



Project Document

**SUPPORT TO ANTI – CORRUPTION EFFORTS IN KOSOVO II
2016 – 2020**

Submitted to:

Swiss Agency for Development and Cooperation (SDC)
Danish International Development Agency (DANIDA)
Norwegian Ministry of Foreign Affairs (NOR)

**UNITED NATIONS DEVELOPMENT PROGRAMME
July 2015**

Project Title	Support to Anti-Corruption Efforts in Kosovo (SAEK) II
CDP Outcomes	CDP Outcome 2.1: “Institutions responsible for delivering public services and social justice are accountable and responsive to rights holders”. CDP Outcome 2.2: “Key civil society actors increasingly influence the accountability of governance for public services and social justice”. CDP Outcome 3.1: “Target Municipalities have local governance mechanisms in place promoting human rights based development”
Indicative Funding Requirements	4.7 million EUR
Potential Sources of Funding	Swiss Agency for Development and Cooperation (SDC) Danish International Development Agency (DANIDA) Norwegian Agency for Development and Cooperation (NOR)
Expected start date	2016
Expected Duration	4 years (2020)
Project Partners	<i>Key beneficiaries:</i> Kosovo Anti-Corruption Agency (KAA), Kosovo Judicial Council (KJC), Kosovo Prosecutorial Council (KPC), Office of Disciplinary Prosecutor (ODP), Municipalities of Pristina, Prizren, Gjilan/Gnjilane, and Gjakova/Djakovica, <i>Key project partners:</i> UNODC, Internews Kosova, GAP Institute, Association of Patients, and Transparency International Kosovo, Association of Kosovo Municipalities. <i>Other stakeholders:</i> National Council on Anti – Corruption, Assembly of Kosovo, Kosovo Judicial Institute (KJI), Kosovo Police (KP), Kosovo Bar Association (KBA), Kosovo Customs, Kosovo Police, Financial Intelligence Unit, Auditor General, Agency for Managing Seized & Confiscated Assets, Ministry of Local Government Administration (MLGA), Ministry of European Integration (MIE), Ministry of Justice (MoJ), Ministry of Education, Science and Technology (MEST), Ministry of Health (MoH), OSCE, EULEX, Council of Europe, European Union Office, UNESCO.
Geographic Coverage	Kosovo
Submitted by	UNDP Kosovo

List of abbreviations

AoK	Assembly of Kosovo
CoE	Council of Europe
CSO	Civil Society Organizations
DANIDA	Danish International Development Agency
EC	European Commission
EULEX	EU Rule of Law Mission in Kosovo
EUO	European Union Office in Kosovo
ODK	Open Data Kosovo
GCK	Girls Coding Kosova
GOPAC	Global Organization for Parliamentarians against Corruption
HRBA	Human Rights Based Approach
KAA	Kosovo Anti-Corruption Agency
KIPA	Kosovo Public Administration Institute
KBA	Kosovo Bar Association
KJC	Kosovo Judicial Council
KJI	Kosovo Judicial Institute
KPC	Kosovo Prosecutorial Council
MED	Ministry of Economic Development
MEI	Ministry of European Integration
MEST	Ministry of Education, Science and Technology
MLGA	Ministry of Local Government Administration
MoH	Ministry of Health
MoJ	Ministry of Justice
MPA	Ministry of Public Administration
MYCS	Ministry of Youth, Culture and Sports
ODP	Office of the Disciplinary Prosecutor
SAEK	Support to Anti-Corruption Efforts in Kosovo
SDC	Swiss Agency for Development and Cooperation
SPRK	Special Prosecutors Office of Kosovo
TI	Transparency International
UNCAC	United Nations Convention against Corruption
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNODC	UN Office on Drugs and Crime

TABLE OF CONTENTS

Table of Contents	4
1. INTRODUCTION	5
2. KEY ACHIEVEMENTS OF SAEK I	8
Institutional level	8
Sectoral level	13
Municipal/local level	16
3. LESSONS LEARNED DURING SAEK I (2013 – 2015)	21
4. SITUATION ANALYSIS	24
a. Context	23
b. Stakeholder Analysis	32
c. Anti–corruption architecture	35
d. Project Rationale	36
f. UNDP’s Comparative Advantage	43
g. Theory of change	45
5. STRATEGIC CHOICES: Project outcomes and outputs	46
OUTCOME I: Anti-corruption institutions in Kosovo provide more effective oversight on public institutions.	47
OUTCOME II: Selected central and local institutions demonstrate principles of integrity and transparency.	53
OUTCOME III: Improved execution of CSO’s and citizens’ rights on seeking public accountability and transparency on the fight against corruption.	55
2.4 Human rights and gender considerations	57
2.5 Partnership and donor coordination	58
6. MANAGEMENT ARRANGEMENTS	61
Audit arrangements	64
Financial management	64
Intellectual property rights and use of logo	65
7. MONITORING FRAMEWORK AND EVALUATION	65
8. SUSTAINABILITY AND EXIT STRATEGY	Error! Bookmark not defined.
9. <u>Legal context</u>	68
<u>Annex 1: SAEK II Offline Risk Log</u>	70
<u>Annex 2: SAEK II Partnerships</u>	85
<u>Annex 3: SAEK II Stakeholder Consultation</u>	86

1. INTRODUCTION

UNDP in Kosovo has been active in the area of anti-corruption since 2004 as part of the global programme on anti-corruption. The initial project, *Kosovo Transparency Initiative* (2004 – 2007), aimed at enhancing transparency and accountability in public services. One of the major outcomes of the project was the establishment of the *Kosovo Anti-Corruption Agency* (KAA), the first independent agency in Kosovo mandated to prevent and fight corruption. Subsequently, the *Kosovo Partnership for Anti-Corruption* (KPAC) project, which was implemented by UNDP Kosovo from 2009 - 2011, provided expert advisory services to the KAA in the area of conflict of interest, supported the improvement of legislation and manuals related to anti-corruption, conducted an assessment on institutional integrity and implemented awareness raising activities at the local level. KAA staff were provided with technical assistance mainly related to the implementation of the *Law on the Prevention of Conflict of Interests*.

Support to Anti-Corruption Efforts in Kosovo (SAEK) I, funded by the Swiss Agency for Development and Cooperation (SDC), was built primarily upon the outcomes and recommendations of the previous UNDP projects and was designed to address corruption issues in a wider and deeper scope. Efforts of UNDP Kosovo, prior to SAEK, to address issues of accountability have been focused on strengthening the “supply-side” of democratic governance. SAEK I added an important feature which focusing onto the “demand side” of democratic governance through citizen and CSO engagement. When SAEK was designed, according to UNDP’s Public Pulse Report in 2013¹, citizens considered corruption the third largest problem in Kosovo, after unemployment and poverty. Therefore, strengthening the voice and capacity of citizens and CSOs to directly demand greater accountability from public officials and service providers, was an integral part of the project design.

SAEK I, through an innovative and holistic approach towards anti-corruption, was developed to strengthen institutional transparency, accountability and integrity, with a particular focus on empowering citizens and improving their access to information. The project’s focus has been on three main levels of intervention, including the institutional, sectoral and municipal/local level. In doing so, the project has been working directly with central and local government authorities, the judiciary, civil society and the citizens themselves. Through the use of modern information and communication technologies, including social media, web 2.0 and mobile phone technologies, the project has harnessed the creativity, innovativeness and collaborative attitude of citizens interested in achieving a political change.

The key results of SAEK I by 2016 are expected to cover its three main areas of intervention, respectively:

- Increased capacity of the KAA to monitor and prevent corruption in selected institutions, key service areas and municipalities;
- Citizens actively seek out transparency and accountability from public institutions and are better informed about local issues through social media;
- The judiciary’s ability to fight corruption internally and externally is increased.

Various international reports have highlighted that the fight against corruption is of paramount importance for Kosovo. Its high economic and social costs can seriously undermine Kosovo’s development. Vigorous anti-corruption credentials are essential to strengthen the Government’s

¹ For more see http://www.undp.org/content/dam/kosovo/docs/Procurement/PPR6_Anglisht.pdf

legitimacy and reputation at home, and beyond Kosovo’s borders by influencing the way the country is perceived internationally.

The European Commission’s Directorate-General for Neighborhood and Enlargement Negotiations (DG NEAR) has already understood the importance of the links between rule of law, the fight against corruption, good governance, public administration reform and economic recovery which was also reflected in the most recent strategy paper published in 2014 together with the Progress Reports for each of the Enlargement countries. The EC recently started applying the new methodology to the candidate states, deciding, *Chapter 23: Judiciary and fundamental rights (including corruption)* and *Chapter 24: Justice, Freedom and Security* will be the first to be opened and the last to be closed.²

As part of the visa liberalization process requirements, Kosovo institutions have to shed light on the number of final convictions, including high level corruption, the level of sanctions, and number of cases detected in public administration. They must also show the follow up given to them, the way tools such as asset declaration systems are being used, the number of cases of inexplicable wealth discovered through asset declarations and verifications, and the number of cases of conflict of interest. Moreover, information should be provided on the implementation of recommendations deriving from international reports such as the assessment conducted by Group of States Against Corruption (GRECO), Transparency International National Integrity System (NIS) and Corruption Perception Index (CPI), United Nations Convention Against Corruption (UNCAC) Review, and so forth.

Therefore, SAEK’s support to Kosovo’s efforts to fight corruption comes at a time when it is most needed, particularly in view of Kosovo’s approximation of policies and legislation to the EU *acquis communautaire*.

ACTIVITY		ACTIONS UNDERTAKEN	
Corruption Risk Assessments	Education	Developed jointly with Anti-Corruption Agency and UNESCO International Institute for Educational Planning. Endorsed by Ministry of Education. Anti-Corruption lectures started in high schools of Municipality of Pristina as a pilot and testing initiative; to be replicated in other municipalities. Municipality of Pristina depoliticized process of recruitment of directors and teachers in schools.	
	Health	Developed jointly with Anti-Corruption Agency and U4 Anti-Corruption Platform/Boston University on Public Health. Endorsed by Ministry of Health.	
	Energy and Mining	Developed jointly with Anti-Corruption Agency. Endorsed by the Ministry of Economic Development. Support to Kosovo’s bid in Extractive Industries Transparency Initiative (EITI) ongoing.	
	Judicial Integrity	Developed jointly with UNODC. Endorsed by Ministry of Justice, Prosecutorial and Judicial Council. Judges and Prosecutors trained on code of ethics, advanced investigative techniques, and capacities increased on fighting corruption internally and externally. Office of the Disciplinary Prosecutor supported with additional staff to proceed more cases on misconduct of judges and prosecutors.	
	Corruption in Recruitment in Civil Service	Developed jointly with UNDP Istanbul Regional Hub. Endorsed by Council of Europe’s Group of States Against Corruption.	
Integrity Plans	Municipality of Pristina	Developed jointly with Anti-Corruption Agency and Municipality of Pristina	

² Sabine Zwaenepoel (2014) EU Enlargement process: Driver of good governance in South-East Europe. International conference in Tirana, Albania on Trends and Challenges in Implementing Anti-corruption Strategies.

		administrative and political leadership. Developed e-recruitment online platform and e-spending. Depoliticized process of recruitment of directors and teachers in schools.
	Municipality of Gjakova/Djakovica	Developed jointly with Anti-Corruption Agency and Municipality of Gjakova/Djakovica administrative and political leadership. In the process of development of e-recruitment online platform and e-spending.
	Municipality of Gjilan/Gnjilane	Developed jointly with Anti-Corruption Agency and Municipality of Gjilan/Gnjilane administrative and political leadership.
Coordination	Kallxo.com with anti-corruption bodies	Monthly regular meetings with anti-corruption bodies to follow-up on cases submitted to kallxo.com.
	Tracking mechanism on cases on corruption	Database established within the premises of the Prosecutorial Council to collect all cases on corruption from anti-corruption bodies.
	Anti-corruption bodies	Coordination established within Anti-Corruption Agency, Prosecution, and Police. Regular meetings held.
Awareness Raising and Education	Local and central institutions	Anti-corruption talks with schools, ASK campaign to local municipal leadership, campaign to mark Anti-Corruption Day and December 9.
Public Procurement	Opening up procurement data for the 2011 – 2013 period	Organized jointly with Open Data Kosovo in municipalities of Prishtina/Pristina, Gjakova/Djakovica, Ferizaj/Urosevac, Gjilan/Gnjilane, Hani i Elezit/Elez Han and Viti/Vitina
Regional Cooperation	Regional Anti-Corruption Initiative	Signed an agreement with RAI to facilitate Kosovo anti-corruption bodies participation in regional mechanisms.

SDC conducted an external progress review of SAEK I in April 2015. It found that SAEK is relevant to the development challenges in the field of anti-corruption. It focuses on demand and supply sides through transparency initiatives and institutional capacity development. Its activities are complementary to those of other donors in some elements, builds on existing good contacts with Kosovo institutions and uses mechanisms to collaborate and avoid overlaps.

In relation to future work, several recommendations were delivered by the review, among which:

- Integrity Plans are identified as an important pillar of future assistance to continue with;
- Development of transparency tools and partners ownership over them is recommended;
- Support to be continued to kallxo.com in its activities centrally and additionally to include both decentralization of activities to large regional towns;
- UNDP should focus on those areas where it has a comparative advantage, technical competence and credibility to drive change;
- Coordination in the sector needs to be improved;
- Programming of future assistance needs to be based on a clear theory of change.

UNDP, under the auspices of the current SAEK project have conducted two consultation workshops with all stakeholders (KAA, KPC, KJC, ODP, MoJ, Partner municipality representatives and partner CSOs)³. Significant degree of commitment and ownership was demonstrated during consultation process for the SAEK II that confirms their significant engagement in the joint project implementation of SAEK current phase. Discussions were tailored around lessons to date from the current project, challenges and opportunities for the next phase and possibility to reach out to more stakeholders at all levels of governance. It's been agreed that SAEK II will be delivered under the leadership of partner institutions in Kosovo with direct support of UNDP team.

³ For more information please see attached the Consultation with stakeholders minutes)

SAEK II

SAEK II is designed based on these report recommendations, achievements of SAEK I and the feedback obtained from consultation⁴ with the partners, beneficiaries and stakeholders, to address both the supply side (the capacity building of anti-corruption institutions) and the demand side (the empowerment of the civil society and citizens). An inclusive approach in addressing both of these areas will ensure that the overall impact of the intervention is achieved: institutions with strengthened capacities will be able to better perform their functions and mandate, also due to the increased demand of the public for transparency and accountability, which will result in the desired change; lower corruption, increased public trust and decreased perception of corruption.

SAEK II main focus will be to address administrative corruption rather than grand corruption, although reducing the incidence and tolerance of the former will help reduce the latter. Three outcomes are expected under the framework of SAEK II:

1. Anti-corruption institutions in Kosovo provide more effective oversight on public institutions, through development of institutions to better monitor, prevent and fight corruption, development of policy, legislation and strategy in line with international Convention and strengthening of the parliament oversight of Anti-corruption agency.
2. Selected central and local institutions demonstrate principles of integrity and transparency through development of integrity planning and central and local level and new tools for public transparency in selected institutions.
3. Improved execution of CSO and citizens' rights on seeking public accountability and transparency on the fight against corruption, through strengthening of civil society for improved accountability and transparency on fight against corruption as well as increase the awareness of citizens on their rights and responsibilities on public transparency and accountability.⁵

The theory of change for all three outcomes and related outputs is described in specific section in this document as well as detailed description of activities and interventions.

The project will engage closely with key public institutions, civil society organisations and citizens. With the proposed new phase it is expected to further strengthen anti-corruption efforts in Kosovo and build on achievements of ongoing SAEK project.

2. KEY ACHIEVEMENTS OF SAEK I

SAEK activities are aligned with Kosovo's Anti-Corruption Strategy for 2013 – 2017, as well as the Anti-Corruption Action Plan 2013 – 2017 to ensure highest commitment from the government to participate and facilitate the implementation of the project. Results are spread throughout SAEK I in three components with the aim of strengthening institutional transparency and integrity, and turning citizens into agents of change as active participants in decision-making processes.

⁴ Two separate sessions of consultation with partners have taken place in identifying the needs, challenges and possible interventions, in February and May, 2015, respectively; see annex 3

⁵Women, youth, minorities, and people with disabilities and special needs

Institutional level

a. Coordination

The institutional architecture for tackling corruption includes 11 bodies mandated to prevent, fight and raise awareness on corruption. SAEK I has established collaboration with all 11 bodies: National Council on Anti-Corruption (chaired by the President's Office), Kosovo Anti-Corruption Agency, Kosovo Prosecutorial Council, Kosovo Judicial Council, Office of the Disciplinary Prosecutor, Kosovo Customs, Kosovo Police, Financial Intelligence Unit, Agency for Administration of Sequestered or Confiscated Assets, Tax Administration, and European Union Rule of Law Mission in Kosovo (EULEX).

As noted repeatedly in the EC Progress Report for Kosovo, Kosovo needs to strengthen coordination and inter-institutional cooperation of the anti-corruption bodies. For this purpose, SAEK undertook several initiatives to strengthen the coordination and facilitate information exchange on the status of preventing and fighting corruption. Moreover, joint meetings have helped to shed light on the number of cases received by various institutions, information that was considered crucial for knowing why the fight against corruption is lagging behind. Under the leadership of the Anti-Corruption Agency and with assistance of SAEK the first joint consultation with the Kosovo Prosecutors Office, Heads of seven Regional Basic Prosecutions Offices, and the Kosovo Police Economic Crimes and Corruption Investigation Directorate was held. Initiation of cooperation between the Agency, the Prosecution and the Police was crucial in order to build sustainable and functional capacities in Kosovo. Supporting efforts for greater visibility and effectiveness among anti-corruption mechanisms is also necessary to strengthen the trust of citizens in institutions. As a result of this meeting, the seven Basic Prosecution Offices have appointed focal points for the purpose of strengthening the collaboration at all stages of investigations in suspected cases of corruption, with the aim of increasing efficiency in the fight against corruption in Kosovo.

The lack of data on corruption cases received by the Agency, Prosecution, Courts, Customs, and Police has made it difficult to assess the level of reported corruption by citizens as well as to assess the performance of prosecution and judiciary in processing these cases. SAEK I has assisted the Prosecutorial Council's Office of Data Harmonization in 2013 in functionalizing a tracking mechanism to harmonize statistics on specific criminal offences, particularly corruption cases. Hitherto, there was no mechanism to coordinate statistics from different anti-corruption bodies. This database is providing the possibility to assess whether there has been an increase of corruption cases identified and brought to investigation and conviction at the local or national level. Moreover, the decision, made in 2014 by the Chief Prosecutors Office, which obliges prosecutors to prioritize cases on corruption, results of which are measured through the Prosecution Performance Report, was directly supported by SAEK.

The results are as follows: In 2013 and 2014, 3659 cases were received for all 7 categories (please see Table 1). Of these, 1755, or 48%, are related to corruption. Specifically, during 2013, there were 778 cases of corruption reported, out of which 314 have been solved (convicted or dismissed with a clear and publicly available explanation). In 2014, the number of cases reported was 976, out of which, 444 have been solved.⁶

⁶Kosovo Prosecutorial Council (2015) Inter-institutional tracking mechanism on harmonization of statistics for characteristic criminal offences http://www.psh-ks.net/repository/docs/Comparative_report_2013-2014.pdf

As a result, almost half of the cases are being solved (convicted or dismissed with a clear and publicly available explanation) within a year due to the reporting mechanism established for prosecutors. Secondly, the inter-institutional tracking mechanism on harmonization of statistics for characteristic criminal offences is made public to increase citizens' awareness of the work being conducted by anti-corruption institutions. Thirdly, it can be concluded that after the reports from the tracking mechanism were made public, the number of cases reported by citizens has increased. This can be used as a measure of a slight increase of citizens' trust in rule of law institutions.

Figure 1: Number of criminal charges for characteristic criminal offences for 2013/2014

Criminal characteristic offences	charges for criminal	Year 2013		Year 2014	
		Cases	Persons	Cases	Persons
Weapons:		48	102	53	117
Drugs:		543	896	795	1262
Smuggling with migrants:		66	223	94	224
Organised crime:		27	210	47	388
Corruption:		778	2161	976	2569
Money laundering:		56	207	43	119
Human trafficking:		67	233	66	181
	Total:	1585	4032	2074	4860

Figure 2: Number of criminal charges against persons for criminal offences of corruption

Corruption	2013		2014	
	Cases	Persons	Cases	Persons
Criminal charges, handled:	778	2161	976	2569
Solved:	314	665	444	1011
The percentage of solved criminal charges	40.36%	30.77%	45.49%	39.35%

Source: Kosovo Prosecutorial Council (2015)

SAEK has supported citizen engagement and reporting of corruption, through the platform kallxo.com, as it has been observed that citizens are more inclined to report potential cases of corruption to a non-institutional body rather than to institutions who are mandated specifically to fight corruption. In order to improve the reporting mechanism and the follow-up of cases submitted to www.kallxo.com, SAEK has established a coordination mechanism consisting of all anti-corruption bodies, including: National Anti-Corruption Council, KAA, Kosovo Judicial Council, Kosovo Prosecutorial Council, EULEX, Kosovo Police, Kosovo Bar Association, Office of the Disciplinary Prosecutor, Office of the General Auditor (as observer), Financial Investigation Unit, and Agency for Sequestration and Confiscation of Seized Assets. Since 2014, the coordination mechanism for Kallxo, under the direction of SAEK, meets on a regular

basis with the aim of enhancing communication and cooperation between rule of law institutions and the kallxo.com platform. Cases reported in kallxo.com, after being verified, are usually submitted to the relevant institutions, in particular the Police, Prosecution or the Anti-Corruption Agency. Through these meetings, Kallxo receives information on the status of cases already submitted and reports back to citizens who have trusted the platform with important information.

The SAEK project team has been the driving force behind the first initiatives in Kosovo on open data, which have included opening up government data, its re-use and awareness raising activities. To improve coordination, SAEK has established the 1st Donor Coordination Mechanism on Open Data. The first meeting was convened in 2015 with representatives of central and local institutions, public procurement offices, CSOs, and private companies.

SAEK has established Task Force groups for key sectors perceived to be the most corrupt. Once a draft assessment is completed, the SAEK team invites all the partners for a joint discussion on the main findings and to ensure that everyone is informed of developments in the sector and to see the potential for a holistic intervention by various partners. To date, the SAEK team has organized four Task Force Meetings to present findings and recommendations on health, education, energy & mining, and judicial integrity. Members of the Task Force include: Kosovo Assembly, central and local governments, CSOs, media and the private sector.

To maintain effective coordination between all key stakeholders in this area will be one of the important tasks of this project. While the project will continue to facilitate communication between them in various forums, the challenge to meet will be to embed mechanisms within key Kosovo institutions relevant to anti-corruption. This will be addressed through the National Anti-Corruption Council meetings, who will be regularly briefed about activities of all players in the area, their relevance, their focus in terms of institutions and provide advise how government bodies can take on a more proactive role in coordination of inputs in anti-corruption efforts.

b. Strengthened capacities to fight corruption internally & externally

As the key institution mandated to prevent corruption and educate citizens on the overall negative impact of corruption in Kosovo, the Anti-Corruption Agency is SAEK's main beneficiary. SAEK has assisted KAA to address requirements deriving from the Anti-Corruption Strategy 2013 – 2017. To date, 54%⁷ of the Strategy requirements have been addressed or completed. SAEK has supported KAA in strengthening its oversight function regarding the implementation of the Strategy and the Action Plan. Joint meetings have been organized with central and local level institutions, CSOs and journalists, to track the progress of the implementation of the strategy and to review the Anti-Corruption Action Plan 2013 – 2017. SAEK has also bolstered KAA's analytical capacity to conduct risk assessments in sectors considered most vulnerable to corruption (*please see the section below*). Moreover, SAEK has supported the improvement of the quality of pre-investigation reports to ensure better follow-up by prosecution. This is done through tailor made trainings provided by prominent anti-corruption practitioners from the U4 Anti-Corruption Resource Center⁸, Central and Eastern European Law Initiative (CEELI) Institute⁹, and the Regional Anti-Corruption Initiative.

⁷EC (2014) Kosovo Progress Report http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-kosovo-progress-report_en.pdf

⁸U4 is a web-based resource center for development practitioners who wish to effectively address corruption challenges in their work, supported by various donors and governments worldwide, including SDC. For more see <http://www.u4.no/>

To better address the needs of the judiciary and prosecution in strengthening their capacities for fighting corruption internally and externally, during 2014 SAEK, jointly with UN Office on Drugs and Crime (UNODC), undertook the first assessment in Kosovo on Judicial Integrity¹⁰. Article 11, paragraph 1 of the UN Convention against Corruption (UNCAC) requires the signatory parties to the Convention to “take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary”. In support of the implementation of Article 11 on judicial integrity, UNODC and UNDP through SAEK I are implementing capacity building activities to enhance the internal capacities and mechanisms of the judiciary in Kosovo for investigating internal cases of corruption and disciplining judges and prosecutors with regard to corruption offences. They are also increasing the ability of the judiciary to investigate and prosecute cases of corruption externally (i.e. outside the judiciary). 10 (ten) workshops have been organized up to date, with UNODC international experts and EULEX representatives in Kosovo. The focus has been related to *Enhancing Cooperation and Communication between Anti-Corruption Investigation and Prosecution bodies in Kosovo; International Best Practices in the Disciplinary Functions of Judicial Bodies: Increasing Independence and Efficiency in the Disciplinary Process; Application of the Kosovo Judicial Code of Ethics and Conduct: From Theory to Practice; and The Role of Disciplinary Investigators: Core Skills and Competencies*. Once the cycle of trainings and workshops is completed in 2015, SAEK will evaluate the impact of these capacity building activities for the three main benefiting partners: Prosecutorial Council, Judicial Council, and Office of the Disciplinary Prosecutor (*SDC External Review of UNDP SAEK Recommendation 5*)¹¹.

c. Anti-Corruption regional mechanism & cooperation

Kosovo is not a signatory party of the main international conventions on anti-corruption (UN Convention against Corruption, Council of Europe Criminal Law Convention on Corruption and Civil Law Convention on Corruption, OECD Anti-Bribery Convention). Moreover, Kosovo has not been part of international or regional mechanisms on anti-corruption. Through SAEK’s support, the Anti-Corruption Agency now enjoys the observer status in the Regional Anti-Corruption Initiative (RAI)¹², a regional inter-governmental organization consisting of representatives of Albania, Bosnia and Herzegovina, Bulgaria, Croatia, FYR of Macedonia, Moldova, Montenegro, Romania and Serbia. The agreement between SAEK and RAI has enabled Kosovo anti-corruption institutions (including the Prosecutorial Council and Ministry of Justice) to benefit from a regional framework for coordination, optimization of efforts and permanent dialogue with the RAI member states involved in the fight against corruption. Regional meetings where anti-corruption institutions have participated since the signing of the MOU have been held in Albania, Montenegro, Macedonia, Romania, and Croatia, on topics varying from whistleblower mechanisms, corruption prevention techniques, corruption risk assessments and integrity plans. Participation in regional meetings have provided a window of opportunity for Kosovar institutions to

⁹The CEELI Institute, headquartered in Czech Republic, is an independent, non-profit organization dedicated to providing training, exchanges, and education to legal professionals. For more see <http://ceeliinstitute.org/>

¹⁰ For more info see www.ks.undp.org/content/dam/kosovo/docs/SAEK/UNDP%20UNODC%20Report%20on%20Judicial%20Integrity_Eng.pdf

¹¹ Training performance assessments to be developed by UNODC during SAEK I

¹² RAI, with its Secretariat based in Sarajevo (Bosnia and Herzegovina), is a regional inter-governmental organization initially adopted in February 2000, as Stability Pact Anti-corruption Initiative (SPAI), solely dedicated to the fight against corruption as one of the most serious threats to the recovery and development of the South East European countries. For more see www.rai-see.org

present their work, to share successful initiatives, network with their peers from other courts, and learn from good practices in the fight against corruption.

