXTUAL CONSIDERATIONS

TYPES OF ANTI-CORRUPTION AGENCY

ACAs are specialised organisations formed by governments for the purpose of minimising corruption in their countries. ACAs and other watchdog agencies constitute one of the institutional pillars of the National Integrity System.¹² Luis de Sousa defines the ACA as “a public [funded] body of a durable nature, with a specific mission to fight corruption and reduce the opportunity structures propitious for its occurrence in society through prevention and repressive measures.”¹³

In the same vein, Patrick Meagher has defined ACAs as “separate, permanent agencies whose primary function is to provide centralized leadership in [such] core areas of anti-corruption activity ... [as] policy analysis and technical assistance in prevention, public outreach and information, monitoring, investigation, and prosecution.”¹⁴

Gorana Klemenic, Janez Stusek and Inese Gaika have identified the major anti-corruption functions as: “investigation and prosecution; prevention; education and awareness-raising; coordination; and monitoring and research.” These functions are further sub-divided into the performance of these tasks: receive and respond to complaints; gather intelligence, perform monitoring, and conduct investigations; conduct prosecutions; issue administrative orders; implement preventive research, analysis, and technical assistance; provide ethics policy guidance, compliance review, and scrutiny of asset declarations; provide public information, education; ensure international co-operation and outreach; and other tasks.¹⁵

For the purposes of this initiative, ACAs are defined as:

“Legal entities, permanent institutions in their own right, with full-time staff, which undertake executive activities as opposed to advisory functions, including at least one of three anti-corruption functions – investigation, prevention and awareness.”¹⁶

Colin Nicholls *et al* have identified four advantages for relying on an ACA: reduced administrative costs, enhanced public profile, concentration of expertise, and reduced uncertainty over jurisdiction by avoiding the duplication of powers and work.¹⁷ Similarly, the United Nations Office on Drugs and Crime (UNODC) has provided a longer list of nine advantages provided by the ACA in curbing corruption: a high degree of specialization and expertise; a high degree of autonomy to insulate it from corruption and other undue influences; separateness from the agencies and departments that it will be investigating; a “fresh start” when new, and thus free from corruption and other problems that may affect existing institutions; considerable public credibility; established security protection; political, legal and public accountability; clarity in the assessment of its progress, successes and failures; and swift action against corruption as task-specific resources are used and officials are not subjected to the competing priorities of general law enforcement, audit and similar agencies.¹⁸

An important advantage of creating the ACA is that it sends a powerful signal to citizens, officials and business persons in a country that the government is committed to fighting corruption.¹⁹ However, this initial advantage is eroded if the government does not demonstrate its commitment by providing the ACA with sufficient legal powers and adequate human and financial resources to perform its functions. Also, the government should provide the ACA with operational autonomy so that it can investigate anyone, regardless of his or her status, position or political affiliation. All of these operational advantages will count for nothing if the government fails to support the ACA by allowing it to operate independently and by providing it with adequate resources for performing its functions effectively.²⁰

As many governments in the Asia Pacific region have relied on either single or multiple ACAs to curb corruption, it is important to assess the performance of these ACAs by suggesting a basket of indicators for this purpose. With this aim in mind, it is necessary to identify the two types of ACAs, and their functions, as a prerequisite for formulating these indicators.

In his classic book, *Modern Organizations*, Amitai Etzioni has stressed that “the actual *effectiveness* of a specific organisation is determined by the degree to which it realizes its goals.”²¹ In other words, organisational effectiveness refers to “the degree of goal-achievement.”²² In their pioneering study, Basil S. Georgopoulos and Arnold S. Tannenbaum define organisational effectiveness as “the extent to which an organization, as a social system, fulfils its objectives without incapacitating its means and resources and without placing undue strain on its members.”²³ Thus, the ACA is viewed as an effective organization if it attains its goals without adverse consequences for its personnel. What are the goals of the ACA? There are two main types of ACAs based on their functions: (1) Type A: those dedicated ACAs that perform *only* anti-corruption functions; and (2) Type B: those diffused ACAs which perform *both* anti-corruption and non-corruption-related functions.

The anti-corruption functions performed by **Type A** ACAs are:

- 1) policy development, research, monitoring and coordination of implementation measures;
- 2) prevention of corruption in power structures;
- 3) education and awareness raising; and
- 4) investigation and prosecution of corruption cases.²⁴

Examples of Type A ACAs include the CPIB in Singapore; the ICAC in Hong Kong and New South Wales, Australia; the Malaysian Anti-Corruption Commission (MACC) in Malaysia; the Corruption Eradication Commission, or *Komisi Pemberantasan Korupsi* (KPK), in Indonesia; the Anti-Corruption Commission (ACC) in Bhutan; the Independent Authority Against Corruption (IAAC) in Mongolia; the Agency Against Corruption (AAC) in Taiwan; and the National Anti-Corruption Commission (NACC) in Thailand.

