**Final Evaluation of the project**

**Support to Anti-Corruption Efforts in Kosovo (SAEK) II**

**Final Report**

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ABBREVIATIONS

|  |  |
| --- | --- |
| AML | Anti-Money Laundering |
| AoK | Assembly of Kosovo |
| CoE | Council of Europe |
| CSO | Civil Society Organizations |
| DANIDA  | Danish International Development Agency |
| EC  | European Commission |
| EU | European Union |
| EULEX  | EU Rule of Law Mission in Kosovo |
| FIU | Financial Intelligence Unit |
| IMF | International Monetary Fund |
| KACA  | Kosovo Anti-Corruption Agency |
| KIPA | Kosovo Institute of Public Administration |
| MP | Prime Minister |
| NGO | Non-Government Organisation |
| NOR | Norwegian Agency for Development and Cooperation |
| OCP | Office of Chief Prosecutor |
| OPM  | Office of the Prime Minister |
| PEP | Politically Exposed Persons |
| SAEK | Support to Anti-Corruption Efforts in Kosovo |
| SCO | Civil Society Organisation |
| SCAAK | Society of Certified Accountants and Auditors of Kosovo |
| SDC  | Swiss Agency for Development and Cooperation |
| ToC  | Theory of Change |
| ToR | Terms of Reference |
| ToT | Train of Trainers  |
| UNCAC | United Nations Convention against Corruption |
| UNDP | United Nations Development Programme |
| UNODC | UN Office on Drugs and Crime |

EXECUTIVE SUMMARY

**Background of the Evaluation**

This evaluation report presents the findings of the final evaluation of the UNDP Kosovo run Project “Support to Anti-Corruption Efforts in Kosovo (SAEK) II”, funded by the Swiss Agency for Development and Cooperation (SDC) and Danish International Development Agency (DANIDA), with the overall budget of EUR 4.7m. The project started in May 2016 and is due to end in June 2020, as a follow-up to SAEK I (2012-2015).

**Methodology**

The evaluation looked for evidence of why, whether, and how results were linked to the project and identified factors driving or hindering processes. The evaluation provided an understanding of the cause-and-effect links between inputs and activities as well as outputs, outcomes, and impacts. During the evaluation, data and information were gathered during a desk research and on-line interviews. No field mission was undertaken due to the COVID19 virus travel restrictions. The evaluation covered the project’s activities implemented during the project life-span, between 1st May 2016 30th June 2020.

**Evaluation Findings**

***Relevance:*** SAEK II builds on the firm foundation of SAEK I, which allows for greater continuity and accurate interventions. As such, the project was highly relevant to the situational context and addressed in nature the challenges and demands of the targeted beneficiaries. The project had a coherent Logical framework and a clear Theory of Change. One aspect highlighted by the key stakeholders was the participatory character of the design process. The selection of the targeted beneficiaries was also particularly adequate and encompasses all the key anti-corruption institutions. The project was also well aligned with the relevant Sustainable Development Goals and national policies.

***Effectiveness:*** The evaluation of the effectiveness showed that the project has achieved most of the expected results as envisaged in the project action document. SAEK successfully supported prevention and suppression of corruption within the Kosovo public institutions by providing effective support to various national beneficiaries and stakeholders. The project was not only successful in providing capacity building support, but also in providing necessary technical support, resulting in more efficient detection and prosecution of corruption (e.g. providing access to Egmont Group, relevant databases, etc.). With the shift in the project concept, the project has also become directly engaged in criminal justice matters. With a number of activities that SAEK provided to the criminal justice institutions, the project went into the heart of anti-corruption.

***Efficiency:*** SAEK applied an adequate and comprehensive approach, supporting the macro policy level, prosecution, judiciary, legislative, executive and citizen engagement through the existing civil society mechanisms on reporting corruption and promotion of investigative journalism. SAEK had sufficient and adequate internal capacities and capabilities to comprehensively support beneficiaries’ anti-corruption efforts. The challenges that emerged during the project life-span were adequately addressed by the project as adequate mitigation measures have been developed and implemented to tackle the challenges/problems, which impacted on the project implementation. The available resources were well transformed into the project activities which has led to achievement of intended results in qualitive, quantitative and timely manner. The project’s management and expertise capacities were sufficient to ensure adequate implementation of the planned activities as the project engaged skilled and experienced project staff, embedded advisors and external experts who significantly contributed to the achievement of the project objectives. SAEK also had an important role in pushing policies and laws through the Kosovo Assembly which most likely would have not passed without SAEK’s push and support. Furthermore, the SAEK’s yearlong Certified Fraud Examination course, implemented through a Train-the-Trainer approach, enabled the Society of Certified Accountants and Auditors of Kosovo (SCAKK) instructors who attended the course to use the course material for regular Certified Fraud Examination courses, delivered exclusively through SCAAK. This is an excellent example of successful ToT, handed over to national authorities who now run it completely on their own without UNDP’s support. Yet, the evaluation found that there is room for improvement regarding the project visibility and better institutionalisation of knowledge provided through capacity building activities (e.g. strengthened cooperation with relevant educational institutions, retain train of trainers approach similar to SCAAK, etc).

***Impact:*** Across the board, it was clear that the project beneficiaries had experienced capacity and organisational changes as a result of project interventions, which were able to influence the regulations and mandate of the partner agencies. The project had an explicit focus on strengthening partner agency leadership and strategy, particularly evident in relation to Kosovo Anti Corruption Agency The project contributed to greater confidence in pursuing fight against corruption largely due to learning new knowledge and techniques at individual and organizational level. All partner agencies were able to demonstrate changed processes and systems as a result of interventions by the project through capacity development measures and systems development. The transformation at the community level is best demonstrated by the number of reports on corruption through CSO platform kallxo.com, which increased fivefold to 2852 reports received in 2019, compared to 402 reports received in 2015.

***Sustainability:*** Overall, it is clear that the project was able to contribute to sustainable results in terms of improved capacity of government agencies to fight corruption, particularly in relation to systems and processes. However, sustainability of achieved results remains vulnerable due to the persistent lack of political will, which is a concern since the systemic changes achieved are more fragile if structural and legal changes required for the full functioning of the systems and processes designed are stalled or not taking place. In absence of a clear EU integration path, the public pressure poses as the main influencing factor in fight against corruption, and should be supported and strengthened further.

***Conclusions:*** SAEK has been highly relevant for anti-corruption efforts in Kosovo. The project has gained high level of trust and enjoys high reputation among all key anti-corruption officials and institutions. The project was in line with relevant SDGs and national policies. Given to widespread corruption and to this associated money laundering and organised crime, further donor support remains crucial in the area of anti-corruption. The project applied an appropriate mix aid approach, combining capacity-building activities with hard component support, which ensured better buy-in and higher project’s sustainability. However, capacity building support provided by SAEK could have been to a greater extent provided through the educational institutions, such as KIPA for example and application of the ToT approach similar to the case of SCAAK, in order to ensure better sustainability. Though the project made a lot of efforts to promote its work, there exist a room for the improvement of the project visibility. The existing cooperation and exchange of information among Kosovo institutions involved in anti-corruption, money-laundering and organised crime, which despite having greatly improved still remains limited and insufficient and need further support.