Because of regional collaboration and highlighting Kosovo in the area of anti-corruption, SAEK has been able to establish cooperation with the Organization for Economic Cooperation and Development (OECD) and Regional Cooperation Council (RCC) to assist in data collection on quantitative & qualitative on anti-corruption indicators from Kosovo for progress monitoring related to the implementation of the SEE 2020 Strategy¹³. Collection of data was conducted under the leadership of Anti-Corruption Agency and with the assistance of 10 other anti-corruption bodies, which resulted in a joint conference in Kosovo where RAI, RCC, and OECD representatives presented the main findings, emphasizing the need for corruption proofing of legislation and more corruption risk assessments.

For this purpose, SAEK has provided expert advice to the RCC & RAI commissioned *Comparative Study: Anti-Corruption Assessment of Laws (Corruption Proofing) 2014*. The term corruption proofing of legislation is new to Kosovo. During the meeting in Montenegro in 2014, where SAEK supported the participation of KAA and the Ministry of Justice, institutions gained knowledge on defining corruption proofing of legislation, and become familiar with existing practices in South East Europe (i.e. Serbia, FYR of Macedonia) and beyond. Corruption proofing tackles “regulatory corruption risks”, which are existing or missing features in a law which can contribute to corruption, no matter whether the risk was intended or not. The method of corruption proofing can take many forms: draft laws or enacted laws, statutes or regulations (*for more please see Outcome I, Intervention 1.1.5*). Moreover, SAEK has provided expert advice to another study conducted by RCC & RAI on a joint SEE *Methodology on Corruption Risk Assessments*. This assessment focused on the existing practices of risk assessment in SEE, including Kosovo, as well as on an analysis of these experiences versus the existing practices in the EU and beyond.

National Action Plan for Kosovo’s bid to the Open Government Partnership (OGP)¹⁴ has been developed with support of SAEK. OGP was launched in 2011 to provide an international platform for domestic reformers committed to making their governments more open, accountable, and responsive to citizens. OGP consists of 65 participating countries where government and civil society are working together to develop and implement ambitious open government reforms. In Kosovo, the working group is led by the Ministry of European Integration (representing institutions) and by FOL Movement (representing civil society).

Sectoral level

While approaching corruption from a holistic angle is preferable, a targeted approach, which identifies priorities, has helped SAEK to deliver practical results in critical problem areas. Sectoral anti-corruption interventions, such as in education, health, and energy are aimed mitigating corruption risks related to these sectors, and integrate transparency and accountability in the management of resources (human & capital) and governance reforms. However, what we have experienced during the development of such assessments is lack of knowledge across sectors commonly referred to as the ‘missing middle’. While

¹³The goal of the SEE 2020 strategy of the RCC, is to improve living conditions in the region and bring competitiveness and development back in focus, closely following the vision of the EU strategy Europe 2020. For more see <http://www.rcc.int/pages/62/south-east-europe-2020-strategy>

¹⁴For more see <http://www.opesovpartnership.org/>

there is expertise required in the area of anti-corruption, it is often hard to find an expert with knowledge of both anti-corruption and a particular sector (i.e. health).

d. Education

Therefore, to conduct the first *Corruption Risk Assessment in Education Sector*, SAEK has partnered with UNESCO International Institute for Educational Planning (IIEP) to better understand corruption bottlenecks in the sector through focusing on three main domains: (i) formula funding; (ii) teacher management; and (iii) procurement. The assessment revealed that there is discrepancy in the implementation of the financial formula for allocating funds for schools from the central to local level. There is a continuing trend of politicizing the process of recruitment of management and teaching staff at all levels. It has been common practice for new government leadership to appoint new directors of schools once in power, and in most of the cases new directors are politically related to the ruling party. The process of selecting teachers at all levels has been politicized too, including the recruitment process involving the Municipal Department for Education and the respective director of the school seeking a new teacher/s. Moreover, public officials continue to be engaged as university lecturers. Regarding the third domain assessed, political influence and intimidation in procurement procedures continues to be a main issue in the education sector. For instance, the autonomy of University of Prishtina in conducting procurement has weak control mechanisms, there is a high level of corruption risk at each of the stage of the bidding process, and the winner of the bid is selected on subjective grounds (political consideration, favoritism, bribes, etc.), substandard university buildings/equipment is often provided by contractors, and the supply of less equipment than paid for or of inferior quality is disregarded by the administration.

To address the recommendations of the assessment, SAEK in collaboration with the Ministry of Education, Science and Technology (MEST) and the Municipality of Prishtina/Pristina Department of Education, is implementing several activities. Respectively, *Recommendation 2: To help the municipality of Prishtina/Pristina standardize new procedures in the area of staff recruitment (school directors and teachers)* is being addressed by the development on the online platform <http://erekrutimi.net/> (e-recruitment) which be launched in June 2015. This platform will help the municipality to develop standardized tools, such as: announcements that clearly set the criteria and requirements for the position; interviewing protocols proving that they have selected the best candidates; list of transparent and regular criteria for short listing and appointing procedures; regulations specifying the new composition of selection committees; and clear and concise terms of references for the school directors and teachers once recruited. This will also help the municipality standardize processes in the long run, and share its experience with all other Kosovo municipalities. Gjakova/Djakovica municipality has already expressed its interest in adopting this platform and incorporate it into their own website as well.

In addition, *Recommendation 4: "To develop a training module on how to improve ethical behavior among school actors"*, is already being piloted within 14 (fourteen) high schools in Prishtina/Pristina. Senior students, social science teachers and directors of schools have participated in anti-corruption lectures conducted by Kosovo Police, the Prosecutor's Office, Anti-Corruption Agency, the Basic Court of Prishtina/Pristina, Kallxo.com investigate research unit, and the Assembly of Kosovo's Committee on Legislation and Oversight of the Anti-Corruption Agency. The aim of these lectures was to raise awareness on the role and responsibilities of anti-corruption bodies (and CSOs) as well as to educate the youth on their rights to demand transparency and accountability. MEST has already expressed interest in integrating anti-corruption education into the existing curricula without requiring additional hours for

education and using the existing programs, manuals and methodological tools (follow up through SAEK II, please see Outcome I for more information).

e. Health

The Corruption Risk Assessment in Healthcare in Kosovo, similarly, required international expertise. SAEK has teamed up with the U4 Center and the Boston School of Public Health to understand how corruption manifests itself in the healthcare system and where corruption risks exist in this sector in order to devise strategies to address the underlying governance and anti-corruption bottlenecks. The risk assessment focused on 3 (three) main domains: i) Institutional framework for anti-corruption, transparency and accountability, including internal audit and oversight mechanisms, relevant rules and regulations, and ethics framework; ii) Measures for transparency and accountability as well as practices in the procurement process at the Ministerial and local / service level; iii) Presence of other forms of corruption among the health practitioners at the service level such as absenteeism, embezzlement of public properties, inappropriate referral of patients to private services, among others.

Results showed that informal payments were made outside official fees for services or supplies. In addition, the healthcare system has personnel issues, including private practice by public employees outside allowable bounds, and inappropriate shifting of patients to the private sector, which has been difficult to address and to control by the Ministry of Health. One of the biggest concerns identified was corruption in procurement and theft of drugs.¹⁵

To implement measures to address the findings of where corruption risks lie, SAEK has signed a Memorandum of Understanding with the Ministry of Health. Specifically, SAEK is currently implementing *Recommendation 4: Controlling absenteeism and referral of patients from public to private clinics*. In a joint pilot project with the Ministry of Health, University Clinical Center of Kosovo, the Association of Patients, 2 (two) offices of the Ombudsperson for Patients' Rights have been established in Prishtina/Pristina and Prizren. The purpose of these offices is i) to raise awareness of citizens on their rights and ii) in case there is a referral of doctors from public clinics to private ones, or there is a prescription to buy a specific drug of a specific company, then patients file a report (anonymity preserved) and submit it for processing to the Department for Inspectorate at the Ministry of Health. The offices, opened in May 2015, have already received a number cases from patients.

f. Energy and Mining

The energy and mining sector ranked number three in the sectors perceived to be most affected by corruption according to citizen surveys (UNDP Public Pulse). The energy sector is different from education or health due to the complexity of its nature and the different set-up of its institutions. In order to assess what domains could be specifically targeted through SAEK's support; the team has conducted a general mapping of corruption risks in the energy and mining sector. This focused on i) legal framework for energy/mining sector in Kosovo, with particular emphasis on the mandate, roles and responsibilities of each relevant institution; and ii) analysis of potential corruption risks in the sector.

¹⁵UNDP Kosovo (2014) Corruption Risk Assessment in Health Sector in Kosovo. For more info see http://www.ks.undp.org/content/kosovo/en/home/library/democratic_governance/saek-corruption-risk-assessment-in-health/

When the energy sector is mentioned, citizens associate it immediately with the Kosovo Energy Corporation (KEC), which is the biggest facility within the energy and mining sector. KEC power plants operate on lignite (dirty coal). Kosovo is the third largest place in Europe rich with coal (after Germany and Poland). Nonetheless, Kosovar cities still face electricity shortages, after privatization of the KEC distribution network, the price of electricity has increased, and opportunities for alternative energy by either local or international investors have not been supported. Moreover, public procurement in KEC is believed to be a strong source for corruption. The minimum amount of any procurement activity is above 5 million €. In the year 2013 alone, KEC has conducted 467 procurement activities, with an amount of over 53 million €¹⁶, mostly through one source tendering. This has allowed room for mismanagement of public funds. Lack of implementation of legislation was noted too. There is a lack of coordination between the energy and mining authorities, whereas findings show that there are no standardized procedures on the publication of data, which contributes to the lack of transparency and accountability.

To address the issue of corruption in mining specifically, SAEK I based Corruption Risk Assessment in Extractive Industries on the methodology developed by UNDP HQ. This assessment will lay down the main obstacles in tackling corruption in this sector and pave the way for Kosovo to apply for membership in the Extractive Industries Transparency Initiative (EITI).¹⁷ The Ministry of Economic Development, Department for Energy is already informed of the EITI process and its requirements. SAEK will be supporting the Department for Energy and assisting Kosovo's bid to attain membership in this global coalition.

g. Civil Service and Gender Equality

Based on the Group of States against Corruption (GRECO) and UNDP Istanbul Regional Hub (IRH) developed a methodology on how corruption affects women and men in civil service, SAEK has conducted an assessment on *Gender Equality Related Corruption Risks and Vulnerabilities in Civil Service in Kosovo*¹⁸. The Assessment was conducted for both levels of civil administration, including all 18 (eighteen) ministries and 38 (thirty-eight) municipalities with the purpose of identifying gender corruption risks and vulnerabilities from a gender specific perspective, aiming to assist Kosovo institutions in addressing the underlying governance and anti-corruption bottlenecks. Findings confirm that there is a general belief that men are more prone to corruption because they hold more senior positions than women, and as a result, have more access to resources. Findings also confirm that recruitment procedures are not fully transparent and promotion procedures adhering to existing rules and regulations in place are not mainly respected. According to the assessment results affected individuals of corruption in recruitment in civil service are mainly women. Mechanisms should be strengthened to encourage women to report corruption and also guarantee anonymity (*For follow-up on recommendations of this assessment please see SAEK II, Outcome 1, Intervention 1.2.3*).

¹⁶Based on the interviews held with KEK representatives during the assessment

¹⁷EITI is a global standard to promote open and accountable management of natural resources. It seeks to strengthen government and company systems, inform public debate, and enhance trust. In each implementing country it is supported by a coalition of governments, companies and civil society working together. For more see <https://eiti.org/eiti>

¹⁸For more see the full assessment http://www.ks.undp.org/content/kosovo/en/home/library/democratic_governance/gender-equality-related-corruption-risks-and-vulnerabilities-in-.html

Municipal/local level

SAEK's focus on local government was designed in particular to address the limited participation of citizens in local decision making and weak, non-transparent municipal governance, as major concerns for effective local governance in Kosovo. When SAEK was designed, the UNDP Kosovo 2012 MOSAIC Report¹⁹ analyzed whether citizens feel that representatives of their municipality take into account their opinions and considerations while deciding on issues concerning the municipality. On average across Kosovo, 50% of respondents perceive that their municipal representatives take their opinions into consideration to some extent, and 38% perceive that the municipal authorities take no consideration of their opinions and considerations. Moreover, 34% of the citizens were dissatisfied with services that their respective municipalities provide²⁰ and 30.1% of the population perceives corruption in local governments²¹.

To address the gap between local governments and their citizens, SAEK has designed innovative approaches to strengthen both the supply and demand side.

A key part of the approach, that SAEK has supported, is the introduction of integrity plans, a vital part of the Anti-Corruption Strategy 2013 – 2017. Integrity Plans are developed to assist institutions in systematically addressing integrity risks, with the goal of strengthening institutional resistance to corruption and thus, reducing corruption levels. SAEK, jointly with KAA, have been assisting 3 (three) municipalities so far to develop such plans in identifying areas most vulnerable to corruption and to install an integrity plan in municipal daily work. The Municipalities of Prishtina/Pristina, Gjakova/Djakovica, and Gjilan/Gnjilane have established working groups led by Mayors themselves to ensure local ownership of the process.

Having Integrity Plans adopted does not represent the end goal of the initiative. They are part of the process of drafting and newly acquired skills and capacities of municipal staff to mitigate corruption. In the process of drafting, municipalities have acquired a new tool/mechanism that enabled them to deliver better services to citizens based on improved responsiveness, effectiveness and access. Key to this endeavor is its learning aspect. The plan is a dynamic document; it is a roadmap for self-correction and learning that municipalities can initiate whenever they believe that the reality on the ground has changed and therefore they can adapt the Plan to new conditions. This makes this process a sustainable one, as municipalities have installed in-house capacities to complete the process of drafting an Integrity Plan, to devise policies to address corruption vulnerabilities, and to monitor the implementation of the public integrity mechanisms. Every municipality is obliged to report to citizens every 6 (six) months after the adoption of the Plan, to provide information on the status of progress against recommendations committed to implement (See SAEK II Outcome I, Intervention 1.1.3 on the monitoring of implementation of Integrity Plans).

a. Open data, innovation, and social media tools

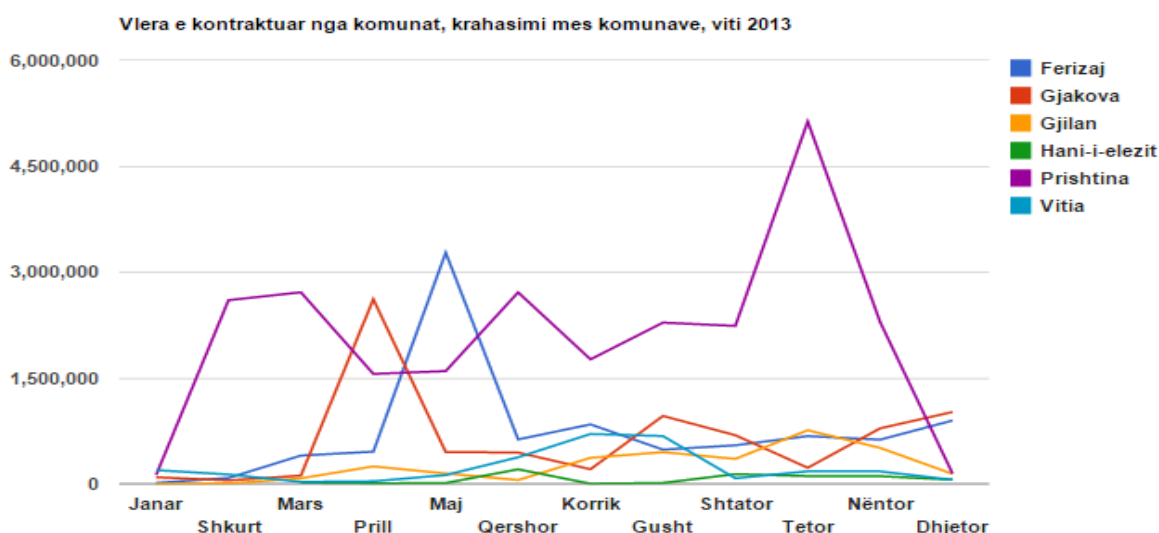
¹⁹For more info see http://www.lr.undp.org/content/dam/kosovo/docs/Mozaik/Kosovo_Mosaic_2012_Eng_735317.pdf

²⁰Ibid. p.50

²¹ Ibid, p.12.

SAEK has been the driving force behind the first initiatives in Kosovo on open data, which have included opening up government data, its re-use and awareness raising activities. Seeing the potential that it has in Kosovo, the team streamlined more of their efforts towards piloting and promoting open data activities. A key achievement was the opening up of procurement data, jointly with Open Data Kosovo in Prishtina/Pristina, Gjakova/Djakovica, Ferizaj/Urosevac, Gjilan/Gnjilane, Hani i Elezit/Elez Han and Viti/Vitina. Municipalities provided re-usable files with the list of public procurements for 2011, 2012 and 2013. The database contains information about the amount of the winning bids, the envisaged cost of the tender by the municipality, the name and the location of the winning company. Through a series of computer science and software engineering workshops (boot camps) with students of University of Prishtina/Pristina, the procurement data was visualized to become more user-friendly and easier to analyse <http://opendatakosovo.org/app/vizualizeri-i-prokurimeve>.

Graph 1: E-procurement platform, value of contracts by 7 municipalities during 2013



Moreover, in order to provide technological solutions to municipal problems, SAEK organized the first application challenge with Municipality of Prishtina/Pristina. This challenge organized in 2014 had drawn attention and gathered tens of youngsters to become engaged in the processes of decision making at the municipal level. As a result, two applications are being developed: e-recruitment (*mentioned in the Education section above*) and e-spending, which is in the final process of design (the municipality will publish its expenditures in real time on their website through the application developed for this purpose). The software promises to digitalize the process of recruitment in the Municipality and shed light on municipal spending, thus narrowing the space for nepotism, corruption and favouritism. The innovation challenge brought together local government, the tech community and the private sector, pioneering a new form of cross-sectoral cooperation for social good in Kosovo. In addition, this is the first innovation challenge on governance in the Western Balkans to be designed in close cooperation with and based on the needs of a public institution.

As expected, the challenge has sparked the interest of other municipal leaders including Gjilan/Gnjilane and Gjakova/Djakovica. The SAEK project team is cooperating with the DEMOS team, another SDC funded project, to improve efficiency and increase transparency in waste management in Gjakova/Djakovica.

The events around open data were designed to serve three key purposes: 1) use technology to increase transparency and understanding the shortcomings of the processes in public institutions, 2) digital capacity building for young people, and, 3) harness the potential of young people as agents of change. To that end, these events introduced new and nascent technologies which young developers were not exposed to before, but also got them interested in the way that public funds are spent thus supporting the establishment of a network of tech-activists. Meanwhile, the Mayors of municipalities involved in the project (Pristina, Gjakova/Djakovica, Gjilan/Gnjilane and Prizren) have embraced various Information & Communication Tools (ICT) and social media tools to implement their daily work in a more transparent manner. Various tweet-chats have been organized with Mayors of respective municipalities, where they directly answered citizens' queries on a particular topic through online sessions in social media. Moreover, SAEK has introduced a campaign named PYET/ASK/PITAJ²², where once a year, a booth is installed in the most frequented area of a city where citizens can ask questions about their everyday problems that are recorded on video and then posed to their Mayor and municipal officials and . Questions and answers are then and aired on public TV stations.

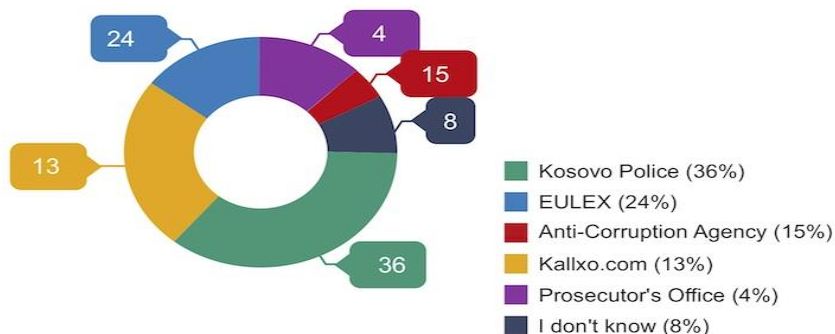
b. Civil society and citizen engagement

In order to strengthen the civil society and citizens' role in the fight against corruption, in 2012 SAEK, jointly with implementing partner Internews Kosova, created the online platform www.kallxo.com (in Albanian it means "do tell"). Kallxo emerged as a copycat of www.ipaidabribe.com due to its success in India and trust it received from its citizens.

Since its launch, Kallxo.com platform has received over 4000 reports. The reports are divided into five main categories consisting of: corruption, conflict of interest, elections, fraud, municipal services and other. A research unit constantly reviews the cases reported on Kallxo.com and verifies them on daily basis. The number of reports submitted to Kallxo.com reached 4007, of which 3644 were approved. Out of 3644 reports, 403 were verified.²³ Throughout 2014, the Kallxo.com legal office submitted 63 complaints to the relevant institutions. Beside the reports received on Kallxo.com, the platform has also received 187 reports via phone calls and 207 via email.

SAEK I has contributed to improved civic engagement through www.kallxo.com. The platform has established itself as a trusted avenue for citizen reporting of the corrupt practices,²⁴ and its work has been successful in uncovering several cases of irregular public procurement activities.²⁵ According to an independent opinion poll, Kallxo.com platform continues to be a trusted channel for citizens to seek integrity, in fact a recent poll found that kallxo.com was the fourth most trusted channel to fight corruption:

Graph 2: Independent poll by UBO Consultina on the most trusted anti-corruption bodies

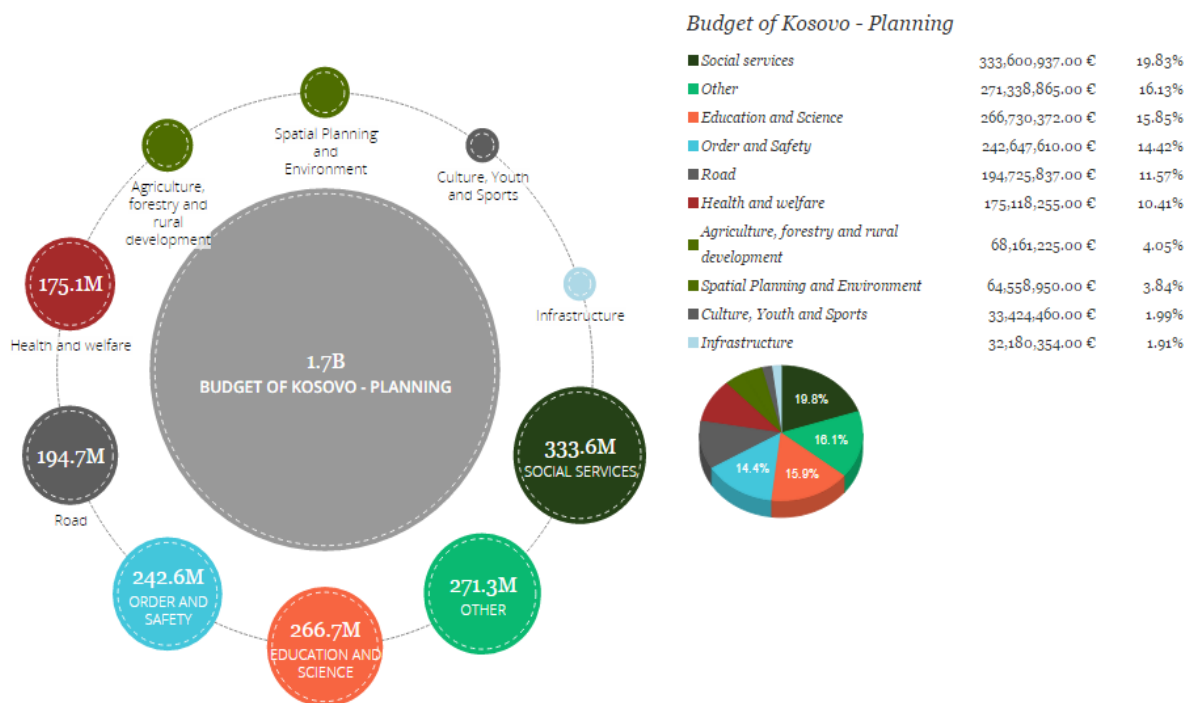


outlets that are then followed up arguing the case etc. The cases are al governments throughout entire is. Please see the video on how the

[simin-e-Problemeve-te-Tyre-6669.](#)
[/medicinale-Dosja-F-3631.](#)

Jointly with the GAP Institute, the SAEK project is contributing to increased transparency in government spending and revenues. The online platform includes budget revenue and spending with information collected from the Ministry of Finance. The platforms are available online in three languages <http://www.institutigap.org/spendingsEng/> and <http://www.institutigap.org/incomes/>.

Graph 3: 2015 Kosovo Budget, Revenues by categories



In addition, a drop list was created with twelve municipal budget sources, through which citizens can see how their municipality compares to other municipalities in certain budget sources. Monthly national budget revenue data collection is an ongoing activity. The GAP Institute collects data on main categories as: customs, tax administration, own source revenues, grants and assistance, and the revenues for municipalities as incomes from property tax, court fines, construction permits, vehicle registration taxes, etc. The GAP Institute’s revenue and spending platforms remain the only source of understandable and accessible information on government resources, directly contributing to increased transparency of public finance.

The interventions outlined above demonstrate how SAEK continues to be a leading and pioneering project in the area of governance. Kallxo.com remains the most trusted channel for reporting

corruption, and the GAP Institute's platforms are a significant and tangible contribution to increased budget transparency²⁶.

a. *Empowering media in the fight against corruption*

Every year, to mark 9th of December, International Anti-Corruption Day, UNDP, jointly with the Anti-Corruption Agency and the Association of Journalists, hosts the Anti-Corruption Journalism Awards.²⁷ This initiative is an opportunity to publicly recognize the contributions of journalists who, through their stories, tackle corruption and encourage transparent and honest behavior.

3. LESSONS LEARNED DURING SAEK I (2013 – 2015)

Getting the relevant authorities on board: SAEK was designed to work with both the supply and the demand side. Bringing all relevant stakeholders around the table and close to this project was crucial. This necessitated the training of public sector officials in corruption and demonstration of clear benefits that SAEK can bring to their respective institutions. This was further strengthened by collaboration between the government and civil society organizations (CSOs) under the auspices of SAEK Steering Board committee, composed of representatives of central and local institutions, CSOs, the media, and development agencies. The second phase of the project has been developed with close involvement of the beneficiaries and stakeholders so their needs and technical capacities are taken into account. This will inform the development of concrete activities, including improved ownership²⁸. Informed direction of the project can only be achieved if the key stakeholders are part of design and implementation of it. It shows that the commitment and understanding of both public sector and the CSO's to this project has improved due to leadership and ownership sense developed with the participatory approach of the project. This was best illustrated in the stakeholders meeting for design of SAEK II.

