

Attachment A



UN Pacific Regional Anti-Corruption (UN-PRAC) Project

(June 2012 – 30 June 2016)

PROJECT DOCUMENT

Countries: Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Marshall Islands, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

PAPUA NEW GUINEA UNDAF 2012-2015 Interagency Outcome 1:1 By 2015, elected representatives and key Government bodies implement good governance practices grounded in accountability, transparency, inclusive participation and equity

PACIFIC UNDAF 2013-2017 Outcome 5.1: Regional, national, local and traditional governance systems are strengthened and exercise the principles of good governance

Summary Project Description

This joint UNDP-UNODC Project aims to support Pacific island countries (PICs) to strengthen their capacity to address corruption in order to provide better service delivery and development outcomes for their peoples. This project recognises that UNDP and UNODC are committed to supporting member states to improve the lives of their people in the Pacific region. While UNCAC ratification is a positive step forward in demonstrating national commitment to tackling corruption, it is not an end in itself. This Project recognises that UNCAC is an entry-point to work with countries to more broadly reflect upon and address with challenging national issues around how to most effectively promote public accountability to ensure more effective use of scarce national resources to ensure better national development outcomes. The Project has been designed to build on the strong platform of accountability work that has been undertaken by the UN with Pacific Island countries since UNCAC came into force in 2005. In this sensitive area, the Project leverages the UN's recognition by PICs as a trusted, neutral partner.

The project will promote the ratification of the United Nations Convention against Corruption (UNCAC) by the remaining 5 non-ratifying countries in the Pacific region and support the active participation of PICs in the UNCAC review process. More broadly, UNDP and UNODC will provide responsive, demand-driven technical assistance to support individual countries to develop policies, laws and institutional frameworks to advance the effective implementation of UNCAC, as well as providing capacity development support to existing national accountability institutions, being sensitive to the particular operating contexts of small islands states. The Project will also strengthen the capacity of non-state actors with a view to improving their ability to prevent, detect, investigate, prosecute and sanction cases of corruption more effectively. Finally, the project will seek to advance research, knowledge sharing, peer-learning and the identification and dissemination of good practices within and beyond the region with a view to advance the regional and in-country policy dialogue and create a platform for innovative, suitable and sustainable measures to prevent and combat corruption at regional level and within the individual countries in the region. This Pacific Project will draw on technical expertise, tools and knowledge produced under the Anti-Corruption Projects being implemented globally by UNDP and UNODC with support from AusAID, and will also use those Projects as platforms to share Pacific progress on UNCAC implementation with the global community.

Expected Project Output(s):

- Output 1: To strengthen political will to endorse strong policy and legal frameworks aimed at implementing UNCAC
- Output 2: To strengthen the capacity of key national anti-corruption institutions and non-state actors to more effectively tackle corruption with resultant improvements in service delivery
- Output 3: To promote more informed anti-corruption policy and advocacy by conducting tailored research and sharing knowledge

As at 20 April 2012

Executing/Implementing Agencies: United Nations Development Programme
United Nations Office of Drugs and Crime

Counterparts: 13 Pacific Island Country Governments

Agreed by DFAT:

Agreed by UNDP



Agreed by UNODC

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1. Situation Analysis

1.1 Corruption and development in the Pacific

1. Corruption is a global phenomenon that has existed for a long time in many parts of the world. Evidence from across the world continues to confirm that corruption negatively impacts development. In the Pacific, it is clearly evident that corruption hurts the poor disproportionately, hinders economic development, undermines State accountability and capacity to provide equitable and responsive public services, and diverts investments from infrastructure, institutions and social services. Furthermore, corruption fosters an anti-democratic environment characterized by uncertainty, unpredictability and declining moral values and disrespect for constitutional institutions and the rule of law. Corruption, therefore, reflects a democracy, human rights and governance deficit that negatively impacts on poverty and human security and undermines the ability of countries in the region to achieve the MDGs¹.
2. Minimising corruption thus remains an important development challenge, as it is increasingly considered a catalyst for human rights abuses that increase poverty and fuel conflict and trans-boundary insecurity (such as terrorism, money laundering and finance scams). Corruption exacerbates existing neglect of gender equality and human rights. Culture and traditional systems strongly shape people's understanding of corruption.
3. Although Pacific island countries now have various accountability institutions, recent research has found that they have struggled to be effective in combating corruption. At the heart of their limited impact has been a problematic lack of genuine political will. At a more operational level, limited skilled staff, small budget allocations and problems of coordination amongst existing institutions continue to be serious problems. In small islands states, capacity issues and lack of resources are particularly challenging problems, compounded by often un-costed proposals to set up multiple separate institutions (eg. Ombudsman, leadership tribunals, national human rights institutions, anti-corruption commission). In this context, the UN has been at pains to take a holistic approach to support for accountability institutions, working with other development partners to encourage strategies which take proper account of the need to put in place locally sustainable institutions and frameworks.

1.2 Current Pacific anti-corruption initiatives

4. In recognition of the crucial need for countries to tackle corruption to ensure sustainable and equitable development, on 31 October 2003 the UN General Assembly adopted the United Nations Convention against Corruption (UNCAC). UNCAC came into force on 14 December 2005 when it received its thirtieth ratification. On 13 November 2009, the Conference of the States Parties to the Convention (CoSP or the Conference), established the Mechanism for the Review of Implementation of the UNCAC. Pursuant to Resolution 3/1, States parties undergo as part of the review mechanism a self-assessment followed by a peer review resulting in a final report on the compliance of the country with the provisions of the UNCAC subject to review. Presently the review mechanism is in the second year of the first review cycle (2010-2015) focusing on chapters III and IV of the Convention followed by a second cycle (2016-2020) focusing on chapters II and V of the Convention.
5. In 2004, at the 35th Pacific Islands Leaders Forum, Pacific Heads of Government recognised the important role that UNCAC plays in providing an internationally agreed framework for the construction of an effective anti-corruption regime. The 2004 Forum Leaders Communiqué stated: "Leaders invited members to consider signing and ratifying the UN Convention against Corruption to strengthen good governance". The Pacific Plan which was subsequently endorsed by Pacific Leaders in 2005 highlights good governance as one of its four key pillars. Initiative 12.1 of the Pacific Plan specifically prioritises regional mechanisms in support of anti-corruption and accountability institutions. In this context, the Pacific Regional Audit Initiative was launched in 2009, and provides support to auditors through the region. Notably, in a number of Pacific countries, auditors *de facto* operate as anti-corruption investigation units, as they are often responsible for uncovering and reporting on mismanagement and leakage of public funds. The Pacific Regional

¹ UNDP Practice Note 2004, p. 1.

Ombudsman Initiative was launched in 2008, and provides support to the Pacific Ombudsman,² as well as external oversight bodies.³ Notably, Ombudsmen in the region have long operated as de facto anti-corruption bodies, in the absence of dedicated anti-corruption commissions because of their broad mandate to review public administration.