***Recommendations:*** Sustained donor support in the area of anti-corruption is instrumental for building upon the achieved results by SAEK I and II and other development partners. Further support should be provided in the adoption of new legislation and revised policies that are likely to be adopted by the incoming authorities. It is recommended to maintain the mixture of capacity building and hard component support, in order to retain high buy-in, keep the momentum and enhance sustainability. In order to increase fight against grand corruption and achieve more tangible results, it is recommended to further support activities aimed at improvement of inter-agency cooperation and to improve the project’s visibility. The project should also enhance its design and project activities related to gender and other cross-cutting issues and follow-up with Kosovo Bar Association as the new Bar leadership seems to be more prone to anti-corruption.

***Lessons Learned:*** It is quite common that the Kosovo beneficiaries addressing requests for external donor support to different donors and over-relying on external support which makes them rather passive and less pro-active. The UNDP and Swiss neutrality provided strong project impartiality and ensured that no hidden geo-political interest are behind the provided assistance. The Kosovo public institutions, particularly KACA, are often under strong political influence and unjustified political attacks, even by ruling elites that many times oppose or reject developed legal solutions. UNDP/SAEK turned out to be a guardian of recognised international standards and best practices and providing impartial and neutral technical back-up.

Among the key factors which contribute to successful outcomes, are:

* *Participatory and quality of design.* Participatory approach to activity design enabled more consultation between partners and generated greater partner commitment to project goals. Analyses of the needs were more realistic and there was more common understanding of the goals.
* *System-wide approach.* The project had an explicit system-wide approach, in which it sought to effect performance improvement across relevant institutions. System-wide approaches are harder to achieve, but likely result in greater performance improvement and sustainability.
* *Mixed delivery teams of civil servants and embedded experts.* Involvement of core civil servants in delivering change projects likely contributed to more realistic design of solutions, greater commitment to implementation and overall sustainability of results.
* *Support from the donor.*The research suggests that the role of the donor team i.e. SDC is an important contributor to interventions’ success. The positive contribution of the embassies included:
* Involvement in project design, contributing to more ambitious objectives and implementation arrangements;
* In ensuring responsiveness to local political and institutions when necessary;
* Providing high level political support, typically from the Ambassador, to promote required legislation and policies, and to demonstrate international support for reforms.
1. INTRODUCTION

## **Corruption in Kosovo**

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 interventions are essential to strengthen the Government’s legitimacy and reputation at home, and beyond Kosovo’s borders by influencing the way the country is perceived internationally. As noted repeatedly in the EC Progress Report for Kosovo, Kosovo needs to strengthen coordination and inter-institutional cooperation of the anti-corruption bodies. According to the 2019 EC Progress Report, Kosovo is still at an early stage and has some level of preparation in the fight against corruption. However, Kosovo has made some progress through significant legislative reforms in the rule of law area and in investigating and prosecuting of high-level cases. Progress was also made on preliminary confiscation of assets although final confiscations remain low. Nevertheless, corruption in Kosovo is widespread and remains an issue of concern.

Early general elections took place in October 2019. The results showed a resounding desire for change by the majority of voters. The political parties that won the most votes ran in large part on anti-corruption platforms. To certain extent, the main political parties split on the one side with patriotic Kosovo and on the other zero tolerance towards corruption. It seems that the voters have chosen a direction and penalized those parties who have refrained from taking concrete actions to combat corruption while in power. Nevertheless, the successful motion against the new government on 25 March 2020 derailed the legislative agenda and a number of laws and policies regarding anti-corruption were not adopted. Furthermore, the 2018-2022 Anti-corruption Strategy was adopted by the central level authorities, however, it failed to reach debate and adoption by the Assembly of Kosovo prior to the fall of the government.

## **Description of the Action**

SAEK II is a four year project, funded by the Swiss Agency for Development and Cooperation (SDC) and Danish International Development Agency (DANIDA) with the overall budget of 4.7 mil. EUR, which started in 2016 and is due to end in June 2020, as a follow-up to SAEK I (2012-2015).

The originally approved project aimed at addressing administrative corruption rather than grand corruption. The project in its new revised approach aimed to strengthen institutional transparency, accountability and integrity, with a particular focus on suppression of grand corruption. This was conceptually a significant change requested by the donor. This aim was supposed to be achieved through eight outputs organized under three outcomes, as follows:[[1]](#footnote-1)

**Outcome 1: Policy, regulatory and monitoring framework on the prevention and**

**suppression of corruption enhanced**

Output 1.1: Anti-corruption legislation and policies developed and capacities for implementation

 fostered

Output 1.2: Anti-corruption monitoring framework established and functional

**Outcome 2: Anti-corruption institutions detect and process corruption cases effectively**

Output 2.1: E-mechanisms for corruption detection and processing established

Output 2.2: Analytical and specialized investigative capacities in relevant institutions established

Output 2.3: Effective institutional communication on corruption cases established

**Outcome 3: Civic engagement mechanisms to hold institutions accountable strengthened**

Output 3.1: Civic engagement platforms for corruption reporting, referral and monitoring

 supported

Output 3.2: Public awareness and communication products developed and publicized

Output 3.3: Public expenditure transparently displayed

The main beneficiaries of the project were the Kosovo Anti-corruption Agency (KACA), Office of the Chief Prosecutor (OCP), Supreme Court, Assembly of Kosovo Legislative Committee/GOPAC, Financial Investigation Unit (FIU) and Internews/Kallxo.com. In addition to this, the Municipalities of Prishtina/Priština, Prizren, Gjilan/Gnjilane, and Gjakova/Djakova benefited from the project as well.

Objectives of the Evaluation

The overall objective of this evaluation, as outlined in the ToR, was the assessment of the achievements, quality and results of actions, with a strong emphasis on results-oriented approaches. From this perspective, the evaluation looked for evidence on why, whether or how these results were linked to the intervention and seek to identify the factors driving or hindering progress. It provided an understanding of the cause and effect linkages between inputs, activities, outputs, outcomes, and impacts, and is to serve for accountability, decision making, learning and management purposes.

Methodology

Methodological approach to the Evaluation

The mid-term evaluation was based on the methodological guidelines provided in the ToR and as per UNDP procedures. The evaluation assessed the programme using the standard OECD DAC evaluation criteria, namely: relevance, effectiveness, efficiency, sustainability, and impact. The evaluation team also considered whether the cross-cutting issues (e.g. gender, environmental issues, human rights, etc.) were mainstreamed as well as to what extent they have been reflected in the implementation of the Action, its governance and monitoring. The evaluation team applied a systematic approach that gradually provided an answer to the evaluation criteria, key conclusions and associated recommendations. During the four main evaluation stages, the following activities were undertaken:

* During the **inception phase** the evaluation team has obtained an overview of the subject of the evaluation;
* During the **desk phase**, the evaluation team conducted an in-depth document analysis and conducted preliminary interviews;
* The initially **planned field** visit was not conducted due to the COVID 19 and the evaluation team conducted on-line interviews and finalized the data collection, collected missing information on how outputs have been used, conduct main interviews
* The **synthesis phase** was devoted to constructing answers to the evaluation questions, key conclusions and associated recommendations based on collected information and data.

The evaluation team strictly adhered to the transparency norms and ethical principles set by the United Nations Evaluation Group (UNEG). The evaluation was thus conducted in line with the principles that are outlined in the:

* UNEG “Ethical guidelines for Evaluation”
* “Code of Conduct for Evaluators in the UN System “.