On the other hand, **Type B** ACAs perform both anti-corruption and non-corruption-related functions. For example, the Office of the Ombudsman (OMB) in the Philippines performs these five functions:

- 1) investigation of anomalies and inefficiency;
- 2) prosecution of graft cases in the *Sandiganbayan* (Special Anti-Graft Court);
- 3) administrative adjudication involving disciplinary control of all elective and appointed officials except for members of Congress and the Judiciary and impeachable officials;
- 4) provision of assistance by public officials and employees to the public; and
- 5) graft prevention by analyzing anti-corruption measures and increasing public awareness and cooperation.²⁵

Similarly, the Commission Against Corruption (CCAC) in Macau SAR and South Korea’s Anti-Corruption and Civil Rights Commission (ACRC) are Type B ACAs because they perform anti-corruption functions as well as the functions of an Ombudsman. The final example of a Type B ACA is the Central Bureau of Investigation (CBI) in India, which is a police agency that performs both anti-corruption and other law enforcement functions. More specifically, the CBI has these three investigation divisions: (1) the Anti-Corruption Division, which investigates corruption and fraud cases committed by all public servants in India; (2) the Economic Crimes Division, which is responsible for investigating cases of bank fraud, financial fraud, import-export and foreign exchange violations, large-scale smuggling of narcotics, antiques, cultural property, and smuggling of other contraband items; and (3) the Special Crimes Division, which deals with cases of terrorism, bomb blasts, sensational homicides, kidnapping for ransom, and organized crime.²⁶

Apart from being assessed by their functions, ACAs can also be distinguished by their jurisdiction—that is, whether they are responsible for focusing only on public sector corruption, or on corruption in both the public and private sectors. For example, Singapore’s CPIB, Hong Kong’s ICAC, and Malaysia’s MACC investigate cases involving both the public and private sectors. However, the New South Wales ICAC, India’s CBI, and the Philippines OMB are responsible for dealing with public sector corruption only.²⁷

Another important consideration affecting the performance of the ACAs in the Asia Pacific region is whether there is only a single ACA like the CPIB, ICAC and MACC in Singapore, Hong Kong and Malaysia respectively, or whether there are multiple ACAs as in India, the Philippines and Taiwan. For example, the task of corruption control in India is shared between the CBI, the Central Vigilance Commission (CVC) and the Anti-Corruption Bureaus and State Vigilance Commissions in 28 states.²⁸ This means that it is necessary to ascertain the performance of all the ACAs in India and not just the CBI, which is the lead ACA. In the Philippines, there are five ACAs: the OMB (lead ACA); the *Sandiganbayan* (the Anti-Graft court); the Presidential Commission on Good Government; the Inter-Agency Anti-Graft Coordinating Council; and the Office of the Deputy Secretary for Legal Affairs (ODESLA), which assumed the functions of the President Anti-Graft Commission after its dissolution in November 2011 by President Benigno Aquino.²⁹

In Taiwan, apart from the AAC, the Ministry of Justice Investigation Bureau (MJIB) also performs both anti-corruption and many non-corruption-related functions, and the Public Prosecutor's Offices are responsible for prosecuting both corruption and non-corruption-related offences. There are two ACAs in New South Wales, Australia: the ICAC and the Police Integrity Commission (PIC), which was established in July 1996. The other six ACAs in Australia are: the Australian Commission for Law Enforcement Integrity; the Crime and Corruption Commission in Queensland; the Corruption and Crime Commission in Western Australia; the Integrity Commission in Tasmania; the Independent Broad-based Anti-Corruption Commission in Victoria; and the Independent Commissioner Against Corruption and Office of Public Integrity in South Australia.

ACA(S) IN YOUR COUNTRY

While not all countries in the Asia Pacific region have established ACAs, the first phase of this initiative will only include those countries which have ACAs. As a follow up to the preceding analysis of ACA types, it is necessary to specify the features of an ACA so that only relevant ACAs are invited to participate in the initiative by TI Chapters. Following Nicholas Charron, the ACA is distinguished by these six features:

1. It is separate from other government agencies and focuses on preventing and controlling corruption;
2. It is a permanent and not a temporary organisation;
3. It is funded by the government;
4. It is accountable either to parliament, the ministry of justice, or the executive;
5. It centralises information on domestic corruption which is disseminated to the media and other law enforcement agencies; and
6. It is recognised by, and accessible to, the general public.³⁰

TI Chapters in the Asia Pacific region should rely on these six features as a checklist for identifying Type A ACAs—those dedicated to the task of preventing and controlling corruption. A similar checklist can also be used to select Type B ACAs, except that the first feature should be modified to reflect their focus on both corruption and non-corruption-related functions.

For those Asia Pacific countries that rely on multiple ACAs to combat corruption, the same checklist with the modified first feature should be used. If there is a lead ACA, such as the Central Commission for Discipline Control (CCDI) in China, the CBI in India, or the OMB in the Philippines, it should of course be selected for participation in this initiative. For Taiwan, which has both the AAC and MJIB, only the AAC should be invited to participate in the 2015 exercise as anti-corruption constitutes only one of the MJIB's nine functions. For India, as well as the CBI, the CVC should also be invited to participate in the initial phase. For the subsequent phase, some of the anti-corruption bureaus in the major states can be invited. In the case of China, the Supreme People's Procuratorate (SPP) should also be included in the benchmarking exercise, but inviting the National Corruption Prevention Bureau (NCPB) is unnecessary because the bureau is located within the Ministry of Supervision and has only 30 personnel, limited independence, and minimal enforcement capabilities.³¹

For those Asia Pacific countries without ACAs, like Japan and many Pacific Island countries, the *de facto* agencies used for curbing corruption do not meet the above checklist of six selection criteria and thus these countries cannot be included in the benchmarking exercise. For example, the Special Investigation Departments (SIDs) of the Public Prosecutor's Office in Tokyo, Osaka and Nagoya in Japan, which are

responsible for investigating bribery and corruption cases, are not *de jure* ACAs.³² As Japan has not ratified the UNCAC, its TI Chapter could publicise the results of the first phase of this initiative to persuade the Japanese government to overcome its reluctance to establish an ACA to replace the ineffective and inadequately staffed SIDs in Tokyo, Osaka and Nagoya.³³ In other words, the TI Chapters in those Asia Pacific countries without ACAs can use the results of the ACA Strengthening Initiative as an advocacy tool to persuade their governments to consider the establishment of an ACA.

