PROJECT DOCUMENT
Country: Kuwait

Project Title: NAZAHA Institutional Strengthening

Project Number: 00107977

Implementing Partner: Kuwait Anticorruption Authority (NAZAHA)

Start Date: 13/12/2017   **End Date: 31/12/2018**   **PAC Meeting date:** 07/11/2017

Brief Description
This project aims to strengthen the institutional and operational capacities of NAZAHA to enable creating a society free of all forms of corruption through combatting corruption in Kuwait and eliminate its causes at the political, economic and social levels. The project aims to support NAZAHA to develop a national anticorruption strategy that servers creating a prosperous Kuwaiti society characterized by transparency, good governance and integrity where every individual and institution plays a responsible role in the society. The project will also support the development of NAZAHA governance framework strategy, the policies and a tactical plan to improve Kuwait's corruption perception index (CPI). It will ensure that NAZAHA strategies and policies will support implementation of the SDG 16 and its related indicators. Through the project, NAZAHA is interested in ensuring Kuwait's full compliance with the UNCAC requirements as well as instituting an aligned approach for its implementation. UNDP country office in Kuwait will capitalize on the organization's expertise and technical collaboration with UNODC as well as renown expertise to fulfil the following outputs: • First Output: Kuwait anti-corruption strategy and implementation plan developed • Second Output: NAZAHA's capacities enhanced to carry out its mandate in a coordinated and effective manner

<table>
<tr>
<td colspan="2">UNDP strategic plan Outcome 2: Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance
Contributing Outcome (CPD):
CPD outcome #3: Governance and institutional management is efficient, transparent, accessible, competitive and accountable.</td>
<td colspan="2">Total resources required (USD):</td>
<td>1,782,157.50</td>
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<td colspan="2" rowspan="6">Indicative Output(s):
CPD output 3.1: Systems in place to ensure institutional accountability and transparency and national capacities strengthened for quality planning, implementation and monitoring of development policies, laws and plans.</td>
<td rowspan="5">Total resources allocated (USD):</td>
<td>UNDP TRAC:</td>
<td>-</td>
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<tr><td>Donor:</td><td>-</td></tr>
<tr><td>Donor:</td><td>-</td></tr>
<tr><td>Government:</td><td>1,782,157.50</td></tr>
<tr><td>In-Kind:</td><td>-</td></tr>
<tr><td>Unfunded:</td><td colspan="2">-</td></tr>
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Agreed by (signatures):

General Secretariat of the Supreme Council for Planning and Development (GSSCPD)	Kuwait Anticorruption Authority (NAZAHA)	United Nations Development Programme (UNDP)
Dr. Khaled Mahdi Secretary-General of the Supreme Council for Planning and Development	Dr. Mohammad A. Buzubar Acting Secretary General	Ms. Zineb Touimi-Benjelloun Resident Representative / Resident Coordinator
Date: 13.12. 2017	Date: 13/12/2017	Date:

I.   DEVELOPMENT CHALLENGE

Corruption is generally deemed one of the most eminent enemies of international trade. Where corruption runs unbridled, fair players are often prevented from accessing the market, leading to a diminished business climate, risking public trust and in expelling performance and quality. The international community has prioritised the focus on corruption in attempts to tackle this problem since the mid-1990s. Numerous policies have proliferated from the movement since, establishing 'anti-corruption' as a new, independent branch of law. At the summit of this composite regime are numerous international conventions that have been ratified by many of the world's leading industrial nations in a bid to 'combatting corruption'.

The entire world firmly believes that corruption, regardless of its form, is the biggest obstacle to progress. It is more devastating than any other defect. Its vandalizing effect extends to the economic, social, and political aspects of life[1].

On the economic level, corruption leads to:

1.   Hindering the development of economy, which affects the short and long-term goals of development plans.
2.   Wasting of the State's resources, which prevents their optimal use.
3.   Shutting out local and foreign investment due to the lack of incentives.
4.   Impairing the just distribution of resources, weakening the economy, and increasing the gap between the rich and poor.
5.   Weakening the State's income due to customs smuggling and tax/fees evasion by means of fraud and manipulation.
6.   Misusing public expenditure in large projects, which prevents key sectors (such as health, education, and public services) from benefiting from these resources.
7.   Hindering good public investment and weakening the infrastructure due to bribes paid for substandard specifications.

On the political level, corruption leads to:

1.   Undermining the government's role in implementing the State's public policy and development plans.
2.   Spreading mistrust in the rule of law and State's institutions.
3.   Weakening democratic reform which damages political stability.
4.   Depriving the right people from holding high positions, which increases hatred and affects cooperation with State's institutions.
5.   Undermining the monitoring of public and private sectors' activities.

On the social level, corruption leads to:

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[1] http://www.nazaha.gov.kw/EN/Pages/effects-of-corruption.aspx

1. The collapse of social structure and the spread of hatred among society's classes due to injustice and inequality.
2. Undermining national security and the social ladder, directly or indirectly, due to corruption's economic and political repercussions.

National Context

Kuwait falls noticeably short in its financial market development, scoring 4 according to the annual index 2016/2017 which is released by the World Economic Forum (WEF) as part of its Global Competitiveness Report; with low scores in both efficiency and market confidence. The index shows that corruption together with inefficient government bureaucracy were identified as the more problematic factors for doing business in Kuwait.

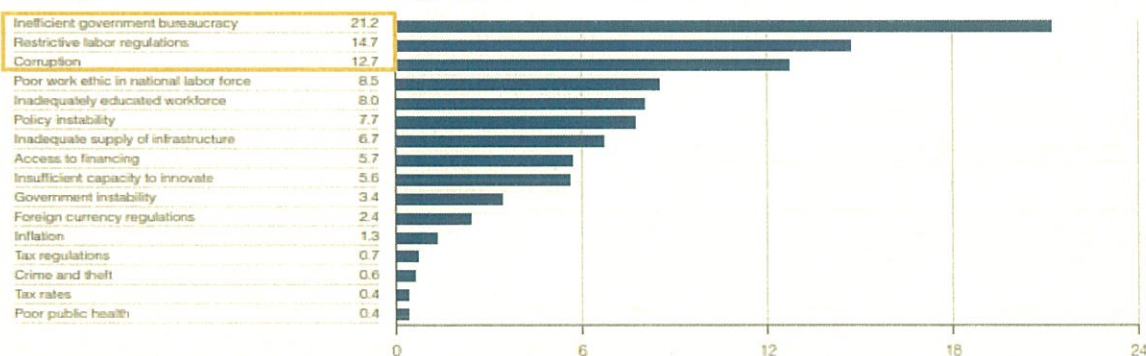### Kuwait 38th / 138

Global Competitiveness Index
2016-2017 edition

Performance overview

	Rank / 138	Score (1-7)	Trend	Distance from best	Edition	2012-13	2013-14	2014-15	2015-16	2016-17
Global Competitiveness Index	38	4.5			Rank	37 / 144	36 / 148	40 / 144	34 / 140	38 / 138
Subindex A: Basic requirements	36	5.1			Score	4.6	4.6	4.5	4.6	4.5
1st pillar: Institutions	59	4.1								
2nd pillar: Infrastructure	52	4.4								
3rd pillar: Macroeconomic environment	6	6.3								
4th pillar: Health and primary education	76	5.6								
Subindex B: Efficiency enhancers	70	4.1								
5th pillar: Higher education and training	94	4.0								
6th pillar: Goods market efficiency	85	4.2								
7th pillar: Labor market efficiency	115	3.7								
8th pillar: Financial market development	65	4.0								
9th pillar: Technological readiness	60	4.3								
10th pillar: Market size	51	4.3								
Subindex C: Innovation and sophistication factors	79	3.5								
11th pillar: Business sophistication	61	4.0								
12th pillar: Innovation	110	3.0								

■ Kuwait ▨ Middle East and North Africa
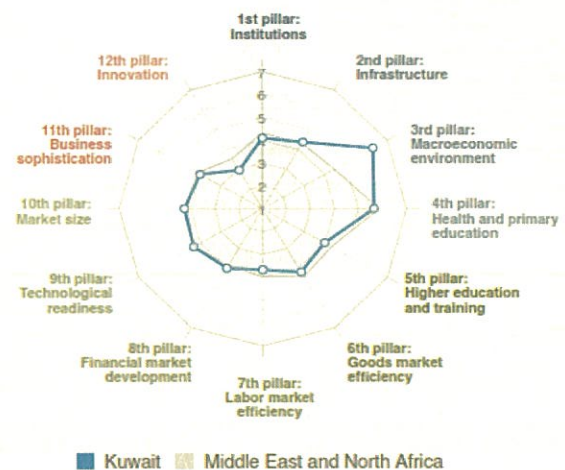
Most problematic factors for doing business
Source: World Economic Forum, Executive Opinion Survey 2016