Ensuring the political will. There is perception that Kosovo lacks political will to fight corruption. In addition, due to the political influence in the justice institutions, cases of prosecution of corruption remains low and impunity remains a problem. However, SAEK I was able to target the key drivers of change to obtain buy-in for its activities from high ranking officials of the government at all levels. In particular, three sectoral corruption risk assessments were conducted in close cooperation with the respective Ministers (Education, Health, and Economic Development) who participated in the Task Force Meetings to discuss the findings of corruption risk assessments and follow-up on the recommendations. As a result of the close cooperation with the high political level, specific anti-corruption activities have been included in the work plans and agendas of the respective ministries.²⁹ At the local government political level, Integrity Plans have been developed and adopted with the full commitment and cooperation of the Mayors (Prishtina/Pristina, Gjakova/Djakovica, and Gjilan/Gnjilane). From the inception phase of identifying the corruption risks within the local institutions, to developing the plan to

²⁶See the simplified video developed for citizens of Municipality of Prishtina/Pristina <https://www.youtube.com/watch?v=m9QWPoFyGH4>

²⁷See videos on campaign organized to mark December 9 <https://www.youtube.com/watch?v=PIhb07ebnIE> and <https://www.youtube.com/watch?v=1929l7a155U&feature=youtu.be>

²⁸ In February and May 2015 SAEK project organized a two day retreat and a one day round-table to discuss the project, its relevance for the beneficiaries, identify future needs, and validate the draft concept document. Summary of the report is attached as Annex to this project document.

²⁹ I.e. For more information refer to SAEK Achievements – Ombudsperson for Patient's Rights.

address risks in workshops, Mayors and the leadership of municipalities have driven the entire process to also ensure ownership and sustainability of such an important mechanism. The experience shows that direct involvement of political leaders raises the hope within public. Engaged politicians become role models that other politicians can follow. Political will however varies, therefore, the project has learned that it will start with anticorruption champions and build upon this bases to influence others.

Trust and social infrastructure come before technology. Enhancing transparency and accountability requires deep change in society and decision makers. Technology, if used effectively, is only an enabling tool, but not a driving force. Having strong implementing partners from civil society and media who can follow up on the information provided by citizens and hold responsible authorities accountable is essential to create desired change and gain citizens' trust. Without the trust of citizens, anti-corruption initiatives will not work out. Working with strong and reliable partners has been important and ensured active stakeholder participation in project meetings and consultations.

Strengthen civil society to fight corruption through social media: the Kallxo case. The Kallxo platform, which is implemented by a consortium of civil society representatives and the media, has truly benefited from the diverse skills of its partners. Through tech solutions, investigative journalism, conducting perception surveys, and publishing articles based on reported cases, the platform has been equipped with the ingredients essential in tackling an issue as complex and multi-faceted as corruption. The platform is unique in that it transforms data into knowledge to encourage civic action and engagement. Furthermore, Kallxo.com enables the mapping of corruption in public service delivery. This information has been spread to promote public administration reform and raise citizens' awareness on where key problems lie. As described in SAEK I results above, the SAEK team has utilized strategies to ensure political buy-in from the supply side through strengthening familiarity and trust between civil society and institutional actors; through the Task Force meetings which provided a neutral space for discussion between stakeholders where both parts were able to share their views on helping to build political will for pursuing anti-corruption agenda. Experience shows that application of kallxo.com has increased the awareness of citizens about the clear benefits of anti-corruption policies and their right and approaches to demand transparency and accountability.

Communication is key. The project has conducted a series of highly visible awareness raising and social mobilization campaigns. In an environment where corruption is visible at all layers of society, and where corrupt officials are not being held accountable, citizens become more and more skeptical about how much they can actually contribute to creating change. Implementing a project of this nature that is dependent on the participation and contribution from citizens, requires intensive communication to maintain the citizen's interest, commitment and faith that individuals can create change.

Importance of investing in corruption prevention. Corruption prevention calls for coordination, not only of the horizontal accountability (executive, judiciary, and legislative), but also of vertical accountability - to enhance the capacity of media and civil society to expose corruption, putting pressure on enforcement, and promoting transparency and accountability. While the prosecution of acts of corruption is important for curbing impunity, UNDP's work in the area of anti-corruption has shown that investing in strategies to prevent corruption (i.e. Integrity Plans, Corruption Risk Assessment) is equally important to reducing the risk of corruption.

The sectoral approach to fighting corruption is problematic due to lack of expertise. While approaching corruption from a holistic angle can be preferable, sometimes a targeted approach is more

realistic and practical. Sectoral anti-corruption interventions, such as in education and health, could potentially mitigate corruption risks and integrate transparency and accountability in governance reforms. However, the SAEK experience shows that the implementation of a sectoral approach is challenged by coordination failure and the lack of knowledge across sectors commonly referred to as the 'missing middle'. While there is expertise required in the area of anti-corruption and in relevant sectors, it is often hard to find an expert with knowledge of both anti-corruption and a particular sector in Kosovo. Thus, there is a need for more knowledge, tools and methodologies to guide integration of anti-corruption in respective sectors and also documenting lessons learned from the ongoing processes.

There are no quick fixes when it comes to corruption. Projects in anti-corruption are processes that take time to be able to refer to tangible results. They are about processes of reform that should have impact on peoples' behavior that normally take time to change. Over the past two decades, there has been progress in the fight against corruption globally in terms of advocacy and awareness, systems, norms, frameworks, legal tools, networks, internet technology, and enhanced anti-corruption strategies. In spite of these efforts, various studies on perceptions of corruption show that the prevalence of corruption still remains significant in many countries.

We've learned that a successful anti-corruption initiative is determined by a clear theory of change. While SAEK I has achieved some important results to date, we understand that it would have been much more successful if a specific theory of change was embedded in its expected results. Having said that, we must also point out that an absence of credible baselines for SAEK I has not provided the project with the right tool to develop a proper theory of change (ToC). This is one of the key lessons learned and also one of the key issues raised in SAEK I external evaluation report.

Another obvious lesson learned is that while the last decade has seen a rise in the efforts by governments, donors, civil society actors, and multilateral agencies to address corruption – there has been very little investment in gathering evidence on what works and what doesn't work. This lack of knowledge limits the ability of stakeholders to improve their anti-corruption efforts and have an impact on reducing corruption. Therefore, an investment in learning and knowledge management in the area of anti-corruption is necessary.

There needs to be a gender-based approach to addressing corruption. SAEK's assessment on impact of corruption in women and men proved that corruption is not gender neutral. Women's experience with corruption is different, in particular when accessing services. The assessment too also reveals the existing gender stereotypes towards women in public life. It highlights the hypothesis that women are more risk averse due to their traditional role in society as caretakers of the family. It also confirms the assumptions that women are more aware of what corruption entails (81 percent) in comparison to their male counterparts (55 percent). Therefore, what we need is more gender-aware anti-corruption initiatives. In addition, there is a need to implement policies that will increase women's awareness of their rights and enhance their ability to undertake collective action to address corruption.

4. SITUATION ANALYSIS

a. Context

While questions persist on the impact of anti-corruption initiatives and whether or not corruption is on the decline, there has been significant movement on the anti-corruption dialogue over the last two

decades. There is increasing evidence that anti-corruption efforts are contributing to promote transparency, accountability, and integrity in decision-making processes. Due to its complexity corruption is difficult to measure; nonetheless there is clear evidence on the correlations between corruption and economic & human development indicators. Countries that score low on corruption perceptions (i.e. Transparency International Corruption Perception Index³⁰) tend to be countries that enjoy greater prosperity, opportunity, and individual liberty.

In Kosovo, corruption has been identified as one of the main impediments on the path to European integration. According to the European Commission's (EC) Progress Report (2014) Kosovo has made limited progress and is at an early stage in the fight against corruption.³¹ The EC Progress Report for Kosovo recommends that the new government and parliament should show zero tolerance towards corruption and organized crime and have a clear political mandate to effectively fight against corruption and organized crime. In addition, the report indicates that political will be needed in order to ensure full independence of judicial institutions.

Council of Europe's *Report on Compliance with International Standards in the Area of Anti-Corruption (2014)* notes that Kosovo authorities have not implemented the majority of the recommendations derived from Council of Europe's Group of States Against Corruption (GRECO) biannual reports, most of which require revision and adoption of core relevant legislation, while several others call for the efficient implementation in practice of the relatively new legislation.³² Moreover, Transparency International Corruption Perception Index for 2014, firmly roots Kosovo at the bottom of the table showing it as the most corrupt place in South Eastern Europe, with no change in this status compared to 2013 and 2012.³³ Moreover, World Bank Governance Indicators, in particular Control of Corruption Indicator, also place Kosovo at the bottom of the table amongst countries of South East Europe, with results in a decline in comparison to the period from 2008 – 2013.³⁴

From 2012 – 2015, according to the UNDP's Public Pulse results, corruption is ranked as the third major problem for Kosovo, after unemployment and poverty.³⁵ A significant number of Public Pulse respondents consider that large-scale corruption is prevalent in many public institutions. The institutions that are perceived to have the highest prevalence of large-scale corruption include: healthcare providers 52%, Kosovo Electric Corporation 45%, Courts 43%, Customs 39%, the central administration/institutions 38.5%, the Privatization Agency of Kosovo (37%) etc. Kosovo Police, International Organizations and banks are perceived to be the least corrupt institutions.

The aforementioned data have served a twofold purpose: they have validated corruption trends and risks identified by SAEK I and have served as credible baselines in design of SAEK II by defining the scope of proposed interventions. Based on these, SAEK II will address administrative corruption which

³⁰ For more see <http://www.transparency.org/research/cpi/overview>

³¹See, Kosovo Progress Report, page 16, available at http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-kosovo-progress-report_en.pdf

³²See, Kosovo Follow-up Report on compliance with international standards in the area of anti-corruption (AC), par.275, page 44, available at:

³³See, <https://www.transparency.org/country#KOS>.

³⁴<http://info.worldbank.org/governance/wgi/index.aspx#reports>.

³⁵See, UNDP Public Pulse 9, page 6, available at: http://www.ks.undp.org/content/dam/kosovo/docs/PublicPulse/pp9/PPR9_Anglisht.pdf

according to the data has high prevalence with specific emphasis on the strategic objectives of the anti – corruption policy documents.

The main policy document governing the area of anti – corruption is the Anti – Corruption Strategy (2013 – 2017) and the Action Plan for its implementation as an integral part of the Strategy.³⁶ The Strategy and the Action Plan have been adopted by the Assembly of Kosovo, thus they have a binding character. Despite this fact, currently the level of implementation of the Strategy stands at 54% (2015). The Strategy in itself, amongst other issues, envisages for all public institutions to increase their transparency and accountability through adoption of Integrity Plans Integrity Plans are developed in two municipalities, Prishtina/Pristina, Gjakova/Djakovica, with the third integrity plan being developed in the municipality of Gjilan/Gnjilane. There is evidence of high degree of commitment of municipality leadership in the process of integrity planning. All three municipalities have established working groups led by Mayors themselves to ensure ownership of the process. At the same time, by municipalities’ staff engaging in drafting the integrity plans, the process seemed to have contributed to better understanding by municipal staff of how to identify and hence mitigate risk of corruption. This makes this process more sustainable, as municipalities have gained some in-house capacities to complete the process of drafting an Integrity Plan, to devise policies to address corruption vulnerabilities, and to monitor the implementation of the public integrity mechanisms. Also, it places an obligation on Kosovo Institutions to align the applicable legal framework with best international standards and practices. The main body responsible for monitoring of implementation of the Strategy is KAA. The table below highlights strategy objectives and specific objectives on the action plan. In addition, it also highlights the corresponding outputs planned by SAEK II.

Objectives of the Anti-Corruption Strategy 2013 – 2017	Specific objectives of the Action Plan	Specific measures of the Action Plan	Response of the project / activities
<p>Advancement of the integrity of public institutions and increase of public trust in them, strengthening of the transparency and accountability</p> <p>Increased cross – sectorial and cross – institutional efficiency and cooperation and creation of coordination mechanisms for combating corruption</p> <p>Further implementation of international anti – corruption standards in legislative and institutional framework</p> <p>Increased parliamentary oversight on anti – corruption policies</p>	<p>Strengthening of inter – institutional coordination in fight against corruption;</p> <p>Amendment and harmonization of anti – corruption legislation with international standards in particular with UNCAC, and CoE and OECD anti – corruption instruments</p>	<p>Capacity development and training of civil servants on integrity plans and their implementation;</p> <p>Preparation of analysis of the current level of harmonization of anti-corruption legislation with international standards</p> <p>Harmonization of remaining legislation with international standards, with emphasis on the Criminal Code</p> <p>Systematic review of legislation in light of anti – corruption standards</p>	<p>OUTCOME I Anti-corruption institutions in Kosovo provide more effective oversight on public institutions.</p> <p>Outputs: Output 1.1: Kosovo anti-corruption institutions better monitor, prevent and fight corruption at central and municipal level</p> <p>Output 1.2: Kosovo institutions develop policy, legislation and strategy in line with UN Convention against Corruption (UNCAC) requirements.</p> <p>Output 1.3: Group of Parliamentarians against Corruption (GOPAC)</p>

³⁶See, http://akk-ks.org/repository/docs/Stragjia_2013.pdf.

Parliamentary scrutiny over governmental anti – corruption policies			monitors the adoption and implementation of UNCAC review recommendations.
<p>Strengthening of transparency to encourage participation of civil society organizations in the work of local government</p> <p>Promotion of integrity and professionalization of local governments</p>	<p>Strengthening of transparency in adoption, planning and implementation of municipal acts;</p> <p>Creation and implementation of integrity framework;</p> <p>Improvement of cooperation of citizens, CSO’s and local media with local government;</p> <p>Development of anti – corruption plans in municipalities in compliance with the Strategy</p>	<p>Integrity planning in governmental institutions and public sector;</p> <p>Drafting and adoption of integrity plans in all municipalities.</p> <p>Creation of monitoring and reporting mechanism on evaluation and implementation of integrity plans;</p> <p>Drafting and adoption of integrity plans for all municipalities;</p> <p>Creation of municipal committees for monitoring of implementation of integrity plans;</p> <p>Organization of adequate training and education of municipal authorities tasked with implementation of integrity plans.</p> <p>Drafting and adoption of local anti – corruption plans</p> <p>Provision of on – line access to main local government documents;</p> <p>Creation of mixed structures (municipality with CSO’s) for joint monitoring of local anti – corruption plans</p>	<p>OUTCOME II Selected central and local institutions demonstrate principles of integrity and transparency.</p> <p>Outputs:</p> <p>Output 2.1 Local and central institutions have developed Integrity Plans.</p> <p>Output 2.2 New tools for public transparency developed in selected institutions.</p>
Encouragement of efficient external monitoring for implementation of the Strategy and improvement of cooperation with civil society organizations	Increased cooperation between institutions and civil society in implementation of Strategy and the Action Plan	<p>Creation of anti – corruption forum for discussion in regard to the level of cooperation between institutions in fight against corruption</p> <p>Organization of joint events between public institutions and civil society on the progress in implementation of the Strategy and the Action Plan</p>	<p>OUTCOME III Improved execution of CSO’s and citizens’ rights on seeking public accountability and transparency on the fight against corruption.</p> <p>Outputs:</p> <p>Output 3.1: Civil society is stronger in seeking accountability and transparency on fight against</p>

			<p>corruption.</p> <p>Output 3.2: Awareness of citizens on their rights and responsibilities on public transparency and accountability increased, with focus on vulnerable and marginalised groups.³⁷</p>
--	--	--	---

b. Anti – Corruption architecture

Kosovo has a sound legal framework and a plethora of institutions tasked with preventing and combating corruption. Declaratively, political will to fight against corruption was indicated from the highest level with the establishment of the National Anti – Corruption Council (2012), chaired by the President of Kosovo, and establishment of the Special Task Force on Anti – Corruption, mandated by the Prime Minister of Kosovo (2012). Other institutions involved in prevention, combating corruption in public and private sector, and bringing to justice those misusing public funds, includes the KAA, Kosovo Police, Prosecutors Offices (including the Special Prosecution of Kosovo), Basic Courts, and the Office of the Disciplinary Prosecutor.³⁸

- National Anti-Corruption Council was established in February 2012 under the auspices of the President of Kosovo, to increase cooperation and coordination among the Kosovo institutions. The functions of the Council are to coordinate activities in preventing and combating corruption; identify and coordinate activities in support of the implementation of the national strategy in fighting corruption; determine the priorities and policies for the implementation of the legislative agenda in increasing effectiveness in the fight against corruption; coordinate the work and activities of the responsible institutions in strengthening existing mechanisms to fight corruption; and to raise the awareness of the society for the prevention and fighting of corruption.³⁹ Despite the attempts of the Council to put pressure on institutions to prioritize fight against corruption high in the agenda, limited progress has been observed. The Council did not meet regularly as planned (2012 there was 1 meeting, 2013 – 4 meetings, 2014 – 1 meeting, 2015 – no meetings yet). In addition, involvement of CSOs and donors has not been sufficient, a fact that project aims to address and remedy during phase II of SAEK.
- Anti-Corruption Task Force within the Special Prosecutors Office of Kosovo (SPRK)⁴⁰ established in 2012, was formed with the task to specifically fight high-profile corruption cases, unlike basic prosecutors’ offices which have the responsibility of dealing with lower scale corruption cases. The Task Force has 12 members, including 7 prosecutors and 5 representatives from the Regional Police Directorates for Economic Crimes and Corruption. However, the arrest and subsequent conviction of the lead prosecutor of this body for misuse of official duty and corruption, demonstrates that establishing such bodies is not sufficient to reduce corruption.⁴¹

³⁷ Women, youth, minorities, and people with disabilities and special needs
³⁸For more details please see Annex – Diagram: Anti – Corruption Architecture.
³⁹See, <http://www.president-ksgov.net/?page=2,151>.
⁴⁰ SPRK is a prosecution office dealing with very serious crimes and criminal offenses, which include corruption. SPRK is composed of Kosovo and EULEX prosecutors and headed by a EULEX prosecutor.
⁴¹The head of the Task Force is actually the only high ranking official in Kosovo to be convicted for corruption.

- Kosovo Anti – Corruption Agency, operational since February 2007, is an independent institution specializing in the implementation of national legislation and policies for combating and preventing corruption. The work of the KAA is focused on detecting and investigating corruption cases, efforts to prevent and combat the phenomenon of corruption, and assisting in enhancing the rule of law in Kosovo.⁴² To date, KAA has been partially effective in implementing measures for prevention of corruption. In particular, related to asset declarations, KAA has been able to verify only 20% of approximately 5,000 public officials’ declarations. In addition, as part of the Anti - Corruption Strategy, responsibility of the KAA was to initiate the sectoral risk assessments in the areas perceived to be the most corrupt and to assist institutions to have the integrity systems in place. Nonetheless, due to the lack of its capacities, SAEK I has assisted the KAA to address the implementation of recommendations deriving from the Strategy. SAEK II will continue to assist the KAA to address and monitor the implementation of requirements of existing Strategy and for KAA to fulfil its mandate.
- Prosecution Offices, including the Special Prosecution of Kosovo are mandated to bring charges for criminal offenses of corruption and those provided by the Law No.03/L-052, on Special Prosecution of Kosovo⁴³. Oversight mechanism of Prosecution Offices is the Kosovo Prosecutorial Council. Detailed assessment on all judicial bodies has been conducted by UNDP and UNODC in the beginning of 2013. Assessment on judicial integrity includes a particular focus on KPC.
- Basic Courts are mandated to adjudicate on indictment brought by the Prosecution Offices. Oversight mechanism of the courts is the Kosovo Judicial Council. As indicated in the introduction, the work of prosecution offices and basic courts related to corruption cases, shows a slight improvement in efficiency.
- Office of the Disciplinary Prosecutor (ODP), a separate and independent body that serves both the Kosovo Judicial Council and the Kosovo Prosecutorial Council. With respect to the judicial system, the Disciplinary Prosecutor is responsible for investigating alleged misconduct of judges and lay judges. They are also responsible for presenting the evidence and the case supporting disciplinary action for misconduct to the Disciplinary Committee.⁴⁴ The work of ODP was somewhat impeded due to ambiguity in legal provisions of the Law on Judicial Council and Law on Prosecutorial Council related to the budget allocation for the ODP. This has raised questions regarding the independence of the institution. SAEK II aims to address this matter by supporting adoption of a separate Law on ODP that would ensure full independence of this institution. More specifically, SAEK II will support development of capacity for ODP to investigate allegations of misconduct by judges and prosecutors, through provision of tailor made trainings, TA through legal researches and investigators to enhance the capacity of the ODP to process cases received on timely manner and ODP’s public visibility and to increase knowledge of citizens on the role and responsibilities of ODP.
- An important oversight mechanism is the Assembly of Kosovo Committee on Mandates, Immunities, Rules of Procedure of the Assembly and Oversight of Anti-Corruption Agency.⁴⁵ The Committee is tasked with oversight and monitoring of the activities of the KAA. Annual reports of the KAA are submitted to the Committee whereby the Head of KAA presents the findings in a session open to the public. SAEK II will provide capacity development to the Committee for oversight of the Anti-Corruption Agency, corruption proofing of legislation will be supported as well as strengthen cooperation of the Committee with CSOs and the media.

⁴²See, <http://www.akk-ks.org/?cid=2,5>.

⁴³Includes high risk offenses, including high level corruption. See, <http://www.kuvendikosoves.org/common/docs/ligjet/03-L-052%20a.pdf>

⁴⁴See, <http://www.kgjk-ks.org/?cid=2,152>.

⁴⁵See, <http://www.kuvendikosoves.org/?cid=2,110,123>.

The main law governing the area of anti – corruption is the Law on the Anti – Corruption Agency, which established the KAA and provides its mandate and powers.⁴⁶ Other important laws related to the work of the KAA are the *Law on Declaration, Origin and Control of High Public Officials and Declaration, Origin and Control of Gifts for All Public Officials*⁴⁷. It has to be noted that this law has been aligned with the newly promulgated Criminal Code of Kosovo and that failure to disclose assets or false declaration of assets are now considered as criminal offenses. In addition, the *Law on Prevention of the Conflict of Interest*⁴⁸. Amendments to this law, which would allow its alignment with the newly promulgated Criminal Code of Kosovo are yet to be adopted by the Assembly of Kosovo.

Institutional capacities

While SAEK I has supported KAA in the last 2 years, KAA needs further support to oversee the Implementation of the strategy of anti-corruption. The October 2014 scoping mission on KAA's capacities to implement its mandates identified shortcoming at the organizational level and operational levels. A major shortcoming of the KAA is constituted by the fact that some of the important activities that the agency is supposed to carry out, cannot be carried due to insufficient expertise and skills, such as monitoring of strategy implementation, coordination with other institutions to fulfill obligations arising from international anticorruption laws, data gathering and analyses which feed in to legislation development and legal opinions and implementation of international standards. In addition, KAA lacks the necessary analytical capacity to conduct risk assessments in sectors vulnerable to corruption. The quality of pre-investigation reports needs to improve to ensure better follow-up, and the prosecution needs to provide regular feedback to the KAA.⁴⁹

Kosovo lacks institutional capacities and sufficient political to effectively implement the anti-corruption strategy and action plan. The annual report of the Kosovo Anti – Corruption Agency (KAA) shows that for the period of June - December 2013, only 54% of actions foreseen in anti-corruption strategy were being implemented or were partially implemented.⁵⁰ Further efforts are needed to fully implement relevant provisions on the prevention of corruption and promotion of integrity in the civil service, in particular by providing targeted training for civil servants.⁵¹ The above are some of the reasons for high perception of corruption amongst Kosovars, in addition engagement of citizens in anti – corruption initiatives and oversight of public institutions has not been on the desired level. Hence, KAA oversight function regarding the implementation of the strategy should be strengthened.

⁴⁶See, <http://www.kuvendikosoves.org/common/docs/ligjet/2009-159-ang.pdf>.

⁴⁷See, <http://www.kuvendikosoves.org/common/docs/ligjet/Law%20on%20declaration%20of%20property%20of%20senior%20public%20officials.pdf>

⁴⁸See, <http://www.kuvendikosoves.org/common/docs/ligjet/Law%20on%20prevention%20of%20conflict%20of%20interest%20in%20dischar%20of%20public%20functions.pdf>.

, page 15.

⁴⁹ DANIDA (20

[/Law%20on%20prevention%20of%20conflict%20of%20interest%20in%20dischar%20of%20public%20functions.pdf](http://www.kuvendikosoves.org/common/docs/ligjet/Law%20on%20prevention%20of%20conflict%20of%20interest%20in%20dischar%20of%20public%20functions.pdf).

, page 15.

In line with the findings of the UNDP Public Pulse, risk assessments conducted by UNDP’s SAEK Project, in areas perceived to be most corrupt, such as Health, Energy and Mining, Education, and Judiciary, have highlighted significant corruption risks within these key sectors. Aforementioned assessments and indicators of the overall situation in Kosovo related to corruption show that the fight against corruption in Kosovo is still in early stages and that significant efforts are needed to introduce higher standards of transparency and accountability in public institutions.