Theory of Change

The evaluation tested the project’s revised Theory of Change (ToC). According to ToR (Terms of Reference), the main objective was to strengthen institutional transparency, accountability and integrity, with particular focus on corruption suppression and prevention. The first outcome was focused on the development of policies, legislation, plans and strategies in line with international standards on anti-corruption in order to enable anti-corruption institutions to oversee integrity and transparency of central and local institutions and of political parties.

The outcome 1 theory of change was that if selected institutions are supported to develop policies, legislation, plans and strategies in line with international standards on anti-corruption and aided in their implementation and monitoring, then anti-corruption institutions will demonstrate increased compliance with principles of integrity, transparency and improved capacities to suppress corruption. This is because of the policy and legislative framework once implemented will close existing loopholes for corruption and ensure increased integrity and transparency through integrity plans, and various e-tools e.g. asset declarations etc.

The second outcome focuses on strengthening the anti-corruption institutions and providing them with the capacity and tools to effectively detect and combat corruption. The outcome 2 theory of change was that if relevant anti-corruption institutions operate in line with an improved policy and legislative framework and have improved capacities and tools to detect and reveal corruption then these institutions will have the capacities to seize illicit assets and to ensure their repatriation to the public budget. The third outcome was focused on strengthening civic engagement mechanisms to hold public institutions accountable. The outcome 3 theory of change was that if civic engagement mechanisms are established and used through initiatives on corruption reporting, referral and monitoring, on transparently displaying public expenditure and increased awareness on how corruption is tackled, then the public institutions will be more influenced to be accountable to citizens to follow anti-corruption rules and procedures.

The underlying factor for success of the overall theory of change is sufficient political will, strong legal and administrative framework and sufficient beneficiaries’ capacity to implement the anti-corruption agenda with particular focus on suppression of corruption.

Data collection, sources and analysis

In line with the ToR, the evaluation relied on a mixed-methods approach in order to ensure reliability and validity of evaluation results. Data were collected through desk review of project documentation, project monitoring data, relevant policies and on-line interviews. A mix methods approach using qualitative and quantitative data collection methods were applied in order to a gain a comprehensive understanding of the performance of the project. Data collection was be conducted based on two main sources of information, i.e. primary and secondary sources.

Secondary sources such as project documentation, relevant national documents/strategies, and UNDP policies proved one basis for assessing the project. Primary data sources were generated by conducting on-line semi-structured interviews and discussions with selected stakeholders, e.g. UNDP SAEK II project staff, UNDP senior staff, selected beneficiaries in the public administration and civil society, SAEK external experts as well as donors of the project. In line with recommendations of UNEG, the evaluation was carried out in a participatory manner.

Institutional scope

The evaluation was focused on the progress made with the key project stakeholders: Kosovo Anti-Corruption Agency, Prosecution, Supreme Court, Committee on Legislation, Financial Intelligence Unit, Notary Chamber of Kosovo, Kosovo Bar Association, RoLAG, and Internews Kosova.

Key Challenges and Limitations to the Evaluation

The outbreak of the virus COVID19 had an immediate impact on the evaluation process. Due to the imposed travel restrictions and limited personal contacts, the planned field visit was postponed for almost 2 months. As the situation with the virus COVID19 has not drastically improved over that time, the SAEK team and the evaluators agreed to conduct on-line interviews with the use of various remote communication channels such as Zoom, Skype, Viber, What’s up, etc. Though these kind of interviews were less personal, the evaluators managed to conduct the interviews with all main stakeholders that had been initially planed to be interviewed during the field visit. The interviews were conducted smoothly and some participants provided additional written information and project’s deliverables.

# **FINDINGS**

Relevance

The relevance chapter analyses how appropriately the identified problems and the interventions responded to the needs of the targeted beneficiaries and other key stakeholders throughout the life of the project, in terms of design adequacy, adaptability to emerging needs and alignment to priorities. In terms of design adequacy, the project was structured well in three outcome areas; containing results, indicators, targets, and activities. All of these components were clear and adequately linked up.

 The project had a coherent Logical framework and a clear Theory of Change that explained the sequence and nature of the change being pursued: i.e. the problem and causes being addressed; the strategy to tackle the problems, and the results expected in achieving the project objective (Table 1).



One aspect highlighted by key stakeholders was the participatory character of the design process, allowing stakeholders to state their priorities and propose adequate actions, which increased the ownership and trust of these key stakeholders.

The project was highly relevant to the situational context and addressed in nature the challenges and demands of the targeted beneficiaries.

The selection of the targeted beneficiaries was also particularly adequate and encompasses all the key anti-corruption institutions, namely KACA, Prosecution, Police, Tax Administration, Customs, FIU, Supreme Court, Parliament, Office of the Prime Minister, Central Election Commission, Municipalities and relevant CSO partners.

*Table 1: SAEK 2 pathway to change*

In terms of adaptability, the SAEK II builds on the firm foundation of SAEK 1, which allowed for more accurate needs analysis as it shifted from corruption prevention to corruption suppression and future move into asset confiscation.

The project is also considered by many beneficiaries as highly adaptable to emerging needs and priorities. Furthermore, has also been successful in adapting international best practices such as the one on Corruption Proofing of Legislation practice of South Korea, as well as serving as an example to similar initiatives in assisting the establishment of anti-corruption agencies by the UNDP in Mali and Fiji.

The project also well aligned with Kosovo's, UN's and SDC strategies as illustrated in the table 2 below.

|  |  |  |
| --- | --- | --- |
| **National Strategies** | **UNCDP, UNDP, and SDGs** | **SDC** |
| **National Development Strategy** 2016 - 2021: Pillar 2: Good Governance and Rule of Law, Target 14: Increased judicial efficiency**Anti-Corruption Strategy** 2013 – 2017 and Action Plan Draft Anti-corruption Strategy 2018 – 2022(pending approval)Kosovo **Strategy Against Organized Crime** 2012 – 2017 and 2018 – 2022**Strategy** for the Prevention of and fight Against Informal Economy**, Money Laundering**, Terrorist Financing and **Financial Crimes** 2014 – 2018 | **UN CDP** 2016 – 2020: Priority Area 1: Governance and Rule of LawCDP 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”**SDG Goal 16**: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levelsTarget: 16.5 Substantially reduce corruption and bribery in all their forms Target: 16.6 Develop effective, accountable and transparent institutions at all levels Target: 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels Target: 16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements**SDG Goal 17:** Strengthen the means of implementation and revitalize the global partnership for sustainable developmentTarget: 17.6 Enhance North-South, South-South and triangular regional and international cooperation on and access to science, technology and innovation and enhance knowledge-sharing on mutually agreed terms, including through improved coordination among existing mechanisms, in particular at the United Nations level, and through a global technology facilitation mechanism. | **Swiss-Cooperation-Strategy**-Kosovo-2017-2020Domain 1: Democratic Governance and Human Security**SDC External Review** Recommendation 9: Future assistance to build upon expanding or replicating those successful aspects of SAEK 1 |

*Table 2: Stakeholder´s alignment to SAEK 2*

Effectiveness

In order to achieve the overall objective the project engaged with central and local level institutions in the following three components; i), enhancing policy, regulatory and monitoring framework on prevention and combatting corruption ii), supporting Anti-corruption institutions to detect and process corruption cases effectively and iii), strengthening civic engagement mechanisms to hold institutions accountable.