Inefficient government bureaucracy	21.2
Restrictive labor regulations	14.7
Corruption	12.7
Poor work ethic in national labor force	8.5
Inadequately educated workforce	8.0
Policy instability	7.7
Inadequate supply of infrastructure	6.7
Access to financing	5.7
Insufficient capacity to innovate	5.6
Government instability	3.4
Foreign currency regulations	2.4
Inflation	1.3
Tax regulations	0.7
Crime and theft	0.6
Tax rates	0.4
Poor public health	0.4

source: Global Competitiveness Report 2016/2017 , World Economic Forum

Corruption has been a perpetual hindrance for businesses investing in the region, reducing market credibility and subsequently posing as a deterrent for investors. Informal monopolies and oligopolies exist; connections between the administration and private companies have often resulted in uneven market competition, not mentioning increasing inflation as a result of 'cover ups' and weakening economic development. It has been a lingering hope; particularly so, since the emergence of The Kuwait Direct Investment Promotion Authority (KDIPA) established in accordance with Law No. 116 of 2013, amongst the ever-increasing foreign investment objectives dawning in the region, a more contemporary anti-corruption system has been almost imminent in Kuwait. Public sector corruption in Kuwait has relapsed in the last year; according to the Transparency International (the Berlin-based 'corruption watchdog'), Kuwait ranked 75 out of 175 countries in 2016, dropping it from last year's position at 55[2].
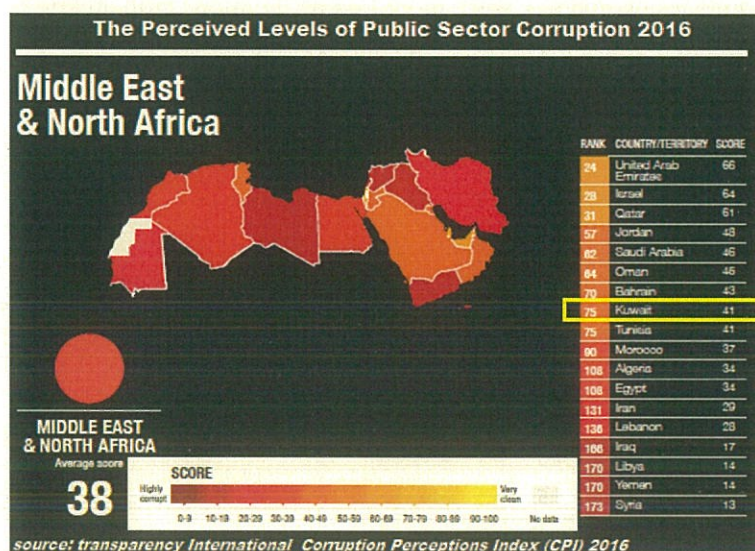
Kuwaiti law has effectively criminalized identifiable corruption offences, but bribery, facilitation payments and giving and receiving gifts continue to be widespread in Kuwait despite being illegal. Criminal sanctions have often been the chief weapon of choice employed in combating corruption, with the majority of international regulations containing central obligations for member states to punish payment of bribes and related crimes. The framework for anti-corruption law in Kuwait subsists mainly in the Penal Law 16/1960 and its amendments reflected on low 31/1970. This criminalizes passive and active bribery, attempted corruption, extortion, money laundering and abuse of office. The Anti-corruption and Wealth Disclosure Decree criminalizes the manipulation of public tenders and auctions, bribery, counterfeiting, forgery and graft. This decree incorporates articles on financial disclosure and money laundering, resulting in criminal penalties of up to seven years imprisonment for such dishonest practices. Under the Anti-Money Laundering and Combating the Financing of Terrorism Law, organized criminal groups and non-governmental organizations convicted of money-laundering can be imprisoned for up to 20 years.

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[2] Kuwait Paves the Road to Fighting Corruption, http://www.tamimi.com/en/magazine/law-update/section-14/dec-jan-2017/kuwait-paves-the-road-to-fighting-corruption.html,

However criminal law is not in itself enough. Jan 24, 2016 saw the introduction of Kuwait Law No. 2/2016 concerning the establishment of a public authority for combating corruption, namely, The Kuwait Anti-Corruption Authority(NAZAHA). The primary function of this Authority is in establishing the principles of 'transparency' and 'integrity' in the application of the UN Convention for combating Corruption, approved by Law No. 47/2006. The Authority seeks to regulate and more efficiently manage domestic strategy in this field, and the Authority is empowered to enforce financial and asset disclosures. This is a positive step toward fighting corruption, averting its malice, and exposing and prosecuting its perpetrators. This leads to activating the role in setting out the proper environment for achieving the State's development plans.

NAZAHA main Objectives are:

- Establish the principle of transparency and integrity in economic and administrative transactions
- Fight against corruption crimes including, but not limited to those committed against public funds and those relating to bribery, abuse of power, meditation and nepotism, money laundering, falsification and forgery, illicit gaining, customs smuggling, tax evasion and any crimes impeding the work of NAZAHA.
- Draw corruption preventative measures and risk assessments
- Protect whistleblowers
- Educate the members of society on the risks of corruption and methods of prevention
- Promote the principle of cooperation and partnership with states and regional and international organizations
- Implement the United Nations Convention against Corruption.

It is worth noting that the following goals have been stipulated, within the framework of the Kuwait National Development Plan (KNDP) (2015/2016-2019/2020), in order to achieve NAZAHA mandate:

- KNDP objective: Combat Corruption and foster integrity, and transparency in the public sector
- KNDP policy: Develop national strategy to foster integrity, transparency and combat corruption, set mechanisms and programs to implement it, and monitor its implementation with relevant entities and the anti-corruption authority.

II.   STRATEGY

Over the last two decades, anti-corruption was almost absent from the development policy agenda, minimally included in discussions on the Millennium Development Goals (MDGs) and sustainable development. Today, there is growing demand by citizens for greater transparency and accountability, and the near universal ratification of the United Nations Convention Against Corruption (UNCAC) (170 state parties as of 29 January 20142) positively added to the global anti-corruption movement.

The commitment of the government of the state of Kuwait to ensure effective transparent systems that allow for accountability are in place is evident in the fifth National Development Plan. The UNDP Country Program Document (CPD) and Country Programme Action Plan (CPAP) 2015-2018 developed jointly with the government of Kuwait also recognizes the importance of developing strategies and policies against corruption following the International standards of UNCAC.

> **UNDP strategic plan Outcome 2:** Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance
>
> **Contributing Outcome (CPD):**
>
> **CPD outcome #3:** Governance and institutional management is efficient, transparent, accessible, competitive and accountable.
>
> **Indicative Output(s):**
>
> **CPD output 3.1:** Systems in place to ensure institutional accountability and transparency and national capacities strengthened for quality planning, implementation and monitoring of development policies, laws and plans.

Within the framework of developmental cooperation and the CPAP the Government of the State of Kuwait, represented by the General Secretariat of the Supreme Council for Planning and Development (GSSCPD), and UNDP are keen to enhance the planning and implementation function of the State and its public institutions. This support is necessary to ensure the optimal use and best allocation of available resources for a sustainable social and economic development.

This project comes in line with UNDP's CPD responding to Kuwait's key development challenges and reflecting the priorities of the Kuwaiti Government in Combatting corruption and educating the members of society on the risks of corruption and methods of prevention.

UNDP Kuwait CO. will support the development of transparency, accountability, and justice system which can respond to citizen expectations by providing capacity-building and by coordinating strategies for implementing change is rational. The chief strategies used to achieve these goals will be based on leadership development, monitoring and evaluation capabilities, organizational performance, and information-sharing policies and mechanisms. Emphasis will be placed on mechanisms that improve the quality and efficiency of policy-making and decision-making support and implementation.

This project represents a multi-level concerted effort to bolster the capabilities of NAZAHA and expand their assets in order to meet the growing internal and external demand to promote and support compacting corruption within the society as well as support the positioning of Kuwait at the regional and global level in fighting corruption. Operationally, the project will put an accent on quality, results, and sustainability to more efficiently develop national capacities to reach the aspired goals.
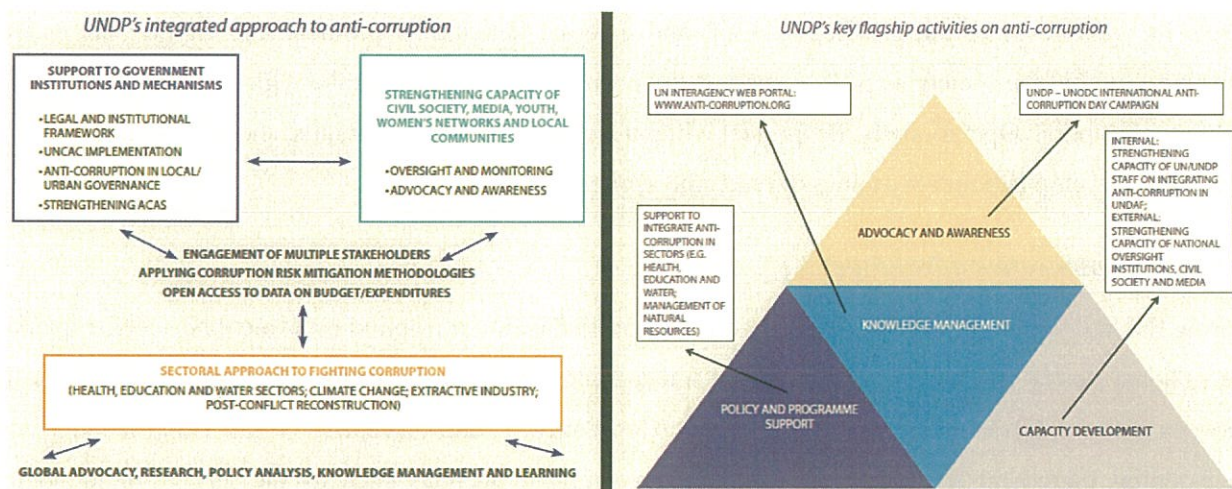
UNDP's comparative advantage:

During the last five years, UNDP's global contribution to the anti-corruption movement has been expanding the political policy and normative agenda on transparency and accountability and helping to make a link between anti-corruption and human development. Consequently, anti-corruption is now being recognized as an essential ingredient in national and global development agendas such as the 2011 United Nations Conference on the Least Developed Countries, Group of 20 (G20) meetings, the 2012 United Nations Conference on Sustainable Development (also known as Rio+20), and United Nations Economic and Social Council (ECOSOC) discussions and post-2015 consultations.