These efforts will be multiplied if the work is to be carried out with drivers of change identified and already engaged within SAEK I. Most notably, after local elections in December 2013, there has been a change of leadership in several municipalities. Several new mayors embraced project activities to increase integrity and accountability in municipalities. While the political will for positive change in this respect varies between institutions, the project will use the results under SAEK one and target other drivers of change to multiply results achieved. In addition, increased civic engagement through social media activism and online platforms for reporting corruption, as drivers of change, have to be further enhanced to increase pressure on central and local level institutions to be more open and accountable to citizens.

c. Stakeholder Analysis

The Political Economy Stakeholder Analysis⁵² tool consists of two matrixes and a graphic chart. The first tool, institutional and political economy context scanning, is a matrix allowing the identification of institutional and political economy factors shaping anti-corruption sector performance. Second tool on actor assessment matrix and stakeholder analysis provides detailed analysis on information on stakeholders, their interests, and resources. Third tool is the circle of influence that aims to visually provide an overview on based on the actor assessment matrix, which is included under *Annex 2 SAEK Partnerships*.

i) Institutional and Political Context in Anti – Corruption Scanning

Sector Capacity Area	1 = fully agree	2 = agree	3 = disagree	4 = strongly disagree	Implications for capacity development in anti-corruption sector
A. Wider context influencing policy making					SAEK will continue to provide capacity building support to address recommendations of corruption risk assessments conducted in health, education, and energy/mining. These sectoral policies are endorsed by the respective ministries: Ministry of Education, Ministry of Health, and Ministry of Economic Development. Political Parties lack anti-corruption initiatives in the annual work plan. Anti-Corruption Strategy, relevant laws on anti-corruption are in place. These documents are the
A1 Sector policies are normally endorsed by government	X				
A2 Sector policies are normally endorsed by parliament	X				
A3 Sector policies are endorsed by Ministry of Finance			X		
A4 Political parties are driven by policy positions			X		

⁵² DANIDA (2011) *Applying Political Stakeholder Analysis: How can it work?*. Available online at <http://amg.um.dk/en/technical-guidelines/capacity-development/~media/7F44DE2DEF5240FF847457484991DE7F.ashx>

A5 Formal policies are guiding actions of ministers		X			guiding actions for relevant anti-corruption bodies. Nonetheless, compliance with policies and laws is not in the satisfactory level.
A6 Formal policies are guiding civil servants		X			
A7 Policy failures have political consequences		X			
A8 Compliance with policies and laws is high			X		
B. Sector resources, budget allocation mechanisms, and public financial management					Budget is not always driven by the policy process. Certain laws are endorsed without budget implications. Budget, due to weak planning and execution, is not being spent as foreseen. Lack of transparency on budget revenues and spending makes it difficult to assess whether budget planning matches budget spending at the end of the year. Ministry of Finance does not issue a narrative to the overall budget and the budget lines are generalized. SAEK will continue to support its platform with GAP institute on visualization of all revenues and spending of budget organizations.
B1 The budget process is policy driven			X		
B2 The budget is largely executed as planned			X		
B3 The budget envelope to sectors balances salaries and recurrent costs			X		
B4 The budget envelope matches final sector plans			X		
B5 Funds are made timely available to sectors		X			
B6 Transfers and allocations are transparent			X		
C: Factors influencing organizational capacity					Assessment of SAEK conducted in the civil service shows that corruption is present in recruitment procedures. SAEK II will address the recommendations of the assessment and follow up on implementation. Performance culture is not present. There are no incentives for public sector officials to perform better. Corruption in recruitment affects performance of officials too as it discourages merit based recruitment or promotion. Judges and prosecutors, starting from 2013, are obliged to give priority to cases on corruption through the introduced performance evaluation. Nonetheless, there are no penalties for underperforming judges and prosecutors, only naming and shaming method. SAEK has supported the development of the first performance assessment on prosecutors.
C1 Material incentives to performance in the public sector are reasonable			X		
C2 Non-material incentives are reasonable			X		
C3 Staff strength and competencies matches policy ambitions			X		
C4 Public sector employment is not linked to patronage			X		
C5 A performance culture is generally present			X		
C6 Front line service providers have means and relevant autonomy to deliver			X		
C7 Leadership practices stimulate staff to perform and take initiatives			X		
D: Wider framework for accountability and monitoring					Auditor General provides independent audit reports which show that institutions lack efficient internal auditing mechanisms. Sanctions are not being implemented for non-performing institutions. Data are usually not public. SAEK II will continue to assist institutions to open up and be more
D1 Audits are effective, and observations lead to actions or sanctions			x		
D2 Parliamentary oversight is effective			x		
D3 Monitoring is of			x		

reasonable quality and used for adjustments					transparent on their work. SAEK II will continue to strengthen the civil society role to be an affective watchdog of institutions actions or inactions in the fight against corruption. In particular, support will be provided to monitor Integrity Plans. Public institutions have complaint mechanisms in place. Nonetheless, due to the lack of public trust in institutions, citizens seek alternative means to report corruption, such as Kallxo.com or through Ombudsperson for Patients' Rights. SAEK II will continue to strengthen these two established mechanisms and strengthen their collaboration with anti-corruption institutions.
D4 Monitoring data are publicly available			x		
D5 Civil society is engaged in monitoring		x			
D6 Public institutions are sensitive to complaints		x			
E: Networking and relations to critical stakeholders, including development partners					There is no monitoring in place on what is the level of compliance of institutions with the laws in place on organizing formal and informal consultations with civil society and citizens. SAEK II will assist municipalities to organize at least 2 public consultations per year on Integrity Plan implementation. SAEK has assisted and will assist Anti-Corruption Agency to consult with other institutions, CSOs, and the media on the level of implementation of Anti-Corruption Strategy. SAEK I undertook several initiatives to address public apathy and bring back the trust in public institutions. SAEK II will continue to organize awareness raising initiatives to address this matter. SAEK I and SAEK II will continue to closely coordinate with other donors to implement requirements of the Anti-Corruption Strategy.
E1 There is a broad tradition for formal and informal consultations		X			
E2 Public sector cooperate easily with each other			X		
E3 Development partners are playing second fiddle only			X		
E4 Citizens voice is heard					

ii) Actor Assessment Matrix and Stakeholder Analysis

Stakeholder/ Actor	Interest in/commitment to project	Capacity for change (and possible contribution to project)	Actions of project to strengthen capacity of stakeholder
National Council on Anti-Corruption (NCAC)	Target group of the project; interest in increasing coordination capacities of the Council to include a wider range of stakeholders in formulation of anti – corruption policies and recommendations	Strong potential to ensure highest level political will in formulation and adoption of anti – corruption policies and recommendations Weakness: The NCAC lack executive powers	Facilitating better coordination between NCAC and donors in anti – corruption area. Transfer of SAEK I Knowledge Management System (KMS) as a technical body for exchange of information and data on anti – corruption cases between AC Institutions and CSO, in particular kallxo.com platform
Kosovo Anti-Corruption Agency (KAA)	Beneficiary and target group of the project; interest in increasing technical	Strong potential and continuous need to strengthen the capacities of	Developing technical capacity and providing the KAA with the necessary tools to prevent and

	capacities to fulfill its mandate and better positioning itself vis-à-vis other government and civil society stakeholders.	the KAA to increase effectiveness of its corruption prevention and control tools and mechanisms. Weakness; Insufficient technical capacities	detect corruption in specific sectors, institutions and the local level. Provision of technical expertise through embedded experts to facilitate transfer of best international practices. Facilitating improved collaboration and information flow between KAA, other AC Institutions and CSO, in particular kallxo.com platform.
Judicial Institutions (ODP, KJC, KPC, KBA)	Beneficiaries and target group of the project; interest in increasing capacity of the judiciary to fight corruption internally and externally. Corruption in the judiciary is perceived to be very high and there is an urgent need to address the issue.	Strong capacity development needs. Willingness to learn and better cooperate with other relevant institutions from the executive branch. Weakness: The impact of the institutions work is not visible sufficiently.	Strengthening capacities and mechanisms for inspection, audit and disciplinary investigations to discipline judges, lay-judges and prosecutors. Strengthening capacities of the judiciary, though provision of tailor made and targeted trainings, to investigate, prosecute and adjudicate cases of corruption externally. Facilitation of improved collaboration and information flow amongst relevant stakeholders. Provision of internships and targeted trainings on anti – corruption for interns, in order to build future capacities thus ensuring sustainability of the interventions within the judiciary.
Assembly of Kosovo (AoK) Committee on Legislation and Oversight of the Kosovo Anti – Corruption Agency; individual Assembly Members	Beneficiary and target group of the project; interest in increasing legislative capacity of the AoK to conduct corruption proofing of legislation and encompass international anti – corruption standards (UNCAC review) in Kosovo legislation; Interest in identifying anti – corruption champions from amongst AoK members to establish the GOPAC chapter in Kosovo.	Strong legislative capacity development needs, in particular in relation to implementation in the legislation of the international anti – corruption standards. Willingness to be part of the international networks on anti – corruption issues. Weakness: Lack of experience in oversight function.	Provision of legislative capacity development, through embedded experts, to increase legislative capacity of the AoK in particular on corruption proofing of legislation and implementation of international anti – corruption standards (UNCAC review) in Kosovo legislation. Facilitation of cooperation with GOPAC Secretariat and established GOPAC parliamentarians with the aim to establish GOPAC chapter in Kosovo.
Legal Office (LO) within the Office of the Prime Minister	Beneficiary and target group of the project; interest in increasing legislative capacity of the LO to conduct corruption proofing of legislation and encompass international anti – corruption standards	Strong legislative capacity development needs, in particular in relation to implementation in the legislation of the international anti – corruption standards Weakness: Lack of expertise	Provision of legislative capacity development, through embedded experts, to increase legislative capacity of the LO in particular on corruption proofing of legislation and implementation of international anti – corruption standards (UNCAC review) in

	(UNCAC review) in Kosovo legislation, before submission to the AoK for adoption	in corruption proofing of legislation	Kosovo legislation.
Ministry of Justice (MoJ)	Beneficiary and target group of the project; interest in increasing legislative capacity of the MoJ to participate in the process of corruption proofing of legislation and UNCAC review.	Strong legislative capacity development needs, in particular in relation to implementation in the legislation of the international anti – corruption standards. Weakness: Lack of expertise in corruption proofing of legislation	Provision of legislative capacity development, through embedded experts, to increase legislative capacity of the MoJ in particular on corruption proofing of legislation and implementation of international anti – corruption standards (UNCAC review)
Kosovo Institute of Public Administration (KIPA)	Beneficiaries and target group of the project; interest in increasing its capacity to provide adequate trainings to civil servants and institutions of public administration. Bears responsibility for professional development of civil servants to establish an effective and responsible public administration as well as support the process of EU integration.	Potential to implement and coordinate training activities. Willingness to work with relevant national institutions and donors to address shortcoming and avoid any overlapping of training activities. Weakness: Lack of trainers/programs in anti-corruption	Trainings will be, whenever possible, provided by KIPA and will remain, as a legacy of the project, with the institute. KIPA will be trained to deliver future capacity building to relevant Kosovo institutions. Depending on the level of expertise of KIPA related to anti-corruption issues, the project will provide substantive training to KIPA to create a sustainable “training for trainers” scheme.
Civil Society Organizations	Beneficiaries and target group of the project; interest in holding government at the national and local level more accountable for its actions and enhance transparency in public decision making.	Strong interest and need to strengthen the capacities of CSOs to perform effectively their function as government “watchdog”. Great potential for increased use of online and mobile phone tools to mobilize citizens to contribute to anti-corruption efforts and monitor government performance and decision making. Weakness: Lack of professionalization on anti-corruption issues	Developing online and offline platforms and tools, which provide citizens and CSOs with the possibilities to engage more actively in social accountability and auditing efforts. Involving CSOs in capacity development activities and facilitate collaboration and information flow amongst relevant stakeholders.
Ministry of Local Government Administration (MLGA)	Supports municipalities in providing responsive services to the citizens, monitors municipality performance and activities of elected officials.	Could support project implementation and coordination within the target municipalities and contribute to replicating project activities in additional Kosovo municipalities.	Ensuring collaboration and information flow amongst relevant stakeholders at the local level. Involving MLGA in activities at the municipal level to ensure coordination at the national and local level.
Kosovo Association of Municipalities (KAM)	Serves as a coordination body between local and	Could support project interventions at the local level	Supporting coordination between local and central government and

	central government and strengthens cooperation amongst municipalities.	and ensure scaling-up of project activities to other Kosovo municipalities not targeted through the project.	strengthening cooperation amongst municipalities. Involvement in project will need to be defined further.
Media	Partly beneficiaries of the project; plays a strong role in promoting transparency and investigating corruption.	High potential in supporting project activities, ensuring long-term impact of interventions and contributing to visibility of the project. Weakness: Lack of proliferation in anti-corruption issues	Ensuring continued dialogue with media and involve representatives in project activities to the furthest extent possible.
Public procurement offices (Public Procurement Regulatory Commission, Procurement Review Body, Central Authority for Procurement)	Beneficiaries to the project. These three key institutions are responsible for the overall development, operation and supervision of the public procurement system in Kosovo and carries out the functions assigned to it by the law	E-procurement has not been established up to date	Supporting capacity building of procurement offices to analyze technical specification for complex sectors and to review and improve standards on transparency and integrity in public procurement.
European Union Rule of Law Mission in Kosovo (EULEX)	Assists Kosovo authorities, judicial authorities and law enforcement agencies in fighting corruption and enhancing accountability.	Although, from the perspective of the citizens, EULEX plays a controversial role in Kosovo, it can support project interventions and coordination amongst anti-corruption bodies. The current mandate of EULEX expires on 14 June 2016. A Strategic Review conducted in the second half of 2015 to assess the achieved progress, will provide the EU Members States with a framework for discussions on the focus EULEX mandate for the remainder of its mandate. Already in 2015, a continuous assessment of the Mission's tasks will be performed in order to identify possible areas that may be transitioned to other mid- or long-term EU instruments or local authorities where feasible.	Defining areas of collaboration and coordination.
International training academies and institutes (e.g. International Anti-Corruption Academy)	Through education, research and cooperation, aim to overcome shortcomings in knowledge and practice in the field of anti-corruption.	High potential in supporting project activities, providing expertise where needed and ensuring long-term impact of interventions.	Defining areas where support is needed from training academies and institutes and seek their involvement in the project.
Other international	Also implementing projects	Synergies between the	Organizing frequent exchange and

organizations and donors (e.g. European Union Office in Kosovo, Council of Europe, OSCE; Embassy of Norway British Embassy, US Embassy)	which are relevant and where collaboration is necessary. Council of Europe and the World Bank address economic crimes and grand corruption	projects will be achieved through coordination. While most of them address grand corruption we focus on capacities of institutions to prevent corruption through integrity mechanisms.	coordination meetings to ensure activities do not overlap, but build on each other.
---	--	--	---

d. Anti-corruption Champions

Progress in anti-corruption depends on change in mindset of the citizens and governing structures. The real political will to fight corruption is demonstrated by the choice of individuals appointed in key positions such as the Attorney General, State Prosecutor, or the police commissioner, who are neither engaged in corrupt practices nor seen as corrupt. Their roles on fighting corruption and upholding the rule of law are such that through the appointment of the right individuals, with professional and personal integrity, the government demonstrates that it takes the issue of corruption seriously.

The role of such individuals in fighting corruption goes beyond their official role; they can be engaged to act as *champions* of anti-corruption by upholding the highest standards of personal and institutional standards. Champions must lead by example - by having a coherent approach to combating administrative corruption, so as to have additional credibility. They provide focus for public opinion and maintain pressure on the government to drive the anti-corruption message forward. They must be willing to develop and articulate plans, to be accountable, and to help advance the anti-corruption efforts in a coordinated manner across institutions. The latter is particularly important since anti-corruption activities fall within the remit of different institutions.

During SAEK I the anti-corruption champions, although not formally referred to as such, were two mayors who led by example through embracing technology and open data as ways of increasing transparency and accountability. Anti-corruption champions can also be found amongst civil servants who participated in trainings on integrity planning, and were part of working groups. An equally important strata of society, and perhaps even more so, are the youth and students. Youth are often disconnected from bureaucratic corruption as they might not have encountered it personally. Sensitizing them to what corruption is and how it affects their lives encourages them to demand fair processes, particularly at municipal level.

SAEK II will engage with interlocutors of sufficient authority and public standing to affect institutional change. It will continue to work closely with current Mayors (Gjakova/Djakovica, Prishtina/Pristina and Gjilan/Gnjilane) to promote them further as champions of anti-corruption through support for implementation of integrity plans.

SAEK II will work closely with the Assembly and selected parliamentary committees to establish GOPAC but to also demand improved reporting and increased efficiency in the work of the Anti-Corruption Agency.

Planned work with Office of the Disciplinary Prosecutor, State Prosecutor and Attorney General, including judges at Basic Courts, will send a positive message that scope for corrupt activity will narrow. Their presence in anti-corruption coordination mechanisms and public events organized by SAEK II will strengthen their role in the agenda.

The Director of the Anti-Corruption Agency will be supported on advocating for the necessity to adopt and implement effectively integrity plans within institutions. He will also be used to promote the efforts of anti-corruption champions and their positive impact. This will bring more political leaders engaging closely with SAEK II at central and local level.

UNDP jointly with the ACA will outreach to individuals from media or well respected personalities from the society with track record for contribution to anti-corruption agenda. The individuals, potentially award winning for reporting on corrupt practices will be further utilized as anti-corruption champions. They will serve as public awareness raising mechanisms and also influence other media or society representatives to increase the reporting on corrupt practices.

SAEK II will also continue education of school and university students through joint awareness raising activities with KAA. There was a high interest of students to learn about the importance of combating corruption demonstrated through active engagement in the debates. SAEK II will capitalize this commitment. The journalist that wins the award for reporting on corrupt practices will be further utilized as a media anti-corruption champion. These journalists can be utilized to raise public awareness and also work with other journalist to increase the reporting on corrupt practices.

e. Project Rationale

Relevance: SAEK activities are aligned with Kosovo's Anti-Corruption Strategy for 2013 – 2017, as well as the Anti-Corruption Action Plan 2013 – 2017 to ensure highest commitment from the government to participate and facilitate the implementation of the project. SAEK I have delivered results in three components with the aim of strengthening institutional transparency and integrity, and turning citizens into agents of change as active participants in decision-making processes. The annual report of the Kosovo Anti – Corruption Agency (KAA) shows that for the period of June - December 2013, only 54% of actions foreseen in anti-corruption strategy were being implemented or were partially implemented. This is result of insufficient political will and insufficient technical capacity to drive the anti-corruption agenda effectively. The capacities of CSOs also need strengthening and the voice of the citizens too to demand for accountability and transparency of public institutions.

There are few donors and international organizations providing support to anti-corruption agenda. The coordination between the players is not at the desired level, nor the capacity of Kosovo institutions to lead with it. The project is designed to address all these gaps and proposes interventions that directly contribute to tangible results.

Effectiveness: The project is proposing measures to support anti-corruption agenda that are realistically achievable, based on the overall holistic approach including day to day working with partner institutions to ensure ownership and their leadership over the process, and also a process of an inclusive consultation process used in the current phase of SAEK, and its results.

Efficiency: The time and the resources proposed are based on experience from the current phase. Its exact efficiency will be measured throughout the project life. The implementation plan of the project clearly sets out the inputs planned per each intervention and their duration. The interventions are interlinked and at the same time well coordination. They also build on the bases developed by SAEK I. In addition, the detailed budget clearly outlines the human and financial resources required for each

intervention. The project will report, fairly and accurately, on project progress against agreed work plans in accordance with the reporting schedule and formats included in the project document. All documentation will be maintained with evidence that describes the proper and prudent use of project resources.

Impact: It is expected that the project impact will be achieved to result with less corruption and improved perception and trust in public institutions as result. All project activities are carefully designed to contribute to the impact.

SAEK II Approach

SAEK II seeks to address administrative corruption rather than grand corruption, although reducing the incidence and tolerance of the former will help reduce the latter. SAEK I and SAEK II complement and coordinate closely with other donors' interventions in the sector, who address economic crimes and grand corruption, such as the Council of Europe and the World Bank.

SAEK II will build upon the groundwork completed by SAEK I s mentioned above, based on the following elements (*SDC External Review Recommendation 9*)⁵³:

- Development of credible baselines on systemic corrupt practices and risks, from risk assessments and needs assessments, in the key sectors that are perceived as most corrupt;
- Establishment of a systemic approach combining institutional change with civil society empowerment to fight corruption;
- Further strengthening of partnerships with the public institutions, civil society, media and other development agencies in Kosovo;
- Proven track record of UNDP in capacity building and institutional development in the rule of law and anti-corruption area;
- Further increase citizens' engagement in reporting corruption through social media and Information and Communication Technologies (ICT) tools;
- Address the gaps and weaknesses in the capacities of anti-corruption and related institutions, such as the Assembly of Kosovo to fulfill their mandates;
- Strengthen coordinated efforts in addressing public apathy and lack of trust in institutions;
- Support the increased transparency and accountability of central and local institutions, through opening up governments and bridging the gap between institutions and citizens.
- Work with partners around better understanding the impact of policy and programmatic interventions on gender empowerment and anti-corruption.

The data revolution of the twenty-first century creates new potential for inclusive participation of civil society and substantive contribution to government processes. New technologies are leading to an exponential increase in the volume and types of data available. Societies are in a ferment of experimentation, innovation and adaptation to the new world of data. . Despite the sizeable progress, large groups of people continue to be left out of these processes. The full potential of data and technology has still not been unleashed in Kosovo and important aspects of people's lives are not measured. Kosovo with its young and tech savvy population has the potential to utilize the limitless possibilities of the data revolution to improve governance and consequentially public services as well. In collaboration with the FutureScaper foresight engine, UNDP developed an interactive survey for respondents to identify the causes and effects of factors influencing employment opportunities.

⁵³ Future assistance should build upon expanding or replicating those successful aspects SAEK I

Respondents focused on increasing transparency and fighting against corruption; assuring equal opportunities for all. .

The project will propose solutions to concrete problems⁵⁴ to institutions and citizens to reduce corruption in Kosovo, building on examples of good practices derived from the experience of practitioners in the region. At the same time, SAEK II will continue to enhance participation of the public in decision-making through the use of technology and non-conventional media. Corruption is an enormous obstacle to the realization of all human rights — civil, political, economic, social and cultural, as well as the right to development. Corruption hinders economic development by distorting the market and damages public and private sector integrity. Weaknesses in governance will be addressed as proven to be strongly correlated with deficiencies in development. Bad governance has been associated with corruption, distortion of government budgets, inequitable growth, social exclusion, lack of trust in authorities as a result. Corruption has a disproportionate impact on women, and constitutes a barrier to gender equality.

Strengthening the rule of law and promoting human rights are cornerstones of UNDP's work to achieve sustainable human development and eradicate poverty. Through rule of law and human rights assistance, UNDP Kosovo has been and continues to contribute to building peace and democratic governance across the full range of development contexts. UNDP Kosovo facilitates broader UN rule of law efforts through its various projects to reform the judicial sector and strengthen the judicial integrity. Moreover, UNDP Kosovo is present in the anti-corruption sector since 2006, when it initiated the creation of an independent Anti-Corruption Agency and strengthened its capacities to prevent and fight corruption. By doing so, UNDP plays a crucial role in contributing toward Kosovo's efforts to develop effective legal frameworks, to bolster institutions' capacity to prevent and sanction corruption acts, to encourage public integrity, and to foster accountability, transparency and public participation.

As noted earlier, Kosovo needed to strengthen coordination and inter-institutional cooperation of the anti-corruption bodies. SAEK I has achieved effective *coordination of all anti – corruption bodies* (National Council on Anti – Corruption, Prosecutorial Council, Judicial Council, Anti-Corruption Agency, Customs, Police, Financial Intelligence Unit, Agency for Seized Assets, and Office of the Auditor General). The project has established a Knowledge Management System (KMS), as a communication tool between the relevant stakeholders that has taken coordination a step further in comparison to the situation prior to this project. This improvement has contributed to better tracking cases related to corruption. SAEK II will continue with its efforts to improve coordination further by facilitating meetings and information exchange between the key stakeholders. In addition, it will support the Institutions to take ownership of the coordination process in the area of anti-corruption.

f. UNDP's Comparative Advantage

SAEK II approach is fully in line with UNDP's global anti-corruption agenda. The comparative advantage on anti-corruption comes from our global development network, presence in 177 countries and territories and more than two decades of experience on anti-corruption programming. UNDP was one of the pioneer organizations in the early 1990s in developing programmes to address and curb corruption. The first generation of UNDP's country level programmes on accountability, transparency and integrity

⁵⁴ Limited institutional capacity, semi-functional coordination mechanism, lack of trust of citizens in public institutions, due to its widespread corruption becoming a social norm, a limited functioning of the rule of law institutions etc.

were reinforced by the Programme for Accountability and Transparency (PACT) implemented at the global level. The PACT was guided by UNDP's corporate policy paper 'Fighting Corruption to Improve Governance' (1998), which highlighted corruption as a development issue. Since then, UNDP has remained a leading provider of anti-corruption technical cooperation within its democratic governance portfolio. The advent of UNCAC in 2005 provided a new opportunity for UNDP to mainstream anti-corruption within a governance and development framework.

In 2008, UNDP's Strategic Plan reaffirmed that the basis of UNDP's support on governance and anti-corruption is to support the achievement of internationally agreed development goals such as MDGs. In this regard, UNDP focuses on the eradication of poverty, supporting equitable and sustained economic growth, fostering democratic governance, promoting gender equality, and encouraging capacity building for human development. UNDP's comparative advantages thus stem from the fact that UNDP views corruption and poor governance as a major bottleneck to the achievement of development goals, including the MDGs. To achieve the objectives of UNDP's Strategic Plan, UNDP developed the Global Thematic Programme on Anti-Corruption for Development Effectiveness (PACDE).

Anti-corruption initiatives in South Eastern Europe, including Kosovo, were designed upon UNDP PACDE's successful experiences in strengthening democratic institutions, promoting inclusive participation including women's empowerment, civil society, community and youth engagement, strengthening responsiveness and accountability of public institutions, and promoting programming countries' compliances to the international norms and standards such as UNCAC. Anti-corruption programming of UNDP was anchored in the operating principles for development effectiveness namely national ownership, capacity development, effective aid management and South-South cooperation (SDC External Review Recommendation 12).⁵⁵

UNDP Kosovo, with a 16-year history in programming in Kosovo, and longer in the broader region, corruption and integrity are key aspects of UNDP's democratic governance mandate. It should be noted that, globally, roughly 30% of UNDP's programme budget is invested in rule of law and security related results. In the region, the Istanbul Regional Hub hosts a variety of in-house expertise in thematic areas of relevance; members of the current project team also have specialised expertise in this area. In particular, UNDP's ability to operate across Kosovo on the municipal level as well as at the central, institutional level provides a comparative advantage for its governance activities in Kosovo, including SAEK I. Political leverage is regularly sought by UNDP in support of the achievement of important developmental results, through standing meetings with the head of the European Commission, the Special Representative of the Secretary General and Ambassadors of influential countries.

More specifically, the following areas reflect UNDP's niche and comparative advantages on anticorruption:

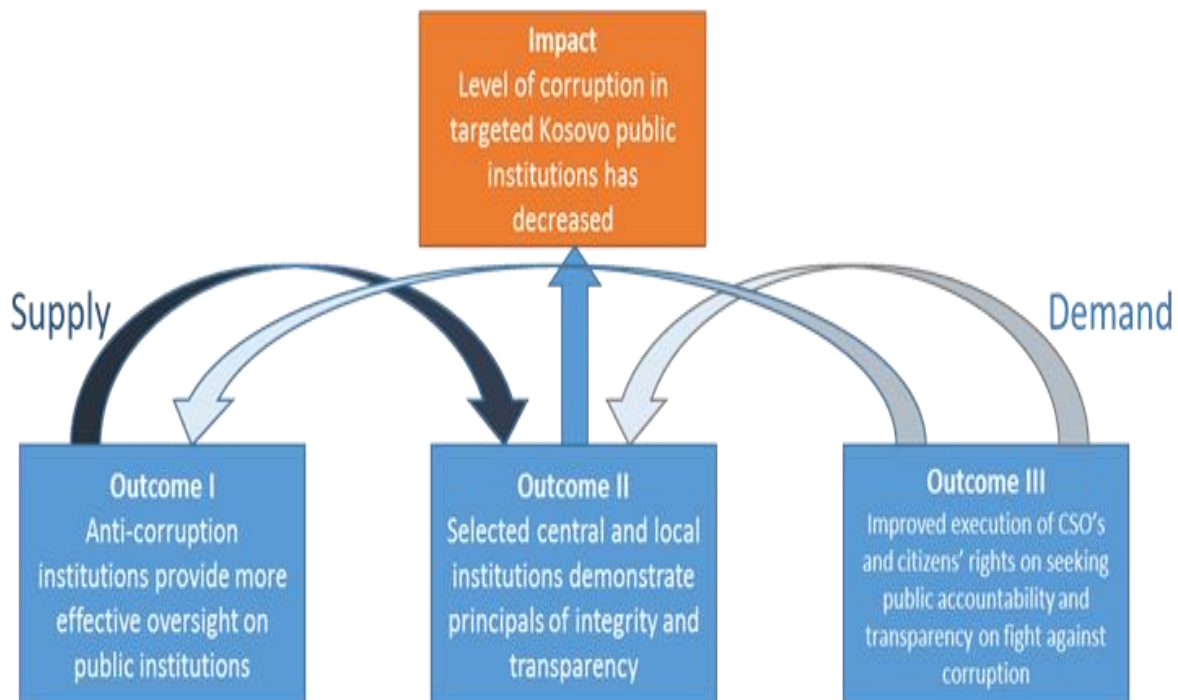
1. With its longstanding engagement on strengthening institutions and supporting governance reforms, UNDP's main area of strengths is supporting the prevention of corruption. UNDP is increasingly applying its governance approach to preventing corruption by integrating anti-corruption with other areas of governance support such as public administration reform, legal reforms, local governance, youth and women's empowerment, and strengthening civil society and media.