Enhancing policy, regulatory and monitoring framework on prevention and combatting corruption

SAEK strongly supported the Kosovo legislative and policy framework. Legal amendments were drafted for the Law on the Kosovo Anti-corruption Agency (KACA) and Law on High Officials Assets and Income Declarations, enabling KACA to conduct proper pre-investigations and directly issue sanctions for violations. The project also drafted amendments and facilitated the first legal review performed by the Venice Commission for the Law on Financing of Political Entities/Law on General elections. In 2019 the law, as drafted by the project, was severely amended by the Prime Minister (MP) which resulted in a watered down version. This led to mass CSO protests and reproach by the EU and resignation by MP due to the internal and external pressure. Nonetheless, SAEK II also provided support to the development of the Concept Document for the Draft Law on Unexplained Wealth. In summary, out of 5 targeted laws, two laws have been adopted while three additional are in the drafting process and expected to be completed by end of 2020.

In 2018 the project also supported the drafting of Kosovo’s Anti-corruption Strategy and Action Plan. SAEK II applied a multi-stakeholder approach in which took part over 50 representatives of institutions, civil society, academia and the private sector. Since the existing draft Anti-corruption Strategy does not fully reflect newly emerged needs, a new Anti-corruption Strategy and Action Plan need to be developed and adopted by the new government in the coming period.

In 2019 the project in partnership with UNDOC conducted the United Nations Convention Against Corruption (UNCAC) Gap Assessment which reviews Kosovo’s compliance with the convention’s requirements and recommendations. The assessment identified gaps and provided recommendations for policymaking. The project also drafted a bylaw and methodology for corruption proofing of legislation. In relation to this is important to mention that as a result of that KACA established a Unit on Corruption Proofing which now plays an important role in reviewing enforced and draft legislation. As regards support at the local level, SAEK II supported the development of “integrity plans” by which the assessments and corresponding mitigation plans are monitored by KACA. During the course of the project, 21 municipalities and central level institutions reviewed their internal control mechanisms and developed mitigation strategies through their integrity plans. Nonetheless, it is necessary to mention that no formal monitoring of the implementation of integrity plans has been introduced so far given to a lack of a designated monitoring authority.[[2]](#footnote-2) To date, this achievement is UNDP driven while KACA is expected to take over the formal monitoring after the amendment of the Law on KACA.

In addition to this, SAEK has established several online systems and platforms which contributed to increased transparency, accountability and efficiency of investigations. For example, e-declaration system for public officials’ assets and income has been developed and introduced whereby public officials complete their declarations online and the system generates red flags for investigators. The introduction of this e-declaration system decreased risks of human errors and potential manipulation. Furthermore, the system provides better transparency to the general public and journalists as it allows reviewing potential irregularities or undeclared wealth. Next to e-declaration system, the project supported the development of an online case management system for KACA which keeps track of all pre-investigators and allows management to track progress in cases and the dissemination of information on cases to other investigative authorities. Based on this, SAEK significantly contributed to better management of cases and their faster completion. The project has also developed and supported the introduction of the legal and IT framework allowing prosecutors direct access to criminal and financial records held by the police, tax administration, customs administration and cadastral records without indicating who is under investigation before the issuing of indictments. Last but not least, an e-tool for monitoring the assets of Politically Exposed Persons (PEPs) was established by SAEK support within the Financial Intelligence Unit (FIU), enabling that all names contained in Suspicious Transaction Reports (STRs) are run through the database and hits are shared with the intelligence service, tax and customs administrations. This all resulted in the increased identification of hidden stolen assets. The project also took part in the further development and finalisation of the Sentencing Guidelines for the Supreme Court which were initially developed by the US Embassy Department of Justice. The Sentencing Guidelines define mitigating and aggravating circumstances per offense in order to minimize unelaborated discretion and ensure equal treatment before the law. Though the Sentencing Guidelines are not mandatory, they present and expedient for judges and contribute to more equal sentencing in comparable or similar circumstances.

As concerns capacity building support SAEK, among others, supported the training of 43 investigators who have been trained and accredited in fraud examination and forensic accounting during a specially designed course based on Kosovo Law and international best practices. The trained investigators have been using newly acquired skills to detect financial crimes which will likely result in improved investigations, indictments and increased assets seizure requests. In addition to this, several prosecutors also took part in SAEK supported training courses. As pointed out by one of the interviewed prosecutors during the evaluation, the knowledge gained during the SAEK training enabled prosecutors to rely much more on their new knowledge obtained during the SAEK supported training courses. This resulted in situations that prosecutors in certain cases nowadays don’t engage anymore external experts in pre-trial phases (e.g. court witness experts). The training courses also helped the participants to better distinct between different criminal offences and got much better acquainted with other institutions’ authorisations, responsibilities and investigative competencies.

Supporting Anti-corruption institutions to detect and process corruption cases effectively

SAEK also supported the development of five corruption risk assessments, namely, the Corruption Risk Assessment on Extractive Industries, Policy Paper on the Kosovo Accreditation Agency, Corruption Perception Study in the Business Sector, Corruption Risk Assessment on the Kosovo Bar Association, the National Risk Assessment for Money Laundering, the Corruption Risk Assessment for the Kosovo Chamber of Notaries, and the Corruption Risk Assessment for the Private Enforcement Agents. The Money Laundering Typologies of PEPs, developed by SAEK support, were submitted by the Kosovo FIU to the Egmont Group. Within this group the typologies were shared with over 150 counties and Kosovo FIU received notable acclaim for being one of the only PEPs typologies developed in the world. With such project support and achievement, SAEK did not only contribute to better fight against corruption in Kosovo but also in wider international context.

SAEK II also significantly supported the development of capacities and structures for public relations for KACA and the Prosecution. SAEK supported the development of the Communication Strategy which was adopted by KACA and a fulltime position was created to enact the strategy. KACA now conducts regular press conferences and information exchange meetings with Civil Society Organisations (CSOs) and the media. In addition to this, the Prosecution has appointed 10 spokespersons located throughout Kosovo who were trained by the SAEK support and who conduct regular press conferences and issue weekly bulletins on completed cases. As confirmed by various interviewees during the evaluation, based on SAEK support, KACA and the Prosecution and have significantly improved public’s trust in their work which can be directly contributed to the SAEK support.

SAEK II also supported the establishment of a strategic partnership with the Basel Institute on Governance. SAEK, together with the Basel Institute, delivered an assets recovery workshop based on case studies for key financial crime investigators which will very likely lead to improved assets confiscation measures.

Strengthening civic engagement mechanisms to hold institutions accountable

Throughout the project life-span, SAEK successfully cooperated and supported its implementing partner, Kallxo.com. With significant SAEK financial support, Kallxo has further improved its standing as the most trusted avenue for citizens to report allegations of corruption. During the project life-span Kallxo.com has been verifying reports, submitting complaints on behalf of citizens, following up with these institutions in order to ensure adequate and objective responses. The number of Kallxo reports has increased fivefold when compared to 402 reports received from citizens in 2015 and 2.751 reports received in 2019. Kallxo.com also increased the number of investigations and verifying the reports received, culminating with 900 verified reports which resulted in more than 1000 articles/video reports/stories produced and published and more than 500 legal follow-up letters submitted to relevant institutions such as Kosovo Prosecution, KACA, Kosovo Police, government institutions, municipalities, independent agencies, public enterprises, etc. These Kallxo activities resulted in more than 50 arrests made as a direct result of Kallxo.com reporting only during 2019, as well as 4 judges and prosecutors being subject to disciplinary measures and 30 cases of criminal investigations initiated, indictments filed and on-going judicial proceedings against public officials. The public trust in Kallxo.com has been constantly growing which can be objectively confirmed by its readership and increasing number of viewers each year. For example, Kallxo had 15,000 viewers/readers a day in 2013, and only in 2019 Kallxo.com was visited by 40 million viewers/readers, with an average of 130,000 daily views. The platform has a total of 299,515 followers on its official Facebook page and 19.000 YouTube subscribers, which is a significant increase in comparison with 2018 when it had 69,000 Facebook followers and 3,919 YouTube subscribers.