In order to respond to the growing demand from UNDP COs and national counterparts for technical cooperation in anti-corruption, the Democratic Governance Group (DGG) of Bureau for Development Policy has developed the UNDP global programme on anti-corruption entitled "Global Thematic Programme on Anti-Corruption for Development Effectiveness (PACDE) 2008-11", which aims at increasing state/institutional capacity to engage more effectively in reducing corruption to improve governance and sustain development.

Growing evidence of the adverse impact of corruption on development in recent years has reinforced the need to tackle corruption both nationally and globally if development is to be sustainable.

In addition, the UNDP Strategic Plan (2014-2017), "Changing the World", whose overarching vision is 'to help countries achieve the simultaneous eradication of poverty and significant reduction of inequalities and exclusion, has anti-corruption as a cross-cutting are of work of all three development pathways of the new strategic plan – Sustainable Development, Democratic Governance and Resilience-building. More specifically, on voice and accountability, the new strategic plan envisioned that citizen's expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance (Outcome 2 of Strategic Plan). Moreover, the strategic plan also recognizes the vital role of institutions to progressively deliver universal access to basic services (Outcome 3 of Strategic Plan) and faster progress needed to reduce gender inequality and promote women's empowerment (Outcome 4 of Strategic Plan).

UNDP's integrated approach to anti-corruption

SUPPORT TO GOVERNMENT INSTITUTIONS AND MECHANISMS
- LEGAL AND INSTITUTIONAL FRAMEWORK
- UNCAC IMPLEMENTATION
- ANTI-CORRUPTION IN LOCAL/ URBAN GOVERNANCE
- STRENGTHENING ACAS

STRENGTHENING CAPACITY OF CIVIL SOCIETY, MEDIA, YOUTH, WOMEN'S NETWORKS AND LOCAL COMMUNITIES
- OVERSIGHT AND MONITORING
- ADVOCACY AND AWARENESS

ENGAGEMENT OF MULTIPLE STAKEHOLDERS
APPLYING CORRUPTION RISK MITIGATION METHODOLOGIES
OPEN ACCESS TO DATA ON BUDGET/EXPENDITURES

SECTORAL APPROACH TO FIGHTING CORRUPTION
(HEALTH, EDUCATION AND WATER SECTORS; CLIMATE CHANGE; EXTRACTIVE INDUSTRY; POST-CONFLICT RECONSTRUCTION)

GLOBAL ADVOCACY, RESEARCH, POLICY ANALYSIS, KNOWLEDGE MANAGEMENT AND LEARNING

UNDP's key flagship activities on anti-corruption

UN INTERAGENCY WEB PORTAL: WWW.ANTI-CORRUPTION.ORG

UNDP – UNODC INTERNATIONAL ANTI-CORRUPTION DAY CAMPAIGN

INTERNAL: STRENGTHENING CAPACITY OF UN/UNDP STAFF ON INTEGRATING ANTI-CORRUPTION IN UNDAF; EXTERNAL: STRENGTHENING CAPACITY OF NATIONAL OVERSIGHT INSTITUTIONS, CIVIL SOCIETY AND MEDIA

SUPPORT TO INTEGRATE ANTI-CORRUPTION IN SECTORS (E.G. HEALTH, EDUCATION AND WATER; MANAGEMENT OF NATURAL RESOURCES)

ADVOCACY AND AWARENESS

KNOWLEDGE MANAGEMENT

POLICY AND PROGRAMME SUPPORT

CAPACITY DEVELOPMENT

As corruption is a serious crime that can undermine social and economic development in all societies whereas no country, region or community is immune, the United Nations Office on Drugs and Crime (UNODC) and UNDP signed a memorandum of understanding in 2007 on cooperation in the area of anti-corruption as well as criminal justice reform. UNODC and UNDP work closely with each other on the ground, as well as with the development assistance recipient countries where they operate, on combating corruption and supporting the implementation of UNCAC.

UNODC and UNDP consider it important for development partners, both bilateral and multilateral, to focus on anti-corruption as part of the response to development challenges. UNCAC provides a framework to countries in reducing the occurrence of corruption and its negative impact on their economic, political and social development as the basic tenets of democratic governance principles permeate through UNCAC by giving an opportunity to establish an effective set of benchmarks for anti-corruption strategies.

Moreover, UNCAC could guide development partners in the design of technical assistance programmes because the implementation review of UNCAC could play an important role in identifying gaps and needs and ultimately providing the basis for technical assistance for anti-corruption programming.

More specifically, in line with the Paris Declaration and the Accra Agenda of Action, the Convention provides a platform for dialogue, coordination and harmonization among development partners by emphasizing on the national ownership as Member States are obliged to implement UNCAC when they ratify it or accede to it.

As such the Convention opens multiple opportunities for enhancing the effectiveness of development assistance in the areas of accountability, transparency and integrity, particularly in the management of public finances and public affairs.

Anti-corruption in the SDGs context:

Acting against corruption is imperative to achieving the recently adopted Sustainable Development Goals (SDGs)

The anti-corruption targets contained in SDG 16 are "a real breakthrough" for accountability and the rule of law. Noting that UNDP currently has 159 country projects focused on awareness, prevention and enforcement of anti-corruption measures, in the future, the Programme will prioritize support to addressing corruption risks to development, ensuring that anti-corruption is part of the Mainstreaming, Acceleration and Policy Support (MAPS) package to support the SDGs, and developing an anti-corruption strategy.
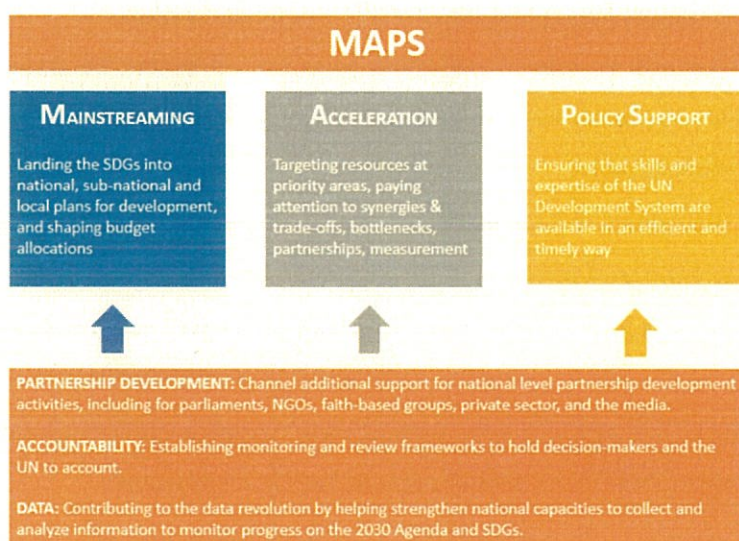
Efforts of UDNP are focused to review and update UN tools and instruments supporting anti-corruption and governance measurements, including to support SDG indicators and country monitoring of the SDGs; and plans to integrate global and regional anti-corruption targets in the Strategic Plan's results and resources frameworks.

Within this context, UNDP will insure that the NAZAHA strategies and policies through the project will support the SDG 16 and its related indicators.

Proposed Framework

With this background and based on NAZAHA's interest in ensuring Kuwait's full compliance with the UNCAC requirements as well as instituting an aligned approach for its implementation, UNDP country office in Kuwait will capitalize on the organization's expertise and technical collaboration with UNODC as well as renown expertise to fulfill the following outputs:

- Kuwait anti-corruption strategy and implementation plan developed

- NAZAHA's capacities enhanced to carry out its mandate in a coordinated and effective manner

Therefore, UNDP and UNODC will support NAZAHA, to become more familiar with UNCAC and its provisions as well as with the functioning of the review mechanism and the potential of the outcomes of the implementation reviews as a programming framework.

In order for the project to have a successful outcome, the sustainability of its impact is necessary. UNDP will support NAZAHA by providing expertise and technical support through the partnering with the regional office for Anti-corruption and the UNODC to support with the following:

- Development of and National strategy, an implementation plan, monitoring and evaluation system developing the capacity of a national team to undertake the monitoring and evaluation
- Along with the development of the national strategy the enhancement of the standing of Kuwait's position on the Corruption Perception Index (CPI) will be undertaken.
- Support to SDG 16 and its related indicators to the development of anti-corruption though the development of the national strategy as well as the internal strategy.
- Internal strategy for NAZAHA.
- Internal policies, procedures and manuals.
- Feasibility study and terms of reference for ICT system
- Capacity building trainings and workshops through all stages will be provided

With that in mind, Both the UNDP and UNODC strategic expertise are prepared to commit to working on this jointly which will contribute to NAZAHA overall organizational development.

III. RESULTS AND PARTNERSHIPS

Expected Results

The overall outcome of the project will be: "**Enhance the capacities, skills and capabilities of NAZAHA to enable the establishment of an efficient, improved immune system against corruption that develops Kuwait socio-economically and raises moral integrity institutionally and individually**."

The positive impacts of the project will be effective on a multitude of levels. It would impact NAZAHA on an institutional level, a country level, and its involvement with the society. The main outputs and expected results of the project will be the following:

Output 1: Kuwait anti-corruption strategy and implementation plan developed[3]

The project will utilize an integrity diagnostic framework in order to enable Kuwait's commitment to implement the national strategy and develop the capacity of NAZAHA, stakeholders and the society on their roles and responsibilities in the implementation of immune society against corruption.