COOPERATION

Wherever possible, this assessment should be conducted with the full cooperation of the invited ACAs. To participate in this ACA Strengthening Initiative, the Commissioners of the invited ACAs must accept three conditions:

1. Agree to provide relevant information and data on the ACA's legal status and independence, capacity, financial resources, outputs of its investigation, prevention and education functions, cooperation with other government and international agencies, accountability mechanisms, and public perceptions of its performance.
2. Agree to be interviewed (along with senior colleagues) by the Country Research Team (CRT) on matters related to the ACA's functions and performance.
3. Agree to the publication of the results of the ACA's assessment as part of the ACA Strengthening Initiative.

These conditions should be included in the Memorandum of Understanding (MOU) to be signed by both the Executive Director of the TI Chapter and the ACA Commissioner. If for some reason, the ACA Commissioner is unable to sign the MOU, the ACA can still participate in the assessment exercise if the ACA Commissioner agrees informally with the Executive Director of the TI Country Chapter to provide the required data and for he/she and his/her senior officers to be interviewed by the CRT.

It will be easier for TI Chapters to persuade the ACAs in those Asia Pacific countries where corruption is not a serious problem to take part. Indeed, the challenge faced by TI Chapters will be to persuade those ACAs operating in countries where corruption is widespread that the ACA could improve its effectiveness by participating in the benchmarking exercise.

What should the TI Country Chapter and the CRT do when the ACA, which has signed the MOU, is not cooperative or refuses to provide data on some indicators? This scenario could occur when there is either a change in the government and/or a new ACA Commissioner is appointed. When this happens, the Executive Director of the TI Chapter and the Lead Researcher should request a meeting as soon as possible with the ACA Commissioner and relevant officials to resolve any issues or misunderstandings regarding the assessment. However, if cooperation is not possible, the Executive Director of the TI Chapter should inform the ACA and government that, as a public institution, the ACA will be assessed using publicly available information. The ACA and government concerned will be invited to comment on draft findings prior to their finalisation or publication.

OPERATIONAL CONSIDERATIONS

ENGAGING YOUR ACA

At the outset being public institutions ACAs are accountable to the public and their mandate in theory requires them to be independent as oversight and monitoring bodies of the government. However, ACAs are often identified as part of the government structure and their behaviour largely contributes to this perception. Often this makes ACAs defensive and causes them to shy away from public scrutiny due to the fear of criticism.

Building political buy-in and establishing a meaningful and constructive partnership with your ACA will be the first and most important element of this work. Invest time and effort in ensuring professional, respectful and appropriate communication between your Chapter and the ACA. Identify champions who support your cause and are open to a dialogue between civil society and public institutions. Be positive and do not indicate any element of naming and shaming, stressing that this exercise is meant primarily to support ACAs to become stronger and more effective, by working together to address those areas needing attention.

Chapters can choose whether to join the assessment or not, depending on their relationship with their respective ACA and funding availability. For participating Chapters, the first step is to get their ACA on board, ideally through a formal MOU. The Executive Director of the TI Chapter should begin by making an appointment to meet the ACA Commissioner to explain the purpose of the assessment, the type of data to be provided by the participating ACA, and the benefits to the ACA of participating in the initiative. During this initial meeting the TI Chapter Director and a senior colleague could make a presentation on these aspects to the ACA Commissioner and senior colleagues and field questions from them. They should also address any concerns or issues raised by the ACA Commissioner regarding the ACA's participation in the exercise.

For the ACAs whose Commissioners are willing to participate in the assessment and accept the three conditions for participation, the Executive Directors of the TI Country Chapters should prepare a tailored MOU specifying the agreed roles and responsibilities of the ACA and TI Country Chapter, the deliverables, and time-frame for the assessment. This draft MOU should be sent to the ACA Commissioners for their comments and acceptance. Minor changes in wording without compromising the ACA Commissioners' acceptance of the three conditions can be made. The revised MOU can be signed by the Executive Director of the TI Chapter and the ACA Commissioner at a public ceremony at the ACA Office with media coverage, if this is requested by or acceptable to the ACA.

To facilitate communication between the ACA and the TI Country Chapter, both organisations should identify a benchmarking exercise representative. The names and contact details of these two individuals should be specified in the MOU.

Templates have been provided as annexes to this guide for the purposes of engaging your ACA.

FUNDING

The ACA Strengthening Initiative is envisioned as a cross-country programme with multiple benchmarking assessments being carried out simultaneously at the national level. National Chapters will commission or appoint independent researchers to conduct the assessment and manage all stakeholder relationships, advocacy and communications. The TI-S and TI Bangladesh will coordinate the programme, providing technical and in some cases financial support to participating National Chapters, and implement regional advocacy activities as appropriate.

