

Final Workshop report

Title of Workshop: “**Creating Synergies for Technical Assistance**”

Moderator

Karen Hussmann, Anti-Corruption & Governance Expert, Consultant

Rapporteur

Georg Huber-Grabenwarter, German Technical Cooperation (GTZ), the German UNCAC Project

Panellists

1. **Prof. Okey Onyejekwe**, Expert African Governance, UN Economic Commission for Africa (ECA)
2. **Dr. Dedo Geinitz**, Development Economist and Director of GTZ UNCAC Project
3. **Harald W. Mathisen**, Senior Programme Coordinator, U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute
4. **Manzoor Hasan**, Director, Institute of Governance Studies (IGS), BRAC University Bangladesh

Summary (300 words)

Technical Assistance (TA) is an important tool in order to support anti-corruption efforts of developing countries. This is also highlighted by the fact that the UN Convention against Corruption (UNCAC) devotes TA a high priority for the effective implementation of the Convention (chapter VI). At the same time, however, the delivery of TA (not only in the area of anti-corruption) has been criticized of not being very effective during the last decades. In order to enhance the efficiency of TA critics often require donors engaged in anti-corruption to more efficiently coordinate their efforts as well as to also include non-state actors, in particular the private sector and civil society (organisations), in their initiatives.

However, so far donor coordination (not only) in the area of anti-corruption has proven to be difficult – in some areas even non-existent – and even though donors recently started to support and cooperate with non-state actors in the fight against corruption, donors still largely focus on government institutions when supplying TA. This workshop hence aimed at answering the following questions:

- Whether TA should more frequently support civil society or the private sector when fighting corruption?
- If yes, how this can be done?
- How donor coordination can be improved (not only) in the area of anti-corruption?

For this purpose four panellists coming from different institutions and regions presented their views on these topics. Harald Mathisen started with a critical analysis of TA, giving a short introduction in what is meant by TA, whether the delivery of TA so far has worked or not and what have been the reasons for the failure / success of TA so far. Dr. Dedo Geinitz then explained the question of including non-state actors in the fight against corruption from a German Technical Cooperation and Prof. Onyejekwe from an African point of view. Finally, Manzoor Hasan presented the positive experiences a civil society organisation has made in supporting governance efforts to fight corruption in Bangladesh.



Summary of presentations (300 words per panellist)

Harald Mathisen, U4: The delivery of Technical Assistance (TA) – a success story?

By illustrating a quite critical picture of TA, which – according to the first panellist – primarily aims at the effective and sustainable transfer of knowledge and skills to recipient countries, Harald Mathisen criticized TA that has been delivered so far as not effective (however, at the same time he acknowledged that it is difficult to quantify TA and thus also to judge whether TA has been a success or failure so far).

This is also true in the area of anti-corruption. Past experiences have demonstrated that anti-corruption efforts to a large degree have not been sustainable and institutions supported *via* TA often turned to be corrupt after the disappearance of TA despite the fact that actors involved in the delivery of TA (most importantly multilateral and bilateral donors) have already aimed at improving their approaches for the delivery of TA with respect to anti-corruption (e.g. from primarily supporting anti-corruption legislation to supporting also demand driven anti-corruption efforts including capacity building of government institutions). The reasons for the apparent failure of TA are manifold:

- TA is largely supply-driven and tied to donor countries' interests.
- Western countries still appear to be convinced of the supremacy of western values and concepts which they consequently also want to export to other countries, being confident that countries can be quickly modernized and rationalised. TA thus is western-ideas driven and follows the approach: "If it works for us, it'll work for you".
- Bilateral and multilateral donors are only partially prone to learn from past mistakes: often they only come for short periods to developing countries and leave their recommendations after a quick period of investigations (speed-dating approach).
- For the effective delivery of TA essential donor coordination as well as alignment have not sufficiently worked in many areas. This, however, is not only the entire fault of donors but sometimes also reflects the interests of recipient governments. The political will of (also recipient) governments to coordinate TA is thus key to success.

Dr. Dedo Geinitz, GTZ: The necessity to involve many actors in TA supported anti-corruption initiatives

Dedo Geinitz then explained that for an effective fight against corruption supported *via* TA a holistic approach is needed, requiring the involvement of many actors, including civil society - which is also required by Article 13 UNCAC. Civil society in this context includes multiple actors, most importantly Non-Governmental Organisations (NGOs) but also e.g. the private sector, business associations or trade unions.

The support to NGOs, however, so far has been not an easy task, since donors are confronted with a dilemma in that they negotiate and make agreements with governments that sometimes create environments for NGOs that do not allow them to sufficiently participate in the fight against corruption. Donors nevertheless have already supported civil society (organisations) in different areas at least since the 90s. The *German Ministry for Economic Cooperation and Development (BMZ)*, e.g., has emphasized the importance of civil society participation at least since the late 90s and has thus put it high on the agenda of *German Technical Cooperation*.

Dedo Geinitz then presented a study commissioned by GTZ on national and international NGOs engaged in anti-corruption. The study mainly aimed at identifying "who is out there" and also analysed shortcomings and strengths of these NGOs in order to identify possible areas of support. The study revealed that NGOs active in the fight against corruption, amongst which TI-Chapters are often dominant, frequently show a certain deficit in terms of legitimacy and in the capacity to learn. At the same time, however, many NGOs also delivered excellent work despite the fact that they are often constrained by the environment they have to work in (human rights violations etc.). Supporting NGOs *via* TA in the area of



anti-corruption is in Dedo Geinitz' view thus essential. TA could thereby also play a kind of 'catalyst role' between governments and NGOs.