6. To date⁴, out of the 160 countries that have become States parties to UNCAC, eight are from the Pacific, namely Papua New Guinea (July 2007), Fiji (May 2008), Palau (March 2009), Vanuatu (July 2011), the Cook Islands (October 2011) the Marshall Islands (November 2011), Solomon Islands (January 2012) and Micronesia (March 2012). UNODC has provided support to Fiji to undergo the UNCAC Review in 2010/11, and is providing support to Papua New Guinea to undertake its UNCAC Review in 2011/2012. Palau has since indicated an interest in support from UNODC and UNDP in a full UNCAC Self-Assessment in future. Palau will be reviewed in 2012/13 while Vanuatu, the Cook Islands, the Marshall Islands and Micronesia are scheduled to be reviewed during the fourth year of the first cycle (2013/14) – see annex 3 for an overview.
7. UNODC also provided support for Vanuatu to attend the 4th UNCAC Conference of States Parties in October 2011. UNODC has also collaborated with UNDP on key regional UNCAC workshops, providing a resource person to the 2009 “Sub-Regional Melanesia Consultation on UNCAC” in Port Moresby and the 2010 “Regional Meeting on Ratification and Implementation of UNCAC” in Apia. UNODC also supported 4 Pacific Islands countries to attend a south-south exchange on UNCAC with Caribbean countries in 2009
8. UNDP has an in-country presence in the Pacific, through the regional Pacific Centre, the Fiji Multi-Country Office, Samoa Multi-Country Office, PNG Country Office, UNDP Solomon Islands Sub-Office and local UN Joint presence offices in Palau, FSM, Marshall Islands, Kiribati, Tuvalu, Nauru and Vanuatu. As a result of its in-country presence, and its range of complementary in-country governance projects, UNDP has been very active nationally in support of UNCAC ratification and implementation.
9. UNDP has been able to utilize its presence in the region to leverage national and regional partnerships to progress national anti-corruption activities. Additionally, UNDP has been able to use its broader governance programming to provide entry points for accountability work. For example, UNDP has used its existing national parliamentary support Projects throughout the Pacific as a platform for engagement with Members of Parliament. UNDP has undertaken UNCAC awareness raising workshops with Members of Parliament in Marshall Islands, Tuvalu, Kiribati, FSM and Palau. UNDPs’ presence in the region has also made it a trusted partner of national Governments, which has benefited this sensitive work. For example, following the sub-regional workshop in Melanesia in 2009 mentioned above, the Papua New Guinea Government specifically requested assistance from the Pacific Centre to support the development of their National Anti-Corruption Strategy (NACS), and launched in August 2011. In Vanuatu, a strong relationship with the Minister of Justice through UNDP’s parliamentary work, resulted in UNDP providing advice to the Minister for Justice on amendments to the Ombudsman and Leadership Code Acts.
10. In July 2010, with AusAID funding, UNDP and UNODC organised a “Regional Meeting on Ratification and Implementation of UNCAC” attended by 12 Pacific Island countries together with Australia and New Zealand. This workshop has proven to be an excellent mechanism for “seeding” a sensitive idea, which has been subsequently nurtured at local level. For example, following the regional meeting, in February 2011, UNDP held an UNCAC accession and implementation workshop for Senators in Marshall Islands, following which a resolution for accession was tabled and passed in the Nitijela (Parliament), and Marshall Islands acceded in November 2011. UNDP also provided technical advice in September 2011 to revise the Criminal Code to bring it into line with Chapter 3 of UNCAC. UNDP also gave training to members of the FSM national and state legislatures in May and November 2011. In November 2011 the President of FSM submitted a resolution for Congress approval on UNCAC accession which was endorsed in early February 2012, and FSM acceded to UNCAC in March 2012. In October 2011, UNDP worked through the UNDP

² Currently Ombudsmen operate in Vanuatu, Solomon Islands, PNG, Samoa, Cook Islands, Palau and Tonga (called a Public Relations Commissioner).

³ Solomon Islands Leadership Code Commission, as well as the PNG and Vanuatu Ombudsman, who have a dual role.

⁴ Status 15 April 2012

Solomon Islands Parliamentary Project to organize an UNCAC accession and implementation workshop for Solomon Islands Members of Parliament, during which the Minister for Foreign Affairs committed the Government to accession to UNCAC. UNCAC was acceded to in early January 2012, and the Government has since indicated an interest in working with UNDP to progress establishment of an Independent Commission Against Corruption. Tuvalu has since advised that their Departmental Coordinating Committee has endorsed UNCAC accession and a Cabinet paper (reviewed by UNDP) is currently with the Prime Minister. In response to follow up by UNDP, Nauru has advised that UNCAC has now been added to the list of treaties to be considered in the near future for accession by Nauru's Treaty Working Group. UNDP has been on regular contact with the Ministry for Foreign Affairs (MFA) in Kiribati to progress consideration of UNCAC and ran a session on UNCAC in the November 2011 Induction Seminar for MPs. UNDP recently provided inputs to an MFA Cabinet Paper for the new Government on UNCAC. UNDP has also worked with senior Tongan officials to progress UNCAC accession. In February 2012, the Government announced its intention to progress efforts to establish an Anti-Corruption Commission, and accession to UNCAC is envisaged to be progressed as part of that package of anti-corruption work.

11. UNDP's engagement in governance activities more broadly has enabled UNDP to promote accountability initiatives more broadly than UNCAC, while still using UNCAC as an entry-point for engagement. For example, at the December 2010 meeting of the Pacific Islands Law Officials Network, UNDP presented on UNCAC and officials from a number of PICs subsequently indicated their interest in progressing accession and implementation of UNCAC. More recently, in March 2012, UNDP presented to the Melanesia Spearhead Group's sub-committee on security on UNCAC and accountability issues more broadly. This work has started a discussion within MSG on locally-appropriate anti-corruption approaches which UNDP will continue to facilitate. UNDP has also provided assistance in support of a range of Pacific accountability institutions. Specifically, the Pacific Centre worked with PIFS in support of Initiative 12.1 of the Pacific Plan which calls for regional support for accountability institutions, most notably in relation to the establishment of the Pacific Ombudsman Alliance. The Centre has also supported legislative reform in support of UNCAC. At a general level, UNDP has provided advice to Marshall Islands, Vanuatu and Solomon Islands on compliance with UNCAC. The Centre also has a specific programme on promoting freedom of information (Article 10) which has resulted in requests for support from Tonga, Nauru, Solomon Islands, Vanuatu and Palau. The Centre also supports a range of accountability activities with civil society (Article 13), including social accountability initiatives and FOI and accountability work with the media.
12. UNDP and UNODC have also produced a number of anti-corruption knowledge products of use to the Pacific. In February 2010, UNDP and UNODC collaborated to produce a *Guidance Note on Undertaking UNCAC Self-Assessments*, which was launched in November 2010. This Guidance Note underpins activities by UNDP and UNODC to support countries to engage in participatory and transparent Self-Assessments. In 2009, UNDP commissioned national studies on anti-corruption frameworks and institutions in 10 PICs, which have been used to baseline countries accountability work. In July 2008, UNDP launched the *Asia-Pacific Human Development Report on Corruption* (APHDR) in Solomon Islands, which has been used as an advocacy tool with Pacific governments. In 2007, UNDP also commissioned a study on corruption in the Pacific in support of the APHDR.
13. In 2007, a new UNDP Asia Pacific Community of Practice (COP) "Integrity in Action" was launched in Phnom Penh, which is designed to bring together UNDP country staff with national government and CSO anti-corruption practitioners. The COPs also involve colleagues from UNODC. The second COP meeting, which included technical training on the provisions of UNCAC took place in October 2008, bringing together participants from 18 countries including Fiji and Papua New Guinea, as well as PIFS. In February 2010, a third COP was held which focused specifically on UNCAC implementation. UNDP funded the attendance of representatives from Papua New Guinea, Palau and Solomon Islands. In October 2011, a fourth COP was held which focused on national anti-corruption strategies, tackling corruption in key social sectors and using ICTs for anti-corruption. UNDP funded attendance by PNG, Vanuatu, Solomon Islands and Palau.
14. UNODC and UNDP have also launched a range of online anti-corruption resources to support PICs. In September 2009, UNODC launched the UNCAC Legal Library, TRACK, which provides links to relevant legal documents in all UNCAC States Parties. It is a very useful comparative legal resource. UNDP

(Regional Centre Bangkok) has also taken the lead in developing the Asia Pacific Integrity in Action Network (AP-INTACT) online network, with support from the Pacific Centre. The Pacific Centre also facilitates an online Pacific Accountability Network which is used to share Pacific anti-corruption updates. A new Asia Pacific Accountability Portal is also due to be launched. The Portal is supported by the Regional Centre Bangkok and the Pacific Centre.