There are a number of funding sources which will be pursued in order to secure sufficient funds to commence the programme:

1. Chapters secure funds for the national project from ACAs

2. Chapters secure funds for the national project from other donors
3. TI-S secures funds for national projects (where Chapters/Partners cannot)
4. TI-S secures funds for a multi-country programme including regional work

It is likely that the programme will be made up of a combination of the above, and that the grant will be managed by TI-S and disbursed to National Chapters accordingly. In an ideal scenario, the Chapter will manage a grant to cover its national human resources, training, assessment and advocacy, whilst TI-S will manage a grant to cover its and TI-Bangladesh's human resources, support costs, workshops, regional analysis, advocacy and communications.

If the ACA funds the project, a contract must be signed between the Chapter and the ACA to enable release of funds, with clear clauses pointing to the independence of the research and impartiality of the Chapter, to avoid potential claims of conflict of interest.

Templates have been provided as annexes to this guide for the purposes of fundraising.

STAFFING

The Chapter should recruit or appoint a part-time Project Coordinator to oversee the project. This person should be skilled in project management, monitoring and evaluation, reporting, financial management, events organisation and capacity-building. Additionally, a part-time Engagement and Advocacy Officer should be recruited or appointed to manage the relationship building, with particular focus on the relationship with the ACA. This person should have adequate experience in advocacy, open governance, social accountability, anti-corruption and capacity-building, as well as skills in communications and media work.

The Project Coordinator is responsible for ensuring the project activities are delivered as planned, guiding the strategy and maintaining a high quality of cooperation with all stakeholders. He/she oversees the project workplan, budget, reporting and coordination of any services and events. If an Advocacy Officer is recruited, he/she is responsible for organising the consultation process along with the Lead Researcher, launch event and subsequent action planning and advocacy activities. If an Advocacy Officer is not appointed, the Project Coordinator should assume these duties.

The Chapter should appoint a Country Research Team (CRT), which will be responsible for the data collection and analysis, and conducting the interviews with selected individuals required for the assessment.

The CRT in each of the participating countries should be headed by a Lead Researcher, who should be a sociologist or political scientist familiar with survey research methods and conducting research on corruption and governance issues in the Asia Pacific countries. Where possible, he/she should be assisted by a research analyst with the requisite skills in data collection, interviewing, and survey research methods. For larger countries, the number of researchers can be increased if the budget for such additional staff is available.

The Lead Researcher should be responsible for managing the CRT, conducting the interviews (with the assistance of the research analyst), liaising with the TI-S and Chapter in the participating countries, and for chairing all focused group discussions (FGD), as part of the research and consultation. The research analyst is responsible for checking the accuracy of the statistical data collected and the analysis of these data, and conducting literature and desk reviews as part of the research.

A template TOR for the Researcher has been provided as an annexe to this guide.

ANNEX 1: ACA INVITATION LETTER TEMPLATE

Name of ACA Commissioner
Office address
Country

Date

Subject: **Anti-Corruption Agencies Strengthening Initiative, 2015-16**

Dear Sir/Madam:

I am pleased to inform you that Transparency International (TI) will be launching the new Anti-Corruption Agencies (ACAs) Strengthening Initiative in winter 2015/16. The purpose of this initiative is twofold: (1) to collect data on the capacity and performance of ACAs in the Asia Pacific; and (2) to enable participating ACAs to identify the best practices of effective ACAs and to address, if relevant, those areas of their performance requiring improvement. The project has the following main features and timeframe:

YEAR xx

- xx: Assessment framework and indicators developed in consultation with experts
- xx: TI coordinates independent assessment of participating ACAs
- xx: Findings and recommendations are reviewed with ACAs before being published
- xx: Best practices and solutions to ACAs' weaknesses identified and action plan drawn up

YEAR xx

- xx: ACA implements the action plan, TI monitors and provides technical assistance where needed
- xx: TI advocates for legislative and policy reform in order to strengthen ACAs

For the inaugural phase of the ACAs Strengthening Initiative in 2015 and 2016, approximately seven ACAs in Asia Pacific will participate. TI would hereby like to invite your ACA to be among the pioneer group of ACAs. In this regard, I would like to make an appointment to meet you and your senior colleagues at your office at a convenient date and time during the next two weeks to explain the purpose of the ACAs Strengthening Initiative, the types of data required on the capacity and performance of your ACA, and the benefits to your ACA for participating in this new initiative.

I look forward to hearing from you and to meeting you and your colleagues in the near future. Thank you in advance for your support and cooperation.

Yours sincerely,

Executive Director
Transparency International xx

ANNEX 2: ACA SIGN-UP FORM

Transparency International's invites your institution to participate in the **Anti-Corruption Agencies Strengthening Initiative** to commence in winter 2015. Please complete the information below indicating your interest in the initiative.

On behalf of _____

I confirm that we would like to participate in Transparency International's ACA Strengthening Initiative from **xx** to **xx**.