⁵⁵ The UNDP should focus on those areas where it has a comparative advantage

2. Being the UN's largest development network, UNDP has an ability to expand the normative agenda on anti-corruption such as UNCAC to a development plane by increasingly applying an integrated and multi-disciplinary approach to tackling corruption in major areas of development. UNDP has taken a lead globally in developing and implementing risk mitigation methodologies to integrate transparency, accountability and integrity into service delivery sectors (e.g. education, health, energy and mining), climate change, local governance and post-conflict reconstruction in more than 40 countries.
3. UNDP's strength also lies in implementing a comprehensive approach that focuses on strengthening institutional capacity (the supply side of anti-corruption), facilitating the multi-stakeholder engagement with civil society, community, youth and women's groups to provide monitoring and oversight to these reforms (the demand side of anti-corruption), applying multidisciplinary approach to reduce corruption risks by integrating transparency, accountability and integrity measures in various areas of development, and strengthening advocacy, results and knowledge management.

Finally, UNDP through SAEK I, has an established track record in on anti-corruption efforts and have made progress in establishing and constructive working relationship with key Kosovo institutions at central and local level, CSO's and international players.

g. Theory of change



The goal of SAEK II is to reduce corruption in targeted Kosovo public institutions through a supply and demand approach. The expected outcome of the SAEK II project will be measurable improvements in

Kosovo anti-corruption institutions providing more effective oversight on public institutions (supply side), which then increase demonstrated principals of integrity and transparency in selected central and local institutions. Due to increased oversight, but also because of improved execution of CSO's and citizens' rights to seek public accountability and transparency on the fight against corruption the demand on the central, local, and on anti-corruption institutions to provide more affective oversight (demand side) will increase.

As part of the theory of change, national ownership of the process is embedded through the following principles: participation of local stakeholders in project design; alignment with the government strategy for anti-corruption; ensuring that national stakeholders are not only beneficiaries but play an important role in the reform process; and mutual accountability as a foundation for engagement, coordination and achievement of results.

The overall theory of change of the project is that **if** there is political will to tackle corruption within the public service coupled with a strong legal and administrative framework and sufficient capacity of government authorities and anti-corruption institutions to implement it, **then** levels of corruption will decrease and citizens' perceptions on corruption will improve **because** public institutions will increasingly be able to demonstrate principles of integrity and transparency and oversight mechanisms, including CSOs and citizens, will hold them to account.

Throughout the project, political will is a key driver of change. While a lack of political will has been identified at certain levels, SAEK I has managed to build key partnerships with certain municipalities and institutions. To continue the progress made by SAEK I in the realm of political will, the project will continue to work with those institutions that show good will and high interest for fighting corruption. Political will also be addressed from a demand side, as the CSO and citizens become more aware and engaged they will place a greater demand of the institutions.

The experience from current project phase shows that political will to tackle corruption varies, hence to ensure that the change takes place the project will take its starting point in reform champions and build upon this basis to influence others in order to achieve.

The theory of change is based on the change envisaged under each of the project outcomes (SDC External Review Recommendation 14).⁵⁶

Outcome I: Anti-corruption institutions in Kosovo provide more effective oversight on public institutions

The outcome I theory of change is that **if** selected institutions are supported to develop policies, legislation and strategies in line with international standards on anti-corruption and aided in their implementation and monitoring, **then** anti-corruption institutions will have adopted and implemented an adequate policy framework, capacities to oversee central and municipal level and integrity and transparency of central and local institutions **will** improve end results. If the demand on institutions to align with international standards is increased and coupled with sufficient political will, as envisaged under this outcome, **then** institutions will be more likely to operationalize policies and legislation that

⁵⁶Programming of future assistance needs to be based clearly on the theory of change

brings change through the incentives of increased popularity of politicians and advancement on EU integration.

If the capacity of Kosovo anti-corruption institutions is strengthened, particularly of the KAA, to effectively monitor, prevent and fight corruption, **then** preventive mechanisms in the form of integrity planning etc. will be more comprehensively adopted and implemented **because** the anti-corruption institutions are better able to support and oversee government institutions.

The impact envisaged with this outcome is improved coordination of anti-corruption efforts and increased awareness of the public and institutions on the effectiveness of anti-corruption initiatives. The impact will also be demonstrated at the level of service delivery and trust in institutions. **If** sustainable integrity and oversight systems are established in key institutions, service areas and municipalities, and officials are held to account, **then** services will be delivered in a more responsive, transparent, effective and corruption free manner. As a result, the trust of citizens will increase **because** the window of opportunity for corrupt activities and impunity will be minimized.

This will be achieved through strengthened partnership and collaboration amongst anti-corruption institutions, as well as through the introduction of best practices on integrity mechanisms from European countries. The project will also support the Prime Minister's Office for Legal Support Services and the Assembly in corruption proofing of legislation, and strengthen the capacities of the Office of the Disciplinary Prosecutor to effectively and efficiently investigate allegations of misconduct by judges and prosecutors. This will increase the organizational and individual capacities of anti-corruption institutions so they can provide more efficient oversight on central and local institutions.

If the legislative framework is strengthened through the adherence to international standards, **then** corruption in Kosovo will be reduced **because** anti-corruption institutions will have effective tools to promote good governance and hold public institutions more accountable to the citizens.

This change is contingent on sufficient openness to change and ability of the stakeholders to become champions of information sharing, knowledge spreading and advocacy of corruption prevention principles which will lead to greater accountability of institutions.

Outcome II: Selected central and local institutions demonstrate principles of integrity and transparency.

The outcome II theory of change is that **if** selected institutions are supported with integrity systems **then** they will demonstrate increased compliance with principles of integrity and transparency **because** of Integrity Plans and **because** the tools for public transparency (open data, social media, visualization of municipal/budget planning/spending, etc) which will open up the institutions and make them more accessible to citizens.

The impact envisaged is an increased number of central and local institutions that have developed and adopted integrity plans as well as new tools for increased public oversight that will result in more open and accountable institutions. This will be achieved through the increased oversight capabilities of anti-corruption institutions and the demand from CSOs and citizens who through greater transparency of institutions have more access to information.

Institutional transparency will be further increased through greater demand from well-informed and aware citizens and CSO's. Thus, this catalyst, in the form of citizens' participation and new tools, can positively influence the process.

Outcome III: Improved execution of CSOs' and citizens' rights on seeking public accountability and transparency on fight against corruption.

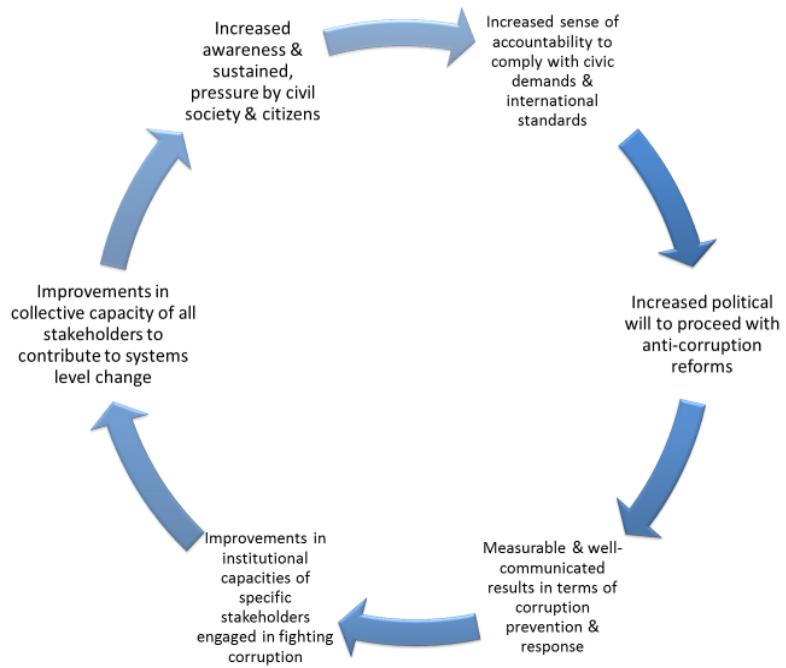
The outcome III theory of change is that **if** civic engagement is strengthened through participation in initiatives using tools such as open data, social media, inclusive and transparent budget planning and spending, then the government will be more influenced to open their data and follow anti-corruption rules and procedures. Therefore citizens will be better able to monitor and hold institutions accountable. Particularly, the envisaged impact is increased citizen participation in anti – corruption efforts. If citizens are more aware of their rights and their role in fighting corruption, then the work of institutions will become more transparent because citizens and the civil society will be better equipped to fulfill their watchdog role.

The envisaged impact is increased communication between civil society organizations and anti-corruption institutions. Through further awareness raising activities for citizens, they will be better informed on corruption issues and will further partake in decision making and monitoring. Through this increased dialogue and awareness the platform of Kallxo.com will be strengthened to increase its presence in municipalities for further follow up.

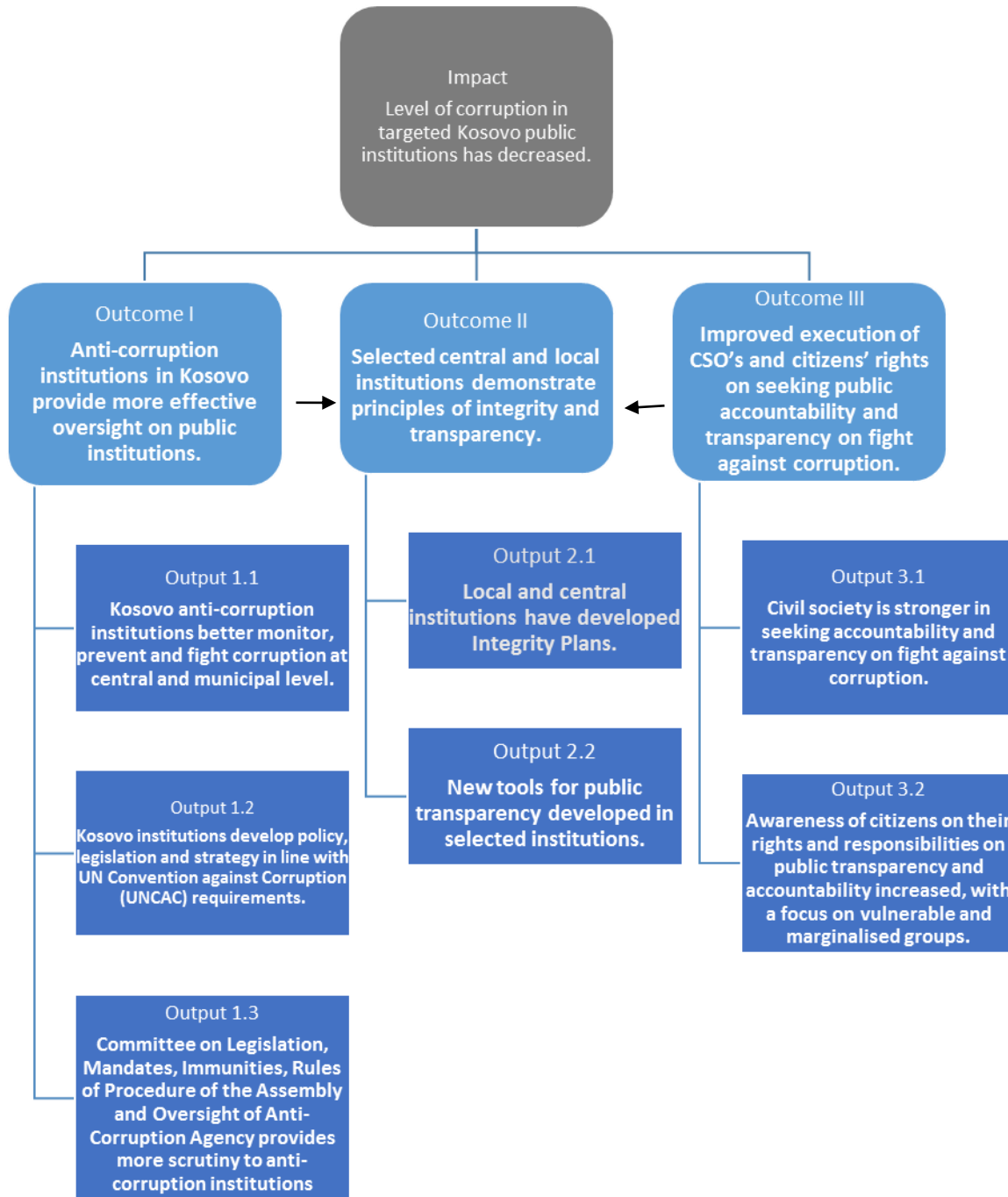
The underlying factor for success of the overall theory of change is sufficient political will, strong legal and administrative framework and sufficient capacity to implement the anticorruption agenda with particular focus on prevention of corruption. SAEK I was able to obtain buy-in for its activities from the political leadership at both central and municipal levels. During first phase of SAEK, the major incentive for leadership of local governments to adopt anti-corruption policies was to restore trust of citizens in public institutions and provide citizens with tools that will enable them to hold governments accountable. This leads in decrease of public apathy in decision making and translates in to increased support from citizens to institutional leadership to continue with their mandate. The latter is the strongest incentive, especially for leadership in local governments. As a result of the close cooperation with the political leadership, specific anti-corruption activities have been included in the work plans and agendas of respective ministries and municipalities. SAEK II will continue and broaden this collaboration to ensure that anti-corruption activities and respective integrity plans are developed in other institutions. At the same time, sustained, consistent and expertise-grounded pressure from the civil society and citizens is kept on the duty-bearers in the anti-corruption architecture, then the government will be more likely to proceed with implementing the anti-corruption agenda due to accountability and necessity to comply with civic demands and international standards.

The theory of change is also affected by the synergies created through other actors working in anti-corruption. Via a stakeholder analysis the project has identified other international organizations and donors working in the field of anti-corruption (Council of Europe, World Bank, EULEX, USAID, and GIZ)⁵⁷. If these synergies are further developed through close collaboration then the problem of corruption will be tackled from different angles while ensuring there is no overlap of interventions because frequent coordination meetings will ensure complementary projects and activities.

⁵⁷Please see Partnership and Donor coordination (pg.53) for full description of projects



4. STRATEGIC CHOICES: Project outcomes and outputs



Proposed project outputs and indicative activities for SAEK II are designed to reflect several of the objectives of the Kosovo Anti – Corruption Strategy and Action Plan 2013 – 2017. Proposed activities and

expected activity results were discussed in a consultation workshop with the project beneficiaries and partners. Full support and buy-in was expressed for the proposed project strategic objective. The following table describes the correlation of the project activities/response with the objectives of the Anti – Corruption Strategy and Action Plan 2013 – 2017.

The strategy of the SAEK II project is to build upon the results of SAEK I and serve as a tool for local beneficiary institutions to increase their capacity and responsiveness to ever increasing demands from the international community and the European integration process for sustainable and tangible results in the fight against corruption. The project will work further with already identified drivers of change and will target new champions through development of integrity mechanisms, strengthening of oversight with parliamentarians and from the demand side with targeted CSOs. The role of champions is crucial to the ownership of the reform process and the success of interventions.

The project will assist in strengthening of the national anti – corruption architecture so that it complies fully with recognized international best practices and standards, specifically the UNCAC. The project will closely coordinate and cooperate with similar projects such as the Council of Europe (CoE) project introducing GRECO and MONEYVAL standards, in order to avoid duplication and have a unified stakeholder position related to standards of excellence expected from local beneficiary institutions. Inception phase of the project will be shorter as the project will be largely designed as the continuation of an existing project with similar, but more focused outputs and outcomes. The project will also heavily draw on assessments conducted in the final year of SAEK I, which will analyze the benefits of the trainings for the targeted institutions and serve as lessons learned and baseline for tailoring training and capacity development activities in SAEK II. Changes in the baseline will be closely monitored to demonstrate change and impact of the project towards the overall goal.

A detailed annual work plan will be developed for each year of intervention. Inception phase will close with a report presented to the Project Board for approval. Based on the report, the Project Board may consider amendments to the activities proposed in the work plan and project document. Although it is not expected that such amendments will be needed, implementation of the activities will commence only after approval of the annual work plan by the Project Board.

OUTCOME I

Anti-corruption institutions in Kosovo provide more effective oversight on public institutions.

The outcome I theory of change is that If selected institutions are supported to develop policies, legislation and strategies in line with international standards on anti-corruption and aided in their implementation and monitoring, then anti-corruption institutions will have adopted and implemented an adequate policy framework, capacities to oversee central and municipal level and integrity and transparency of central and local institutions will improve end results.

Output 1.1:

Kosovo anti-corruption institutions better monitor, prevent and fight corruption at central and municipal level.

Interventions:

- Intervention 1: Capacity enhancement of anti-corruption institutions.

The project will provide embedded advisors for technical expertise and mentoring in anti-corruption institutions. Tailor made training will be delivered for judges and prosecutors to strengthen their skills in handling corruption cases, with particular emphasis on financial crimes investigation. Through this intervention, KAA develop digital platform to verify the number of asset declaration cases. In addition, law graduates will be provided with internship opportunities.

- Intervention 2: Support partnership and collaboration amongst all anti-corruption institutions, domestic and international

Under the auspices of NACC, a dialogue on anticorruption will be facilitated and priorities will be set for the area in participatory manner. The database for reporting of corruption cases will be upgraded through engagement of a specialized firm under this intervention and enable access of all relevant institutions.

- Intervention 3: Exchange of good practices from European countries

With support of the project, a number of countries at EU MS level and counterparts there will be identified for cooperation with anti-corruption institutions in Kosovo. A number of exchange visits will be organized for anti-corruption practitioners and policy makers.

- Intervention 4: Support the Prime Minister's Office for Legal Support Services in corruption proofing of legislation

The project will provide trainings for the Prime Minister's Office for Legal Support Services in methodology to conduct corruption proofing of legislation for primary laws based on Regional Anti-Corruption Initiative (RAI) methodology. In addition, the project will facilitate the exchange of experience between Kosovo institutions and regional mechanisms experienced in corruption proofing of legislation.

- Intervention 5: Capacity enhancement of ODP to effectively & efficiently investigate allegations of misconduct by judges and prosecutors

Tailor made trainings will be provided to develop the capacities of the ODP to efficiently investigate allegations of misconduct. A legal expert will be engaged to provide technical assistance through legal researches and investigators to enhance the capacity of the ODP to process cases received in an effective and efficient manner. In addition, the project will engage adequate resources to help ODP in public visibility and awareness raising activities to increase knowledge of citizens on the role and responsibilities of ODP.

As already described in context analysis, the European Commission Progress Report for Kosovo for 2014 highlights the ineffectiveness of the overall anti – corruption efforts. One of the root causes of the inefficiency of anti – corruption efforts in relation to implementation of the AC strategy and the Action Plan is that objectives of these policy documents do not match the current existing human and financial capacities of the KAA anti-corruption institutions. In addition, lack of proper coordination between anti-corruption institutions and absence of an established system for exchange of information have all contributed to negative perception amongst stakeholders and the general public of the work of anti – corruption institutions in Kosovo.

SAEK II will continue to provide capacity development activities and strengthen coordination mechanisms for anti-corruption institutions – the supply (KAA, Parliament, Judiciary and Prosecution) and facilitate their interaction with CSO's and citizens – the demand side. Both the supply and demand side will become more powerful in overseeing the performance of the executive central and local institutions – Ministries and Municipalities (*SDC External Review of UNDP SAEK Recommendation 13*)⁵⁸. The approach that SAEK II will undertake will be a combination of specific and focused training activities that will be tailored to the identified needs of the beneficiaries, complemented with provision of technical expertise and mentoring, through professional advisers embedded within the beneficiary institutions. The logic of this approach is that if advisers work hands on with local counterparts and transfer their knowledge directly, local counterparts will be more skilled to carry out their duties and anti-corruption institutions efficient in carrying out their duty to implement and monitor the A-C strategy action plan.

Through its presence in the National Anti – Corruption Council, SAEK II will continue to facilitate coordination of the anti – corruption between all stakeholders, including donors, EULEX, CoE, OSCE, local anti-corruption institutions and CSOs. The logic of this proposed intervention is that if anti – corruption institutions are better coordinated, and the flow of information on anti – corruption issues and cases between institutions themselves and institutions and civil society is increased, public confidence in the institutions will increase, since the public will be able to see concrete results of anti – corruption efforts and the civil society organizations will be equipped better to put pressure on the institutions to carry out their mandate. In addition SAEK II will further strengthen the cooperation of anti – corruption institutions with the civil society organizations, in particular its online platform kallxo.com, through the Knowledge Management System established in SAEK I.

SAEK II will continue with development of specialized skills for the judiciary, such as training on trans-boundary financial crimes and money laundering, as response to the needs assessment report on judicial integrity.

Output 1.2:

Kosovo institutions develop policy, legislation and strategy in line with UN Convention against Corruption (UNCAC) requirements.

Interventions

- Intervention 1: Conduct UNCAC Review for Kosovo

The project will facilitate the engagement of UNODC experts to conduct the UNCAC review on policies, legislation and strategies, under the leadership of the Anti-Corruption Agency and well as provide support to local and central institutions to address the requirements deriving from the UNCAC review. At least one workshop will be organized to gather information from institutions and ensure engagement of CSOs into the UNCAC review.

- Intervention 2: Support development of the new anti-corruption strategy based on UNCAC Review

⁵⁸ Coordination in the sector needs to be improved.

The new anti-corruption strategy will be required during the project's life covering the period from 2017- 2020. The project is well placed to provide the necessary expertise through engagement of international and local experts to support the KAA and other institutions to develop the new strategy in a participatory manner. The project will facilitate the establishment of the Technical Working Group for the strategy development, and will facilitate its work by organizing workshops for consultation with CSOs, anti-corruption institutions and the media. The project will in addition facilitate the South-South cooperation to align to regional approaches to anti-corruption.

- Intervention3: GOPAC (Group of Parliamentarians Against Corruption) Kosovo Chapter is established

The Assembly of Kosovo will be assisted to identify anti-corruption champions to be part of the GOPAC Chapter for Kosovo. Capacity development will be provided through tailor made training for GOPAC members on their roles and responsibilities. The project will further build on this by facilitating the between the GOPAC Secretariat and Assembly of Kosovo in addressing rules and procedures to establish the chapter. This will be done through meetings organized and facilitated by the project team. The project team and engaged experts will help the Kosovo Members of the Parliament to functionalize the GOPAC Chapter to become active participants in monitoring the implementation of anti-corruption agenda.

- Intervention 4: Support transparency in the public procurement process

Training needs assessment will be conducted, followed by a specific expert set to be hired to deliver trainings for Public Procurement Regulatory Commission (PPRC), Procurement Review Body (PRB), and Central Procurement Authority (CPA) to analyze technical specification for complex sectors. The project will also help to review and improve standards on transparency and integrity in public procurement. An expert will be hired to support above mentioned bodies to jointly develop and implement a professional development program for managing public procurement in cooperation with the public procurement institutions and the Kosovo Institute for Public Administration (KIPA). Through consultancy, the project will support introduction of systems and procedures to control corruption in public procurement

As the demand for good governance, transparency and accountability is increasing amongst citizens of Kosovo, the AoK is lagging behind in making use of new technologies to communicate with their constituencies, which accounts for stagnant accountability, despite of extensive technical advice and capacity development support in many years. In order to support the AoK to keep up with the rest of the region, SAEK II, will make use of regional UNDP knowledge on *Parliament accountability and transparency through exchange of experience project*.

UNCAC, which came into force on December 14, 2005, is the most comprehensive and authoritative anti-corruption convention that is truly global. As of January 2013, the convention has been ratified, by 165 countries. The Convention obliges State Parties to implement a wide and detailed range of anti-corruption measures affecting their laws, institutions and practices, including international cooperation.⁵⁹ Although Kosovo cannot currently become party to the Convention, as it is yet to become a member of the UN, it has included in its anti – corruption strategy a clear obligation to amend and harmonize its legislation with recognized international standards, including UNCAC. SAEK II will provide

⁵⁹ For more info on UNCAC see https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf

support in this process and will follow the approach of CoE PECK Project⁶⁰ which conducts regular mock GRECO and MONEYVAL reviews, 'as if' Kosovo is a member of CoE. The rationale for this intervention is to bring Kosovo up to speed with other countries in the region and ensure that once and if it becomes a member of respective organizations, it can absorb the requirements that such membership entails. The process will be led by the KAA, in close cooperation with the Office of the Prime Minister, Assembly of Kosovo and civil society.

Corruption proofing of all new legislation is also one of the requirements of the anti – corruption strategy. Possibility exists that a significant part of the already adopted legislation would need to undergo that process. Strategically, SAEK II will position itself to work closely with the Assembly of Kosovo Committee on Legislation throughout this process, however, even more closely it should work with the Prime Minister's Office for Legal Support Services. The rationale for this is to have an efficient process; if laws are corruption proofed in the OPM, then legislative process in the Assembly of Kosovo will be more efficient. This intervention would entail provision of technical experts on corruption proofing of legislation that would be embedded within the OPM.

GOPAC (Group of Parliamentarians against Corruption)⁶¹ is the only international network of parliamentarians that focuses solely on combating corruption. As such, GOPAC represents an immense pool of knowledge on anti – corruption and good governance issues. Functioning through its Secretariat and thematic Global Task Forces, GOPAC has expanded its presence also to SEE countries. Linking the Assembly of Kosovo with the GOPAC Secretariat and its Global Task Forces, will further contribute to adoption of international standards and best practices on anti – corruption in legislative process, and ultimately contribute to the increased confidence of citizens in public institutions, as one of the main results that SAEK wishes to achieve and upon which its success will be measured.

SAEK II will also introduce systems and procedures to control corruption in public procurement. The Mapping of Corruption Risks in the Energy and Mining sector of Kosovo conducted by SAEK highlights the necessity to prevent corruption in procurements conducted by agencies such as the Kosovo Energy Corporation (KEK) which is the biggest utility of the energy and mining sector. In the year 2013 alone, KEK has conducted 467 procurement activities, with an amount of over 53 million Euro⁶². Similarly, the corruption risk Assessment in the Health Sector, also conducted by SAEK, highlights several shortcomings in the procurement processes in the health sector.

The overall logic of work in public procurement is related to the fact that transparency and accountability are essential to ensure fair processes with regard to tender opportunities, selection criteria, the evaluation process, the award decision and its justification, the terms and conditions of the contracts, the implementation of the contracts, dispute and settlement mechanisms and procedures

Output 1.3:

Committee on Legislation, Mandates, Immunities, Rules of Procedure of the Assembly and Oversight of Anti-Corruption Agency provides more scrutiny to anti-corruption institutions.

Interventions

⁶⁰http://www.coe.int/t/DGHL/cooperation/economiccrime/corruption/Projects/PECK-Kos/PECK_default_en.asp

⁶¹For more info see <http://gopacnetwork.org>

⁶²Based on the interview held at KEK

- Intervention 1: Capacity enhancement of the Committee for oversight of the Anti-Corruption Agency

Technical expertise will be engaged to support to the Committee to establish standards for oversight of KAA.