- NAZAHA is keen to develop a National Anti-Corruption Strategy in line with the UNCAC standards, Kuwait National Development Plan (KNDP) priorities and aligned with the respective SDG16. UNDP will support the development of the national strategy taking into account the engagement of all related stakeholders and beneficiaries which will provide a conceptual and practical framework for national Anti-Corruption development in Kuwait. Special emphasis should be given to forging strong partnerships with the individuals within the society themselves in the strategy formulation process to ensure that their aspirations, needs and priorities are well reflected.
- UNDP will provide the support to conduct and validate necessary studies to do situation analysis in order to assess the existing anti-corruption architecture and Identify core corruption issues facing the country and framework gaps. This will leverage findings from the assessment to design a national strategy aligned to leading global integrity standards which shall improve the position of Kuwait on CPI.
- UNDP and UNODC will work on the establishment of goals, baselines and targets for national strategy through a consultative process and support drafting and validating the national strategy. They will also design the monitoring and evaluation system for the national strategy
- UNDP will set and implement a capacity building plan for NAZAHA and the engaged stakeholders in order to assume all the developed function within this stage through a series of workshops, training sessions and working discussions to insure the sustainability of the project.

Output 2: NAZAHA's capacities enhanced to carry out its mandate in a coordinated and effective manner[4]

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[3] The implementing agency will conduct the related tasks and activities as per Annex 6 – TOR(1)
[4] The implementing agency will conduct the related tasks and activities as Per Annex 7 – TOR(2)

As a response to the fact that NAZAHA is a newly established organization, there is a need to ensure the alignment between the national strategy and the internal institutional strategy, policies and procedures. As such, UNDP can support NAZAHA reviewing its current internal structure, policies and procedures to develop its institutional strategy and improve its standards and procedures. Under this output, the project will:

- Undertake an assessment of the national laws and bylaws as well as obtaining and studying current NAZAHA structures, policies, charters and framework through workshops and consultancy sessions with NAZAHA and the relevant stakeholder to enable establishing goals, baselines and targets for internal strategy through a consultative process.
- Support in drafting and validating the internal institutional strategy insuring its alignment with the National Anti-Corruption Strategy. This will include the engagement and soliciting of the relevant stakeholders and socialize for their feedback and inputs. UNDP will also ensure the production of the relevant manuals and conduction of the required workshops and training.
- Design and conduction of trainings for NAZAHA staff on the internal strategy implementation using the UNDP Anti-Corruption Agencies' Capacity Assessment Guide.
- Develop a monitoring and evaluation system for the internal strategy in addition to the implementation of related training for NAZAHA staff.
- Develop a knowledge management capacities for effective strategic planning to anticorruption.
- Conduct a detailed study of IT infrastructure, assess requirements and develop plan for improvement of ICT systems.

Resources Required to Achieve the Expected Results
- UNDP CO will provide support in the form of technical and policy advice as well ongoing advocacy support for the programme at the national, regional and international levels, in addition to the organization of events in accordance with the work-plan.

Partnerships
- For effective implementation of improved anti-corruption programmes, NAZAHA will need to work closely with relevant government ministries and departments, private sector, NGOs, local communities and most importantly the society.

- To support this effort, a wealth of expertise of UNDP, UNODC and a network of international, regional and national development practitioners may be mobilized in order to help national partners to achieve the outcome of this project.

Risks and Assumptions

There are several key risks that would impact on the success of this project as reflected in the Risk Log.

- Duration of the project

The project is administratively set to be completed by the end of 2018. With such a tight timeline, there may be risks of not fully achieving the implementation of the set outputs. In order to mitigate this risk, the project will be closely monitored to address bottlenecks and challenges.

- Governmental/UNDP leadership unexpected turnover

Changes in leadership in the government/UNDP, turnover of key functionaries and inadequate absorption capacity may result a delay to the implementation of the project. A development of alternative plans of actions, boosting the capacity of the mid-level management and staff as well as standardizing and institutionalizing further the project processes to ensure the continuity of the project activities and tasks with no delay.

- Delay in approval process

With the tight project duration and in order to ensure a speedy process for the development of the national strategy and the internal NAZAHA strategy the project requires a speedy approval process for all deliverables and outcomes. This is important given that UNODC and UNDP regional anticorruption agency are based out of the country and attend several other requests. Regular board meetings and close coordination with all partners will ensure a smooth implementation

- Recruitment and procurement process

There is a risk at the recruitment and the procurement phase would not result in an adequately broad pool of highly qualified candidates applying for the post. Qualified candidates are not approached or salaries scales are not sufficient to the caliber of expertise required. In order to mitigate this risk, the nature of the Kuwaiti labor market and qualifications profiles as criteria when making the final selection of posts to be recruited must be considered. The identification of all consultancies should be prepared upon the project's initiations. Terms of Reverence (TOR) should be ready after the launch of the project to ensure there are no delays. Vetted rosters and head hunting could be used prior to advertisement for local and international hires. A review and adjustment of the salary scales should be considered.

Stakeholder Engagement

In order to achieve of the successful implementation of the project, NAZAHAs' involvement with the following stakeholders is vital:

- Target Groups: (individuals of the society) this project will be aligned with NAZAHA' mandate. It is evident that the role of individuals is the most essential and active role in combating corruption. They are the ones who deal directly with governmental bodies and their services. Individuals are capable of exposing and reporting corruption therein.

- Partners: (Government Agencies, Civil Society Institutions, the Private Sector, International and Regional Organizations) the commitment of all partners is vital to the successful completion of the project, due to its reliance on a multi-stakeholder approach.

South-South and Triangular Cooperation (SSC/TrC)

- Leverage on the knowhow and expertise of external advisory bodies, through UNDP's extensive partnerships, related to anti-corruption such as legislations, policies and strategies development through SSC/TrC.

- Participation and collaboration through Regional and international anti-corruption Programmes relaying knowledge transfer and capacity building of local anti-corruption related entities (Governmental, non-governmental and civil society)

Knowledge

- The project will assist NAZAHA in raising awareness to convey the adverse effects of corruption and its social and economic impact to the country. The awareness programmes will also address SDG16 as a knowledge base for designing, implementing and assessing policies and programmatic interventions.
- The project will support NAZAHA building a knowledge center database containing researches and studies for effective strategic planning compacting corruption.

Sustainability and Scaling Up

The project will be implemented with the view to achieve sustainable institutional capacities by transferring knowledge and skills. Sustainability and capacity indicators will be put in place during the initial phases of the project based on an institutional capacity assessment.

IV.   PROJECT MANAGEMENT

Cost Efficiency and Effectiveness

By Using UNDP Regulations. The Results and Resource Framework of this project is designed to reflect the actual measurements to achieving the main output. Based on the activities, the nature of the work required and the estimated required duration to delivery, requirement and procurement plans the financial budgeting was made, taking in considerations the risks.

Project Management

The project will provide an overall strategic direction and make decisions on specific aspects of project implementation, a Project Board will be created and involve senior personnel of signatories to the project document with similar level of decision-making authority. It will also include a senior representative of the Beneficiaries. A Technical group consisting of representatives of related participating agencies will also be formed. Their main task will be to provide technical advisory support to the project regarding the policy development and possible implementation of changes to procedures, legal and regulatory frameworks. They will have ad hoc meetings as required to coordinate their individual and joint effort.

V. RESULTS FRAMEWORK

Intended Outcome as stated in the UNDAF/Country [or Global/Regional] Programme Results and Resource Framework:

KWT CPD outcome #3: Governance and institutional management is efficient, transparent, accessible, competitive and accountable.

Outcome indicators as stated in the Country Programme [or Global/Regional] Results and Resources Framework, including baseline and targets:

Kuwait output 3.1: Systems in place to ensure institutional accountability and transparency and national capacities strengthened for quality planning, implementation and monitoring of development policies, laws and plans.

Indicator 3.1.2.: Number of ministerial policy declarations and measures taken and implemented on anti-corruption (disaggregated by sector).

Baseline: National Anti-corruption Law 2/2016

Target: One anti-corruption executive policy developed and implemented.

Applicable Output(s) from the UNDP Strategic Plan:

Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance

Project title and Atlas Project Number: - 00107977

EXPECTED OUTPUTS	OUTPUT INDICATORS	DATA SOURCE	BASELINE		TARGETS (by frequency of data collection)		DATA COLLECTION METHODS & RISKS
			Value	Year	2018	FINAL	
Output 1 *Kuwait anti-corruption strategy and implementation plan developed*	*1.1 Level of progress achieved towards Kuwait anti-corruption strategy and implementation plan (scale 0-4)[5]*	*documentation*	0	2018	4	4	*Desk review, consultation* *Delay in consultants' recruitment and government approval*
	1.2 Number of persons with enhanced capacities for the implementation, monitoring and evaluation of the national anti-corruption strategy and implementation plan	*Pre- and post- training questionnaires*	0	2018	20	20	*Desk review, consultation* *Delay in consultants' recruitment and government approval*

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[5] *Levels are the following: 0 (no strategy and implementation plan in place), 1 (national needs and priorities identified) 2 (draft strategy and implementation plan completed). 3 (draft strategy and implementation plan adjusted to findings of stakeholder consultations) and 4 (strategy and implementation plan formally adopted)*

Output 2: NAZAHA Institutional capacities developed and improved for an effective organization						
2.1 Level of progress achieved towards NAZAHA's capacity development plan (scale 0–4)[6]	documentation	0	2018	4	4	Desk review, consultation Delay in consultants' recruitment and government approval
2.2 Level of progress achieved towards NAZAHA's policies and procedures manual (scale 0–4)[7]	Documentation	0	2018	4	4	Desk review, consultation Delay in consultants' recruitment and government approval
2.3 Level of progress achieved towards an ICT-based knowledge management system at NAZAHA (scale 0–4)[8]	Documentation	0	2018	4	4	consultation Delay in consultants' recruitment and government approval
2.4 Number of persons with enhanced capacities on good practices and lessons learned from comparative experiences of peer agencies worldwide	Documentation	0	2018	40	40	Desk review, consultation Delay in consultants' recruitment and government approval