Name and Designation: _____

Signature: _____

Date: _____

Please mark as appropriate		Yes	No
1.	My organisation can contribute financially to the initiative in the following amounts:		
	€15,000 (includes assessment, overheads and meeting costs), <u>OR</u>		
	€25,000 (includes assessment, overheads, meeting costs, monitoring and advocacy)		
2.	I agree to provide relevant information and data on my organisation's legal status and independence, capacity, financial resources, outputs of its investigation, prevention and education functions, cooperation with other government and international agencies, accountability mechanisms, and public perceptions of its performance		
3.	I agree to be interviewed (along with senior colleagues) by Transparency International's research team on matters related to my organisation's functions and performance		
4.	I agree to participate in discussions around the findings and recommendations of the assessment in order to find solutions for improved performance, to be developed into an action plan and rolled out in 2016		

I appoint the following staff member to liaise directly with Transparency International to take this work forward:

Name: _____

Designation: _____

Email: _____ Tel: _____

Please return this form to **xx** and copy Rukshana Nanayakkara rnanayakkara@transparency.org. **Thank you!**

ANNEX 3: ACA MEMORANDUM OF UNDERSTANDING TEMPLATE

MEMORANDUM OF UNDERSTANDING

between

Transparency International Chapter in Country A

[Official address]

(hereafter referred to as “**TIC**”)

and

Anti-Corruption Agency in Country A

[Official address]

(hereafter referred to as “**the Partner**”)

(both TIC and the Partner hereafter referred to as ‘**the Parties**’)

for the purpose of

The Anti-Corruption Agencies Strengthening Initiative

1. DESCRIPTION OF COLLABORATING ORGANISATIONS

- 1.1 TIC (provide a brief description of its date of establishment, functions and major programmes).
- 1.2 The Partner (provide a brief description of its date of establishment, functions and major programmes).

2. THE PURPOSE AND SCOPE

- 2.1 This Memorandum of Understanding (hereafter “MOU”) has been developed to:
 - (a) Formalise and clarify the relationship between the Parties;
 - (b) Set out the respective roles and responsibilities of the Parties; and
 - (c) Confirm their interest and commitment in working together to successfully and effectively deliver the activities and/or work as described in the [Terms of Reference (TOR)/Concept Note] attached as Annex 1.
- 2.2 In particular, this MOU is intended to establish an overall framework for cooperation between TIC and the Partner with the following objectives:
 - (a) Enable TIC and the Partner to work closely together for the ACAs Strengthening Initiative; and
 - (b) Enable TIC and the Partner to resolve any issues arising from their cooperation in this initiative.
- 2.3 The MOU therefore sets out matters of agreed principle and policy, reflecting the spirit of cooperation between TIC and the Partner, but it is not intended to be legally binding. TIC and the Partner may, but are not obliged to, enter into separate formal legally binding agreements

in relation to their various joint activities, which will fully document the rights and obligations of each side.

3. ROLES AND RESPONSIBILITIES

3.1 TIC shall undertake the following activities:

- (a) Appoint a country research team (CRT) to collect the required data and conduct interviews with ACA personnel and other relevant persons in Country A; and
- (b) Monitor the performance of the data collection activities and interviews by the CRT members in Country A.

3.2 The Partner shall undertake the following activities:

- (a) Provide relevant information and data on its legal status and independence, capacity, financial resources, outputs of its investigation, prevention and education functions; and cooperation with other government and international agencies;
- (b) Facilitate the interviews of its Director and senior personnel by the CRT on matters related to its functions and performance; and
- (c) Allow the TIC to publicise the results of its assessment as part of the ACA Strengthening Initiative.

4. EXPECTED RESULTS AND OUTCOMES

4.1 The Partner will benefit from participating in the ACA Strengthening Initiative in many ways. Expected results for the Partner include:

- (a) Receiving an objective and comprehensive assessment of its performance from which an action plan for improvement can be developed;
- (b) Gaining space to engage with CSO and other stakeholders, and learn from the best practices of other ACAs participating in the initiative;

4.2 With the assistance of the Transparency International Secretariat (TI-S) in Berlin, the TIC will publicise the results of the Partner's assessment to relevant stakeholders in Country A.

4.3 TI-S will launch the ACA Strengthening Initiative in Berlin in December 2015 by publicising the results of the assessment.

4.4 The Partner will draw up an action plan with concrete targets for change, with technical support to be provided by other relevant stakeholders where needed.

5. TERMS OF COOPERATION

5.1 Each collaborative activity will be defined in a separate Concept Note or a specific Activity Agreement indicating the objectives, duration, budget, and intended outcomes, and will be discussed and specifically agreed by the two Parties.

5.2 As noted in clause 2.3, any such future joint activities defined in a separate Concept Note or a specific Activity Agreement will be, where appropriate, covered by appropriate legally binding agreements.

6. DURATION AND TERMINATION

6.1 This MOU shall become valid upon signature by both Parties.

6.2 It shall remain in force for the period of June 1 to December 31, 2015, unless terminated earlier by two weeks' written notice by either Party or extended by two weeks' written notice by mutual agreement.

7. CONTACT PERSONS

7.1 The following persons have been designated as the first point of contact for any correspondence between the Parties in relation to this MOU:

- (a) Public Relations Officer, TIC (provide contact details); and
- (b) Public Relations Officer, the Partner (provide contact details).

8. MISCELLANEOUS

- 8.1 The Partner is entitled to use TIC's name and logo only as specifically agreed in advance and in writing with TIC.
- 8.2 Nothing in this MOU is intended to or shall be deemed to establish an exclusive relationship between the Parties or to restrict any activities that either party would otherwise be able to undertake. Nothing in this MOU is intended to or shall be deemed to establish any partnership or joint venture between the parties or constitute any party as an agent of the other party.
- 8.3 The Parties will seek to settle amicably and in good faith any disputes that may arise from or related to the interpretation or implementation of this MOU.
- 8.4 In the event a resolution cannot be reached, this MOU is deemed made in Country A and shall be construed and applied in all respects in accordance with Country A's law.
- 8.5 The parties hereto submit and agree to jurisdiction of a court in the capital city of Country A, should disagreements arise.
- 8.6 Any modification or amendment of this MOU shall require an agreement between the Parties in writing.