2. Project Strategies

2.1 KEY IMPLEMENTATION PRINCIPLES

15. The implementation of the project will be guided by the following key priorities/ principles:

➤ *Responding flexibly, sensitively, and rapidly to the changing political context*

Noting the fluid policy setting at the time of writing, this Project Document has been written flexibly, to enable implementation to be adjusted as appropriate to the changing political context. Recognising the importance of securing high level political buy in, as well as cross-sectoral support for anti-corruption reforms, the Project will rely heavily on developing strong partnerships across governments and across the region, to ensure ongoing progress with reforms regardless of which political party is in power. At an operational level, care will be taken to adopt a very open, transparent, and participatory implementation strategy for all activities, to facilitate public support for the Project.

➤ *Responding sensitively to the Pacific context*

The Pacific is a unique region. Pacific governments have learned the hard way that external, one-size-fits-all legal and/or institutional responses are rarely effective if they are not calibrated to the small island state contexts in which each PIC operates. Likewise, the cultural contexts which impact on the way the public and officials view corruption makes for a challenging operating environment for work directed at promoting public accountability. UNDP and UNODC have designed this Project flexibly, to ensure that initiatives are demand-driven and, as such, respond appropriate to each PICs unique local circumstances.

➤ *Facilitating South-South experience-sharing*

This Project specifically identifies South-South exchange as a key priority. Global experience demonstrates that sharing experiences from similar jurisdictions is more likely to result in policy uptake from partner countries. In that context, UNDP and UNODC will proactively work to promote South-South knowledge-sharing within the region. UNODC can facilitate the sharing of knowledge and good practices drawing on its extensive network of contacts established with States through their participation in the UNCAC Review Mechanism, with UNDP drawing on its global network of regional and country offices. As much as possible, UNDP and UNODC aim to reach out to Pacific partners and build a cadre of committed anti-corruption experts who can more sustainably work together to share their expertise and experiences. Noting that corruption often has transnational ramifications, this will also have practical benefits in terms of assisting countries to work together more effectively to tackle transnational corruption cases.

➤ *Prioritising support for interventions which promote public accountability for improved service delivery for citizens*

For the impact of anti-corruption reforms to be felt by ordinary citizens it is necessary for high level policy and institutional reforms to translate into changes on the ground which are felt by the public. With this in mind, this Project has been designed to ensure that support to policy and institutional reforms are developed and implemented in a way which will impact on the lives of the people. In this context, UNDP will work to leverage its expertise on MDGs achievement, decentralization reform, and participatory policy-making for the benefit of this Project.

➤ *Integrating gender throughout the proposed activities*

UNDP and UNODC are committed to promoting gender equality in all programme activities. In that context, efforts have been made to mainstream gender equality throughout the proposed activities below. In practice, when implementing the Project, proactive efforts will be made to ensure women and men are equally benefitting from the capacity building activities implemented. Tools and manuals developed under the project will use gender mainstreaming strategies, such as gender analysis, the use of data disaggregated by sex and age, as well as gender-sensitive

studies, guidelines and checklists for programming. In the context of national activities (in particular training sessions and support to follow-actions for the implementation of recommendations of the UNCAC review as well as through the small grants facility for NGOs to be established under this project), UNODC and UNDP will utilize local expertise on gender impact analyses and build local alliances in order to empower local women groups. Specific gender based pilot activities will be considered at the country level when identified as priorities. Monitoring and evaluation activities will also incorporate gender-impact analysis methodologies.

2.2 UNDP and UNODC COMPARATIVE ADVANTAGES

16. As the Secretariat to UNCAC, UNODC has engaged most actively with Pacific states who have ratified or acceded to UNCAC. UNODC has particular comparative advantage due to its recognized role by States parties as a support partner for the UNCAC Review Mechanism Process. At a technical level, UNODC also has strong expertise in the areas of legislative drafting and legislative review. Particularly in the areas criminalization and law enforcement (chapter 3 of UNCAC), international cooperation (Chapter 4 of UNCAC) and asset recovery (Chapter 5 of UNCAC), UNODC can benefit from its proven track-record of working with criminal justice systems around the world, including in the Asia Pacific region. Drawing on this expertise, UNODC will bring strong capacity to assist Pacific island countries to strengthen their law enforcement and compliance capacities, in particular, in order to prosecute corrupt officials and track down corrupt money.
17. UNDP's comparative advantage is its ability to encourage locally appropriate accountability initiatives, which promote national development priorities, within the general framework of UNCAC. UNDP has long experience in the region which it will apply to ensure that the One UN approach results in locally appropriate responses to the complex accountability challenges facing each PIC. UNDP also has strong trust and credibility with Pacific partners in the area of anti-corruption due to UNDP's long engagement with partner governments in the region, including in supporting their ratification of UNCAC over the last few years. UNDP already has a very strong network of official and civil society contacts whose views have been channelled into the design of this project and who will continue to be close partners during implementation. UNDP's strong development expertise will also ensure that this Project focuses on long-term development outcomes, rather than simply prioritising treaty implementation per se.

2.3 KEY OUTPUTS

18. This Pacific Regional Project aims to strike a balance between advisory services to individual countries, the production of regional knowledge products and the dissemination of global tools, capacity building, networking, awareness raising and advocacy concerning the negative impact of corruption and , and regional dialogue on cross-border issues. This Pacific Regional Project also aims to provide support for national and local initiatives in the area of accountability, integrity and transparency that link human rights concerns with issues of inclusive and participatory governance. Capacity development, South-South Cooperation, national ownership, aid effectiveness and gender will underpin all project interventions. With UNCAC as its guiding framework, a "One UN" approach will be implemented. UNODC can provide technical inputs to support governments participating in the UNCAC Review Mechanism, while UNDP can add value by addressing corruption through the lens of the poor and most vulnerable.

Goal/Aim: To strengthen the capacity of Pacific island countries to tackle corruption and thereby to improve service delivery

19. The overall aim of this project recognises that UNDP and UNODC are committed to supporting member states to improve the lives of their people. While UNCAC ratification is a positive step forward in demonstrating national commitment to tackling corruption, it is not an end in itself. This Project recognises that UNCAC is an entry-point to work with countries to more broadly reflect upon and address challenging national issues around how to most effectively promote public accountability to ensure more effective use of scarce national resources to ensure better national development outcomes. To this end, the Project prioritises three outputs:

Output 1: To strengthen political will to endorse strong policy and legal frameworks aimed at implementing UNCAC

Activity 1.1: MPs better able to implement UNCAC / accountability standards

20. One of the most serious obstacles to tackling corruption is the variable political will at political and senior government official level in many PICs. The challenge of “political will” is a common challenge for political governance. The Project seeks to specifically address this issue by undertaking specific work with the Members of Parliament who comprise the Executive in most PICs. Notably, UNDP already has extensive experience and strong networks in the Pacific region in working with parliamentarians to promote awareness and in building capacity to address substantive development issues. UNDP supports parliamentary development activities in countries throughout the region, with stand-alone projects in Solomon Islands, Palau and Kiribati and on-going assistance via the Pacific Centre to Tuvalu, Tonga, FSM, Marshall Islands, Samoa and Vanuatu. UNDP will continue to utilise its national parliamentary support projects as a vehicle to strengthen parliamentary commitment to UNCAC ratification and implementation. UNDP will continue to provide training to MPs on UNCAC and anti-corruption issues generally, both by integrating these issues into post-election induction seminars, as well as by holding stand-alone workshops on topics such as accountability institutions, ethics and disclosure regimes, freedom of information and anti-corruption criminal law.
21. Support will focus not just on ratification, but on strengthening MP’s understanding of the technicalities of legislative compliance, which they will eventually be called upon to tackle through the enactment/amendment of laws (see Activity 1.3 above). Consideration will also be given to supporting the establishment of regional MPs working groups on UNCAC, depending on the commitment expressed by MPs. UNDP has also developed a Parliamentary Self-Assessment Toolkit on UNCAC in collaboration with the Global Organisation of Parliamentarians Against Corruption (GOPAC). This Toolkit is being piloted in early 2012 (with Burkina Faso, Morocco and East Timor), and consideration will be given to supporting pilots in the Pacific region.