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[6] Levels are the following: 0 (no capacity development plan in place), 1 (capacity assessment completed) 2 (draft capacity development plan completed). 3 (draft capacity development plan adjusted to findings of stakeholder consultations) and 4 (capacity development plan formally adopted)

[7] Levels are the following: 0 (no manual in place), 1 (current practices documented and assessed) 2 (draft manual completed). 3 (draft manual adjusted to findings of stakeholder consultations) and 4 (manual formally adopted)

[8] Levels are the following: 0 (current status), 1 (current status assessed) 2 (feasibility study completed). 3 (terms of reference completed) and 4 ((terms of reference formally adopted)

VI. MONITORING AND EVALUATION

In accordance with UNDP's programming policies and procedures, the project will be monitored through the following monitoring and evaluation plans:

Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
Track results progress	Progress data against the results indicators in the RRF will be collected and analysed to assess the progress of the project in achieving the agreed outputs.	Quarterly, or in the frequency required for each indicator.	Slower than expected progress will be addressed by project management.	NAZAHA, GSSCPD	-
Monitor and Manage Risk	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's audit policy to manage financial risk.	Quarterly	Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.	NAZAHA, GSSCPD	-
Learn	Knowledge, good practices and lessons will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	At least annually	Relevant lessons are captured by the project team and used to inform management decisions.	NAZAHA, GSSCPD	-
Annual Project Quality Assurance	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project.	Annually	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.	NAZAHA, GSSCPD	-
Review and Make Course Corrections	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by the project board and used to make course corrections.	NAZAHA, GSSCPD	-
Project Report	A progress report will be presented to the Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project quality rating summary, an updated risk long with mitigation measures, and any evaluation or review reports prepared over the period.	Quarterly, Annually, and at the end of the project (final report)		NAZAHA, GSSCPD	-
Project Review (Project Board)	The project's governance mechanism (i.e., project board) will hold regular project reviews to assess the	Specify frequency (i.e., at least annually)	Any quality concerns or slower than expected progress should be discussed	NAZAHA, GSSCPD	

| | performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project's final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences. | by the project board and management actions agreed to address the issues identified. | |

Evaluation Plan[9]

Evaluation Title	Partners (if joint)	Related Strategic Plan Output	UNDAF/CPD Outcome	Planned Completion Date	Key Evaluation Stakeholders	Cost and Source of Funding
Final evaluation of the project	-	4	2	31 Dec. 2018	GSSCPD	20,000 USD - Government

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VII. MULTI-YEAR WORK PLAN

EXPECTED OUTPUTS	PLANNED ACTIVITIES	Planned Budget by Year		RESPONSIBLE PARTY	PLANNED BUDGET		
		2018	Total		Funding Source	Budget Description	Amount (USD)
Output 1: *Kuwait anti-corruption strategy and implementation plan developed*	1.1. Conduct first country mission (2 from Vienna and 2 from Amman/Beirut) to establish baselines and contextual factors and agree with NAZAHA on the scope of work and the vision for its completion	113,000.00	113,000.00	NAZAHA, GSSCPD, UNODC, UNDP		UNODC: •P-4 staff for 4 months	73,000.00
	1.2 Develop the necessary studies to identify related needs and priorities linking to UNCAC implementation and SDGs achievement, namely SDG 16	25,825.00	25,825.00	NAZAHA, GSSCPD, UNDP		•P-3 staff for 4 months	59,000.00
	1.3 Organize first national consultative workshop (40 person) to identify stakeholder perspectives on related needs and priorities	10,000.00	10,000.00	NAZAHA, GSSCPD, UNDP		•G-staff admin for 3 months	
	1.4 Conduct second country mission (2 from Vienna and 2 from Amman/Beirut) to present methodology in strategy development and identify priority areas and key outcomes of the strategy	113,000.00	113,000.00	NAZAHA, GSSCPD, UNODC, UNDP			28,250.00
	1.5 Develop the first draft of the strategy	25,825.00	25,825.00	NAZAHA, GSSCPD, UNODC		**Travel -- 4 missions (x2 people) (includes PSC)**	4*2* **28,250.00**
	1.6 Conduct third country mission (2 from Vienna and 2 from Amman/Beirut) to present and discuss the first draft of the strategy, and to elaborate the first draft of the implementation plan (key activities, benchmarks, responsible institutions, indicative timelines, related indicators etc)	113,000.00	113,000.00	NAZAHA, GSSCPD, UNODC, UNDP			
	1.7 Organize second national consultative workshop (40 persons) to secure additional stakeholder inputs regarding the first draft of the strategy and way forward	10,000.00	10,000.00	NAZAHA, GSSCPD, UNDP, UNODC		UNDP regional anticorruption on agency:	
	1.8 Revise the first draft of the strategy as necessary and develop the first draft of the implementation plan	41,850.00	41,850.00	NAZAHA, GSSCPD, UNODC		•P-4 staff for 1 month	15,000.00

Activity			Partners	
1.9 Conduct fourth country mission (2 from Vienna and 2 from Amman/Beirut) to validate the strategy and implementation plan and introduce any amendments as needed	113,000.00	113,000.00	NAZAHA, GSSCPD, UNODC, UNDP	•IC contract (working under joint supervision of UNODC and UNDP) for 90 working days — 63,000.00
1.10 Design an outreach campaign for the launch of the strategy and implementation plan	103,300.00	103,300.00	NAZAHA, GSSCPD, UNDP	•Service contract: 20,000 for 4 months
1.11 Upon securing the official approvals, organize a national conference (200 persons) to announce the strategy and implementation plan, and launch the outreach campaign			NAZAHA, GSSCPD, UNDP	
1.12 Execute the outreach campaign for the strategy and implementation plan	51,650.00	51,650.00	NAZAHA, GSSCPD, UNDP, Company (tbi)	**Travel -- 4 missions (x2 people) (includes PSC)** — 20,000.00
1.13 Design the monitoring and evaluation system for the strategy and implementation plan	10,000.00	10,000.00	NAZAHA, GSSCPD, UNODC, UNDP	
1.14 Organize two training sessions (20 persons) on good practices and lessons learned in implementing national anti-corruption strategies and its impact on sustainable development	10,000.00	10,000.00	NAZAHA, GSSCPD, UNDP, UNODC	4 Workshops expenses
1.15 Organize two training sessions (20 persons) on monitoring and evaluating national anti-corruption strategies and implementation plans	9,800.00	9,800.00	NAZAHA, GSSCPD, UNDP, UNODC	4*2* **28,250.00**
1.16 Provide in-house overall advisory support and quality control to carry out the activities outlined above			UNODC, UNDP	40,000.00
Sub-Total for Output 1		750,250.00		

	Activity	Responsible parties	Firm	Budget
Output 2: *NAZAHA's capacities enhanced to carry out its mandate in a coordinated and effective manner*	2.1 Conduct and validate through interviews and a dedicated internal workshop a capacity assessment of NAZAHA	NAZAHA, GSSCPD, UNDP		
	2.2 Develop and discuss in a dedicated internal workshop the first draft of the capacity development plan in line with the priority areas and key outcomes identified under the national anti-corruption strategy	NAZAHA, GSSCPD, UNDP		
	2.3 Revise the capacity development plan and submit for official approval	NAZAHA, GSSCPD, UNDP		
	2.4 Design the monitoring and evaluation system for the capacity development plan	NAZAHA, GSSCPD, UNDP		
	2.5 Conduct and validate through interviews and a dedicated internal workshop the documentation and assessment of current practices in NAZAHA	NAZAHA, GSSCPD, UNDP		835,000.00
	2.6 Identify international good practices by anti-corruption agencies and adapt them to NAZAHA's context through a series of internal workshops	NAZAHA, GSSCPD, UNDP	Consultancy firm	835,000.00
	2.8 Develop the first draft of NAZAHA's policies and procedures manual	NAZAHA, GSSCPD, UNDP		
	2.9 Present and discuss in dedicated internal workshops the first draft of NAZAHA's policies and procedures manual			835,000.00
	2.9 Revise NAZAHA's policies and procedures manual and submit for official approval	NAZAHA, GSSCPD, UNDP		
	2.10 Organize trainings for NAZAHA staff on good practices and lessons learned from peer agencies worldwide including on awareness, prevention and enforcement	NAZAHA, GSSCPD, UNDP		
	2.11 Document and assess NAZAHA's knowledge management capacities, including use of ICT	NAZAHA, GSSCPD, UNDP		

Activity	Responsible Party			Amount
2.12 Organize internal workshop to enhance knowledge on comparative experiences on the use of ICT and knowledge management tools	NAZAHA, GSSCPD, UNDP			
2.13 Present the findings and recommendations to NAZAHA for approval	NAZAHA, GSSCPD, UNDP			
2.14 Conduct the feasibility study for the enhancement of NAZAHA's knowledge management capacities, including the use of ICT	NAZAHA, GSSCPD, UNDP			
2.15 Develop the terms of reference for the development knowledge management capacities at NAZAHA, including the use of ICT and related governance frameworks	NAZAHA, GSSCPD, UNDP			
2.16 Provide in-house overall advisory support and quality control to carry out the activities outlined above	NAZAHA, GSSCPD, UNDP			
Sub-Total for Output 2				835,000.00
Miscellaneous: translation services, printing materials… etc.	5000.00			5,000.00
Programme Management	120,000.00	Project Manager		120,000.00
Evaluation (as relevant)	20000.00	EVALUATION	20,000	20,000.00
Sub-Total for management support & Evaluation				145,000.00
Total Excluding GMS				1,730,250.00
General Management Support (UNDP)				51,907.50
TOTAL				1,782,157.50

VIII. GOVERNANCE AND MANAGEMENT ARRANGEMENTS

The project will follow the modality of Support to National Implementation and the Implementing Partner of the project will be the Kuwait Anticorruption Authority (NAZAHA). Responsible Parties for implementation of each key activity will be the NAZAHA and GSSCPD. NAZAHA will be responsible for planning and overall management of project activities, reporting and accounting of the project. It will be accountable to GSSCPD and UNDP for the production of outputs, the achievement of project objectives and the use of project resources in line with the objectives of this document and the Annual Work Plans. NAZAHA in its role as implementing partner will be supported by a dedicated Project Manager to ensure the needed support is provided to the Responsible Parties to enable them to carry out the project activities.