For the Partner Organisation:

For TIC:

_____, _____
(City) (Date)

_____, _____
(City) (Date)

(Name of ACA Director, Country A)

(Name of Executive Director, TIC, Country A)

ANNEX 4: BACKGROUND NOTE ON ACA INITIATIVE

Attached separately

ANNEX 5: FUNDRAISING NOTE ON ACA INITIATIVE FOR DONORS TEMPLATE

Attached separately – to be tailored to country context

ANNEX 6: BUDGET

The following budget is based on estimates across the region. Items should be adjusted according to the local context and possible available funding. An excel spreadsheet is also provided for easy editing.

Line Item	Unit	Unit Rate	# of Units	Year 1		Year 2		TOTAL
				# of Units	TOTAL	# of Units	TOTAL	
Human Resources								
<u>Chapter</u>								
<i>Executive direction</i>	<i>Per person, per year</i>	15,000	5%	1	750	1	750	1,500
<i>Project coordination</i>	<i>Per person, per year</i>	10,000	25%	1	2,500	1	2,500	5,000
<i>Engagement and advocacy</i>	<i>Per person, per year</i>	10,000	25%	1	2,500	1	2,500	5,000
<u>Subtotal HR</u>					<u>5,750</u>		<u>5,750</u>	<u>11,500</u>
National Research and Publication								
<i>Research training workshop - Regional travel and subsistence</i>	<i>Per person (3 days)</i>	1,060	1	1	1,060	0	0	1,060
<i>National research (consultant)</i>	<i>Per day</i>	200	20	1	4,000	0	0	4,000
<i>Local travel, meetings and materials</i>	<i>Lump sum</i>	1,200	1	1	1,200	0	0	1,200
<i>Review, publication and printing</i>	<i>Lump sum</i>	1,200	1	1	1,200	0	0	1,200
<u>Subtotal National Research</u>					<u>7,460</u>		<u>0</u>	<u>7,460</u>
National Engagement and Advocacy								
<i>Advocacy planning workshop - Regional travel and subsistence</i>	<i>Per person (3 days)</i>	1,060	1	1	1,060	0	0	1,060
<i>Validation and publicity events (including local travel)</i>	<i>Per event</i>	250	5	0.5	625	0.5	625	1,250
<i>Communication and campaigns</i>	<i>Lump sum</i>	1,000	1	0.5	500	0.5	500	1,000
<i>Meetings and conferences (including local travel)</i>	<i>Per event</i>	50	25	0.5	625	0.5	625	1,250
<u>Subtotal National Advocacy</u>					<u>2,810</u>		<u>1,750</u>	<u>4,560</u>

Incidentals							
<i>Audit</i>	<i>Per audit</i>	400	1	0	0	1	400
<i>Monitoring and evaluation</i>	<i>Lump sum</i>	200	1	0	0	1	200
<i>Contingency (approx 5%)</i>	<i>Lump sum</i>	1,206	1	0	0	1	1,206
	<u>Subtotal Incidentals</u>				0		1,806
	TOTAL:				€ 16,020		€ 25,326

ANNEX 7: RESEARCHER TOR

TERMS OF REFERENCE

ACA Assessment Lead Researcher

1. BACKGROUND & OBJECTIVES

Transparency International (TI) is the global civil society organisation leading the fight against corruption. Through more than 90 chapters worldwide and an international secretariat in Berlin, Germany, TI raises awareness of the damaging effects of corruption and works with partners in government, business and civil society to develop and implement effective measures to tackle it.

The United Nations Convention Against Corruption (UNCAC) prescribes the existence of independent bodies established through national legal systems to enforce, implement and promote anti-corruption policies and principles. A well-functioning oversight mechanism with a focus on anti-corruption is absolutely vital for good governance in any country context. Today there are more than 100 ACAs around the world, with 27 in the Asia Pacific Region. However, across the world a wide gap exists between the commitments displayed in establishing ACAs and the actual realisation of their mandate.

TI embraces ACAs as natural partners in the fight against corruption. With this in mind, Transparency International (TI) has embarked on a new project, the '*Anti-Corruption Agency Strengthening Initiative*' aimed at strengthening the effectiveness of ACAs in the Asia Pacific Region. One of TI's strategic priorities is to strengthen institutions and promote public sector integrity. Furthermore the development of diagnostic tools to measure integrity and serve as the basis for advocacy is a key element of TI's work. The ACA Strengthening Initiative shall act as a catalyst in kick-starting an informed discussion among ACAs, governments, anti-corruption stakeholders and the public about how to improve the performance of national ACAs.

Overall, the Anti-Corruption Agency Strengthening Initiative intends to:

- comparatively assess the enabling factors and performance of ACAs in the Asia Pacific region,
- identify strengths and weaknesses of ACAs and develop recommendations for reform and share positive experiences among ACAs
- facilitate an action planning process whereby ACAs directly use the findings of the assessment to identify areas for improvement and roll out the plan accordingly, subsequently monitored by TI and other civil society actors
- advocate and lobby governments for positive policy and legislative reform as well as improved capacity and resource allocation to enhance ACA performance,
- create a space for ACAs to have a dialogue with government and the public to make ACAs conduct highly accountable to their stakeholders.
- make the assessment available widely to the public and anti-corruption actors in the Asia Pacific Region, triggering debates on the subject.