Activity 1.2 Countries encouraged and supported to ratify UNCAC

22. While 160 countries have become States parties to UNCAC to date, 39 UN Member States are yet to ratify or accede to the Convention and one quarter of those are situated in the Pacific. The Pacific region has the world’s lowest ratification rate. Building on prior groundwork in the region, efforts will be made to work with senior policy-makers and parliamentarians to promote ratification to UNCAC, through national and regional workshops, in-country advocacy and legislative assistance, as requested.
23. Technical assistance will be provided directly to Governments upon request, to assist with the development of relevant position papers, policies and laws in support of ratification. Already, national UNCAC workshops have been held in Marshall Islands, Solomon Islands and FSM in 2011 by UNDP which have resulted in commitments to accede to UNCAC. Further work will be done to build on the 2011 Induction Seminars with Kiribati and Tuvalu MPs which included sessions on UNCAC. UNDP and UNODC will also work with PIFS, which has the political mandate on such issues, to raise the profile of UNCAC on the Leaders’ agenda. While treaty ratification is a key entry point for on-going support through this Project, it is fully recognised that UNCAC ratification is a means to the broader end of promoting public accountability and better national development outcomes. UNDP and UNODC’s technical inputs in support of ratification will highlight the development benefits from reduced corruption, and the specific tangible benefits of ratification (such as, access to international cooperation and improved asset recovery provisions). Besides government counterparts, seminars may reach out to include parliamentarians, as well as representatives of the private sector and civil society, paying particular attention to strengthening the engagement of women in this work.

Activity 1.3: Countries supported to participate in UNCAC Review Mechanism

24. UNDP and UNODC will assist countries to participate in the UNCAC Review Mechanism, including through support for the completion of broad-based, participatory UNCAC Self-Assessments. As appropriate, such Self-Assessments will draw on the good practice captured in the recently published UNDP/UNODC *Guidance Note on Undertaking Participatory UNCAC Self-Assessments*. Already, Palau has indicated its intention to request UNODC and UNDP assistance with the Self-Assessment Checklist in 2011, building on the gap analysis which PIFS supported in 2010. The outcomes from such self-assessments and the country reviews are anticipated to inform the development of national anti-corruption frameworks and action plans and serve as a benchmark for their effective implementation. UNDP and

UNODC will support the inclusion of non-state actors in the review process, such as the private sector and civil society counterparts, including where possible gender advocates so as to ensure that a comprehensive range of views contribute to the review process.

Activity 1.4: National AC frameworks, including legislation, developed/strengthened

25. UNDP and UNODC will provide technical assistance to countries on the implementation of the Convention, based on the results of the UNCAC Review Mechanism, national Self-Assessments and upon request. UNDP and UNODC will support implementation of Article 5 of UNCAC through facilitation and technical inputs in support of the development and monitoring of national and/or sectoral anti-corruption policies, with particular care being taken to integrate development and gender issues. In this work, UNDP and UNODC will be able to amply draw on various global guides, handbooks and tools.⁵
26. UNDP and UNODC will also provide legislative support to countries to implement the various provisions and chapters of UNCAC. UNDP and UNODC will leverage UNDP's existing strong partnerships with Pacific legislatures to promote enactment of anti-corruption legislation and amendments (see Output 2 for more). This work recognises that many PICs have identified weak legislative regimes as barriers to pursuing effective corruption prosecutions. Already, UNDP has assisted Marshall Islands to revise its Criminal Code in line with UNCAC Chapter 3 and has provided advice to the Vanuatu Government on revising their Ombudsman and Leadership Code Acts. It is anticipated that UNDP and UNODC will provide on-going technical advice and legislative drafting support, as well as training on implementation legislation. UNDP will focus in particular on code of conduct legislation (Article 8), freedom of information legislation (Article 10) and will work with UNODC on general criminal code reform (Chapter 3). UNODC will also focus on capacity anti-money laundering (Article 14 and Chapter 3), mutual legal assistance (Chapter 4) and asset recovery (Chapter 5). Noting the existence of other service providers in support of legislative reform, UNDP and UNODC will also work closely with PIFS Legal Advisor, the Pacific Islands Law Officials Network, the Pacific Division of the Australian Attorney General's Department (which has already been requested to assist Vanuatu to review UNCAC compliance), Australian Anti-Money Laundering Assistance Team, the New Zealand Office of Parliamentary Counsel Pacific Desk and the UNODC/World Bank Stolen Asset Recovery Initiative (StAR).

Output 2: To strengthen the capacity of key national anti-corruption institutions and non-state actors to more effectively tackle corruption with resultant improvements in service delivery

Activity 2.1: Capacity development of key integrity institutions

27. UNODC and UNDP will draw on existing tools, approaches and experiences in supporting the institutional development and capacity building of anti-corruption agencies (ACAs).⁶ Notably however, this area of work recognises that the approaches taken to ACAs in other regions may well be inappropriate in the Pacific, in particular, in small island states, due to a severe lack of resources and staff capacity. In reality, it is unlikely that any but the biggest of the PICS (Melanesia, plus perhaps a couple of the larger Polynesian PICS) will be able to sustain dedicated independent commissions against corruption. In small island states, the project will explore options for supporting existing accountability institutions, whose mandates may be extended to embrace UNCAC-related issues and/or exploring the options for establishing multi-function accountability institutions. Noting the specific institutional set-up in the Pacific region, UNDP and UNODC will more broadly work in support of integrity institutions such as Ombudsmen, Auditors-General, leadership code commissions and national legislatures. For example, the Marshall Islands Auditor General has indicated his desire to set up an investigation unit which will operate as a de facto national

⁵ See UNDP (2011) *Fighting Corruption in the Education Sector: Methods, Tools and Good Practices*, UNDP (2011) *Fighting Corruption in the Health Sector: Methods, Tools and Good Practices*, UNDP (2011) *Fighting Corruption in the Water Sector: Methods, Tools and Good Practices*, UNODC (2008) *Legislative Guide for the Implementation of the United Nations Convention against Corruption*, UNODC (2009), *Technical Guide for the Implementation of the United Nations Convention against Corruption*, UNODC (2011) *Handbook on Police Accountability, Oversight and Integrity*, UNODC (2012) *Guide on Strengthening Judicial Integrity and Capacity*.

⁶ For UNDP, this work will be guided by the 2011 global publication, "A Practitioners Guide: A Capacity Assessment for Anti-Corruption Agencies Methodology", which draws together UNDP's extensive experience on capacity development with anti-corruption bodies UNDP (2011) *Practitioner's Guide to Capacity Assessment of Anti-Corruption Agencies*, <http://www.beta.undp.org/undp/en/home/librarypage/democratic-governance/anti-corruption/Guide-to-Capacity-Assessment-of-ACAs.html>.

anti-corruption unit. Support will be provided to strengthen the anti-corruption capacity of his office. Likewise, in Palau, Tuvalu and Kiribati, consideration will be given to how to support existing institutions such as the Attorney General's and Department of the Public Prosecutor's office, to more effectively pursue corruption cases. Again, noting the cross-sectoral nature of this work, assistance will be provided in partnership with organisations such as PIFS, the Pacific Islands Law Officials Network, the Pacific Ombudsman Alliance and the Pacific Regional Audit Initiative, all of whom already have strong partnerships with UNDP.