NAZAHA will provide their in-kind support with office space and furniture as needed to facilitate implementation of the project activities.

The project management structure will consist of the Project Board, Project Assurance and a Project Manager as in the diagram below. The Project Manager will be hired through a competitive process led by UNDP, GSSCPD and an observer from NAZAHA where he/she will work primarily from the premises of NAZAHA with 5% of his/her time to be physically present at UNDP when required.

The Project Manager will ensure that day-to-day activities are carried out on behalf of the Project Board within the arrangements (time and budget) laid down by the Project Board. The project manager will organize with the operational technical Group (OTG1) for any related activities to output one regarding the development of the national anti-corruption strategy and with the operational technical group (OTG2) for any related activities to output two for Developing the internal strategies and capacity building for NAZAHA.

The Project Manager's prime responsibility is to ensure capacity development of the Responsible Partners by providing the needed support to enable them to carry out the project activities and ensure that the project produces the results specified in the project document, and within the specified constraints of time and cost. Any changes in the milestones and outputs of the project will be discussed with and agreed upon by the Project Board. The Project Manager will be responsible for liaising with UNDP and GSSCPD specifically on providing inputs and experts to the project. He/she will be responsible for preparing a detailed project work plan and budget, reporting the day-to-day activities and progress of the project, and submitting quarterly progress to UNDP and the Project Board. He/she will also be responsible for managing the project's budget and monitoring expenditures according to standard UNDP financial management rules and regulations, for maintaining all financial and other documentation related to the project and for monitoring the project's overall progress. The Project Manager will submit all related deliverables of the project to NAZAHA Steering Committee which will be overseeing and follow-up the project activates and conduct the final approvals from NAZAHA board of trustees of submitted deliverables.

The Project Board will consist of:

- **Executive:** individual representing the project ownership to chair the group. The Executive is ultimately responsible for the project, supported by the Senior Beneficiary and Senior Supplier. The Executive's role is to ensure that the project is focused throughout its life cycle on achieving its objectives and delivering outputs and outcomes that will contribute to the highest-level outcomes throughout the duration of the project. The Executive has to ensure that the project gives value for money, ensuring a cost-conscious approach to the project, balancing the demands of beneficiary and supplier – The General Secretary of Supreme Council for Planning and Development (GSSCPD) – Secretary General (or as delegated)

- **Senior Supplier:** individual or group representing the interests of the parties concerned which provide technical expertise to the project. The Senior Supplier's primary function within the Board is to provide guidance regarding the technical feasibility of the project. The Senior Supplier role must have the authority to commit or acquire resources required. UNDP - Representative (or as delegated)

- **Senior Beneficiary:** individual or group of individuals representing the interests of those who will ultimately benefit from the project. The Senior Beneficiary's primary function within the Board is to ensure the realization of project results from the perspective of project beneficiaries. The role represents the interests of all those who will benefit from the project, or those for whom the deliverables resulting from activities will achieve specific output targets. The Senior Beneficiary role monitors progress against targets and quality criteria - NAZAHA.

The Board is responsible for making consensus basis management decisions for the project when guidance is required by the Project Manager, including recommendation for approval of project revisions. Project reviews by the Board are made at quarterly basis during the running of a project, or at milestones when raised by the Project Manager. Project tolerances (i.e. constraints in terms of time and budget) will be agreed upon by the Board during the first meeting. The Board is consulted by the Project Manager for decisions when tolerances have been exceeded. Project Assurance supports the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed. A UNDP Programme Analyst will hold the Project Assurance role for the UNDP Board member.

The project duration will be for almost one year after signature of the Project Document. The project budget almost to US $ **1,782,157.50** will be the budget holder of the funds under the National Implementation modality. Purchase of non-expendable equipment and services will be done by UNDP at the request of the implementing partner and/or the Project Manager once he/she is in place. The request should be based on a procurement plan submitted along with the work plan and on an agreement to be signed with the government. UNDP charges Implementation Support Services fees as per the Universal Price List. The project will be subject to audit at least once in its lifetime based on UNDP's financial rules and regulations.
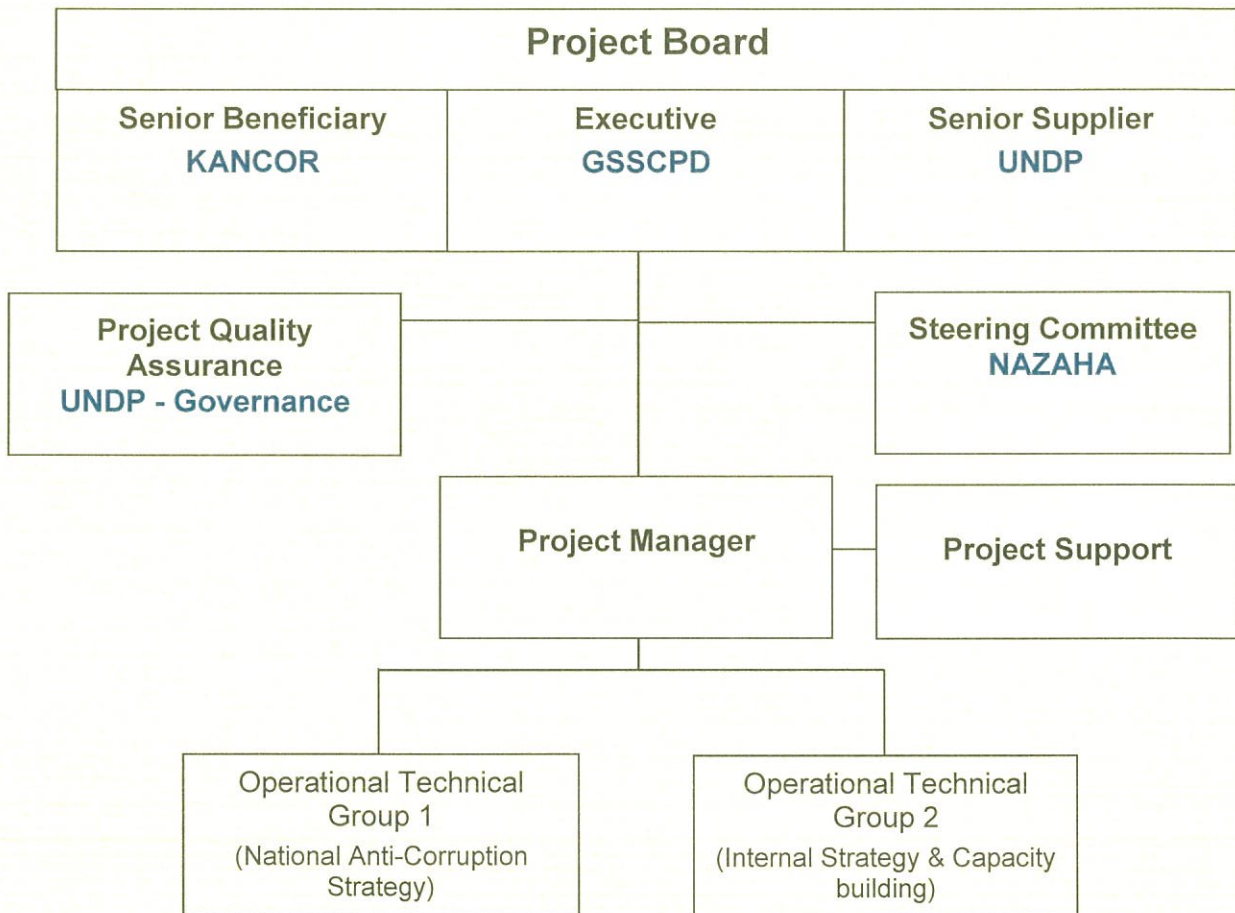
GMS is recovered at a flat rate of 3 percent from Government of Kuwait funds, under a waiver agreement with UNDP corporately. GMS covers the following services:

- ✓ Project identification, formulation, and appraisal.
- ✓ Determination of execution modality and local capacity assessment.
- ✓ Briefing and de-briefing of project staff and consultants.
- ✓ General oversight and monitoring, including participation in project reviews.
- ✓ Receipt, allocation and reporting of financial resources.
- ✓ Thematic and technical backstopping.
- ✓ Systems, IT infrastructure, branding, knowledge transfer.