The first phase of the initiative involves a participatory assessment exercise by which the ACA's performance and other important factors are measured against pre-defined indicators. The results will culminate in a narrative that reflects the performance status of each ACA. This overall benchmarking will be presented in the form of a categorised grading system where each ACA in the region can comparatively look at each other's performance.

TI has developed a practical and comprehensive benchmarking tool aimed at highlighting the strengths and weaknesses of an ACA's context, its structure, policies and practices. Selected TI chapters have chosen to undertake an ACA assessment using the benchmarking tool developed by TI and in consultation with ACAs their countries. The assessment is expected to reveal problem areas leading to concrete recommendations for action. Research will involve primary and secondary data collection, context analysis and scoring against pre-defined indicators. The resultant report will be quality assured, and externally validated before being published.

The ACA assessment will be conducted by an independent researcher (hereinafter Lead Researcher) who will work closely with the national chapter. S/he will engage in stakeholder interviews, organise stakeholder meetings, validate the assessment findings and advise the chapter on presenting appropriate recommendations. The Lead Researcher shall have overall responsibility for the ACA assessment. S/he can engage additional researchers for specific research tasks as and when necessary.

The Lead Researcher must be recruited in advance of the ACA Training Workshop and must be available to attend the training workshop, an essential component to the success of the project. S/he must be prepared to coordinate the work of the supporting researchers and ensure that the contributions are unified to produce a cohesive whole. The Lead Researcher would also be the contact person for TI-S regarding research issues during the ACA Assessment review process.

2. SCOPE OF WORK

The Lead Researcher shall conduct the ACA assessment and draft the report within the agreed timetable and based on the standards laid out in the ACA Assessment toolkit. His/her primary duties will include:

- Prepare for and attend the project Training Workshop;
- Conduct a thorough desk review of existing information;
- Identify, organise and conduct interviews with key individuals and organisations, after consulting with the national chapter (and after notifying relevant government agencies/departments and obtaining the consent necessary to conduct the research, should this be required);
- Manage the implementation of field tests;
- Draft ACA assessment report and revise based on feedback by national chapter, TI-S and relevant others (ACA, peer review, libel check);
- Score ACA indicators and revise based on feedback received;
- Attend meetings with the ACA and other stakeholders to review and validate the findings of the full draft report.
- Finalise the draft report including recommendations, using the template provided in the Guide, which brings together these three parts and provides a comprehensive assessment of the ACA.
- Keep national chapter contact person and ACA coordinator at the TI-Secretariat informed about progress and any challenges encountered by way of progress reports and/or participating in monthly calls, as appropriate;
- Contribute to promotional events surrounding the launch of the ACA report;
- Participate in subsequent internal strategising of national chapter and action planning workshop leading to formal launch;

3. Qualifications of Lead Researcher

The Lead Researcher should have the following qualifications:

- Masters degree in political science, public administration, sociology, law or any other discipline related to social science;
- Proven expertise in political-institutional analysis, with particularly strong knowledge of the country's national integrity system and governance system;
- Excellent understanding of the legal and policy framework and actual practice of the country's major governance institutions;
- Familiarity with working with national integrity system institutions;
- Familiarity with transparency, accountability and anti-corruption discourse;
- Proven commitment to practical policy reform and evidence-based advocacy in the field of anti-corruption and good governance;
- Experience in working with/applying quantitative indicators and rating methodologies;
- Experience using participatory research techniques;
- Ability to write succinctly and for a non-academic audience;
- Proven capacity to ensure objectivity and neutrality in analysis, scoring and report writing free from bias, influence and/or conflict of interest

ANNEX 8: NOTES

¹ Including Hong Kong, Macau and Taiwan.

² See “Jakarta Statement on Principles for Anti-Corruption Agencies” (Jakarta, November 26-27, 2012), available at https://www.unodc.org/documents/corruption/WG-Prevention/Art_6_Preventive_anti-corruption_bodies/JAKARTA_STATEMENT_en.pdf.

³ United Nations Development Programme, *Practitioners’ Guide: Capacity Assessment of Anti-Corruption Agencies* (New York: UNDP, 2011), p. 6.

⁴ Quoted in Anti-Corruption and Civil Rights Commission, *Integrity Assessment of Public Organizations* (Seoul: ACRC, 2012), p. 1.

⁵ Quoted in William D. Coplin and Carol Dwyer, *Does Your Government Measure Up? Basic Tools for Local Officials and Citizens* (Syracuse: Community Benchmarks Program, Maxwell School of Citizenship and Public Affairs, Syracuse University, 2000), p. 65.

⁶ UNDP, *Practitioners’ Guide*, p. 8.

⁷ “Independent commission needed in Solomon Islands to tackle ‘endemic corruption,’ outgoing high court judge says,” *ABC News*, November 17, 2014.

⁸ Jeremy Pope, *Confronting Corruption: The Elements of a National Integrity System* (Berlin: Transparency International, 2000), p. 104.