28. Of course, where countries pursue options for establishing new bodies and/or substantially extending the mandate of existing bodies, UNODC and UNDP will provide technical assistance, as requested. Such assistance will encompass: (1) supporting the establishment of such bodies, including through supporting drafting of constituting legislation and the design of institutional development plans; (2) strengthening the strategic and tactical planning and management capacities of such bodies through training and on-the-job coaching; (3) building the operational capacities in preventing and combating corruption, including the provision of specialized tools and standard operating procedures and developing public complaints systems, including the protection of witnesses and reporting persons. At this stage, the most likely requests for ACA capacity building will come from Tonga (legislation passed and Cabinet has just prioritised establishment), PNG and Solomon Islands. Initial work will include support for capacity assessments which will ground capacity development plans, corporate planning and budgeting. Depending on the capacity needs of staff, training will either be directly provided or coordinated with partners. Where possible, support may be broadened to provide assistance to anti-corruption bodies to establish and run inter-agency working groups/mechanisms.
29. UNODC has also gathered significant experience, tools and expertise in assisting judiciaries in various countries in developing and strengthening internal safeguards to promote and maintain accountability, transparency and integrity. Drawing on this work, UNODC will support the judiciaries in the sub-region in reviewing their respective codes of conduct to comply with international and regional standards, in particular the Bangalore Principles of Judicial Conduct, develop a training programme for judicial officers and court staff on professional ethics and develop mechanisms for performance evaluation, performance management and to enhance public confidence in the judiciary through improved democratic accountability.

Activity 2.2: Non-state actors undertake effective AC advocacy and monitoring

30. In line with Article 13 on civil society participation in anti-corruption activities, for some years, UNDP has been working to seed and grow social accountability initiatives in the region. UNDP's annual support to CSOs to celebrate Anti-Corruption Day on 9 December has also served to support work in this area. UNDP will step up this work with CSOs, most notably through social accountability pilots, for example Citizens' Reports Cards⁷ and budget monitoring. This work empowers citizens and communities to identify lack of accountability for service delivery and in budget management. UNDP will disburse funds to support country-led initiatives initiated by CSOs to tackle corruption issues on a competitive basis. Multi-country proposals are envisaged, to address common issues or seek collaboration on certain areas of integrity enhancement. Criteria for selecting innovative integrity projects at the country-level will be prepared by UNDP, and will include specific requirements regarding strategies for integrating gender into the work. Women are often the members of the family with primary responsibility for dealing with administrative matters such as registering with local health services and applying for the receipt of social security. Women are thus more likely to be confronted with and affected by corruption in their day-to-day lives. Support will be provided to proposals of CSOs focusing on addressing accountability failures that afflict women in particular to ensure that the authorities answer more effectively to women. Complementing these efforts, UNODC will focus training relevant CSOs on the UNCAC and the review mechanisms at the regional level to enhance their capacity to effectively participate and contribute to the review mechanism in line with the relevant resolution adopted by the 4th session of the Conference of States Parties to the UNCAC. During these sessions, UNODC will facilitate the exchange of ideas and good practices on the integration of the gender dimension in anti-corruption policies.

⁷ Citizen Report Cards are participatory surveys that provide quantitative feedback on user perceptions on the quality, adequacy and efficiency of public services. They are designed to be used as an instrument to exact public accountability through the media coverage and civil society advocacy that accompanies the process.

31. UNDP will also work with the media to strengthen their capacity to report on corruption issues and to partner with CSOs to draw attention to accountability deficits. UNDP already has substantial experience globally in working to strengthen the capacity of the media, including working with the media to promote public accountability. It is proposed that the project support the organisation of regional capacity building activities through the provision of training to journalists on corruption, human rights, gender aspects of accountability and human development. This work will be implemented in cooperation with partner agencies, such as regional media organisations, PIFS, the International Federation of Journalists (Australia), UNESCO Pacific (which has the UN mandate for working with the media) and the Office of the High Commissioner for Human Rights. The result of such activities will be manifested in media advocacy campaigns on corruption or integrity issues.

Output 3: To promote more informed anti-corruption policy and advocacy by conducting tailored research and sharing knowledge

32. Pacific national counterparts have highlighted at different occasions that they would welcome up-to-date comparative research, and lessons learned from existing experience in the sector, including from outside the region, and with particular relevance to the local (political and economic) context. UNDP and UNODC will conduct research on-demand on lessons learnt in the implementation of a range of programmes and policy processes relating to integrity and anti-corruption. The agencies will also undertake a series of studies and research activities to address themes that are considered of particular importance in the region such as corruption and natural resources, corruption and local governance and corruption in crisis/conflict and post-crisis/conflict countries. Any research work will be coordinated with UNODC and UNDP's global and regional teams to ensure sharing of good practice, allow for comparative research and cross-regional learning, in particular the project will closely coordinate with sectoral work being carried out under the UNDP and UNODC global projects. All research TORs will include a requirement to address gender issues, both in the methodology and in the outcomes of the research. Targeted research on gender aspects of anti-corruption policies may be conducted, as appropriate. The agencies will also support national authorities to develop and strengthen their capacity to conduct evidence-based assessments, including through close cooperation with the UNODC Statistics and Surveys Section and in accordance with the Pacific Plan's Good Governance pillar (initiative 12.4 on statistical information systems).⁸ Research on transparency and access to information laws and systems is also relevant, and will support ongoing work to promote FOI being undertaken by the Pacific Centre.
33. As noted earlier, since 2007 UNDP has organised four Asia-Pacific "Integrity in Action" COP meetings to bring together UNDP country office staff, UNODC regional staff and national partners. The COP meetings are designed to build partner and Country Office capacity and share information on good practice and key developments on anti-corruption. Globally, a range of training opportunities are also regularly offered in the area of accountability and anti-corruption. The Centre has circulated information about such opportunities to Pacific partners through the Centre's Pacific Accountability Network, and has been often asked for funding support from officials. Funding under this output will also be used to support the participation of key Pacific partners in relevant regional and global anti-corruption COPs and other training or learning opportunities. UNDP and UNODC will be cognisant of gender balance when selecting participants.

⁸ UNODC and UNDP will be able for this outcome to extensively draw on different research tools, methodologies and approaches.

Attachment A

3. Results and Resources Framework (2012-2014)

PAPUA NEW GUINEA UNDAF 2012-2015 *Interagency Outcome 1.1: By 2015, elected representatives and key Government bodies implement good governance practices grounded in accountability, transparency, inclusive participation and equity*

PACIFIC UNDAF 2013-2017 *Outcome 5.1: Regional, national, local and traditional governance systems are strengthened and exercise the principles of good governance, respecting and upholding human rights, especially women's rights, in line with international standards*

UNDP REGIONAL PROGRAMME DOCUMENT FOR ASIA AND THE PACIFIC 2008-2013, *Key Result Area: Promoting democratic principles and combating corruption*

Project title:

Project ID (ATLAS Award ID):

INTENDED OUTPUTS, BASELINE & INDICATORS	OUTPUT TARGETS FOR (YEARS)	INDICATIVE ACTIVITIES	Target PICs	Timing (Yr) & Indicator			Agency	INPUTS (US\$)
				1	2	3		
Output 1: Output 1: To strengthen political will to endorse strong policy and legal frameworks aimed at implementing UNCAC								
Baseline:								
- 8 PICs ratified UNCAC	- 3 PICs ratify UNCAC	INDICATIVE ACTIVITIES Activity Result 1.1: MPs better able to implement UNCAC/accountability standards Actions: <ul style="list-style-type: none"> - Training on UNCAC/ethics/accountability included in national Parliamentary Induction Programmes - Awareness workshops with MPs on legislative reform (cross-ref Activity 1.3) - Key parliamentary committees support to undertake more effective oversight of UNCAC / expenditure / accountability - GOPAC Toolkit on UNCAC assessments implemented with 6 target parliaments 	All PICs				UNDP	165,000
- Fiji and PNG participating in UNCAC Review Mechanism	- National UNCAC workshops in 2 PICs							
- Parliamentary committees undertake variable oversight of Govt	- NACS initiated in at least 1 PIC							
- Legislation to implement UNCAC enacted in Fiji & RMI	- FOI Bill in at least 1 PIC							
Outcome Indicators								
- 13 PICs ratified UNCAC	- 3 PICs ratify UNCAC	INDICATIVE ACTIVITIES Activity Result 1.2: Countries encouraged and supported to ratify UNCAC Actions: <ul style="list-style-type: none"> - National UNCAC ratification and implementation workshops facilitated (incl MPs, govt and CSOs) - Technical assistance provided to advance accession / deposit of instruments 	Samoa, Tonga, FSM, Tuvalu, Kiribati, Nauru				UNODC	70,000
- UNCAC reviews in at least 11 PICs (first cycle of UNCAC)	- 2 PICs undertake a voluntary UNCAC gap analysis in preparation of the review NACS initiated in at least 1 PIC							
- Parliamentary committees in at least 6 PICs more active	- FOI Bill in at least 1 PIC							
	- NACS initiated in at least 1 PIC							
	- At least 9 PICs						UNDP	50,000