Project Organisation Structure

Project Board

Senior Beneficiary **KANCOR**	Executive **GSSCPD**	Senior Supplier **UNDP**

Project Quality Assurance
UNDP - Governance

Steering Committee
NAZAHA

Project Manager

Project Support

Operational Technical Group 1
(National Anti-Corruption Strategy)

Operational Technical Group 2
(Internal Strategy & Capacity building)

IX.   LEGAL CONTEXT AND RISK MANAGEMENT

Select the relevant one from each drop down below for the relevant standard legal text:

1. Legal Context:

    X   Country has signed the Standard Basic Assistance Agreement (SBAA)

    ☐   Country has not signed the Standard Basic Assistance Agreement (SBAA)

    ☐   Regional or Global project

2. Implementing Partner:

    X   Government Entity (NIM)

    ☐   UNDP (DIM)

    ☐   CSO/NGO/IGO

    ☐   UN Agency (other than UNDP)

    ☐   Global and regional projects

X.   ANNEXES

1.   Project Quality Assurance Report

Program QA standards and rating tool – will be congruent with Project QA.
Roles and Responsibilities

Responsibilities of the QA Assessor and the QA Approver	Project QA Responsibility
QA Assessor UNDP staff responsible for project QA, who is not the project manager or part of the project team (at the CO level, this person is typically a Program Officer responsible for QA of the project)	- Conduct the project QA assessment, in consultation with relevant expertise as necessary. Inputs can include members of the Project Board, individuals providing project assurance, and other stakeholders. - Complete the project QA report
QA Approver This role must be separate from the QA assessor, functioning at a higher level of accountability for the project (At the CO level, typically the DRR, CD, DCD, or Head of Portfolio).	- Review the project QA report for completeness, comprehensiveness, and accuracy with additional support personnel as appropriate. - Adjust and approve the final project QA report as necessary in review with the QA Assessor, including follow up management actions.

2.   **Social and Environmental Screening Template** [English][French][Spanish], including additional Social and Environmental Assessments or Management Plans as relevant. *(NOTE: The SES Screening is not required for projects in which UNDP is Administrative Agent only and/or projects comprised solely of reports, coordination of events, trainings, workshops, meetings, conferences, and/or preparation of communication materials).*

3. **Risk Analysis.**

#	Description	Date Identified	Type	Impact & Probability (1=low, 5=high)	Countermeasures/ Management Response	Owner	Submitted by	Status
1	Duration of the project may not be sufficient to fulfil all outputs	Project Initiation Date	Operational	P=3; I=3	Clarification on complexity of outputs and the project tight timeline duration.	**GSSCPD/ NAZAHA/ UNDP**	UNDP	No Change
2	Governmental/UNDP Leadership cycle shortness and unexpected turnover	Project Initiation Date	Political	P=2; I=3	Develop alternative plans of action. Standardize and institutionalize further the project.	**GSSCPD/ NAZAHA/ UNDP**	UNDP	No Change
3	Delay in the approval process of the deliverables by the counterpart	Project Initiation Date	Political	P=2; I=3	Clarification on essentiality of having a speedy approval process on the deliverables to avoid delay of other related tasks.	**GSSCPD/ NAZAHA/ UNDP**	UNDP	No Change
4	Delay in procurement process	Project initiation date	Operational	P=3; I=3	Clarification on timeline, creation of Procurement Plans based on project Annual Work Plans. Clarification for all procedural requirements with all partners to ensure expectations are reasonably set and met	**GSSCPD/ NAZAHA/ UNDP**	UNDP	No Change

| 5 | Delay in project staff recruitment and contacts related issues | Operational | Project initiation date | P=3; I=3 | Development of HR Plans based on project Annual Work Plans. Close coordination with UNDP's HR Department, UNDP HQ, broader Advertisement, use of UNDP rosters. | **GSSCPD/ NAZAHA/ UNDP** | UNDP | No change |

4. **Capacity Assessment:** Results of capacity assessments of Implementing Partner (including HACT Micro Assessment)

5. **Project Board Terms of Reference and TORs of key management positions**

    a. Terms of Reference: Project Board
    b. Terms of Reference: Project Assurance
    c. Terms of Reference: Project Manager

a) Terms of Reference: Project Board

The Project Board will include a number of concerned groups below and will act as a planning body. The Board will be will be responsible for monitoring the project progress towards results. The Board meeting should be preceded by an agenda of such issues and should meet quarterly or as needed. Members should include representatives of the following organisations:

- GSSCPD as elaborated below
- NAZAHA
- UNDP

The Project Board's Responsibilities:

At the beginning of the project:

- Approve the start of the project via acceptance of the Project Document
- Agree on Project Management Project's responsibilities
- Appraise and approve the project plans submitted by the Project Manager
- Delegate any Project Assurance roles as appropriate
- Commit project resources required by the plan

As the project progresses:

- Provide overall guidance and direction to the project, ensuring it remains within any specified constraints
- Review each completed project stage and approve progress to the next
- Provide ad-hoc direction and advice for exception situations when tolerances are exceeded
- Assess and decide on project changes
- Assure that all planned deliverables during each stage are delivered satisfactorily

At the end of the project:

- Assure that all products deliverables are delivered satisfactorily
- Review and approve the end project report (if required)
- Make recommendations for follow-on actions if required

b) **Terms of Reference: Project Assurance**

The Project Assurance role supports the Project Board by carrying out objective and independent project oversight and monitoring functions, which are mandatory for all projects. Project Assurance is the responsibility of the Project Board. It can be carried out by the Project Board itself, or can be delegated.

Project Assurance has to be independent of the Project Manager; therefore, the Project Board cannot delegate any of its assurance responsibilities to the Project Manager.

The following list includes the key suggested aspects that need to be checked by the Project Assurance throughout the project as part of ensuring that it remains consistent with, and continues to meet, the objectives of the project document and that no change to the external environment affects the validity of the project.

- User/Beneficiary needs and expectations are being met or managed
- Risks are being controlled
- The right people are being involved
- An acceptable solution is being developed
- The project remains viable
- Focus on the business need is maintained
- Internal and external communications are working
- Applicable standards are being used
- Adherence to quality assurance standards

c) Terms of Reference: Project Manager

The Project Manager will be responsible for ensuring needed support is provided to NAZAHA to implement the outputs and to monitor and evaluate the project's overall progress. He/ She will be accountable for ensuring NAZAHA report results are addressed to Project Board. The Project Manager will focus on capacity development outcomes for NAZAHA by working directly with the staff to ensure they achieve the results of the project. He/she will be supported by other short term advisory inputs and will be responsible for ensuring their timely availability when needed. He/ She will be located at NAZAHA and will have a dual reporting, line to UNDP and GSSCPD.

The Project Manager Responsibilities:

1. Provide leadership and strategic thinking to ensure proper implementation and ownership by NAZAHA of project activities.
2. Support NAZAHA to take on the responsibility of the overall management and planning of the implementation of the project's outputs and activities.
3. Support NAZAHA to manage and administer the day- to-day operations and coordinate with the Responsible Parties to ensure the effective implementation of the activities of above mentioned project;
4. Mobilization of inputs and expertise needed for the project in consultation with the senior supplier
5. Ensure provision of technical/substantive support to the Responsible Parties during implementation of activities
6. Provide solutions to any constraints faced by the Responsible Parties in implementation
7. Undertake all necessary financial arrangements, processes, request for authorizations, payments and ensure financial accountability.
8. Arrange and coordinate the Board meetings and act as Secretariat of the Board.
9. Develop and support NAZAHA to prepare the work plan, quarterly, progress, annual reports and Terminal Report.
10. Identify, monitor and update the project risks, issues and lessons learned
11. Undertake any other related tasks at the request of the Project Board.
12. Supervise all staff assignment and consulting agreements.

Qualifications and Experience

1. Minimum of 9 years of proven practical experience in management of similar projects, preferably 5 years with international organizations (UNDP and others);
2. Previous experience in capacity building and institutional development activities related field.
3. Knowledge and experience in projects related to compacting corruption is an advantage.
4. Experience in working with government institutions in GCC countries/Arab region and UN, is an added advantage;
5. Experience in administrating budgets, train and work effectively with counterpart staff at all levels and with all groups involved in the project
6. Advanced university degree in social science, public administration or relevant.
7. Proficiency in English and Arabic Languages spoken and written.
8. Excellent communication skills and maturity in dealing with partners
9. Sensitivity to gender issues
10. Knowledge of the national social and political situation.
11. Capacity to liaise effectively with the media.

Developing National Strategy for Strengthening Integrity, Transparency and Combating Corruption

I.   Introduction

In 2007, Kuwait endorsed the United Nations Convention for Combating Corruption. As a result, "Nazaha", an independent public authority was established under the law No. 2 of 2016, (referred to hereinafter as "Nazaha"). According to para. (1) of article (5) of the law, "Nazaha" is mandated with the task of setting up a comprehensive national strategy for integrity, transparency and anti-corruption, developing mechanisms, plans and programs necessary for its implementation, and to monitor its implementation in collaboration with concerned entities.

II.   Description of the Project

It is the desire of "Nazaha" to hire an international organization/ consulting firm/international consultant, to provide specialized technical assistance for developing a comprehensive national strategy for strengthening integrity, transparency and combating corruption in Kuwait, (referred to hereinafter as the "Project"), according to international best practices and applicable laws of Kuwait.

To this effect, the **Higher National Strategy Project Steering Committee** was set up to oversee and monitor work progress on the **Project.**

III.   Project Overall Objectives:

1. Coordinate and cooperate with "Nazaha" in preparing the document and the plans and programs necessary for its implementation.
2. Set-up a monitoring and evaluation (M&E) system for following up on the work progress of the Project.
3. Build institutional capacity of "Nazaha" and enable its employees to implement the M&E system and to follow up on the implementation of the project.
4. Set up an action plan to improve Kuwait's ranking on the International Corruption Index (CPI).