Internews Kosova with its main partner BIRN Kosovo produced a total of 30 “Life in Kosovo” programs including 13 electoral debates and 29 “Justice in Kosovo” programs, 11 of them being “Prosecution” reportages. “Justice in Kosovo” has a total of 68,955 followers on Facebook and 22,600 subscribers on YouTube while “Life in Kosovo” has a total of 63,861 followers on Facebook and 9,380 subscribers on YouTube. In collaboration with the CSO GAP Institute, 32 municipalities have their budgets transparently presented and expenditures are available to the public in a user-friendly format on a regular basis which even exceeds this specific project target.

As confirmed by various interviewees, significant positive changes have been achieved in the area of anti-corruption since the inception of SAEK II. With the shift in the project concept, the project has also become directly engaged in criminal justice matters. With a number of activities that SAEK provided to the criminal justice institutions, the project went into the heart of anti-corruption. Based on this, the project significantly contributed to the improvement of the judicial system and improved the investigation and prosecution of high level corruption cases, intrinsically linked to international money laundering and organised crime.

Efficiency

The political pressure on the part of the European Union (EU), the United Sates, International Monetary Fund (IMF), etc., in regard to improving anti-corruption measures positively impacted to the project’s implementation pace. However, despite the external pressures and growing concerns of Kosovo citizens, political will to fight corruption remains low. Generally speaking, the lack of political will has been one of the greatest challenges that project faced during first three years and which severely impacted on the project pace. In relation to this, the project encountered several delays linked to the implementation of the envisaged activities. Nonetheless, it is necessary to mention that these delays have been directly linked to the volatile political situation in Kosovo and not related the project management. Namely, three governments fell due to votes of confidence throughout the project life-span. This resulted in lengthy periods of political vacuum and set up of technical governments which in parallel created a lag in the adoption of necessary anti-corruption legislation. Based on this, the extraordinary elections were the highest risk for SAEK. Nevertheless, contingency plans and mitigation measures were appropriately developed by the project and implemented throughout the project implementation phase. Based on the aforementioned developments, SAEK had to postpone and redesign a number of project activities accordingly. The project managed to deliver most of the envisaged results despite the frequent political turmoil and latest challenges related to COVID-19 epidemic. Namely, due to the COVID-19 epidemic, which broke out in March 2020, the government introduced restrictions on movement which had an impact on the ability to perform meetings and activities. SAEK had to adapt to the new circumstances and applied a virtual concept for meetings, working group meetings and workshops. In line with this were introduced online formats which were positively accepted by the beneficiaries who quickly adapted to the new online virtual format and continuously cooperated with the project. In line with this, 3 months long non-cost extension was approved by the Project Board in order to finalise the delayed activities.

The project’s objectives, outcomes and indicators were appropriately defined in the project log-frame and enabled appropriate monitoring of measurable indicators. The project results were to large extent attained as envisaged in the project log-frame. The ToC clearly defined the envisaged changes and improvement in policy, legislative and operational context. Various project activities well transformed the available resources into the provided results in terms of quantity, quality and timelines. Detailed project budget clearly outlined the human and financial resources required for each intervention. This can be also attributed to a great beneficiaries’ ownership over the project which was ensured already at inception phase through active beneficiaries’ inclusion and participation in the elaboration of the project design. Furthermore, the project design was developed on lessons learned during SAEK I and thus built upon the issues and challenges identified during SAEK I. High beneficiaries’ buy-in was also ensured by project’s flexibility and adaptability as well as by catering real and actual beneficiaries’ needs. Considerations on the Human-Rights Based Approach and Gender Equality have been made part of the project design where it was envisaged that the project will have an observance of at least 30% balance throughout the project activities.

The project managed to establish meaningful partnership and trust of the key partners towards the project. SAEK and its staff has gained high reputation, trust and both are highly respected not only by the beneficiaries, but also by other international organisations and development partners. Based on the conducted interviews with the beneficiaries during the evaluation it can be established that beneficiaries are highly satisfied with the SAEK activities and achieved results. Over the years, SAEK (and UNDP) managed to established good working relations and gained a high level of trust by the beneficiaries. For example this can be clearly recognised by granting SAEK access to redacted classified information[[3]](#footnote-3) held by FIU. In contrary to this, it shall be mentioned that the ex-president of the Kosovo Bar Association expressed dissatisfaction with the Kosovo Bar Association Corruption Risk Assessment, developed by SAEK, disputed its findings and refused to follow-up on provided conclusions and recommendations. For this purpose the evaluation team, consisted also of in independent foreign barrister, thoroughly reviewed the Anti-Corruption Risk Assessment during the SAEK final evaluation and concluded that the Risk Assessment is a high quality document, revealing real risks, gaps and challenges thus that the reaction of the ex Bar Association president seems to be unjustified. In summary, the Kosovo Bar Association Corruption Risk Assessment presents a good basis for further support and collaboration with the new Bar Association leadership and implementation of further activities aimed at minimising corruption risks in the Bar as identified in the Anti-Corruption Risk Assessment.

The management of the project was carried out by the UNDP SAEK Project Team within the overall framework of the UNDP Kosovo Programme Action Plan in a Direct Implementation Modality. UNDP was 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. UNDP was accountable to the project Board for the use of project resources and delegated managerial duties for the day-to-day running of the project to the Project Manager. The project’s steering structure was redesigned after the programmatic shift toward providing more support to suppression of corruption. As a consequence, the Project Steering Committee was narrowed down and remained focused on the main four beneficiaries instead of hosting representatives from 20 various institutions. In that way the project was managed by bi-annual Project Board Meetings with the most relevant partners and stakeholders of the project - representatives from the Financial Intelligence Unit, Kosovo Supreme Court, The Office of the Chief Prosecutor and the Anti-corruption Agency.

Despite several project staff changes that took place during the project-life span, the project continued its performance by the project staff, consisted of the project manager, project officer, project associate, international chief technical advisor and anti-corruption adviser. As confirmed by various interviewees, the existing project staffing is appropriate and sufficient to the project’s needs. As evident from the project job descriptions, roles and responsibilities were clearly defined. Furthermore, the decision making procedures and information flows were appropriately established. In opposite to the frequent changes at the project manager position, the international chief technical advisor has been on his position since the project inception which has ensured strong institutional memory within the project. Moreover, a number of interviewees pointed out professionalism and high expertise of the project staff, particularly the coordination and liaison role of the international chief technical advisor which greatly contributed to the project’s success. To the necessary extent, the project also engaged external consultants, however, the project staff was also actively involved in the elaboration of the project outputs. Nonetheless, as confirmed by various beneficiaries, the project ensured highly qualified consultants that provided valuable knowledge and expertise. The project team’s efforts were also adequately backed by the UNDP Resident Representative and Swiss Ambassador at the political level. This high-level support ensured greater political leverage and ensured higher buy-in at institutional level. As confirmed by various during interviewees with various development partners, the staff-turn over within the beneficiaries was problematic, except within the Kosovo Police, which in general has not significantly negatively impacted on the efficiency and sustainability of the SAEK support.