<p>- TA provided for improved legislation and strategies in at least 4 PICs</p>	<p>undertake UNCAC Review with participation of CSOs</p> <p>2015:</p> <ul style="list-style-type: none"> - At least 2 PICs undertake UNCAC Review with participation of CSOs 	<p>Activity Result 1.3: Countries participate in UNCAC Review Mechanism</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> - Support to undertake participatory UNCAC Self-Assessments - Support for PIC LDCs to attend CoSP - Support for national workshops to review Concluding Observations and identify response/action plan <p>Activity Result 1.4: National AC frameworks, including legislation developed/strengthened</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> - Technical support to develop national anti-corruption strategies - Technical support to undertake AC sectoral reviews (eg. health, educ, justice) with inclusion of gender dimension as deemed appropriate - Technical support to amend legislation to comply with UNCAC (cross-ref Act. 2.1) - Technical support to entrench the right to freedom of information <p>Project Management Costs</p> <ul style="list-style-type: none"> - UNODC Advisor (33%) - UNDP Specialist (33%) - Monitoring & Evaluation - Project Support Costs – UNDP (7%) - Project Support Costs – UNODC (13%) 	<p>All UNCAC ratifying PICs</p>	<p>UNODC</p> <p>UNDP</p>	<p>130,000</p> <p>75,000</p>
		<p>Sub-total (UNDP)</p>	<p>UNODC</p>	<p>810,200</p>	
		<p>Sub-total (UNODC)</p>	<p>UNDP</p>	<p>584,775</p>	
		<p>SUB-TOTAL</p>	<p>UNODC</p>	<p>1,394,975</p>	

<p>Output 2: To strengthen the capacity of key national anti-corruption institutions and non-state actors to more effectively tackle corruption with resultant improvements in service delivery</p>				
<p>Baseline:</p>	<p>Only Fiji has an ICAC</p>	<p>2012</p> <ul style="list-style-type: none"> - AC work supported 	<p>UNODC</p>	<p>200,000</p>
<p>Activity Result 2.2: Capacity development of key integrity institutions</p>				

		Sub-total (UNDP)	1,202,400
		Sub-total (UNODC)	839,967
		SUB-TOTAL	2,042,367
Output 3: To promote more informed anti-corruption policy and advocacy by conducting tailored research and sharing knowledge			
Baseline:			
- Transparency International National Integrity System Survey produced some years ago	- Baseline survey piloted in at least 2 PIC		78,000
- Limited AC baseline surveys	- PIC participation in AP		30,000
- Limited PIC participation in regional/global AC meetings	- AC COP		
	- PIC participation in AP		
	- AC COP		
	- PIC participation in CoSP		
	- 1 AC knowledge product produced		
Outcome Indicators			
- Baseline AC survey produced in at least 2 PICs	2012		
- At least 3 Pacific AC knowledge products produced	- Baseline survey piloted in at least 2 PIC		
	- PIC participation in AP		
	- AC COP		
	- PIC participation in AP		
	- AC COP		
	- 1 AC knowledge product produced		
	2013		
	- PIC participation in AP		
	- AC COP		
	- PIC participation in CoSP		
	- 1 AC knowledge product produced		
	2014		
	- PIC participation in AP		
	- AC COP		
	- PIC participation in AP		
	- AC COP		
	- 1 AC knowledge product produced		
	2015:		
	- PIC participation in AP		
	- AC COP		
	- 1 AC knowledge product produced		
	Activity Result 3.1: Capacity of UNDP staff and Govt counterparts enhanced through participation in global/regional meetings		
	Actions:		
	- Participation supported in annual UNDP Asia Pacific AC Community of Practice		
	- Support for PIC LDCs to attend CoSP		
	- PIC participation supported in IACC		
	Activity Result 3.2: Knowledge products & research available to support national integrity initiatives		
	Actions:		
	- Support for Pacific contribution to Global AC Portal and UNODC Legal Library		
	- Support for pilot national AC baseline surveys + ongoing public surveys		
	- Research commissioned on specific AC issues raised by partners (including focus on gender aspects)		
	Project Management Costs		
	- UNODC Advisor (33%)		240,000
	- UNDP Specialist (33%)		240,000
	- Monitoring & Evaluation		15,000
	- Project Support Costs – UNDP (7%)		27,900
	- Project Support Costs – UNODC (13%)		49,725
		Sub-total (UNDP)	433,400
		Sub-total (UNODC)	432,225
		SUB-TOTAL	865,625
		TOTAL	4,302,968

FUNDING	UNDP	UNODC	Total (4 yrs)

As at 20 April 2012

Outcome 1	810,200	584,775	1,394,975
Outcome 2	1,202,400	839, 967	2,042,367
Outcome 3	433,400	432,225	865,625
TOTAL (3 yrs)	2,446,000	1,856,968	4,302,968

Proposed annual grants	UNDP	UNODC	TOTAL
Total (Yr 1 – 2012/13)	611,500	464,242	1,075,742
Total (Yr 2 – 2013/14)	611,500	464,242	1,075,742
Total (Yr 3 – 2014/15)	611,500	464,242	1,075,742
Total (Yr 4 – 2015/16)	611,500	464,242	1,075,742
TOTAL	2,446,000	1,856,968	4,302,968

Attachment A

4. Management Arrangements

Implementation Modality & Project Management

29. The project will be implemented as a joint UNODC-UNDP programme with parallel funding and in accordance with the applicable UN guidelines on joint programming. In addition to the joint project document, UNODC and UNDP will develop joint annual workplans, to ensure maximum coordination of efforts. This Project takes note of the fact that UNODC and UNDP headquarters will both be receiving funding from AusAID in line with Global Anti-Corruption Project Documents (the Global Projects) that will include reporting requirements. The Pacific UNDP-UNODC team will work with both headquarters to align the submission of their reporting to AusAID. Under this Project, UNDP and UNODC will prepare one joint substantive annual narrative report. Because the two organisations will sign separate funding agreements with AusAID, the primary donor for this Project, they will provide separate financial reports in line with their respective applicable financial rules and regulation.
30. For UNDP, the Project will be implemented as part of the overall Governance in the Pacific Project, as a sub-project. For UNODC, the Project will be implemented as part of its Thematic Programme against Corruption and Economic Crime and its Regional Programme for Asia and the Pacific. Both agencies will receive funding in accordance with their separate respective funding agreements and the approved joint annual workplan.
31. The day-to-day implementation of the project will be managed by the project management team, which will be headed by the UNDP Governance in the Pacific Project Team Leader and composed of staff of UNDP and the UNODC Regional Anti-Corruption Advisor. The Project Manager will be the Democratic Institutions and Accountability Specialist, who will have day-to-day operational oversight for the Project.