IV.   Tasks required by the Project

Tasks are required by the following phases:

1.   Preparation Phase:

a. Work with Nazaha's Higher National Strategy Project Steering Committee to prepare a detailed road map and the project management plan, set up work groups, define their role and identify needed technical skills and expertise that are required for completion of tasks and determine the expected outputs.

b. Hold preliminary meetings with Nazaha's Higher National Strategy Project Steering Committee to set specific objectives and identify stakeholders and all other related matters to the Project.

c. Provide "Nazaha" with Project relevant reports, studies, information and documents, for leveraging from regional and international experiences.

d. Organize and participate in consultative meetings with "Nazaha" which need to be held with concerned government entities and civil society organizations.

e. Perform any other tasks that the Consultant may deem necessary at this phase.

2. **Initial Examination and Current Situation Analysis:**

   a. Conduct an initial diagnosis of integrity, transparency and corruption levels in Kuwait, using the following:

      1. Self-assessments, peer-comparison, and such other applicable assessment tools;
      2. Country comparisons between Kuwait and regional and international countries in terms of integrity, transparency and corruption levels.
      3. Opinion polls on corruption perception in Kuwait using currently applicable tools.
      4. Opinion polls on actual experiences with corruption perceptions in Kuwait using currently applicable tools
      5. The internet and social media as a source for data and information collection
      6. Available data and information at government agencies
      7. Comparative analysis of above data sources
      8. SWOT analysis of strengths and weakness
      9. Any others as deemed appropriate by the Consultant

   b. Assessment of Obstacles to the Project, using the following:

      1. Assessment of constraints and obstacles in the executive, legislative and judicial authorities levels in Kuwait
      2. Identifying potential opponents and supporters to the implementation of the Project.

3. **Draft the comprehensive national strategy for strengthening integrity, transparency and combating corruption in Kuwait:**

   a. Outline the strategy in line with the results of the Initial Examination and Current Situation Analysis;
   b. Develop realistic, concrete and feasible procedures and measures for implementation;
   c. Describe the objectives that each of the above procedures and measures seek to achieve
   d. Determine expected benefits, burdens, obstacles, objections and the support for the above procedures and measures;
   e. Identify reform priorities
   f. Set out the time frame for the implementation of reform procedures and measures.

4. **Factors to ensure effective execution of the Project:**

   a. Determine the list of authorities permissible to "Nazaha" in terms of follow up, coordination and implementation.

b. Set up a Communication Plan to manage communications with all stakeholders in relation with the follow up, coordination and execution.
c. Determine mechanisms and elements to ensure sustainability of Project's outcomes
d. Determine risk management mechanisms during implementation.

5. **Mechanism for follow up on execution**

Mechanisms will include but will not be limited to the following:
   a. Reform phases
   b. Indicators to measure achieved progress
   c. Realistic objectives for each execution indicator
   d. Indicators for feasible outcomes
   e. Indicators for civil society organizations and the citizens to measure the impact of the strategy implementation
   f. Assessment mechanisms to evaluate the indicators

6. **Publishing and announcing of results**
   a. Make a full power-point presentation to the Cabinet of Ministers to explain a comprehensive national strategy for strengthening integrity, transparency and combating corruption in Kuwait
   b. Set up a communication plan framework to connect with concerned entities with the implementation of the strategy, including the executive and legislative bodies, civil society and all stakeholders.

V. **Project Deliverables**

The deliverables that the Consultant is expected to provide to "Nazaha", as follows:

1. A final and full Draft Document of the Comprehensive National Strategy for Strengthening Integrity, Transparency and Combating Corruption in Kuwait
2. Final and full set of all documents, information, brochures, studies, plans and programs related to the Project
3. Any deliverables that are deemed by the Consultant or "Nazaha" to be necessary and are agreed on before signing of the contract.

7. **TOR (2)** related to Output Two with regards to the development of the internal policies and strategies of NAZAHA

Developing Nazaha's Integrity Strategy & Establishing Integrated Governance Framework

I.   Introduction

Knowing what corruption can cause of problems and risks to the stability and security of a society and its devastating effect on democratic institutions and its moral system for fairness and justice, and in order to ensure sustainable development and the rule of law; in 2007, Kuwait endorsed the United Nations Convention for Combating Corruption. As a result, "Nazaha", an independent public authority was established under the law No. 2 of 2016, (referred to hereinafter as "Nazaha").

II.   Description of the Project

It is the desire of "Nazaha" to hire an international organization/ consulting firm/international consultant to provide specialized technical assistance for developing a comprehensive strategy document relating to "Nazaha"; the document should include Policies and Procedures Manual, and Nazaha's Integrated Governance Framework. The document should be developed in accordance with the Law No. 2 of 2016 and applicable international best practices, to achieve Nazaha's goals and mandate towards positioning Nazaha as a lead model for all government institutions to emulate.

III.   Project Overall Objectives:

1. Develop Nazaha's complete strategy document
2. Develop Nazaha's Integrated Governance Framework
3. Develop all documents related to Nazaha, including job profiles of the members of the board of trustees and its incumbent and former staff.
4. Build institutional capacity of "Nazaha" and enable its employees to implement its mandate according to Nazaha's Integrated Governance Framework.

VI.   Tasks required by the Project

Tasks are required by the following phases:

1. **Preparation and Initial Examination Phase:**
   a. Work with Nazaha's Higher National Strategy Project Steering Committee to prepare a detailed road-map and the project management plan, set up work groups, define their role and identify needed technical skills and expertise that are required for completion of tasks;
   b. Conduct a current situation assessment;
   c. Conduct a comparative Gap Analysis between Nazaha's current situation and the best practices;
   d. Perform any other tasks that the Consultant may deem necessary at this phase.

2. **Develop a Full Integrated Organizational Framework for Nazaha:**

The Consultant will develop documents and booklets relating to the policies and procedures for Nazaha's organizational framework, as follows:

1. Policies and regulations and documents:
   1. General strategy framework including the organization's vision, mission, objectives, mechanisms and programs for its achievement.
   2. A full integrated Governance Framework including policies and procedures
   3. Policies and procedures related to the Board of Trustees and Board committees as well as Nazaha's respective committees.
   4. Internal policies and procedures relating to the executive administrative body
   5. A complete Authority matrix for Nazaha and its affiliated functions
   6. A review of the current organizational structure and related policies and procedures and make comments and recommendations
   7. Job description manual and job requirements
   8. Work procedures and operational workflow charts for all functions
   9. Organizational plan to connect all functions in an integrated and efficient system
   10. An integrated and effective Key Performance Indicators System
   11. Governance Effectives Impact indicator
   12. Any other policies, documents or rules that the Consultant may deem necessary

2. Regulatory Information Technical System:
   1. Conduct an assessment and an analysis of the current situation of information technology (equipment, programs, information systems)
   2. Identify IT system requirements (equipment, programs, information systems for all functions, including job and technical requirements, control management system, disclosures)
   3. Develop IT system and programs framework

IV. Expected Deliverables

The Consultant will expected to provide Nazaha with the following deliverables:

a. **Policy and Procedures Manual(s):**
   1. Board of Trustees Convention
   2. Conventions of Board Committees relating to Governance Framework
   3. Employees Code of Conduct
   4. Authority Matrix for the Board of Trustees and the Executive Administration
   5. Integrity and Transparency Strengthening Policy
   6. Accountability Policy
   7. Whistleblowing Policy
   8. Regulatory Compliance Policy

9. Risk Management Policy
10. Conflict of Interest and Third Party Disclosure Policy\
11. Internal Audit Policy
12. Complaints and Suggestions Policy
13. Administration and Human Resources manual
14. Finance and Accounting Manual
15. Information Technology and Data and Information Security Manual
16. Purchasing Manual
17. Internal Audit Manual
18. Compliance Manual
19. Organizational Manual for all functions at Nazaha according to the current and the proposed organogram:
   a. Office of Board Secretariat
   b. Office of the Authority's Director General
   c. Support Unit
   d. Planning and Follow up
   e. Inspection and Audit
   f. Technical Office
   g. International Cooperation
   h. Office of the Deputy Director General
   i. Office of the Secretary General
   j. Legal Affairs
   k. Information System
   l. Public Relations
   m. Studies and Research
   n. Education and Awareness
   o. Inspection and Support Committees Dept.
   p. Financial Disclosures Department
   q. Check and Inspection Department
   r. Corruption Reporting
   s. Administration Affairs
   t. Financial Affairs
   u. Training and Development
   v. Any other manuals or policies

b. Develop a manual for the roles and responsibilities of Nazaha's Board of Trustees and its incumbent and former staff, in accordance with article 17 of the Law No. 2 of 2016, as follows:

   a. Roles and responsibilities of the members of the board of trustees, the executive administrative body and the employees
   b. Criteria for the independence of the board of trustees
   c. Business transactions of the board of trustees, executive administration and employees

d. Protection of the economic interests of the former board of trustees, the executive administration

e. Authorities and limitations

f. Control functions

g. managing conflict of interest and dealing with third parties

h. Disclosures templates and submission mechanisms

i. Disciplinary measures for violating regulatory controls

j. Dealing with confidential information (information type duration.)

k. Working for an outside party after leaving service with Nazaha

l. Control functions and performance indicators

m. Any other regulations deemed necessary by the Consultant

c. <u>Information Technology Systems for Control and Disclosures:</u>

   a. Conduct a study on the Regulatory/Control function/ disclosures of all functions

   b. Draft a ToRs for the supply of control/ disclosures systems

d. <u>The Consultant will be responsible for making power point presentation, training programs</u> and workshops on the implementation and deliverables of the Project.