The project also applied an appropriate assistance method, combining mix of capacity building and hard component. This resulted in greater buy-in and in better sustainability of the project outcomes. As established during the evaluation, the beneficiaries have had sufficient technical capacities to accommodate the delivered IT solutions and provided software developed by the project.

Donor coordination and the introduction of new donor funded anti-corruption projects in the course of the project implementation has presented several challenges and opportunities. The project has served as a local platform for a dialogue and coordination on anti-corruption through Partnership Briefing with 15 representatives of embassies and international organizations, sharing information about the respective activities, discussing and coordinating future plans. In addition to this, SAEK II has also conducting regular coordination meetings with other major projects in the anti-corruption field to avoid duplications and overlaps. More specifically, SAEK cooperated with the PECK project of the Council of Europe, the EU Project on Anti-corruption and Anti-money Laundering, the US Embassy Department of Justice, the UK Embassy, the Westminster Foundation for Democracy, UNODC, EULEX, etc. Joint activities, policy crafting and messaging and coordination meetings were held throughout the entire project life-span. As very positive can be assessed the SAEK and Council of Europe PECK coordination meetings where were agreed a set of principles for joint work on assets recovery through joint activities, forging joint policy messages, and regular sharing of information. Nonetheless, as indicated by several beneficiaries, external experts and international organisations and despite quite well established donor coordination and cooperation mechanisms, certain minor overlaps did occur.

UNDP in Kosovo has been promoting SAEK achievements through tweets and posts published on twitter and UNDP Facebook page since 2016, and more frequently since spring 2020. Though this recent media campaign could have been strengthened much earlier, it has reached a wide audience in short period of time. The SAEK project tries to maintain “low profile” direction of the project in order to minimise possibilities of being politically attacked by actors that might be impacted by the anti-corruption activities. Nevertheless, the project could have provided more transparency particularly as regards the project activities and outcomes. Namely the UNDP-led web-page contains relatively little information about the project activities, especially as regards the project deliverables, preventing interested persons and partners to directly acquire or download relevant information and project deliverables (e.g. risk assessments, studies, etc.). Furthermore, certain project deliverables, such as the Sentencing Guidelines and General Anti Money Laundering (AML) typologies do not contain reference to the SAEK project nor to the project donors, although SAEK significantly contributed to the development and elaboration of these important documents. The Sentencing Guidelines, for example, only generally refer to international experts and indicate the support provided by the U.S. Embassy in Pristina, the U.S. Department of Justice and without any reference to SAEK or/and its donors. This is largely due to Kosovo status, whereby UN can’t be referenced alongside “Republic of Kosovo” notion, nevertheless it’s important to flag it as an issue, which could be addressed in the future through creation of a depository of SAEK supported documents, managed by a third party institution/NGO .

SAEK’s efficiency can be clearly recognised and confirmed through its effective approach at the macro policy level as well in supporting prosecution, judiciary, Bar, active citizen engagement through the existing mechanisms on reporting corruption and promoting investigative journalism. SAEK turned out as to be the only anti-corruption project in Kosovo dealing with all main anti-corruption stakeholders (political and technical as well as at central and local level) which had sufficient and adequate internal capacities and capabilities to comprehensively support combat against corruption. The identified challenges during the project life-span were adequately addressed by the project as adequate mitigation measures have been developed to tackle the challenges/problems. SAEK also had an important role in pushing policies and laws through AoK which most likely would have not passed without SAEK’s push and support. Namely, the SAEK’s team ability to offer objective, professional and technical advice yielded success to persuading politicians to follow through with anti-corruption proposals. Yet, the evaluation found that there is room for improvement regarding project visibility and better institutionalisation of knowledge provided by capacity building activities though in certain cases applied a Train-the-Trainer approach (ToT). In this regard is important to note that SAEK took a decision to quit with providing ad hoc trainings (2016 Financial Investigation training, 2017 Tax Evasion training both with US DoJ) and focused on extensive accredited courses that were designed and implemented and then handed over to SCAAK to run independently More specifically, the SAEK’s yearlong Certified Fraud Examination course, implemented through SAEK enabled the instructors of the Society of Certified Accountants and Auditors of Kosovo (SCAKK) who attended the course, to use the course material for regular Certified Fraud Examination courses delivered exclusively through SCAAK, which is an excellent example of successful ToT, handed over to national authorities who now run it completely on their own without UNDP’s support. . Based on above mentioned it can be established that the project has been quite efficient. Though is difficult to numerate activities versus results, it can be established that the project activities were cost efficient. The project has not delivered expensive equipment requiring high maintenance costs, but instead of that provided suitable, usable and durable IT solutions and software that provided long-term usability and sustainability which also significantly corroborated project’s capacity building support.

Impact

This chapter analysis how change is happening as a result of the project at individual, community and organisational level. The evaluation identified significant changes that occurred as a contribution to the project work. This information came from the analysis of the reports, interviews with various stakeholders. Due to the fact that the project is just about to finish, in some cases it’s too early to speak about the impact, thus the focus is also on potential impact in a near future.

Across the board, it was clear that the project beneficiaries had experienced capacity and organisational changes over the period during which project support had been provided. Project interventions made were able to influence the regulations and mandate of the partner agencies for example with the new regulations introduced at the Supreme Court on Sentencing Guidelines, at KACA on e-Asset Declaration and on Case Management System, at FIU on Suspicious Transaction Reports procedure and on Money Laundering Typology. These regulations had immediate effect in the performance and strengthening the mandate of these institutions, one of best example being the money laundering conviction involving 1 million EUR confiscation, inter-institutional cooperation and international cooperation with 17 jurisdictions. The e-Asset Declaration and Case Management System improved investigative capacities of KACA, resulting on a higher success rate of investigations, whereby 84 out of 114 cases were won in 2019. In the past about 70% of cases were lost due to weak investigative capacities. SAEK was also extremely important for KACA given to KACA’s limited budget, mostly sufficient only for covering salaries and maintenance cost and without having adequate financial resources for necessary investments in IT, digitalisation and increase of KACA efficiency.

*84 out of 114 cases won in by KACA in 2019 as a result of improved investigation skills. In the past about 70% of cases were lost due to weak investigative capacities.*

The project had an explicit focus on strengthening partner agency leadership and strategy, notably by introducing amendments into the new draft Law on KACA and vesting KACA with additional powers in monitoring and investigating corruption, which has a great potential for impact in strengthening KACA’s positioning in fight against corruption, once the law is adopted. The project Communications Adviser embedded in KACA helped in establishing the communications and PR system of KACA, after which KACA established a new permanent civil service position of spokesperson and has taken over full local ownership of the process.

One of the key individual transformations is greater motivation to work in fighting corruption. Many beneficiaries feel more confident to actively pursue fight against corruption largely due to learning new knowledge and techniques. Most of beneficiaries reported observable changes in the knowledge and behaviour of people in the organisations. In the FIU, Tax Administration and KACA for example, staff had learned new methodologies for collecting data and analysing them and were applying them in their work.