⁹ See for example: Seong Youn Kim, “Review on Assessing Effectiveness of Integrity and Anti-Corruption Measures in the Korean public service,” in Jan Bertok and E. Beth (eds.), *Public Sector Integrity: A Framework for Assessment* (Paris: Organisation for Economic Cooperation and Development, 2005), pp. 125-160; Jin-Wook Choi, “Institutional Structures and Effectiveness of Anti-Corruption Agencies: A Comparative Analysis of South Korea and Hong Kong,” *Asian Journal of Political Science*, 17 (2) (December 2009): 195-214; Emil P. Bolongaita, “An Exception to the Rule? Why Indonesia’s Anti-Corruption Commission succeeds where others don’t – A Comparison with the Philippines’ Ombudsman,” *U4 Issue*, No. 4, August 2010; Rina Hutajulu, “Measuring the Effectiveness of the Indonesian Corruption Eradication Commission (KPK),” *Deutsche Asienforschungszentrum*, 3 (5) (2013): 1-32; Arsema Tamyalew, *A Review of the Effectiveness of the Anti-Corruption and Civil Rights Commission of the Republic of Korea* (Washington DC: World Bank, 2014); and Jon S.T. Quah, “Singapore’s Corrupt Practices Investigation Bureau: Four Suggestions for Enhancing its Effectiveness,” *Asian Education and Development Studies*, 4 (1) (2015): 76-100.

¹⁰ Alan Doig, “Assessing the Performance of Anti-Corruption Agencies in Asia-Pacific: Draft Assessment Framework and Research Methodology,” (Berlin: Report prepared for Transparency International, May 2013).

¹¹ Michael Johnston, *Corruption, Contention, and Reform: The Power of Deep Democratization* (Cambridge: Cambridge University Press, 2014), p. 73.

¹² Pope, *Confronting Corruption*, pp. 35-37.

¹³ Luis de Sousa, “Anti-Corruption Agencies: Between Empowerment and Irrelevance,” *Crime, Law and Social Change*, 53 (1) (2010): 5.

¹⁴ Patrick Meagher, “Anti-Corruption Agencies: Rhetoric versus Reality,” *Journal of Policy Reform*, 8 (1) (2005): 70.

¹⁵ Gorana Klemencic, Janez Stusek and Inese Gaika, *Specialised Anti-Corruption Institutions* (Paris: Organisation for Economic Cooperation and Development, 2008), p. 21.

¹⁶ Doig, “Assessing the Performance of Anti-Corruption Agencies in Asia-Pacific,” p. 5.

¹⁷ Colin Nicholls, Tim Daniel, Martin Polaine and John Hatchard, *Corruption and Misuse of Public Office* (Oxford: Oxford University Press, 2006), p. 476.

¹⁸ United Nations Office on Drugs and Crime, *The Global Programme Against Corruption: United Nations Anti-Corruption Toolkit*, 3rd edition (Vienna: UNODC, 2004), pp. 89-90.

¹⁹ *Ibid.*, p. 90.

²⁰ Jon S.T. Quah, “Benchmarking for Excellence: A Comparative Analysis of Seven Asian Anti-Corruption Agencies,” *Asia Pacific Journal of Public Administration*, 31 (2): 174.

²¹ Amitai Etzioni, *Modern Organizations* (Englewood Cliffs, NJ: Prentice-Hall, 1964), p. 8, emphasis in original.

²² James L. Price, *Organizational Effectiveness: An Inventory of Propositions* (Homewood, IL: Richard D. Irwin, Inc., 1968), pp. 2-3.

²³ Basil S. Georgopoulos and Arnold S. Tannenbaum, “A Study of Organizational Effectiveness,” *American Sociological Review*, 22 (5) (October 1957): 540.

²⁴ Klemencic, Stusek and Gaika, *Specialised Anti-Corruption Institutions*, pp. 9-10.

²⁵ OMB, *Annual Report 2008* (Diliman: OMB, 2009), pp. 7-8.

²⁶ CBI, *Annual Report 2013* (Delhi: CBI, 2014), p. 5, available at http://cbi.nic.in/annualreport/cbi_annual_report_2013.pdf.

²⁷ Jon S.T. Quah, "Benchmarking the Performance of Anti-Corruption Agencies in the Asia-Pacific Countries," in Anuradha K. Rajivan and Ramesh Gampat (eds.), *Perspectives on Corruption and Human Development*, Vol. 2 (Delhi: Macmillan Publishers India, 2009), p. 777.

²⁸ Jon S.T. Quah, *Curbing Corruption in Asian Countries: An Impossible Dream?* (Bingley, UK: Emerald Group Publishing, 2011), pp. 97-99.

²⁹ Eric Vincent C. Batalla, "Treading the Straight and Righteous Path: Curbing Corruption in the Philippines," *Asian Education and Development Studies*, 4 (1) (2015): 55-56.

³⁰ Nicholas Charron, "Mapping and Measuring the Impact of Anti-Corruption Agencies: A New Dataset for 18 Countries," Paper presented at the New Public Management and the Quality of Government Conference in Goteborg, Sweden, November 13-15, 2008, p. 6. Charron identified seven features in his paper but the fifth feature of "contain both preventative and repressive dimensions of corruption control" is excluded to avoid repetition of the first feature.

³¹ Jeffrey Becker, "Tackling Corruption at its Source: The National Corruption Prevention Bureau," *Journal of Chinese Political Science*, 13 (3) (2008): 291, 297-298.

³² Quah, *Curbing Corruption in Asian Countries*, pp. 64-65.

³³ Jon S.T. Quah, "Evaluating the Effectiveness of Anti-Corruption Agencies in Five Asian Countries: A Comparative Analysis," *Asian Education and Development Studies*, 4 (1) (2015): 156-157.