- Intervention 2: Strengthen cooperation of the Committee with CSOs and the media

Through workshops and similar events organized by the project, efforts will be made to strengthen collaboration and coordination between Committee and CSOs specialized in anti-corruption. The project will establish and facilitate cooperation between Committee and kallxo.com to live stream committee sessions to the wider public.

- Intervention 3: Capacity development of the Committee in corruption proofing of legislation

The project will identify practitioners in Kosovo institutions and in the similar regional mechanisms, experienced in corruption proofing of legislation and facilitate the exchange of experience between them. At least 2 exchange visits will be organized. Experts will be engaged to support the Committee in corruption proofing of legislation as well as become familiar with methodology to conduct corruption proofing of legislation for primary laws.

- Intervention 4: Strengthen the role of Women's Caucus to monitor corruption risks

The project will work closely with and provide expertise to Women's Caucus to enhance their capacity to monitor gender equality related corruption risks and vulnerabilities. In addition, the expertise will serve to support the Caucus to monitor the implementation of recommendations from the UNDP Assessment on Gender & Corruption

With the establishment of the Assembly of Kosovo after elections in June 2014, one of the major decisions related to Anti – Corruption area was the empowerment of the Committee on Legislation with oversight of the Kosovo Anti – Corruption Agency. Being that this is a new duty placed upon parliamentarians; the Committee needs to establish Rules of Procedure that would enable a closer scrutiny over the activities of the KAA. Currently, KAA reports only once a year before the Committee; SAEK II will assist the Committee in developing these standards for oversight which will increase the frequency of reporting and ensure better public access to data of KAA.

There is limited interaction between parliamentary committees and CSOs, particularly on anti – corruption matters. With the new role of the Committee on Legislation it is imperative that the cooperation and exchange of information with CSOs is properly established. SAEK II will facilitate the collaboration and coordination with CSOs specialized in anti-corruption under the umbrella of Task Force meetings, NACC, project steering committee meetings and other project events that include participation of CSOs as well as anti-corruption institutions.

In order to ensure streamlining the process of adoption of legislation, SAEK II will also develop capacities of the Committee to conduct corruption proofing of legislation.

Supporting the Women’s Caucus to monitor gender equality related corruption risks and vulnerabilities by incorporating anti-corruption in their annual work plans. SAEK I has worked with women leadership from central and local government, CSO, and the media. During SAEK II, Women’s Caucus will help to monitor the implementation of recommendations from the UNDP assessment on how corruption affects gender quality in civil service.

OUTCOME II

Selected central and local institutions demonstrate principles of integrity and transparency.

The outcome II theory of change is that if selected institutions are supported with integrity systems then they will demonstrate increased compliance with principles of integrity and transparency because of Integrity Plans and because the tools for public transparency (open data, social media, visualization of municipal/budget planning/spending, etc.) which will open up the institutions and make them more accessible to citizens.

Output 2.1

Local and central institutions have developed Integrity Plans.

Interventions:

- **Intervention 1: Local and central institutions supported with integrity management systems.**

The project will hire expertise to continue its support to central and local institutions to develop integrity plans to mitigate corruption risks. They will also be provided with expertise to develop a framework for monitoring and evaluation for integrity plans and to strengthen internal audit procedures. The project will also further support institutions that have adopted integrity plans to implement those. The project will also contact specialized CSOs to provide monitoring of the implementation of the IP, an activity that will also benefit them in terms of further strengthening of their capacity.

Integrity planning is the cornerstone of SAEK II (*SDC External Review of UNDP SAEK Recommendation 3*)⁶³. SAEK II will assist institutions in tracking the existing integrity plans and identify specific capacity gaps for future support. A more comprehensive approach to the monitoring of integrity plans is foreseen in SAEK II through systems building for self-monitoring and external monitoring. In general, almost all of the activities within the project are oriented towards efforts to prevent corruption. Integrity plans for public institutions, as a strict requirement of the anti – corruption strategy, are of the paramount importance in increasing the public transparency and accountability. SAEK II will expand the number of municipalities and public institutions that draft and adopt integrity plans in at least 50% of municipalities and 30 % of central level institutions. SAEK II will continue to work with the drivers of change in this process; mayors willing to adopt integrity plans, and the civil society that will be closely engaged in monitoring the implementation of the adopted plans. SAEK II will enter in to contractual agreements with CSOs specialized in anti-corruption area to independently monitor implementation of actions as foreseen in integrity plans. This independent monitoring will be conducted simultaneously with the monitoring conducted internally by municipal officials. This will allow for increased commitment of public institutions to genuinely review the results of integrity plans implementation. In

⁶³ SAEK should determine how the implementation of Integrity Plans at institution and municipality level should be monitored as the KAA does not have the resources

addition, SAEK II will work closely with the Mayors collegium of Kosovo Association of Municipalities to influence the meeting's agenda by brining discussions regarding the importance of development and implementation of Integrity Plans. This will serve as an adequate platform for Mayors to exchange information on incentives and views regarding integrity systems. As per Anti-Corruptions Strategy, KAA's mandate is to support institutions in development of integrity plans ([http://akk-ks.org/repository/docs/Draft Anti-Corruption Strategy 2012%20 %202016.pdf](http://akk-ks.org/repository/docs/Draft%20Anti-Corruption%20Strategy%202012%20-%202016.pdf)). The logic of this intervention is that if public institutions have integrity plans in place, the work of the institutions will eventually be more transparent and accountable and this will result in increased public confidence because service delivery in public institutions will be improved.

At the local level more specifically the project will support the implementation of the recommendations contained in the integrity plans already conducted, pilot testing innovative solution for enhancing transparency and accountability of public services, the project will then support the replication of the successful tools in other municipalities as a follow up to the risk assessments and integrity plans produced. The introduction or further the development of one stop shops for service delivery will be supported, together with the development of IT solutions for enhanced service delivery also in line with the existing e-governance Strategy. As per the needs identified in the risk assessments, the project will also support the development of Whistleblowers' policies at the local level and the introduction of detailed procedures and tools enabling confidential reporting of integrity violations, including breaches of the law or professional standards or ethics. In parallel the project will strengthen capacities of staff at the local level to understand integrity issues and Implement integrity measures.

In the process of integrity planning and monitoring, SAEK II will draw on the experience of project donor countries related to integrity mechanisms. Being that work in integrity mechanisms in Kosovo is in its beginnings, it is important to adopt best international practices and standards so that this process is done properly. This activity will be carried out through peer-to-peer knowledge exchange and possibly through focused study visits.

Moreover, based on Kosovo Anti-Corruption Strategy 2013 - 2017, a national integrity plan is not required. Indeed, Kosovo is awash with cross-cutting strategies and plans that suffer from lack of oversight as well as adequate resources for implementation. Given the range of needs for individual institutional beneficiaries, it would also questionable whether standard "one-size-fits-all" approach would be possible. Therefore, during SAEK II it will be more feasible to consider: a) the design and agreement on Kosovo-wide minimum standards for application to integrity plans across all institutions; b) establishment of a central knowledge repository of plans; c) determine institutional responsibility for ensuring application of these minimum standards to the design and implement of Integrity Plans; and d) identify and address any capacity gaps that would limit the ability of the responsible institution to undertake this function (*SDC External Review of UNDP SAEK Recommendation 6*).⁶⁴

Output 2.2

New tools for public transparency developed in selected institutions.

- **Intervention 1: Development of new tools to increase public transparency.**

⁶⁴ A national integrity plan should be developed as part of the planning for future assistance by UNDP

The project will organize a number of awareness rising activities through the tools for public transparency such as social media and open data. Expertise will be provided to municipalities to develop, maintain and scaling-up new tools. The project will also organize outreach activities to citizens, with particular emphasis on women, minorities and marginalized groups through social media, blogging, and SMS.

SAEK II will support establishing a space that allows for continuous collaboration between young people, civic activists and hacktivists and institutional partners in addressing business process and other institutional challenges. SAEK II will include scaling up of the instruments developed under the previous programme as well as an expansion into other municipalities.

Overall, the goal will be to:

- Deepen and systematize recent and ongoing experiences for dissemination to other municipalities;
- Engage more proactive mayors (such as those of Gjakova and Pristina) to promote the application of these instruments in other municipalities; and
- Develop and strengthen partnerships with Kosovo institutions (such as the Association of Kosovo Municipalities, Ministry of Local Government Administration and Ministry of Public Administration) and regional and international organizations working on open data to support this process of systematization and scaling up.

Open data systems are inexpensive to implement while at the same time having manifold effects on both the supply and demand side. For e-governance systems for municipalities, at least a modest amount of co-financing should be considered, in particular with regards to maintenance. UNDP interventions in the SAEK as well as other projects have shown that the benefits of e-governance systems are large in terms of integrity monitoring, it cannot come at the expense of having the entire system maintenance [which is very inexpensive] sponsored by donors. At least through in kind contributions of resources, co-financing will be requested to engender ownership. During the next phase, UNDP recommend retaining some flexibility to respond to and support additional local level innovation in with regards to open data, integrity planning and e-governance (*SDC External Review of UNDP SAEK Recommendation 8*)⁶⁵.

OUTCOME III

Improved execution of CSO and citizens' rights on seeking public accountability and transparency on the fight against corruption.

The outcome III theory of change is that if civic engagement is strengthened through participation in initiatives using these tools such as open data, social media, inclusive and transparent budget planning and spending, that reflect public values and beliefs on anti-corruption, then the government will be more influenced to open their data, and follow anti-corruption rules and procedures.

⁶⁵ Some good tools have been developed for transparency initiatives at central and local level and these should be developed further both through greater dissemination of information (open data) and more systematically across beneficiaries (municipality e-governance systems)

Output 3.1:

Civil society is stronger in seeking accountability and transparency on fight against corruption.

- **Intervention 1: Facilitate communication between civil society organizations with anti-corruption institutions to contribute to effective exchange of information.**

The project will play a crucial role in facilitation of the dialogue between anti-corruption institutions and CSOs through the project steering committee meetings, NCAC and will organize at least one event/meeting per year between CSO's and anti-corruption institutions that will aim to address gaps in transparency and integrity measures at central and local level.

- **Intervention 2: Kallxo.com platform is strengthened further.**

The project will strengthen the Kallxo.com Research Unit to manage the information flow on www.kallxo.com and coordinate follow-up activities with responsible anti-corruption bodies. The project will also roll-out and presence of Kallxo.com platform in 38 municipalities in Kosovo through established cooperation agreements with small CSOs and local media operating across Kosovo. Through project monitoring and coordination mechanisms, support will be provided to between Kallxo.com team and the anti-corruption institutions on sharing of information on corruption cases and follow-up.

Output 3.2:

Awareness of citizens on their rights and responsibilities on public transparency and accountability increased, with focus on vulnerable and marginalised groups.⁶⁶

- **Intervention 1 : Awareness raising activities for citizens to actively participate in efforts to fight corruption.**

Education sessions for youth especially women and vulnerable/marginalized groups on active citizenship, interactive web-sessions to exchange ideas and influence corruption related issues and video features and broadcast TV shows with local media partners to increase civic engagement and social responsibility

Civic engagement and empowerment refer to a condition in which every citizen has the means to actively engage in the public sphere. Through these means, the population can also provide a check on the government and influence government policy.⁶⁷ This component seeks to address the demand side of democratic governance and use the potential of proactive government transparency to generate engagement, by considering and capitalizing on the capacities of citizens, activists and civil society organizations in Kosovo.

Within the scope of this project, civil society engagement can further good governance goals by:

- Creating conditions for inclusive participation of young women and men, and engagement of existing civic initiatives in support of better governance,
- Regulating and monitoring state performance and the action and behavior of public officials,

⁶⁶Women, youth, minorities, and people with disabilities and special needs

⁶⁷US Institute of Peace, *Civic Participation and Empowerment* <http://www.usip.org/guiding-principles-stabilization-and-reconstruction-the-web-version/8-stable-governance/civic-partic>

- Building social capital and enabling citizens to articulate their values, beliefs, civic norms and contribute substantively to democratic processes.

SAEK II will:

- a) Continue working with I/KS in strengthening the presence of kallxo.com in the public, growing the research capacity to follow up on more reports and building stronger bridges of kallxo.com with relevant rule of law institutions to ensure follow up of reported cases.
- b) In the form of ‘honest broker’, the project will improve collaboration between kallxo.com and anti-corruption institutions (*SDC External Review Recommendation of UNDP SAEK 4*).⁶⁸
- c) utilize a mediation approach address issues, risks, and possible solutions to strengthen communication mechanisms and will undertake consultations
- d) Expand Kallxo.com’s activities, both geographically, and in terms of the means of communications with the public.
- e) employ innovative methodologies that reflect state of art research in anti-corruption and good governance, such as behavioral insights and collaborative design
- f) In partnership with government, academia, civil society and other non-state actors, SAEK II will apply behavioral insights to improve public trust, increase civic responsibility and government responsiveness.
- g) When applicable, SAEK II will engage in social and collaborative design to support government units in providing better services and increasing public trust.
- h) Sustained mobilization of citizens who are willing and able to engage in future-oriented dialogues is central to the working methods of the project. Based on the variety of voices and perspectives the project proposes possible features that can be playfully and collectively explored. The proposals (i.e. early prototypes) may be communicated and explored visually, materially or through embodied interventions. The methodology is generally open-ended and generative, rather than primarily documentary or evaluative.

2.4 Human rights and gender considerations

Considerations on the Human-Rights Based Approach and Gender Equality have been made part of the project design. Thus, for instance, gender equality considerations will be incorporated into the Corruption Risk Assessments and Integrity Plans, the training and capacity building activities will have an observance of at least 30% balance throughout the trainings, and gender expert assessments of the messages and accompanying imagery or concepts will be incorporated. In addition to this, gender aspects in corruptive practices will be included into existing and new training materials on anticorruption issues to be delivered at all training/capacity development events.

Human rights considerations will be incorporated into the project activities by respect to the rights of civil servants: the right to privacy, right to protection of personal data as well as the right of nondiscrimination and the right to participation throughout all project activities for all participants.

The project also directly addresses all four priorities singled out by the DMFA Human Rights Based Approach principles – namely, the transparency, accountability participation/inclusion –and non-discrimination principles through its operations. The table below illustrates how project will ensure human rights based approach with concrete examples:

⁶⁸ Further support to Kallxo to improve collaboration with anti-corruption institutions

participation	Engagement of citizens to enable them to take part in concrete processes (Public hearings, access to information, engagement through Kallxo.com) especially at local level in order to maintain the citizen's interest, commitment and faith that individuals can create change.
accountability	Support institutions to develop accountability mechanisms through integrity plans, open data, participatory planning, and opening governments through use of social media and ICT tools.
non-discrimination	SAEK ensures equal participation of all citizens of Kosovo regardless of gender and ethnic backgrounds. SAEK cooperates with municipalities with mixed ethnicities and makes special emphasis on inclusion of women and people with disabilities in the process.
transparency	The project will continue to support institutions to develop systems that ensure transparency of their work such as e-procurement, e-recruitment, e-spending and engagement of kallxo.com to livestream discussions of municipal assemblies and decision making.

2.5 Partnership and donor coordination

Establishing and maintaining strategic partnerships with local and international stakeholders engaged in the area of anti – corruption is an important factor in ensuring effective interventions. Buy-in from project beneficiaries and key partners, such as KAA, KJC, KPC, ODP, Kosovo Police, and others is crucial; it ensures that project activities are designed to reflect the needs of the beneficiaries and to instigate sustainable and long – term change and results. A need for strengthened coordination and partnership between local and international stakeholders was highlighted also in the mid – term review of the current SAEK I project.

Building on past and present work in the area of rule of law, most notably as the main partner of the Ministry of Justice in drafting of the Rule of Law Strategy and main partner of the KAA in anti – corruption efforts in Kosovo, UNDP is best placed to facilitate coordination of local and international stakeholders by supporting the work of the National Anti – Corruption Council, established and functioning under the auspices of the President of Kosovo. In addition, SAEK II will further build on the results of SAEK I as a facilitator between anti – corruption institutions and CSOs, in particular, continuing with the meetings of the *Knowledge Management System* (KMS) comprised of focal points from the anti – corruption institutions and civil society organisations. KMS will ensure that communication and exchange of information between respective institutions and CSO's is maintained and strengthened.

The project will continue to serve as a facilitator of the dialogue and regular communication between all relevant stakeholders through the existing mechanisms (NCAC) and events related to project activities, donor mapping and improved reporting procedures. In addition, SAEK II will continue to support the KAA and officials of duty-bearing institutions in their dialogue with the civil society community and citizens. Moreover, KAA will be the leading institution during the first UNCAC review for Kosovo.

SAEK II will also maintain close partnership with the Council of Europe Project against Economic Crime (PECK II), to be funded by EU which will start in September 2015. As both of these projects support KAA, coordination of activities between two projects is crucial in order to avoid overlap and to have activities targeted to the needs of the KAA. As, PECK is mainly oriented towards the area of money laundering and other economic crimes, which neither SAEK I nor SAEK II covers, it seems that such overlap is avoided. However, regular quarterly meetings will be organized between two projects in order to ensure a

concerted effort and intervention (*SDC External Review Recommendation of UNDP SAEK 1*)⁶⁹. UNDP has traditionally enjoyed an excellent working relationship with the Council of Europe [CoE] and, in the absence of Kosovo-led coordination; UNDP has been keeping the CoE abreast of all of its activities in the area of good governance. There are frequent exchanges on the working level with regards to the PECK II project and UNDP provides information to the Member States plus II meetings on Rule of Law [last meeting was on this subject]. UNDP will continue to meet with the CoE and other players in the anti-corruption sector to exchange on areas of interventions and avoid overlap. The CoE will also be invited to serve on the project board for the next phase of SAEK, along with OSCE, which has also begun some activities in the field of anti-corruption in Kosovo.

While based on principles of Paris Declaration on Aid Effectiveness, country ownership is the cornerstone of alignment; recent experiences have shown that effective locally-led coordination in anti-corruption is not to be expected in the absence of greater political will and without further encouragement from the international community. To help create an enabling environment for improved coordination, it is proposed the next phase of SAEK will include a regular platform for exchange of information and coordination, co-facilitated by the project team and local authorities that will help to institutionalize working level relationships of trust and collaboration amongst key stakeholders working towards increased integrity and transparency in Kosovo.

Another project supporting the KAA is a World Bank Project on capacity development in prevention of corruption in public procurement. The project started in 2013 and will end in 2015. The project functions through two advisers embedded in the KAA. SAEK will coordinate with the project so that any future technical expertise provided through embedded advisers build upon and do not replicate the assistance provided by the World Bank.

SAEK will also closely coordinate with the OSCE Project on Enhancing capacities of the Kosovo Police to fight high-level corruption. The project has started in April 2015 and will finish in December 2015. The main objective of this project is to train police officers in investigation techniques. SAEK will coordinate with the project so that any future training organized under SAEK II build upon and do not replicate the assistance provided by OSCE.

SAEK will also closely coordinate with the EU funded project supporting the Kosovo Judicial Council and Kosovo Prosecutorial Council implemented by Human Dynamics. The project will end in April 2016. One of the components of this project supports the Office of the Disciplinary Prosecutor. SAEK will coordinate activities with this project in order to have one voice in advocating the need for a separate law for the Office of the Disciplinary Prosecutor in order to ensure full independence of this office (*SDC External Review of UNDP SAEK Recommendation 2*).⁷⁰ Moreover, UNDP SAEK will identify further opportunities for synergies in its regular meetings with EULEX. EULEX is already invited to all board meetings of SAEK [as are many of the other relevant international stakeholders]. The potential for more specific collaboration in the achievement of common results will be actively pursued in the context of both SAEK I and SAEK II programming and will be reported upon in late 2015.

⁶⁹ A close working relationship should be established between SAEK support to the KAA and the CoE project funded by the IPA

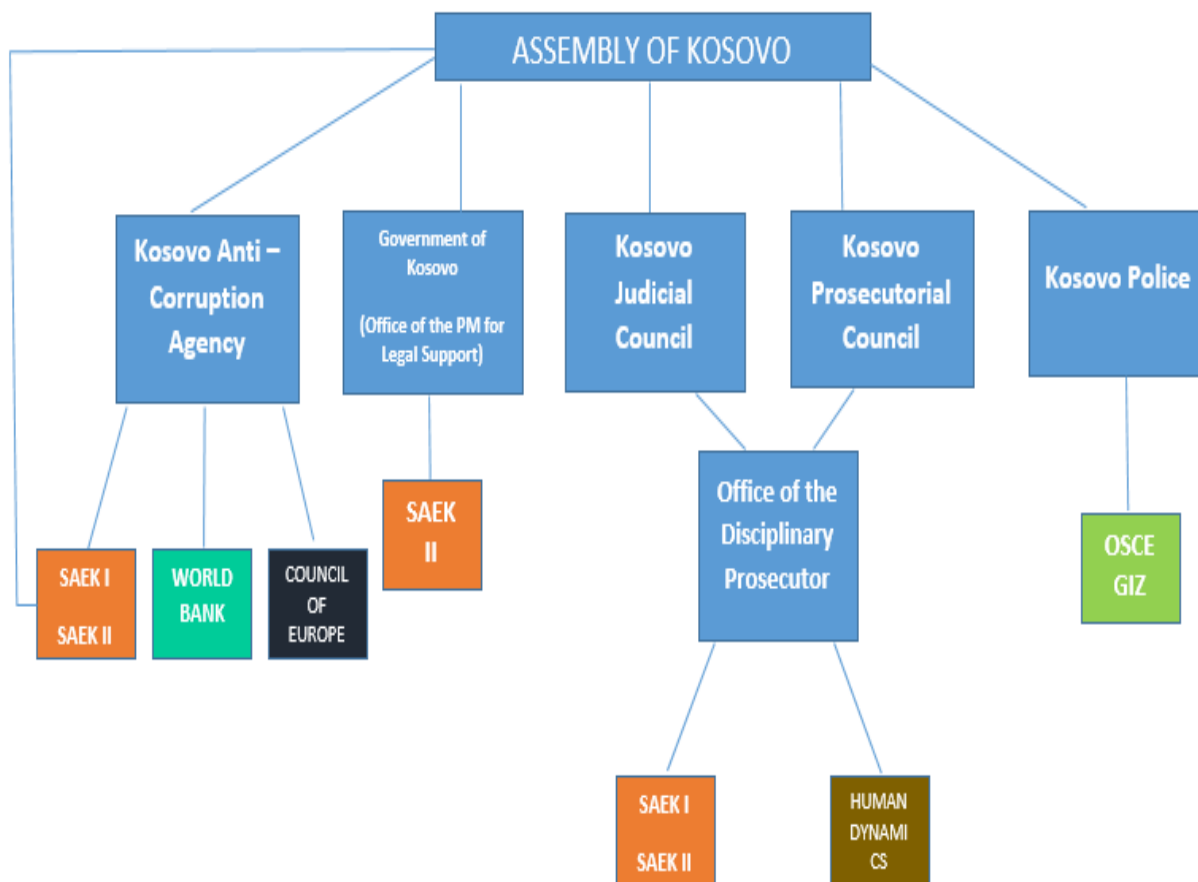
⁷⁰ Similar close collaboration should be maintained between SAEK and other donors / EULEX providing assistance to the ODP and other parts of the judiciary

Other donors involved in this area of anti-corruption are the Embassy of Norway and the British Embassy which supports small scale and grant based anti – corruption activities. Another project in the AC area is the US Embassy project of Anti – Corruption Campaign in Northern Kosovo.

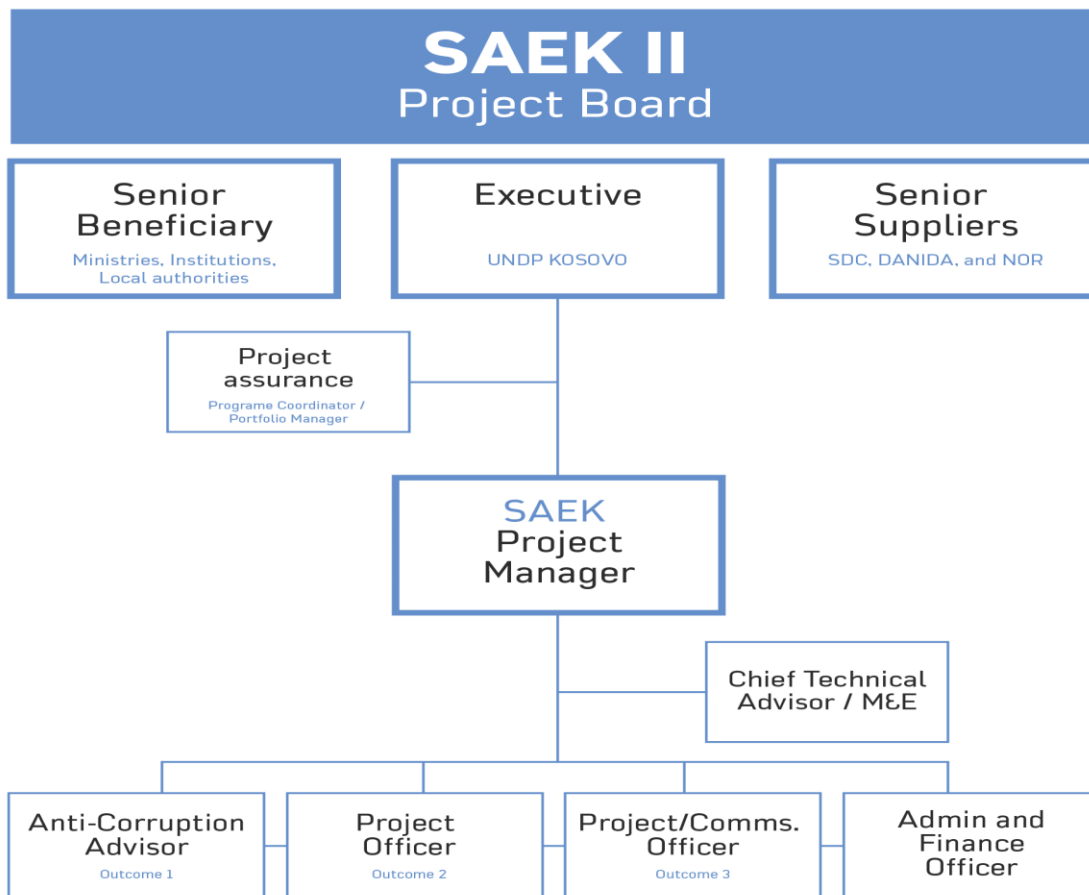
SAEK II will also coordinate its activities with existing projects within UNDP, in particular with the Rule of Law Project and Transitional Justice Project.

Finally, the project will also extensively benefit from the support of the UNDP *Istanbul Regional Hub* (IRH), which will facilitate coordination and synergies with similar initiatives in the Western Balkans and the Europe and CIS region in terms of expertise and guidance. The project will be able to rely on regional knowledge and lessons learned which might be applicable also to Kosovo.

Graph 4 Mapping of donor interventions in anti-corruption



5. MANAGEMENT ARRANGEMENTS



The project Board: The role of the Project Board as part of the Quality Assurance process, will monitor projects progress, lessons and decide on the way forward. Project Board will meet twice a year, in order to address the following questions:

- Is the project still relevant and effectively contributing to the intended outcomes?
- Is the project yielding the desired results?
- Are risks managed?
- Is the project being implemented as planned?
- Is there a need to redesign, cancel or modify the project in any way in order to ensure meaningful contribution to development results?