All partner agencies were able to demonstrate changed processes and systems as a result of interventions by the project through capacity development measures and systems development. These varied from processes managed by individuals or small groups, to inter-institutional arrangements for handling corruption cases. In KACA for example a series of tools were introduced by the project to improve the investigations, namely the e-tool for a case management system of preliminary investigations – whereby KACA officials can track all cases of conflict of interest and violations of public officials’ assets and income declarations and digitally upload evidence; the e-declaration system for Public Officials' Asset and Income Declarations – which enables systematic and thorough enquiries of asset declaration entries by KACA and for establishing paths that may lead to potential conflict of interest situations that require further investigation; e-tool for uploading and monitoring integrity plans – which allows all institutions to upload their integrity plans and supporting documents for KACA monitoring; e-tool for monitoring the Anti-corruption Strategy – which allows all public sector institutions to report on their progress in fulfilling the action plan of the strategy and the KACA to monitor progress; the development of the corruption and financial crime investigatory online tool for the prosecution – which will flag-up or alert potential corrupt activities and allow for intelligence-based investigations. With the help of the project, the FIU introduced a mandatory procedure to check whether the PEP or associated person has assets in other jurisdictions, leading to improved investigations. The results of the analyses provided through the database are already shared with Kosovo’s intelligence service, Tax Administration and Customs administration in regular basis.

The project through embedded advisors opened new channels of communication with the community, especially at the Office of the Chief Prosecutor and in KACA, which improved their outreach to the people, which in turn increased community's trust in the institutions. The findings of the latest UNDP Kosovo Public Pulse poll of April 2020 records an increase in people’s satisfaction with the work of the key executive and legislative institutions in Kosovo. The levels of satisfaction are the highest recorded by the Public Pulse polls since 2010. Satisfaction with the work of the executive is recorded at 60.7% which is an increase of 46.3% points from the November 2019 poll when it stood at 14.4%. At the same time, the Public Pulse poll continues to list corruption as one of the most pressing problems Kosovo is currently facing. Respondents reported unemployment (37.2%), corruption (23.5%), and poverty (15.3%) as the three paramount issues that impact their social wellbeing. The public has also become more aware of the work of the Prosecution services with the airing of 24 episodes of “Prosecution” show produced by the NGO Internews Kosova as part of their “Justice in Kosovo” series, which has a total of 68,955 followers on Facebook and 22,600 subscribers on YouTube.

*Embedded advisors opened new channels of communication with the community, contributing to an increased community trust in the institutions. The findings of the latest UNDP Kosovo Public Pulse poll of April 2020 recorded the highest increase in people’s satisfaction with the work of the key executive and legislative institutions in Kosovo since 2010.*

The transformation at the community level is best demonstrated by the number of reports on corruption through CSO platform kallxo.com, which increased fivefold to 2,852 reports received in 2019, compared to 402 reports received in 2015. After analysis, 922 reports were verified, which resulted in more than 1000 articles/video reports/stories produced and published and 619 cases forwarded to relevant institutions for follow-up action, which resulted in more than 50 arrests made, 4 judges and prosecutors subjected to disciplinary measures and 30 cases of criminal investigations initiated against public officials at the central and local levels. So far, the Special Prosecution has issued indictments for 5 former Ministers, the head of investigations in the Tax Administration and two police senior officers and 4 police officers. Furthermore, the UNDP Kosovo has been organizing the Journalism Anti-Corruption Award for 15 years in a row, which in 2019 engaged 26,316 citizens, whereas 2,379 voted and the event was live streamed to 25,000 viewers. The award is given for the best anti-corruption story in support to the work of courageous journalists, revealing corruption affairs, which further increases the institutional accountability towards the citizens.

Another important contribution with great potential for impact is the undertaking of a series of risk assessments, namely the Corruption Risk Assessment Report for the Kosovo Chamber of Notaries, and the Kosovo Bar Association – identifying corruption risks in order to devise strategies to address the underlying anti-corruption bottlenecks in these institutions; the UNCAC Gap Analysis Report – which will serve as a useful tool for the institutions during processes of drafting anti-corruption policies and strategies; the National Money Laundering Risk Assessment – identifying risks, threats and vulnerabilities in the financial and non-financial sectors in order to develop measures to improve the anti-money laundering system; and the Assessment of Court Cases on Corruption – findings of which shall be utilized for enhancing the criminal procedure investigational operations or amendments in the law.

*Citizen reports through Kallxo increased fivefold, to 2852 reports received in 2019, compared to 402 reports received in 2015, resulting in 50 arrests made, 4 judges and prosecutors subjected to disciplinary measures and 30 cases of criminal investigations initiated against public officials.*

With regard to gender equality, although the project aimed to achieve equal gender representation in project activities by insisting for at least 30% participation of women in activities, at times this was not possible as it was hard to influence change in the composition of beneficiaries, bearing in mind that overall women representation in institutions is below 30%. Thus the gender impact is considered minimal. The project carried few gender related activities such as support to the Women’s Caucus of the Kosovo Assembly round-table on gender responsive budgeting for municipalities back in 2016, and most notably, recently it assisted the Assembly of Kosovo Legislative Committee to produce a policy paper on Gender, Vulnerable Groups and Corruption, which will help set anti-corruption policies that include specific measures pertaining to vulnerable groups and gender and will be used for public hearings so as to engage a wider audience in these efforts, which also insures in addressing the human rights aspect in a more structured manner. Nonetheless, the SAEK annual progress reports contains gender disaggregated data per each activity, showing that monitoring of gender aspect has been considered by the project in the reporting period.

Sustainability

This chapter identifies those aspects of the project that are likely to be sustained after its completion. These aspects can be approached from two points of view. The extent to which the process is sustainable, i.e. the extent to which key stakeholders will remain committed to the project´s objectives; and the extent to which the results of the project could be used or sustained after the funding stops.

Overall, it is clear that the project was able to contribute to sustainable results in terms of improved capacity of government agencies to fight corruption, particularly in relation to systems and processes. The project had an explicit system-wide approach, in which it sought to effect performance improvement across connected institutions, not focusing only on individual agencies. The system wide approach is more ambitious than single-agency approach and is harder to achieve. The evidence from this evaluation suggests that interventions that take such an approach experience greater contributions to agency performance improvement. This is because performance of government agencies is frequently dependent on other institutions. This is particularly evident in relation to fight against corruption as it requires a coherent cooperation between relevant institutions across the government spectre, including judiciary and legislative institutions to have any chance at success. The systems and processes installed to enable better investigations and most importantly better sharing of information between relevant institutions in Kosovo and abroad provides grounds for increased sustainability of results.

*The systems and processes installed to enable better investigations and better sharing of information between relevant institutions in Kosovo, providing for greater ownership and sustainability*

However, sustainability of achieved results remains vulnerable due to persistent lack of political will, which is a concern since the systemic changes achieved are more fragile if structural and legal changes required for the full functioning of the systems and processes designed are stalled or not taking place, as is the case with the prolongation of adoption of numerous policy and legal documents for a number of years now, namely the prolongation in adoption of the Law on Financing of Political Entities, Law on Political Party Financing, Law on Assets Declaration, Law on Judges Liability, Law on Illicit Wealth, Sentencing Guidelines for Corruption, Law on KACA and KACA Strategy 2018-2022, all which have been drafted with the support of the project, but are either awaiting approval at respective institutional or government level, or adoption by the Assembly, or signature by the President.

On the other hand, the process of EU integrations has lost its weight due to prolongation of the visa liberalization for Kosovo, and as such is not a credible factor in influencing fight against corruption, which leaves the public pressure as a main influencing factor in this regard, which in turn relies heavily in civil society actions to expose corruption. Nevertheless, the civil society acters in maintaining their role continue to be largely donor dependent, which affects the level of their engagement and continuity, including that of kallxo.com platform.