Project oversight

32. The project will be guided by a joint Project Steering Committee composed of representatives of UNODC, UNDP and AusAID, as well as other stakeholders, as appropriate and agreed by all three parties (eg. PIFS). The Project Steering Committee will review and assess progress, approve the annual workplan and provide overall policy guidance on project implementation. The project management team functions as the secretariat to the Project Steering Committee. The Project Steering Committee will meet semi-annually, either in person or by video conference.
33. The Global Projects referenced under paragraph 29 propose an annual meeting with AusAID in the margins of the UNDP/UNODC Working Group meeting established pursuant to the terms of the MOU signed by both agencies in December 2008. The UNDP Pacific Centre and UNODC Pacific Focal Point will be invited to attend any such meetings to report on activities implemented under this Project. It is envisaged that this meeting will also be used as an opportunity to convene the Project Steering Committee referred to in para 32.

Project Support

34. For UNDP, Project Support will be provided by the UNDP Joint Operations Centre based in Suva, Fiji and project assistance will be provided by the existing Pacific Centre Project Support Unit. A flat fee of 7% is levied by UNDP as a General Management Service fee to cover management and project support costs.
35. In accordance with United Nations Financial Regulations and Rules, and in line with the guidance note on joint programming, UNODC charges 13% Project Support Costs to cover all costs related to the management and administration of the project and which are not covered under the project as direct project costs. Management (see in particular General Assembly in section V of its resolution 35/217 of 17 December 1980).

5. Monitoring Framework And Evaluation

Annual Work plan and Budget

36. The annual costed workplan will serve as the primary reference documents for the purpose of monitoring the achievement of results. A single joint annual work plan setting out the detail of the

activities to be implemented under this Project Annually will be developed by the project management team and approved by the project steering committee. The project management team is tasked with the responsibility of ensuring implementation of the Project in accordance with these documents.

Annual Project Review

37. In line with paragraph 29 above, an Annual Review Report shall be prepared by the UNDP Project Manager, in collaboration with UNODC's Regional Anti-Corruption Adviser. The Report shall be submitted to the Project Steering Committee Review Meeting (to be conducted in accordance with para 32). As a minimum requirement, the Annual Review Report shall consist of a narrative report, reporting against each of the Outputs in the RRF and a financial report in compliance with UNDP's and UNODC's reporting requirements. The review of the Report shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes. Any changes to the budget will be considered at this meeting

Mid-term and End of Project Evaluation

38. A mid-term Independent Project Evaluation will be undertaken after 24 months and a final Independent Project evaluation at the end of the project to determine the relevance, efficiency, effectiveness, impact and sustainability of the project and to identify lessons to be learned in accordance with the relevant policies and guidelines on evaluation for UNDP and UNODC. The final Evaluation will be commissioned in Quarter 3 of the final year of the Project, to allow time for a proper response to the recommendations of the Evaluation, prior to the end of the Project. More details on the purpose, scope and duration of the evaluations as well as a detailed list of major stakeholders to be consulted will be provided in the Terms of reference for the evaluation to be drafted by UNODC and UNDP and cleared by UNODC IEU. The evaluations will be conducted by the evaluators (desk review, evaluation methodology first hand research, draft report, final report), with substantive and logistical support from the project manager, and with methodological support from UNODC IEU. Funds to cover evaluation costs have been set aside (USD 45,000)

6. Legal Context

39. This regional project is directly executed by the UNDP Pacific Centre, located in Fiji and UNODC. As Fiji, the host country, has signed the Standard Basic Assistance Agreement (SBAA), the following text applies. This project document shall be the instrument referred to as such in Article 1 of the SBAA between the Government of Fiji and UNDP. Consistent with the Article III of the Standard Basic Assistance Agreement, the responsibility for the safety and security of the executing agency and its personnel and property, and of UNDP's property in the executing agency's custody, rests with the implementing partner. The executing agency shall:
- a) put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
 - b) assume all risks and liabilities related to the executing agency's security, and the full implementation of the security plan.
40. UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement. The executing agency agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.

Attachment A

Annex 1: Initial Risk Log

Project Title:	Date:
Award ID:	

P = Possible likelihood (where 1 = very likely and 3 = not very likely)
 I = Impact (where 1 = very serious and 5 = not serious)

#	Description	Date Identified	Type	Impact & Probability	Countermeasures / Mgmt response	Owner	Submitted/ updated by	Last Updated	Status
	Lack of political will		Programmatic & Political	Preparatory work can still be undertaken but high level reforms harder to achieve P =2, I = 2	<ul style="list-style-type: none"> * Specific work with MPs across parties to build political commitment * Rely on requests for assistance to ensure sufficient political will prior to engagement * UNDP's approach of linking corruption and development will help to demystify corruption and secure necessary political will and buy-in from wider stakeholders * Utilize existing tools and methodologies to assess the political economy of a country and tailor activities accordingly 	UNDP/ UNODC			
	Political instability stalls legislative and high-level reforms	Initiation of project	Operational & Programmatic & Political	Difficulty implementing Output 1 re MPs development P =2, I = 2	<ul style="list-style-type: none"> * wide stakeholder consultations to get cross-party support * Close liaison with key political actors * work in multiple countries, to allow for flexibility 	UNDP / UNODC			
	Changing govt staff in partner countries		Operational & Programmatic	Will slow progress in pursuing reforms – will need to constantly rebuild commitment to work prog. P =2, I = 3	<ul style="list-style-type: none"> * Multiple partners included in Project across depts. 	UNDP / UNODC			

As at 20 April 2012

	Resistance from partners bc "foreign driven agenda"		Programmatic & Political	Will stall activities P =3, I = 2	* wide stakeholder consultations in preparation of Project	UNDP/ UNODC		
	Delay in recruiting suitable AC Advisor		Operational & Programmatic	Delay in implementing the activities in accordance with timeframe indicated in AWP P =2, I = 2	* Advertising immediately upon resource mobilisation	UNODC		

Attachment A

Annex 2: Project Steering Committee Terms of Reference

1. Overall Objective of the PSC

The overall objective of the PSC is to provide guidance and direction to the project management team in order to reach the project's overall objective.

2. Specific objectives of the PSC

The specific objectives of the PSC are as follows:

- To discuss and find solutions to challenges to the timely and high-quality implementation of the project;
- To ensure that the project is progressing in a manner which is satisfactory to all the stakeholders;
- To ensure that the project continuously adopts an integrated approach with other similar support being provided by other multi-lateral or bilateral development partners;
- To improve coordination and information sharing among the project stakeholders and ensure that any internal or external risks to the successful implementation of the project are brought to light in a timely manner and ensure that potential solutions are forthcoming;
- To ensure that any potential change of approach, strategy or mechanism for the implementation of any part of the project's components is shared and approved by the stakeholders;
- To ensure that there is a sufficient information flow between the various stakeholders.

3. Composition of the PSC

The PSC will consist of representatives of UNDP, UNODC and AusAID. Representatives from other organizations relevant to the implementation of the project may be invited on an ad hoc basis.

The level of the participants will be at a senior technical level. The names of the representatives of each organization will be submitted to the project management team two weeks before the first PSC meeting. Any subsequent changes of representative should be sent in writing to the project management team. The PSC will be co-chaired by UNDP and UNODC.

This arrangement will be for an initial one year phase covering at least two PSC sittings. Thereafter, a review will be undertaken by PSC members after the second meeting to discuss whether any modifications to the PSC structure are required or whether to maintain the PSC in the present structure.

4. Organization of PSC meetings

The meetings will be organized semi-annually, either in person or by video conferencing. Where possible, the timing of PSC meetings shall be aligned with project activities, other relevant monitoring/evaluation missions and/or the Annual Meeting required under paragraph 33 above. The venue for the PSC will be determined by the project management team.

The project management team will make available all relevant documentation necessary for the PSC meeting one week in advance of the meeting to other PSC members. This will allow time for initial comments, feedback and suggestion on the documents so that they are ready for the meeting itself. These documents will consist of the following:

- Summary progress report highlighting the main activities undertaken since the last PSC meeting;
- A suggested agenda for the meeting reflecting action points and recommendations from the previous PSC meeting and specific issues to be addressed;
- A brief work plan of activities to be undertaken in the next six months;
- A copy of the minutes of the last PSC meeting, only as a reminder as the minutes to the PSC meetings should be produced and distributed by the project management team within one week of the meeting.