The Board contains three roles:

- Executive (role represented by UNDP);
- Senior Supplier (role represented by SDC, DANIDA, and NOR) that provides guidance regarding the technical feasibility of the project, and use of programme resources;
- Beneficiary (represented by national stakeholders)

The Project Board will hold meetings on a semi-annual basis, or more frequently if deemed necessary. The Board will monitor programme progress, decide on strategic decisions to ensure continued coherence between implementation and goals and objectives, decide on annual work plans and budgets, revise annual plans and budgets, as well as requests for funds presented by UNDP. Amendments to the budget, including use of contingencies, will be subject to the approval of the Project Board.

UNDP programme coordinator and portfolio manager will maintain regular communication to ensure high quality of project outputs.

The management of the project will be carried out by the UNDP SAEK Project Team in Kosovo within the overall framework of the UNDP Kosovo Programme Action Plan 2012-2016 in a Direct Implementation Modality (DIM). UNDP shall be responsible for the overall management and administration of the project, primarily with regard to the responsibility for the achievement of the outputs and the stated outcome. Similarly, UNDP will be accountable to the project Board for the use of project resources. UNDP will delegate managerial duties for the day-to-day running of the Project to the Project Manager, selected by UNDP through a competitive and transparent selection process.

In addition to the project Board, the Project Quality Assurance and Project Manager will partake in work of a joint coordination group between SDC, DANIDA, NOR, UNDP and other project donors, thereby ensuring programmatic monitoring. The Project team will monitor progress towards the programme's objectives and report accordingly.

The Project Manager has the authority to run the project on a day-to-day basis on behalf of the Project Board within the constraints laid down by the Project Board. The Project Manager is responsible for day-to-day management and decision-making for the project. The Project Manager's prime responsibility is to ensure that the project produces the results specified in the project document, to the required standard of quality and within the specified constraints of time and cost. The Project Manager will report directly to the UNDP Programme Coordinator.

The team will consist of:

Project management

- *Project Manager* (responsible for managing the capacity development of and ties with institutions/partners at the national and local levels, providing guidance and expert inputs into all outcomes, achieving the overall project outputs and day-to-day management of the project);
- *Project Officer* (responsible for Outcome II and taking lead in judicial integrity and gender considerations throughout the project)
- *Project Officer* (responsible for Outcome III and taking lead on innovation and usage of non-conventional media throughout the project, as well as responsible for the overall communication and outreach of the project).

Technical advisors

- *International Chief Technical Advisor* (deployed for the duration of project implementation as the a higher-level practitioner, with experience in anticorruption preventive bodies in other countries, and is able to advise both the direct beneficiaries and the project team on best ways to proceed with shaping and implementing concrete activities) – responsible for strategic-level advice and transfer of knowledge and skills to the project team and ensuring the monitoring and evaluation on regular basis;
- *Anti-Corruption Advisor* (responsible for Outcome I and taking lead in all thematic anticorruption areas of project implementation, assisting the team with quality assessment of the products delivered with project support);

The project team shall have the capacity to motivate people and to build relationships with colleagues, partners, beneficiaries, government authorities, donor organizations and other stakeholders.

Organizational, HR, procurement, IT and other related issues will be provided by UNDP Kosovo through a Project Associate working specifically for the project.

ToRs for each project position are attached as separate annexes.

Project Quality Assurance

The project quality assurance is provided by UNDP programme. The programme team will support the Project Board by carrying out objective and independent project oversight and monitoring functions. The programme team ensures appropriate project management milestones are managed and completed. The programme team conducts meetings with stakeholders and targeted institutions to ensure the project is on track, in line with strategic priorities and takes in to account emerging needs. UNDP Programme Coordinator and Portfolio Manager holds the Project Assurance role. Quality assurance on implementing a project is conducted to achieve project outputs as defined in SAEK II project document / Annual Work Plan through implementation and monitoring. More specifically:

- Overseeing the management of the overall conduct of the project including site and field visits;
- Regular monitoring of progress and ensure the project is on track and in line with needs of target institutions;
- Ensuring that any emerging changes are agreed between all parties and are implemented on effective manner;
- Ensures continuous monitoring of risks and mitigation strategy;
- Ensures that reporting on progress includes measures to address lessons, challenges and opportunities;
- Monitor that resources by donors entrusted to UNDP are utilized appropriately;
- Ensure ownership, ongoing stakeholder engagement and sustainability;
- Regular financial reports and narrative reports are submitted.

The **project stakeholder** circle (please consult Annex 3 – Diagram: Project Partners) consists of the following entities:

- Inner circle: direct beneficiary and or primary partner (KAA, KPC, KJC, KPC, ODP)
- Middle circle: indirect beneficiary (MoJ, KJI, Police, KBA, Customs, Agency for Gender Equality)

- Outer circle: stakeholders and wider beneficiaries (NCAC, AoK, partnering donors agencies including OSCE, CoE, World Bank, GIZ, USAID)

The project will receive overall guidance and strategic direction from the Project Board (PB). The Board is the group responsible for making consensus-based management decisions for the project when guidance is required by the Project Manager, including recommendation for approval of project revisions. Project reviews by this group are made at designated decision points during the running of a project, or as necessary when raised by the Project Manager. This group is consulted by the Project Manager for decisions when tolerances (i.e. constraints normally in terms of time and budget) have been exceeded. The Project Board will consist of representatives of national stakeholders, UNDP Kosovo, SDC, DANIDA, and NOR and will be chaired by UNDP. Other stakeholders will have an opportunity to partake in Board meetings as agreed between Board members.

Audit arrangements

The Project is subject to standard UNDP audit arrangements. Being a subsidiary organ of the UN General Assembly and fully a part of the United Nations, UNDP enjoys a special status deriving from the UN Charter, the general legal framework of the UN, including the privileges and immunities enjoyed by the organization pursuant to the Convention on the Privileges and Immunities of the UN adopted by the General Assembly in 1946. In accordance with this status, audits of UNDP are guided by the 'single audit' principle. Under that principle, any review by any external authority, including any governmental authority, is precluded under regulation 7.6 of the Financial Regulations and Rules of the United Nations, which provides that "the Board of Auditors shall be completely independent and solely responsible for the conduct of audit." This principle was reaffirmed by the General Assembly in its resolution 59/272: "The General Assembly [...] 11. Reaffirms the role of the Board of Auditors and the Joint Inspection Unit as external oversight bodies, and, in this regard, affirms that any external review, audit, inspection, monitoring, evaluation or investigation of the Office can be undertaken only by such bodies or those mandated to do so by the General Assembly".

Financial management

Financial management of the project will be conducted under UNDP Financial Regulation and Rules (FRR). FRR are regulations that govern the financial management of the United Nations Development Programme and shall apply to all resources administered by UNDP and to all the Funds and Programmes administered by the Administrator. They ensure acceptable levels of controls, as well as separation of duties. The new FRR are issued effective 1 January 2012, and govern the broad financial management of UNDP and the funds administered by UNDP, including the budgeting and accounting of resources. They have been updated to reflect the adoption of IPSAS and its terminology; and the revised harmonized cost classifications of the Joint report of UNDP, UNFPA and UNICEF on the road map to an integrated budget. Financial reporting mechanisms for SAEK II will be in compliance with the UNDP rules and procedures and also in conformity with the reporting requirements of the donors. In addition to periodical financial reports, ad-hoc reporting will be also utilized as per the request of each respective donor.

Intellectual property rights and use of logo

Project materials, publications, print or digital deliverables will be branded by the relevant UNDP logo and typography (subject to corporate brand-book) and SDC/DANIDA logo. All intellectual products produced under the SAEK II Project will be equipped with a standard UNDP intellectual property right disclaimer and, at discretion and agreement with SDC/DANIDA may be placed into creative commons.

6. MONITORING FRAMEWORK AND EVALUATION

The project will be monitored as specified in the Gantt chart attached as annex to the project document through the following:

- A midyear narrative and financial progress report capturing inputs, results challenges and potential required changes;
- An annual narrative and financial progress report capturing inputs, results challenges and potential required changes.

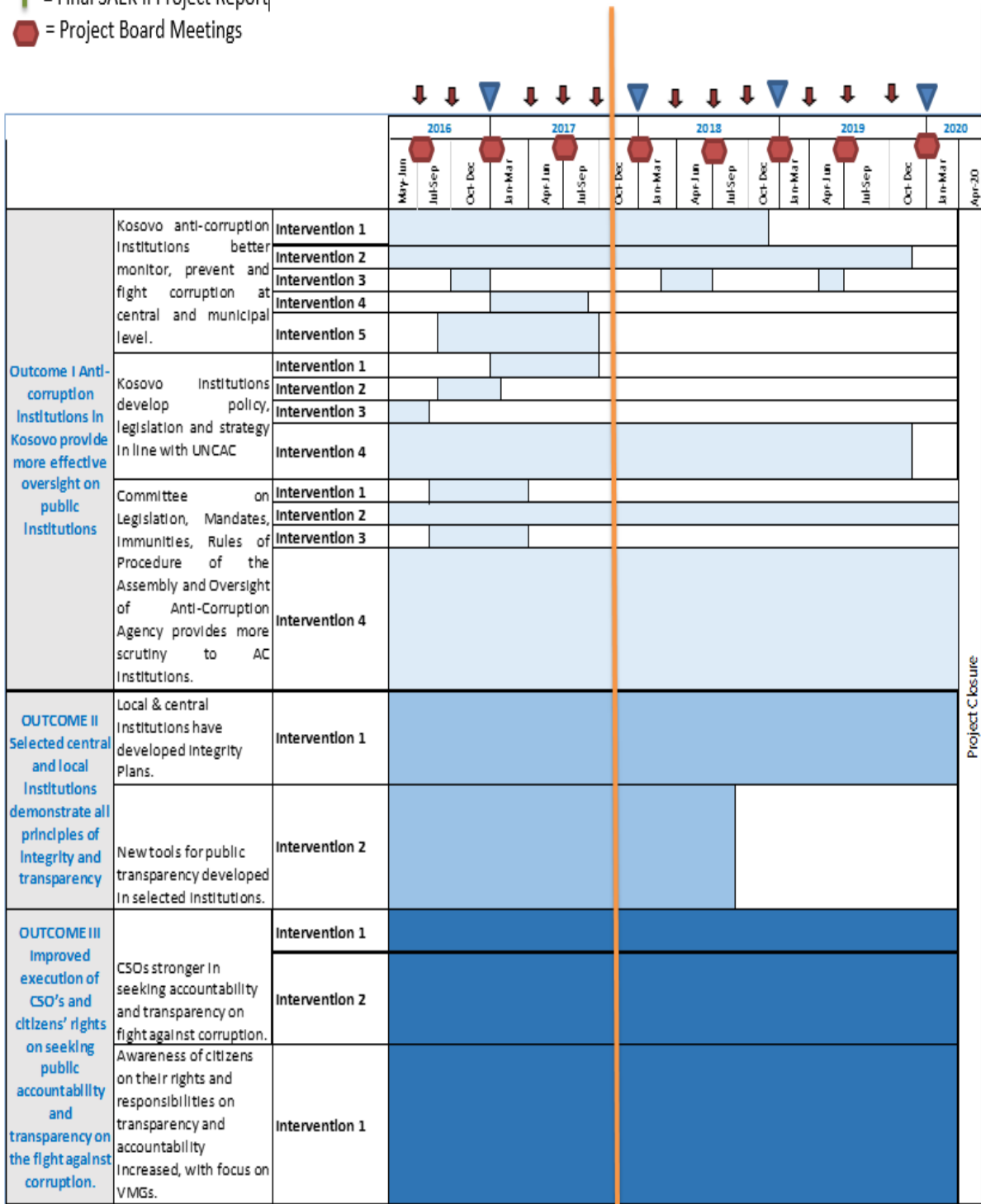
Specifically, within the annual cycle:

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table.
- An Issue Log shall be activated in Atlas and updated by UNDP to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted, a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Project Progress Reports (PPR) shall be submitted to the Project Advisory Board using the standard report format.
- A project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project.
- A Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events.

At the end of the project:

- Final Project Review Report. A Final Project Review Report shall be prepared and shared with the Project Board. As minimum requirement, the Final Project Review Report shall consist of the Atlas standard format for the Quarterly Progress Report (QPR) covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- Final Project Review. Based on the above report, a final project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project. As this project is of one year's duration, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

- ↓ = Quarterly Progress Reports
- ▼ = Annual Reports
- | = Mid-term Assessment
- = Final SAEK II Project Report
- = Project Board Meetings



7. SUSTAINABILITY AND EXIT STRATEGY

Since 1999, UNDP has been providing a strong support to the rule of law and democratic governance sector in Kosovo. As an active partner to the GOK, UNDP engaged in the strengthening of the local judiciary as well as prosecutorial functions, assisted the bar association as well as the development of mediation centers, started a transitional justice project to further the reconciliation process and has worked in parliamentary reform processes.

Phase II of the SAEK projects builds on SAEK Phase I. The direct stakeholders that benefited from Phase I were KAA, KPC, KJC, and ODP. SAEK II through a short startup phase will build upon the results and shortages of Phase I, to ensure that measurable results are achieved in Phase II based on direct stakeholder inputs and identified needs. All capacity development efforts through tailored made trainings, learning from international experiences and on the job training and mentoring will be delivered with the sustainability element in mind. Skills beneficiaries will be able to exercise those in practice through direct involvement in the implementation of project activities. Representative of partner institutions will play a crucial role in monitoring of implementation on day to day bases and as key members of project steering committee. They will be supported by the project team to capture results and identify opportunities to build on them, as well as identify obstacles and challenges and undertake the necessary measures to address them adequately. Project periodic results will be highlighted and presented by institutions in the project steering committee meetings and the decision on the next steps of the project will be jointly reached in the forum. The project will be implemented as part of the institutions day to day work for ensuring high degree of adoption of best practice and implementation by their side.

The political support in Kosovo is sufficient to ensure success in implementation of activities outlined for the intervention and to reach the envisaged results, outcomes and targets. Certain anti-corruption institutions have clear mandates and a certain political will. They will be brought in not only as beneficiaries but partners to contribute to implementation of project activities. As close partners in this process, the ownership and leadership of the process will be demonstrated by partner institutions, hence, project results sustainability will be achieved.

In general, the provision of assistance will be guided by the principle of national ownership for sustainability of actions. Significant degree of commitment and ownership was demonstrated during implementation of SAE I and during consultation process with local stakeholders for the SAEK II. Ownership and commitment was also demonstrated during consultations with stakeholders for design of SAEK II. The project activities will be implemented by under the leadership of partner institutions in Kosovo with direct support of UNDP experts and partner stakeholders. As stakeholder engagement is key to success of the project, institutional change will be locally driven and owned, with UNDP and relevant partners providing support and guidance. Development of strategic planning capability, in partnership with key stakeholders, will support the ability of the beneficiaries to ensure that the identified activities are in line with Kosovo's strategic priorities. The institutional change is to a large extent driven by the EU approximation process and aspiration for the EU membership and is, as such, embedded in Kosovo's strategic framework, which should ensure sustainability.

Legal context

This document together with the CPAP signed by the donor and UNDP which is incorporated by reference constitute together the instrument envisaged in the Supplemental Provisions to the Project Document, attached hereto. Consistent with the Supplemental Provisions, 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 executing agency.

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.

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.

SAEK II: Results and Resource Framework (2016 – 2020)

<p>Project title and ID (ATLAS Award ID): Support to Anti-Corruption Efforts in Kosovo (SAEK) II</p> <p>Impact: Level of corruption in targeted Kosovo public institutions has decreased. Impact Indicator: Citizens’ perception on corruption prevalence in Kosovo at central level and local level institutions. Impact Baseline 1: UNDP Kosovo Public Pulse prevalence of corruption in health 52.6%, energy 44.7%, education 29.3%, central institutions 38.5%, and local institutions 33.8%. Impact Baseline 2: Corruption Perception Index (CPI) for Kosovo is 110th in 2014. Impact Target 1: At least 5% decrease of citizen’s perception on prevalence of corruption in targeted institutions (health, energy, and education selected central and local institutions) by 2020. Impact Target 2: CPI for Kosovo 90th (2020).</p>
<p>OUTCOME I Anti-corruption institutions in Kosovo provide effective oversight.</p> <p>Outcome Indicator:</p> <ol style="list-style-type: none"> 1.1 % of cases resolved vs # of cases submitted on corruption by anti-corruption institutions. 1.2 # of judges and prosecutors under procedure for exceeding the legal deadlines. 1.3 % of Anti-Corruption Strategy 2013 – 2017 implementation 1.4 Average score of assessment on implementation of the most important actions from the Anti-Corruption Strategy⁷¹ 1.5 # cases reported through Kallxo.com that are receiving legally prescribed action by the authorities concerned <p>Outcome Baseline:</p> <ol style="list-style-type: none"> 1.1 In 2013: 778 cases on corruption received by anti-corruption institutions, out of which 40.36% are resolved. In 2014: 976 cases received, 45.49% resolved. 1.2 25 judges and prosecutors under procedure for exceeding the legal deadlines. 1.3 54% of Ant-Corruption Strategy 2013 – 2017 implemented (2015). 1.4 TBD in the beginning of the project implementation. 1.5 100 cases reported through Kallxo.com have received action by the authorities concerned (2015) <p>Outcome Target:</p> <ol style="list-style-type: none"> 1.1 An increase of 10% by 2017 and at least 50% of received cases on corruption processed by 2020. 1.2 # of judges and prosecutors disciplined for exceeding the legal deadlines is increased. 1.3 At least 80% of Ant-Corruption Strategy 2013 – 2017 implemented by 2017. 1.4 TBD once the baseline is decided. 1.5 At least 200 cases reported through Kallxo.com have received action by the authorities concerned (2020)

⁷¹Average score of assessment of representatives of anti-corruption bodies, CSOs that deal with corruption matters, media, and international organizations

INTENDED OUTPUTS	INDICATIVE INTERVENTIONS	RESPONSIBLE PARTIES	INPUTS
<p>Output 1.1: Kosovo anti-corruption institutions better monitor, prevent and fight corruption at central and municipal level</p> <p>Indicators:</p> <p>1.1.1 % of number of asset declarations verified by the Anti-Corruption Agency</p> <p>1.1.2 Specialisation of judges and prosecutors to handle corruption cases</p> <p>1.1.3 % of cases on unethical behaviour of judges & prosecutors processed by Office of the Disciplinary Prosecutor (ODP)</p> <p>Baselines:</p> <p>1.1.1 Only 20% of the asset declarations are verified (2014)</p> <p>1.1.2 Specialisation of judges and prosecutors on corruption cases non-existent (2015)</p> <p>1.1.3 30% of cases on unethical behaviour of judges & prosecutors processed by Office of the Disciplinary Prosecutor (ODP) (2014)</p> <p>Targets:</p> <p>1.1.1 At least 75% of the asset declarations verified by 2020</p> <p>1.1.2 At least one judge and one prosecutor from Basic Prosecutions and Courts specialised in corruption cases by 2020⁷²</p> <p>1.1.3 At least 50% of cases on unethical behaviour processed by ODP by 2020</p>	<p>Intervention 1 Capacity enhancement of anti-corruption institutions.</p> <ul style="list-style-type: none"> ▪ Provide technical expertise and mentoring through advisors embedded in respective anti-corruption institutions; ▪ Provide tailor made trainings to judges and prosecutors, women and men, to specialize on handling corruption cases, with particular emphasis on financial crimes investigation; ▪ Support the KAA to develop digital platform to verify higher number of asset deceleration cases; ▪ Provide internship opportunities for Law graduates in SAEK partner institutions, with particular emphasis on representation of women, minorities and disadvantaged groups. <p>Intervention 2 Support partnership and collaboration amongst all anti-corruption institutions, domestic and international</p> <ul style="list-style-type: none"> ▪ Support the National Anti-Corruption Council to set policy priorities in anti-corruption area in participatory manner. ▪ Facilitate the dialogue between key donors in anti-corruption under the auspices of the NACC. ▪ Provide support to upgrade the database for reporting of corruption cases, with access of all relevant institutions. <p>Intervention 3 Exchange of good practices from European</p>	<p>Kosovo Anti-Corruption Agency Kosovo Prosecutorial Council Kosovo Judicial Council Office of the Disciplinary Prosecutor National Anti-Corruption Council Prime Minister’s Office for Legal Support Services Political Parties Kosovo Customs Kosovo Public Administration Institute Kosovo Police and donors</p>	

⁷² Given that there are 7 basic courts and 7 basic prosecution offices, the target will be at least 14 judges and prosecutors.

	<p>countries.</p> <ul style="list-style-type: none"> ▪ Establish communication and cooperation between anti-corruption institutions in Kosovo and their counterparts in the selected European countries; ▪ Organize exchange visits for anti-corruption practitioners and policy makers. <p>Intervention 4 Support the Prime Minister’s Office for Legal Support Services in corruption proofing of legislation.</p> <ul style="list-style-type: none"> ▪ Capacity development for the Prime Minister’s Office for Legal Support Services in methodology to conduct corruption proofing of legislation for primary laws based on Regional Anti-Corruption Initiative (RAI) methodology; ▪ Facilitate the exchange of experience between Kosovo institutions and regional mechanisms experienced in corruption proofing of legislation. <p>Intervention 5 Capacity enhancement of ODP to effectively & efficiently investigate allegations of misconduct by judges and prosecutors.</p> <ul style="list-style-type: none"> ▪ Provide tailor made trainings to enhance the capacities of the ODP to efficiently investigate allegations of misconduct; ▪ Provide technical assistance through legal researches and investigators to enhance the capacity of the ODP to timely process cases received; ▪ Support ODP in public visibility and awareness raising activities to increase knowledge of citizens on the role and responsibilities of ODP. 		
<p>Output 1.2: Kosovo institutions develop policy, legislation and</p>	<p>Intervention 1 Conduct UNCAC Review for Kosovo.</p>	<p>Assembly of Kosovo Anti-Corruption Agency</p>	

<p>strategy in line with UN Convention against Corruption (UNCAC) requirements.</p> <p>Indicator:</p> <p>1.2.1 # of legislation reviewed in line with UNCAC</p> <p>1.2.2 Anti-Corruption Strategy</p> <p>1.2.3 GOPAC Chapter in Kosovo</p> <p>1.2.4 Reports submitted to GOPAC on implementation status and discussed before the Assembly⁷³</p> <p>Baseline:</p> <p>1.2.1 Zero (2015)</p> <p>1.2.2 Anti-Corruption Strategy 2013 – 2016 in place</p> <p>1.2.3 No GOPAC chapter in Kosovo (2015)</p> <p>Target:</p> <p>1.2.1 At least 7 main laws reviewed⁷⁴ by 2017</p> <p>1.2.2 Anti-Corruption Strategy 2017 – 2020 developed by 2016</p> <p>1.2.3 GOPAC Chapter in Kosovo is established by 2017</p> <p>1.2.4 Annual report submitted to GOPAC Secretariat by GOPAC Chapter in Kosovo by 2018</p>	<ul style="list-style-type: none"> ▪ Facilitate the engagement of UNODC experts to conduct the UNCAC review on policies, legislation and strategies, under the leadership of the Anti-Corruption Agency; ▪ Assist the local and central institutions to address the requirements deriving from the UNCAC review; ▪ Organize workshops to gather information from institutions; ▪ Facilitate participation of CSOs into the UNCAC review. <p>Intervention 2 Support development of the new anti-corruption strategy based on UNCAC Review.</p> <ul style="list-style-type: none"> ▪ Engage experts for development of the new strategy (2017-2020); ▪ Facilitate discussions through technical working groups for consultations with institutions, CSOs, and the media; ▪ Facilitate South-South cooperation⁷⁵ to align to regional approaches to anti-corruption. <p>Intervention3 GOPAC (Group of Parliamentarians Against Corruption) Kosovo Chapter is established.</p> <ul style="list-style-type: none"> ▪ Assist the Assembly of Kosovo to identify anti-corruption champions, women and men, to be part of the GOPAC Chapter for Kosovo; ▪ Provide capacity development for GOPAC members on their roles and responsibilities ▪ Facilitate the dialogue between the GOPAC 	<p>UNODC</p> <p>Ministry of Education, Science and Technology</p> <p>Ministry of Health</p> <p>Ministry of Economic Development</p> <p>Public Procurement Regulatory Body</p> <p>Procurement Review Body</p> <p>Central Authority on Procurement</p> <p>CSOs</p> <p>Central and local institutions</p>	
--	---	--	--

⁷³Reports on the status of UNCAC implementation of recommendations will be provided by central and local institutions, independent institutions, and CSO's

⁷⁴Law on Anti-Corruption Agency, The Law on Declaration, Origin and Control of High Public Officials and Declaration, Origin and Control of Gifts for All Public Officials, The Law on Prevention of the Conflict of Interest, Law on Kosovo Prosecutorial Council, Law on Judicial Council, Law on Public Procurement

⁷⁵For more info see http://ssc.undp.org/content/ssc/about/what_is_ssc.html

	<p>Secretariat and Assembly of Kosovo in addressing rules and procedures to establish the chapter; Assist the Kosovo Members of the Parliament to functionalize the GOPAC Chapter and become active participants in monitoring the implementation of anti-corruption agenda.</p> <p>Intervention 4 Support transparency in the public procurement process.</p> <ul style="list-style-type: none"> ▪ Training needs assessment will be conducted ▪ Capacity development for Public Procurement Regulatory Commission (PPRC), Procurement Review Body (PRB), and Central Procurement Authority (CPA) to analyze technical specification for complex sectors. ▪ Deliver tailor made training to the procurement institutional representatives. ▪ Review and improve standards on transparency and integrity in public procurement. ▪ Develop and implement a professional development program for managing public procurement in cooperation with the public procurement institutions and the Kosovo Institute for Public Administration (KIPA). ▪ Introduce systems and procedures to control corruption in public procurement 		
<p>Output 1.3: Committee on Legislation, Mandates, Immunities, Rules of Procedure of the Assembly and Oversight of Anti-Corruption Agency provides more scrutiny to anti-corruption institutions.</p> <p>Indicator:</p> <p>1.5.1 % of recommendations of the Committee implemented by the Anti-Corruption Agency</p> <p>1.5.2 # of reporting sessions by the Agency</p>	<p>Intervention 1 Capacity enhancement of the Committee for oversight of the Anti-Corruption Agency</p> <ul style="list-style-type: none"> ▪ Support to the Committee to establish standards for oversight of KAA <p>Intervention 2 Strengthen cooperation of the Committee with CSOs and the media</p> <ul style="list-style-type: none"> ▪ Support the Committee on strengthening 	<p>Assembly of Kosovo</p>	

<p>requested by the Committee</p> <p>Baseline:</p> <p>1.5.1 No recommendations from the Committee on the Agency (2014)</p> <p>1.5.2 1 reporting session per year (2015)</p> <p>Target:</p> <p>1.5.1 At least 50% of recommendations of the Committee implemented by the Agency by 2020</p> <p>1.5.2 At least 2 reporting sessions by 2017, and 4 reporting sessions by 2020</p>	<p>collaboration and coordination with CSOs specialized in anti-corruption</p> <ul style="list-style-type: none"> ▪ Establish cooperation between Committee and kallxo.com to livestream committee sessions to the wider public. <p>Intervention 3</p> <p>Capacity development of the Committee in corruption proofing of legislation.</p> <ul style="list-style-type: none"> ▪ Support Committee to become familiar with methodology to conduct corruption proofing of legislation for primary laws; ▪ Facilitate the exchange of experience between Kosovo institutions, regional mechanisms and counterparts experienced in corruption proofing of legislation. <p>Intervention 4</p> <p>Strengthen the role of Women’s Caucus to monitor corruption risks</p> <ul style="list-style-type: none"> ▪ Develop capacities of the Women’s Caucus to monitor gender equality related corruption risks and vulnerabilities ▪ Support the Caucus to monitor the implementation of recommendations from the UNDP Assessment on Gender & Corruption 		
<p>OUTCOME II Selected central and local institutions demonstrate all principles of integrity and transparency</p> <p>Outcome Indicator:</p> <p>2.1 % of measures implementation of integrity plans – needs to be amended with qualitative indicators, otherwise on the easy ones can be implemented, but not the tough ones;</p> <p>2.2 Average score of assessment on implementation of the most important actions from the Integrity Plans⁷⁶</p> <p>2.3 Level of satisfaction by the citizens with fight against corruption for target institutions</p> <p>Outcome Baseline:</p>			

⁷⁶Average score of assessment of representatives of anti-corruption bodies, CSOs that deal with corruption matters, media.