Prof. Okey Onyejekwe, ECA: TA supported anti-corruption initiatives should be guided by principles

Okey Onyejekwe added in his presentation that African experiences have demonstrated that the fight against corruption should additionally be guided by certain principles, including:

- Anti-corruption should be demand-driven and take place on many levels, meaning on a global, regional and local level. Even more so, it is important to know the social, political, economic and cultural contexts before delivering anti-corruption initiatives.
- Fighting corruption is not a 'stand-alone-issue' but has to be seen in the context of governance – it is an outcome of bad governance. Thus, anti-corruption initiatives have to be embedded in sustainable and long-term governance reforms.
- TA must be delivered through a discourse. This is why it is particularly important that principles as agreed upon in the *Paris Declaration on Aid Effectiveness* of 2005 are to be implemented. Ownership, alignment, harmonisation, managing for results and mutual accountability are key requirements for an effective fight against corruption. Avoiding duplication of efforts and harmonising anti-corruption activities thereby appear to be major challenges.
- Since the issue of domestication of major anti-corruption conventions is one of the biggest challenges, focus should be put in supporting the implementation of such instruments.
- Since anti-corruption is a very sensitive issue, any form of conditionality must be avoided.

Manzoor Hasan, Institute of Governance Studies, The positive experience from Bangladesh

That the interplay between donors, governments and civil society while at the same time adhering to certain essential principles can also be successful was demonstrated by Manzoor Hasan, who explained the experiences of a Bangladeshi civil society organisation that was included in sustainable donor-supported anti-corruption initiatives by the *Government of Bangladesh* (GoB):

After the accession to the UNCAC in February 2007, the GoB was confronted with the question of how to implement the complex provisions enshrined in the Convention and hence approached the *Institute of Governance Studies* (IGS) of the *BRAC University* in Bangladesh for support. In a cooperation between IGS and the *Ministry of Justice* (MoJ) of Bangladesh and supported by GTZ as well as the *Basel Institute on Governance* (BIG) a compliance review was conducted, examining as to whether the legal framework in Bangladesh as well as its practical implementation comply with the requirements of the UNCAC. According to M. Hasan this initiative has both been sustainable and has contributed to meaningful south-south cooperation:

- The GoB is currently undertaking major steps to implement the recommendations that have been expressed in the report and has started to do a follow-up process. The cooperation between the GoB and IGS is also still continuing in that IGS provides trainings for government officials on anti-corruption and was also involved in the drafting of a national integrity strategy. Both issues are clear indicators that the involvement of IGS has not only been a 'one-off-involvement', but a continuing and sustainable cooperation.
- Even more so, the initiative has also contributed to strengthening local capacities as well as to south-south synergies in that IGS currently advises the Kenyan authorities that are currently undertaking the same exercise with the experiences they have made.



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Main Outputs (200 words, narrative form)

TA also in the area of anti-corruption has not always yielded the desired results, which is – among others – due to the domination of western concepts and values that are associated with TA, a lack of alignment and donor coordination, a lack of political will of recipient governments (also to coordinate donor efforts).

For an efficient fight against corruption, a holistic approach is needed, involving many actors – including civil society (organisations) and the private sector. Donors are, however, confronted with a dilemma in that they negotiate with governments that sometimes are suppressive. Since anti-corruption NGOs have nevertheless demonstrated that they are capable of delivering good work, it is desirable to increasingly support relevant counterparts.

Fighting corruption is not a ‘stand-alone-issue’ but has to be seen in the context of governance, taking also into account realities in partner countries. The domestication of major anti-corruption conventions thereby is a key challenge and ownership, alignment, mutual accountability and harmonisation are key requirements for an effective fight against corruption.

The participation of civil society organisations in anti-corruption efforts of governments and supported by donors can work, be sustainable and create south-south synergies, which has been demonstrated by the example from Bangladesh. The *Institute of Governance Studies* (IGS) successfully supported governance and anti-corruption efforts, one example of which was a UNCAC compliance review.

Recommendations, Follow-up Actions (200 words narrative form)

Anti-corruption efforts should take place on a global, regional and local level, should be demand-driven and take into account the specific social, cultural, economic and political environment of countries in which they are to be provided. The prevention and combat of corruption has to involve many actors, including donors, international organisations, civil society (organisations) or the private sector. Donors thereby might ideally also play a “catalyst role” between (sometimes repressive) governments and civil society. At the same time, Western donors must not stick to the perception that their values are of a higher nature and believe that what has worked for them, must also work for others. TA supported anti-corruption initiatives are to be sustainable. For that to happen, it is ideal to support local initiatives on a long-term basis. TA needs to be more tailored to needs and realities in partner countries. Positive experiences, like the one in Bangladesh, should be allocated as good practice to as many stakeholders as possible. Alignment, harmonisation, mutual accountability, ownership, managing for results as well as a strong political will in recipient countries to fight corruption are key prerequisites for successful anti-corruption TA initiatives. Also recipient governments should more pro-actively support donor coordination. Civil society should be included into monitoring and catalyzing donor coordination in the framework of aid effectiveness.

Highlights (200 words please include interesting quotes)

Quotes:

- Corruption is not a stand-alone issue – it is intimate ingredient of governance issues
- If it works for us, it'll work for you



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Signed