For especially urgent matters, such as unforeseen difficulties in any of the components of the project, an ad hoc PSC meeting may be convened upon the request of any of its members.

5. Outputs of the PSC

Minutes of each PSC meeting will be produced by the project management team and a draft circulated to PSC members within one week after the meeting requesting for comments. Any comments should be sent back to the project management team within the following week. Thereafter, the final minutes will be produced within five days of receipt of comments and re-circulated.

Aside from these minutes it is anticipated that the PSC will have a positive effect on the dissemination of information amongst the stakeholders to the project and reinforce cooperation and coordination.

Attachment A

Annex 3: Ratification of the UNCAC by Pacific States and participation in the review mechanism

Pacific States under review (Year 1)

State Party

- Fiji (*accession: 14 May 2008*)
- Papua New Guinea (*16 Jul 2007*)

Reviewing States

Bangladesh, United States
Tajikistan, Malawi

Pacific States under review (Year 2)

None

Pacific States under review (Year 3)

None

Pacific States under review (Year 4)

State Party

- Palau (*accession: 24 March 2009*)
- Vanuatu (*accession: 12 July 2011*)
- Cooks Islands (*accession: 17 Oct 2011*)
- Marshall Islands (*accession: 17 Nov 2011*)
- Solomon Islands (*accession: 6 Jan 2012*)
- Micronesia (*accession: 21 March 2012*)

Reviewing States

tbd
tbd
tbd
tbd
tbd
tbd

Pacific States which are not yet parties to the UNCAC

Kiribati
Nauru
Samoa
Tonga
Tuvalu

Annex 4: Terms of Reference – UNDP Democratic Institutions & Accountability Specialist
To be inserted by the Pacific Centre

Annex 5: Terms of Reference – UNODC Anti-Corruption Advisor

<u>Functional Title of Post:</u>	Anti-Corruption Advisor
<u>Classified Level of Post:</u>	P-4
<u>Organizational Location:</u>	Corruption and Economic Crime Section Treaty and Legal Assistance Branch Division of Treaty Affairs United Nations Office on Drugs and Crime
<u>Duty Station:</u>	UNDP Pacific Centre, Suva, Fiji
<u>Duration:</u>	1 year (Extension for a second year subject to availability of funds)

Organisational Setting and Reporting Relationships:

Within the duration of the assignment, the incumbent might be posted for shorter periods in national anti-corruption agencies of countries of the respective region. In particular, the incumbent may, upon request, support States parties under review during the first two years of the first cycle of the implementation review mechanism of the United Nations Convention against Corruption and States Parties in the region that perform reviews in the first two years. A more detailed list of the countries and institutions to be assisted in the region will be further determined during the preparation of the assignment or the assignment itself.

The selected candidate will report to the Representative, UNODC Regional Centre for East Asia and the Pacific and day-to-day will be guided operationally by the UNDP Pacific Centre Governance Team Leader, in whose team the Advisor will be primarily located. The incumbent will receive substantive policy guidance from UNODC Headquarters Vienna (DTA/CEB), which manages the UNODC anti-corruption Advisor programme.

The Anti-Corruption Advisor will work in coordination with Government agencies and other international technical assistance providers.

Responsibilities:

The Anti-Corruption Advisor programme is a technical assistance programme being offered by UNODC to provide capacity building assistance to Member States to effectively implement UNCAC.

Within delegated authority, under the framework of the Advisor Programme, the Anti-Corruption Advisor is primarily responsible for the implementation of anti-corruption technical assistance activities (including policy advice, technical expertise and practical day-to-day support to anti-corruption bodies) as agreed upon with the host government(s) counterpart(s), and in line with the provisions of UNCAC.

Working as part of the UNDP Pacific Centre Governance team and in close consultation with the UNDP Regional Democratic Institutions & Accountability Advisor, the successful candidate will provide support as requested by the beneficiary countries, including:

- Conduct and/or follow up on anti-corruption technical assistance needs assessments;
- Support States parties selected to be reviewed during the first two years of the first cycle of the implementation review mechanism of UNCAC, and States Parties in the region that perform reviews in the first two years;
- Assist, where necessary and required, in enhancing and upgrading the relevant legislation and other legal instruments in conformity with UNCAC;
- Work with government counterparts to strengthen capacity to deal with proceeds of crime, mutual legal assistance and asset recovery, in particular with relevant government agencies, but also with legislatures, the private sector and the public at large, as appropriate;
- Develop targeted anti-corruption training courses in the area of prevention, criminalisation, enforcement and asset recovery based on needs assessment undertaken in collaboration with the host government counterparts;

- Provide advice if requested in the conduct of ongoing investigations relating to the proceeds of crime and/or asset recovery (including where appropriate the predicate offences); as well as on preparation of cases for prosecution and the presentation of evidence in Court;
- Plan and coordinate technical assistance on investigation and case-preparation techniques, evidence-gathering and assisting in the interpretation of evidence, if requested;
- Provide advice and guidance on the development of requests for, or the implementation of GoCASE and StAR training if requested for the conduct of ongoing investigations relating to corruption and proceeds of crime cases;
- Provide technical guidance and expertise, if requested, to national counterparts and the UNODC field offices on anti-corruption related issues;
- Provide advisory services and technical expertise to specialised anti-corruption bodies and units, including ICACs if they exist, on legislation, structure, operational practices and preventing, detecting, investigating and prosecuting cases of corruption and related offences, if requested;
- Foster contacts and, where appropriate, co-operation and partnerships with bodies and institutions at national, regional and international levels tasked with the prevention and control of corruption;
- Prepare regular progress reports on the development of his/her work, as may be requested by the host institutions or UNODC;
- Identify opportunities for resource mobilization in order to ensure sustainability of the anti-corruption initiatives after the end of the project;
- Liaise and share information regularly with other partners on program activities.

Competencies and Skills

Communication – Very good communication skills to liaise, negotiate and advocate with key stakeholders and other implementing agencies. Proven ability to write technical reports and reviews and conduct presentations by clearly formulating positions on issues and defending recommendations.

Teamwork: Good interpersonal skills and ability to establish and maintain effective partnership and working relationships in a multicultural environment.

Planning & Organizing: Develops clear goals that are consistent with agreed strategies; identifies priority activities and assignments; adjusts priorities as required; allocates appropriate amount of time and resources for completing work; foresees risks and allows for contingencies when planning; monitors and adjusts plans and actions as necessary; uses time efficiently.

Accountability: Takes ownership of all responsibilities and honours commitments; delivers outputs for which one has responsibility within prescribed time, cost and quality standards; operates in compliance with organizational regulations and rules; supports subordinates, provides oversight and takes responsibility for delegated assignments; takes personal responsibility for his/her own shortcomings and those of the work unit, where applicable.

Technological Awareness: Full proficiency in computer skills and use of relevant software and other applications.

Qualifications

Education: university degree in law, criminal justice, international relations, economics, political and social sciences or the equivalent combination of experience in related area.

Experience:

- Minimum seven years of professional experience working within or providing advisory services to anti-corruption bodies or investigating and prosecuting cases of corruption in law enforcement, prosecution services or the judiciary.

As at 20 April 2012

- Knowledge of the work of the United Nations in crime prevention and criminal justice, in particular substantive knowledge of the United Nations Convention against Corruption;
- Working experience with mutual legal assistance, proceeds of crime and/or asset recovery legislation and casework;
- Experience with case management, prosecution of corruption or financial investigations is considered an asset.
- Experience in designing national anti-corruption policies, strategies, and public campaigns, is considered an asset.
- Strong knowledge of relevant development issues and commitment to the principles of the United Nations.

Language: Fluency in written and spoken English.