<p>2.1 Prishtina/Pristina 26% implemented, other municipalities 0% (2015) 2.2 TBD in the beginning of the project implementation 2.3 TBD by the public pulse in the beginning of the project implementation</p> <p>Outcome Target: 2.1 At least 50% of measures to be implemented by 2020 2.2 TBD once the baseline is decided. 2.3 TBD by the public pulse in the beginning of the project implementation</p>			
INTENDED OUTPUTS	INDICATIVE INTERVENTIONS	RESPONSIBLE PARTIES	INPUTS
<p>Output 2.1 Local and central institutions have developed Integrity Plans.</p> <p>Indicators: 2.1.1 Integrity Plans drafted for central and local level institutions</p> <p>Baselines: 2.1.1 3 Integrity Plans developed for the local level and 4 developed for the central level institutions (2015)</p> <p>Targets: 2.1.1 Up to 50% of municipalities and up to 30% of central level institutions have developed and adopted Integrity Plans by 2020</p>	<p>Intervention 1 Local and central institutions supported with integrity management systems.</p> <ul style="list-style-type: none"> ▪ Support local institutions to develop integrity plans to mitigate corruption risks. ▪ Support central institutions to develop integrity plans to mitigate corruption risks. ▪ Support central and local institutions to develop a framework for monitoring and evaluation for integrity plans including strengthening of internal audit procedures. ▪ Support implementation and monitoring of integrity plans at central and local level. 	<p>Ministries Municipalities</p>	
<p>Output 2.2 New tools for public transparency developed in selected institutions.</p> <p>Indicators: 2.2.1 # of tools in place for public transparency</p> <p>Baselines: 2.2.1 e-recruitment (Prishtina/Pristina) and e-spending</p>	<p>Intervention 1 Development of new tools increase public transparency.</p> <ul style="list-style-type: none"> ▪ Organize awareness rising for man and women on new tools for public transparency. ▪ Support the partner municipalities in maintaining and scaling-up new tools. ▪ Support partner institutions in organizing outreach activities to citizens, with particular 		

<p>(Prishtina/Pristina) (2015) 2.2.2 no e-procurement tool installed in municipalities</p> <p>Targets: At least 3 more municipalities have developed e-recruitment and e-spending platforms by 2020 2.2.2 At least 5 municipalities have developed e-procurement tool</p>	<p>emphasis on women, minorities and marginalized groups through social media, blogging, and SMS.</p>		
<p>OUTCOME III Improved execution of CSO's and citizens' rights on seeking public accountability and transparency on the fight against corruption.</p> <p>Outcome Indicator: 3.1 CSOs obtain regular public feedback from KAA and KPC, KJC on institutional efforts to fight corruption 3.2 # of cases of corruption identified, filed and convictions made widely public by kallxo.com 3.3 % of total number of requests for access to public documents are submitted by citizens (2013)</p> <p>Baselines: 3.1 No regular feedback to CSOs 3.2 250 corruption cases (or 6.3%) submitted to anti-corruption institutions (2015) 3.3 2.7% of total number of requests for access to public documents are submitted by citizens (2013)</p> <p>Targets: 3.1 CSOs receive feedback on the institutional efforts to fight corruption at least 3 times per year by 2017 3.2 1000 cases (or 15%) on corruption submitted to anti-corruption bodies by 2020 3.3 10 % of total number of requests for access to public documents are submitted by citizens by 2020</p>			
INTENDED OUTPUTS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
<p>Output 3.1: Civil society is stronger in seeking accountability and transparency on fight against corruption.</p> <p>Indicator: 3.1.1 # of meetings organized between CSOs and anti-corruption bodies within a year to exchange information 3.1.2 % of cases processed by Kallxo.com</p>	<p>Intervention 1 Facilitate communication between civil society organizations with anti-corruption institutions to contribute to effective exchange of information.</p> <ul style="list-style-type: none"> ▪ Facilitate the dialogue between anti-corruption institutions and CSOs; ▪ Organize joint meetings of institutions with CSOs to address gaps in transparency and integrity measures at central and local level. 	<p>CSOs National Anti-Corruption Council Kosovo Anti-Corruption Agency Kosovo Prosecutorial Council Kosovo Judicial Council Office of the Disciplinary Prosecutor Intelligence Financial Unit</p>	

<p>Baseline: 3.1.1 1 meeting per year with limited number of CSOs (2015) 3.1.2 90% of cases reported on Kallxo.com are processed and 10% verified (2015)</p> <p>Target: 3.1.1 At least 2 meetings per year with wider participation of profiled CSOs by 2016 3.1.2 100% of cases processed and at least 50% of cases verified by Kallxo.com Research Unit by 2020</p>	<p>Intervention 2 Kallxo.com platform is strengthened further.</p> <ul style="list-style-type: none"> ▪ Strengthen the Kallxo.com Research Unit to manage the information flow on www.kallxo.com and coordinate follow-up activities with responsible anti-corruption bodies; ▪ Support the roll-out and presence of Kallxo.com platform in 38 municipalities in Kosovo through established cooperation agreements with small CSOs and local media operating across Kosovo; ▪ Continue to support the dialogue between Kallxo.com team and the anti-corruption institutions on sharing of information on corruption cases and follow-up. 	<p>Police Inspectorate Kosovo Customs Kosovo Police Municipalities Donors</p>	
<p>Output 3.2: Awareness of citizens on their rights and responsibilities on public transparency and accountability increased, with focus on vulnerable and marginalised groups.⁷⁷</p> <p>Indicator: 3.2.1 % of citizens aware about mechanisms mandated to fight corruption 3.2.2 % of citizens aware about their rights and responsibilities on public transparency and accountability (access to information, participation in public hearings)</p> <p>Baseline: 3.2.1 TBD by Public Pulse Survey 2015 3.2.2 During 2013 and 2014 the total number of cases submitted to anti-corruption bodies are 1754</p> <p>Target:</p>	<p>Intervention 1 Awareness raising activities for citizens to actively participate in efforts to fight corruption.</p> <ul style="list-style-type: none"> ▪ Organize education sessions for youth especially women and vulnerable/marginalized groups, on active citizenship. ▪ Organize interactive web-sessions that gather youth, government officials and civil society to exchange ideas and influence corruption related issues and other community-focused topics. ▪ Develop video features and broadcast TV shows with local media partners to increase civic engagement and social responsibility among young women and men of various ethnicities; ▪ Organize interactive presentations and discussions in schools and universities to increase youth's participation in public decision making and decision monitoring. 	<p>Citizens of Kosovo CSOs</p>	

⁷⁷Women, youth, minorities, and people with disabilities and special needs

3.2.1 30% increase of citizens aware about mechanisms mandated to fight corruption by 2020			
3.2.2 Increase number of citizens that report corruption for at least 10% by 2020			

Annex 1
SAEK II Offline Risk Log

PROGRAMMATIC AND INSTITUTIONAL RISKS						
Programme Title: Support to Anti-Corruption Efforts in Kosovo (SAEK) II						
#	Risk factor	Likelihood	Background to assessment	Impact	Background to assessment	Risk response if applicable / potential effect on development cooperation in context
1.	Resistance to change amongst key stakeholders at central and local level reduce pace and the implementation of the anti-corruption agenda.	Likely	This risk is most visible once the regulations, standard operational procedures and guidelines are already in place, but actual implementation lies ahead. Risks are almost certain to lie in not sufficient capacity of the entrusted actors to perform (which will be addressed by the Project), coupled with unwillingness to implement reforms in public administration (including the drive to open up institutions and have integrity systems in place).	Major	<p>Lack of implementation of the adopted laws and regulations coupled with low capacity for addressing the relevant issues with required rigor may impede effective roll-out of the corruption prevention initiatives (central and local level). Lack of enforcement of corruption prevention regimes by institutions will ultimately also result in lower quality assessments by local and international experts (EU Progress Report, GRECO Review, UNCAC Review) and may make the progress more prolonged.</p> <p>Activities at municipality level cannot be implemented in the desired form leading to partly achievement of project output and remedial actions have to be taken. Cooperation with municipalities showing a lack of commitment might have to be reviewed. Impact of advocacy and public relations work within municipalities is lessened, as Citizens are not sufficiently well</p>	<p>While the project team will engage in continuous cooperation and communication with institutions to advocate the importance of public outreach and the potential of social media, it needs to be seen where the source of non-engagement might be. Lack of willingness should be of course be taken into account when planning additional activities with those municipalities in question. Municipalities engaged in the project as partners are fully aware of their responsibilities under the Integrity plans. This included disclosure and information requirements. Continued advocacy with municipalities is of critical importance, since the integrity chain needs to be understood well.</p> <p>Municipalities' reporting requirements and obligations <i>are integral part</i> of the follow-up to integrity plans.</p> <p>Recurring issues will be stated in the project's monitoring reports. The project will suggest several levels of escalation, when it comes to engaging municipalities that are not willing/able to fulfill their responsibilities.</p> <p>While the risk component dealing with capacity will be addressed through tailored and targeted training and capacity-building, the second dimension, that one of institutional political will for going the new charted course of operations, will be addressed through coupling external inputs with awareness raising and focus on drivers of change within the responsible institutions themselves. Peer pressure from neighboring countries part of Regional Anti-Corruption Initiative will also play its mitigating role. Public accountability</p>

				<p>informed and not able to adequately participate in municipal decision making or monitoring. This has also repercussions for the overall satisfaction of citizens with the municipalities.</p> <p>Moreover, lack of capacity of the Anti-Corruption Agency (KACA) to carry out its mandate puts additional burden on the project and does not guarantee sustainability.</p> <p>Changes in the leadership of the KAA during 2016 will be important to the future direction of the Agency in some respects and therefore details on their involvement in future assistance can only be developed once this occurs and levels of support from the new management can be determined.</p>	<p>through CSO pressure will also be used as a catalyst for change.</p> <p>The project will provide expert advice and training to enhance capacities of KACA further in international management standards thus ensuring sustainability of activities beyond the project.</p> <p>The project will, moreover, ensure clear communications of the project and delivery of the core message of ownership and ultimate responsibility of the main project partners and beneficiaries part of the corruption prevention architecture. Provide enough flexibility within the project to make sure that if the preferred modus operandi fails, then alternative paths are chosen to keep implementation on track and avoid image risk. Ensure adequate coordination with other donors in the sector.</p> <p>In the past the project aimed to strike a balance by supporting overall KAA institutional development, but past experiences made it clear that it is better value to focus on the areas of KAA mandate. UNDP will continue to engage with the other stakeholders, in close partnership with KAA, in its role as primary counterpart for the current project. Once the new leadership has been determined, the programmatic implications of any changes in the structure or mandate of the institution will be addressed as soon as possible (SCC External Review Recommendation 9).⁷⁸</p>	
2.	Coordination of anti-corruption bodies, political competition and internal frictions between interest groups significantly reduce the pace	Likely	This risk may manifest itself as delayed discussions at political level once decisions are necessary to adopt rules, regulations and standard operational procedures to strengthen the	Major	<p>The absence of the strategic and systemic approach on anti-corruption by institutions produces overlap and no visible results in fighting corruption.</p> <p>Different systems of entering and processing data make difficult to perform analysis and identify trends.</p>	<p>The project will serve as a facilitator of the dialogue and regular communication between all relevant stakeholders through the existing mechanisms (NCAC) and events related to project activities, donor mapping and improved reporting procedures.</p> <p>Project will facilitate creation of unified system of data collection and processing as a regular project activity.</p> <p>Strict selection of focal points in KACA and KJC which will</p>

⁷⁸ Changes in the KAA leadership during 2016 and its implications

	and scope of implementation of anti-corruption agenda.		mandate of KACA on conflict of interest, assets declaration, and corruption risk assessment operational in cooperation with other anti-corruption institutions. While there has so far been general agreement on the necessity to introduce effective mechanisms for these mandates, hammering out the exact regulatory detail may take much more time and energy than generic political will.		The impact may manifest itself in slower than expected elaboration and, importantly, agreement and adoption of the defined rules, regulations and standard operational procedures. While this situation may not preclude adoption of the necessary regulations in the long run, the pace of transformation may be suboptimal.	drive the project activities and continued cooperation and communication with KACA and KJC throughout project duration. Focus on both drivers of change and potential spoilers in programming. Emphasize external conditionality (e.g. agreement with institutions, support conditionality). Continue to support progressive decision-makers and officials of duty-bearing institutions in their dialogue with the civil society community and citizens. To ensure that the need for change remains on political agenda of institutions SAEK will continue to implement awareness campaigns such as International Day on Anti-Corruption to provide more information on the work of anti-corruption bodies and to reward anti-corruption champions. Continuation of the chosen strategy of working openly and inclusively with all stakeholders and groups of interest is likely to shield the project, implementing institution and donor from much of the image risk. At the same time, caution and special attention need to be paid to inclusiveness, openness, political neutrality and values promulgated by the project itself so as to avoid possible image damage.
3.	Judicial system continues to be politically influenced.	Likely	There are no visible results in fighting corruption and law enforcement, hence, corruption will remain at high levels. Lack of follow-up and timely prosecution of cases will impact the credibility of anti-corruption efforts by all stakeholders and decrease the effectiveness of investments made through activities with the judiciary. In	Major	Keeping in mind the overall necessity to reform the judicial sector and Government of Kosovo's rhetoric that rule of law is amongst its main priorities, in practice we have experiences the opposite. The government has prioritized investments in the infrastructure in terms of budgetary expenditure, while the budgetary share for the rule of law has decreased. UNDP's and UNODC's assessment of Judicial Integrity in Kosovo, confirmed the public perception of a judicial system with significant corruption problems and	Work closely with National Council for Anti-Corruption, the project will bring to the agenda of discussion the issue of political interference and engage at the same forum with CSOs and the media to hold the NCIC accountable for implementation of their recommendations. Regular advocacy from interested donor countries to the Office of the Prime Minister and the Ministry of Justice. Advocacy and lobbying with relevant stakeholders to explain the importance of a fully independent oversight mechanism for the judiciary. Regular exchange through the donor coordination mechanism, in particular with EULEX and UNODC, to obtain information on irregularities that could make activities as planned ineffective.

			<p>addition, relevant authorities have been reluctant to promulgate a separate Law for the Office of Disciplinary Prosecutor which affects its independence and impartiality.</p>		<p>inefficiencies. This was further demonstrated in part by the large case backlog that has developed in the court system. Political influence over members of the judiciary and prosecution services was highlighted as a key problem and one that was perceived as being directly related to the issue of corruption.</p>	<p>Board meetings to make this a standing item. Support to judiciary and prosecution should be made contingent to the performance.</p> <p>Project activities are designed with the ultimate goal of having corruption free and independent institutions, thus lowering the public perception of corruption. Adequate coordination with other donors is necessary, and their political weight should be leveraged, in order to project a concerted message of support to independence of judicial system bodies.</p> <p>Continue working with CSO's to put pressure on judicial system bodies to timely perform their duties in processing of corruption cases.</p>
4.	<p>Kosovo citizens are not sufficiently motivated to actively engage in government monitoring and public decision making.</p>	<p>Likely</p>	<p>The rationale of this project is to address this particular issue and the goal of the specific public awareness component is, amongst others, to inform of the effectiveness of relevant regulations being put in place. Whereas corruption is a very multidimensional phenomenon and progress may be uneven, proper implementation of solidly-elaborated tools and mechanisms is highly likely to produce effect on improving the situation.</p>	<p>Major</p>	<p>Lack of participation amongst citizens does not create the desired project impact.</p> <p>Should no change at all be observed or perceived, credibility of the intervention is likely to suffer and be questioned by both the core stakeholders and the public at large.</p> <p>Corruption remains widespread, systemic and entrenched, and impunity will generate dissatisfaction and further eroded trust to public institutions.</p>	<p>Closely monitor awareness raising activities and guarantee they are appealing and relevant to the target audience. Adapt strategy when necessary (for i.e. based on public pulse surveys).</p> <p>Project will continue to support civic engagement and empowerment, a condition in which every citizen has the means to actively engage in the public sphere. Through these means, such as our online platform to report corruption kallxo.com, the citizens can exercise their oversight role and influence government anti-corruption agenda. Project will also address the demand side of democratic governance and use the potential of proactive government transparency to generate engagement, by considering and capitalizing on the capacities of citizens, activists and civil society organizations in Kosovo.</p> <p>Ensure clear communications of institutions vis – a vis citizens. The project will continue to assist institutions to improve identification of corruption opportunities and threats throughout their internal organizations. Reduce opportunities for corruption within institutions and improve institutional resistance to corruption. Ensure compliance with applicable Kosovo legal and procedural requirements, as well as international norms and standards. Create/strengthen</p>

						capacities their internal capacities to establish effective anticorruption mechanisms, build awareness at all levels and create co-ownership in the process of developing, implementing and monitoring integrity plans.
5.	Inadequately harmonized and / or competing donor programmes and agendas.	Unlikely	This risk may manifest itself in insufficiently aligned actions of the different actors (OSCE, CoE, EU, British Embassy, USAID etc.) in the donor community, resulting in varied or even conflicting agendas for build-up of the anticorruption agenda. The overall situation remains unsolidified, and ad-hoc initiatives prevail over systematic work due. At the same time, with the current demonstrated attempts to coordinate donor efforts, it is likely that the coordination drive is going to be retained in the future.	Minor	In case uncoordinated efforts emerge, this may have impact on programmatic work, including duplication of efforts or sub-optimal attention to certain areas at the expense of others.	<p>The Project will support the efforts of strengthening of inter-institutional coordination in fight against corruption under the auspices of National Council on Anti-Corruption.</p> <p>Project will incorporate clear messages regarding anticorruption work into all programmatic activities, build up a recognizable and clear image of the project. Continue the good practice of exchanging information with key development partners be that at formal or informal coordination levels to avoid duplication.</p>

Annex 1
SAEK II Project Partnerships

Outer circle / stakeholders and wider beneficiaries

National Council for Anti-Corruption Policy under the President
Parliamentary Committee on Legislation, Mandates, Immunities, Rules of
Procedure of the Assembly and Oversight of Anti-Corruption Agency
Parliament's Women Caucus
Office of the Prime Minister for Legislative Affairs
Political Parties
Partnering donor agencies (OSCE, EU, Council of Europe, World Bank, GIZ, USAID)
Population of Kosovo as a whole
Kosovo Association of Municipalities

Middle circle / indirect beneficiary

Ministry of Justice (MoJ)
Kosovo Judicial Institute (KJI)
Kosovo Police
Tax Administration
Kosovo Customs
Financial Intelligence Unit, Auditor General, Agency for Managing Seized &
Confiscated Assets
Kosovo Bar Association
Agency for Gender Equality

Inner circle / direct beneficiary and / or primary partner

Anti-Corruption Agency (KAA)
Kosovo Prosecutorial Council (KPC)
Kosovo Judicial Council (KJC)
Office of the Disciplinary Prosecutor (ODP)
Line Ministries (Education, Health, Economic Development, Local
Government Administration, Public Administration, Labor and Social
Welfare
Local-level government

Annex 2

Meeting with partners on SAEK II preparation phase on 28 May 2015

List of attendants:

1. Hasan Preteni, Head of the Kosovo Agency for Anti-Corruption
2. Laura Pula, National Anti-Corruption Coordination (Kosovo Prosecutorial Council)
3. Zef Prendrecaj, Head of the Office of the Disciplinary Prosecutor
4. Ardian Rexha, Kosovo Judicial Council
5. Tea Blakaj, Kosovo Judicial Council
6. Diana Qarkagjia, Municipality of Gjakova/Djakovica
7. Fadil Miftari, Kosovo Agency for Anti-Corruption
8. Agron Demi, GAP
9. Artan Canhasi, KDI and Transparency International Kosovo
10. Visar Sutaj, KDI and Transparency International Kosovo
11. Faik Ispahiu, Kallxo.com
12. Albulena Sadiku, Kallxo.com
13. Fidan Haliti, Kosovo Police

The meeting with partners, beneficiaries and stakeholders was convened as part of the consultation process under the auspices of the SAEK Project. The objective of the meeting was to validate the identified issues, challenges and interventions during SAEK consultation process in March, 2015, as part of drafting the new project proposal SAEK II. Representatives of all partner institutions attended the meeting, ranging from the main anti-corruption institutions, to the civil society and also the local government (municipalities).

After the introduction of the meeting objective, UNDP staff delivered a presentation of the key expected results and activities of SAEK 2, based on the work already implemented by SAEK 1 and also based on the issues and challenges identified previously. New interventions were also introduced for discussion by all stakeholders present, whereas UNDP explained the possibility for further funding from the Swiss and Danish Government.

It was also reconfirmed that the results expected to be achieved in the next phase of SAEK, is in line with the priorities set out on the Anti-Corruption Strategy of Kosovo 2013-2017, as follows:

- Institutions responsible for delivering public services and social justice are accountable and responsive to rights holders;
- Key civil society actors increasingly influence the accountability of governance for public services and social justice;
- Target Municipalities have local governance mechanisms in place promoting human rights based development.

Summary of key points:

All participants agreed that the key results of SAEK up to date provide a firm ground for the support to continue, in particular towards strengthening the capacities of the municipalities to implement and monitor the integrity plans. In addition, emphasis was given to new municipalities who have approached

UNDP SAEK for support in drafting integrity plans, and which are included in the next stage of the Project.

The importance of monitoring the integrity plans was noted and emphasized by the attendants. However, due to limited capacities, the Agency for Anti-Corruption does not have the capacities to currently monitor the implementation of integrity plans of the Municipalities. Therefore, the project will empower the civil society to monitor the implementation of integrity plans, as agreed by the attendants.

It was strongly recommended that support is provided to facilitate the process of exchanging information in regard to anti-corruption work. In particular, the importance of the exchange between the Agency on Anti-Corruption and other similar agencies in other countries, was restated.

One of the main priorities remains to further strengthen the collaboration between CSO's and the institutions. Although the project has facilitated periodical meetings, it was strongly recommended that efforts to improve communication and collaboration are continued.

Based on the success of kallxo.com so far, the recommendation was to strengthen the platform during SAEK II, in expanding the activity of the platform, throughout Kosovo municipalities, by utilizing CSOCOSOs that are already active in the region. These CSO's will provide an extended resource of kallxo.com, whereas the citizens would report cases of corruption.

Corruption proofing the legislation, as a new activity of support in the second stage of the project, is considered of outmost importance, in particular, as it will facilitate the implementation of UNCAC standards. UNCAC review is also part of the new project, which will be initiated in partnership and collaboration with the Kosovo Agency of Anti-Corruption.

Specific Comments by the Attendants:

Mr. Hasan Preteni, revealed that the action plan for the implementation of the KAA Strategy will be revised during 2015. Upon revision and its content, the SAEK team would then be able to further streamline future activities as foreseen by the second stage. In regard to the implementation of the strategy, Mr. Preteni stated that up to date, 54% of the strategy had been achieved. Mr. Preteni also presented a request, pertaining to the capacities of the Agency. More concretely, Mr. Preteni asked for financial assistant for one official, who had been previously supported by the CoE. It was also stated that UNDP has benefited from 12 activities that have been implemented by SAEK, as per the work plan of the project. However, Mr. Preteni also said that coordination have yet to take place, with judges, prosecutors and police. Mr. Preteni restated the need for a joint database for Asset Declaration, which will be addressed by SAEK II.

Mr. Zef Prendrecaj, expressed his gratitude and that of the institution he represents, towards UNDP for the workshops organized and the support towards the creation of the database for ODP. In addition, Mr. Prendrecaj stated that additional training is required in disciplinary measures, investigation, with specific focus on the practical aspect of the investigative process. More training is necessary in interviewing witnesses as well. As for the workshops organized so far, Mr. Prendrecaj stated that while workshops have been very useful, the officials would now need a more practical approach on the specific topics as mentioned above. Mr. Prendrecaj commented on how kallxo.com has indeed been useful in gaining information regarding certain cases under investigation. He also noted that cooperation with KAA is

good. In terms of future support, Mr. Prendrecaj recommends that it would be beneficiary to the institution if international advisers would be seconded in the institution to provide on job training. In addition, Mr. Prendrecaj stated that support of the OPD with the 4 legal officers has provided a greater efficiency in processing cases, therefore the support is of outmost importance. Regarding the new law on the OPD, the draft is submitted to the MoJ and it will be submitted for approval to the government. The law once adopted, will require the development of other regulations, whereas as noted by Mr. Prendrecaj, will call for support from UNDP.

Mr. Agron Demi, from a civil society perspective, proposed that a Law on Integrity Plan, would perhaps be required in facilitating the whole process of integrity mechanisms. As Mr. Demi stated, only two municipalities with integrity plans is hardly enough and therefore strongly recommended that more municipalities should be supported. Mr. Demi viewed the involvement and activism of the MP's of Kosovo Assembly as crucial in the general scheme of the fight against corruption. The asset declaration forms, according to Mr. Demi, require improvement, specifically, in the manner salaries are reported, and DSA's not being reported in these forms at all. In addition, Mr. Demi recommended that contributions to the Pension Trust Fund should also be subject to declaration.

Mr. Hasan Preteni replied on the forms' discussion by stating that the questionnaires cannot be changed as the forms are drafted up based on the law. He also further explained that the asset declaration law does not need any further revision, and that there is no legal ground for checking the revenues of officials.

Ms. Laura Pula, stated that more time must be committed to reflect on the document as provided by SAEK. She continued to note the great cooperation with the KAA and the CSO's. In addition, Ms. Pula stated that the prosecution that she represents is committed to full transparency in regard to the decision they make.

Mr. Faik Ispahiu, contributed to the discussion by stating that there is will for better coordination between institution, and this should be commended. Mr. Ispahiu also focused on the role of the CSO's and the media to monitor the level of this communication and coordination between all involved stakeholders. In regard to the specific support, kallxo.com, Mr. Ispahiu stated that the platform is trusted by the people and that based on this achievement, kallxo.com should be expanded in adding more CSO's and local media from municipalities throughout the region, as resources to which the citizens would turn to, to report corruption.

Mr. Artan Canhasi, asked for better coordination between institutions. He also stated that since the adoption of the integrity plans by selected municipalities, changes were evident in the Municipality of Prishtina/Pristina and Gjakova/Djakovica respectively, in particular in procurement. As this is a good result, Mr. Canhasi stated that it should indeed be multiplied in other municipalities as well. In regard to UNCAC, Mr. Canhasi said that it is indeed a very good tool, as the *EU acquis communautaire* is also based on the UNCAC standards and principles. In line with legislation, Mr. Canhasi commended the support towards corruption proofing of legislation, whereas he saw the role of Parliament as crucial in the whole process.

Mr. Hasan Preteni also suggested that the Ministry of Justice must be considered in its role in the corruption proofing activity.