*Persistent lack of political will is a concern since the systemic changes achieved are more fragile if structural and legal changes required for the full functioning of the systems and processes designed are stalled or not taking place*

All beneficiaries interviewed expressed the importance of continuity of project assistance until at least the adoption of policy and legal mechanisms is ensured, at which point the handover of the project results into ownership of local institution can be completed.

*In absence of clear EU integration path, the public pressure poses as the main influencing factor in fight against corruption, and should be supported and strengthened further.*

# **CONCLUSIONS**

**Conclusion 1:** **Relevance of donor support**

SAEK is seen as highly relevant to anti-corruption efforts in Kosovo. The project is in line with relevant SDGs, partner’s priorities and national policies. Given to widespread corruption and to this associated money laundering and organised crime, further donor support remains crucial in the area of anti-corruption. In spite of the fact that SAEK II has achieved several outstanding results, further support it is still needed to build a robust system capable to confiscate and return stolen assets illegally obtained from grand corruption. SAEK has gained high reputation, trust and is highly respected not only by the beneficiaries, but also by other development partners thus has established a conducive environment for follow-up support.

**Conclusion 2: Appropriate mix of capacity building and hard component support**

The project applied an appropriate mix aid approach, combining capacity-building activities with hard component support, which ensured better buy-in and higher project’s sustainability. The project’s interventions have contributed to tangible improvements in the capacities and performance of partner agencies, and a likely positive contribution to the increased quality of governance. The more successful interventions were those focusing on systems and processes. These successful interventions have been in effect change management projects in which the project played an important role through guidance, consultation and implementation support. The project’s capacity development interventions have also been seen to be instrumental in determining the performance of interventions.

**Conclusion 3: Dissemination and replication of capacity building and training activities**

The capacity building support provided by SAEK could have been to a greater extent provided through the educational institutions such as KIPA, which has a proven record of conducting certified multi-disciplinary trainings for various stakeholders (e.g. on procurement) and application of the ToT) approach in order to ensure better sustainability and wider dissemination and replication of knowledge across Kosovo institutions. Nonetheless, it is necessary to indicate that SAEK took a decision to quit with providing ad hoc trainings and to focus on extensive accredited courses that were designed, implemented and handed over to SCAAK to run independently. Though various study visits were adapted to the actual and specific needs, various training courses provided by the project could have been more institutionalised in order to ensure greater sustainability.

**Conclusion 4: Improved inter-agency cooperation among Kosovo public institutions**

Though SAEK provided support to the development of some inter-agency cooperation agreements, the existing cooperation and exchange of information among Kosovo institutions involved in anti-corruption, money-laundering and organised crime, which despite having greatly improved still remains limited and insufficient. Several beneficiaries expressed opinion that SAEK project should/could provide further support and put more efforts in improving the inter-agency cooperation among Kosovo institutions in the future. The drive for further digitalization of processes and cross-institutional interoperability is key to greater cooperation between institutions and as such should be further enhanced in the oncoming phases. Besides the need for further improvement of the inter-agency cooperation among the Kosovo public institutions, there also exist a need for further support of international cooperation between the Kosovo public institutions and relevant foreign partners (e. g. international organisations, FIUs, etc.).

**Conclusion 5**: **Limited project visibility**

The project made a lot of efforts to promote its work. However, there exist a room for the improvement of the project visibility. The project doesn’t have its own web page as well as there is no regular update about the project’s activities on the UNDP web-page. Though the project is presented on the UNDP-led Facebook page, it is not easy to extract SAEK related information among various UNDP posts. In addition to this, not all deliverables achieved by the project were made available on the UNDP web page and which might be of interest of other stakeholders (e.g., general public, interested experts, other donors and organisations, etc.).

**Conclusion 6:** **Ensuring follow-up to Corruption Risk Assessments**

Though the project supported the development of the Bar Association Corruption Risk Assessment, the recommendations and actions recommended in this document were not considered and further implemented. Though the previous leadership of the Bar Association refused the Kosovo Bar Association Corruption Risk Assessment in its entirety, the project should now follow up with the new leadership and further support the implementation of the proposed recommendations and improvements. Similar follow-up needs to be ensured on risk assessment of notary and bailiff services.

**Conclusion 7:** **Minimal gender and cross-cutting evidence of impact**

Although the project aimed to achieve equal gender representation in project activities by insisting for at least 30% participation of women in activities, at times this was not possible as it was hard to influence change in the composition of beneficiaries, bearing in mind that overall women representation in institutions is below 30%. Nevertheless, the project assisted the Assembly of Kosovo Legislative Committee to produce a policy paper on Gender, Vulnerable Groups and Corruption, which informs Parliament and the public on the importance of ensuring gender based and vulnerable group based anti-corruption policy making. impact of which remains to be seen in the future. Furthermore, though the project activities didn’t have a direct impact on environment, the project supported the development of the Corruption Risk Assessment in Extractive Industries which provided recommendations addressing improved monitoring, oversight and the awarding of contracts that would have a positive impact on the environment.

# **RECOMMENDATIONS**

**Recommendation 1: Continuation of donor support**

|  |  |
| --- | --- |
| Recommendation deals with:  | Strengthening SAEK impact |
| Recommendation is directed at:  | Donors, UNDP/SAEK  |

*This recommendation is based on Conclusion 1*

Sustained donor support in the area of anti-corruption is instrumental for building upon the achieved results by SAEK I and II and other development partners and international organisations. Further support should be provided in the adoption of new legislation and revised policies that are likely to be adopted by the incoming authorities, but further pressure may be necessary, especially at the Embassy level. In relation to this, additional support remains needed for relevant institutions in first of all adopting the draft legislation in place, as well as implementing it once adopted. Focus of further support should be thus placed on continued support in combating corruption and asset recovery, as well on strengthening detecting and reporting capacities in order to maintain the necessary public pressure for greater institutional accountability (e.g. through Kallxo).

**Recommendation 2: Retainment of mixed aid approach consisted of capacity building and hard component**

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| --- | --- |
| Recommendation deals with:  | Continuation of SAEK support |
| Recommendation is directed at:  | Donors, UNDP/SAEK, Beneficiaries  |

*This recommendation is based on Conclusion 2*

It is recommended to maintain the mixture of capacity building and hard component support, in order to retain high buy-in, keep the momentum and enhance sustainability of the results. However, in order to minimise beneficiaries’ over-reliance on external donor support, it is also recommended to stimulate beneficiaries to co-fund certain project activities, albeit at modest amounts.

**Recommendation 3: Continuation of capacity building activities and specialised training courses**

|  |  |
| --- | --- |
| Recommendation deals with:  | Capacity building, training courses |
| Recommendation is directed at:  | Donors, UNDP/SAEK, Beneficiaries |

*This recommendation is based on Conclusion 3*

Provision of further support in capacity building and specialised training courses is recommended in order to build upon the achieved results and further increase the beneficiaries’ capacities. In line with this it is also recommended to increase cooperation with relevant educational institutions (e.g. KIPA, Judicial Academy, Police Academy, Law Faculties, etc.) and to greater extent provide knowledge through the ToT approach or by adapting relevant training curricula in order to ensure better top down institutional dissemination of knowledge. In addition to this, it recommended to include and engage in training courses also other relevant stakeholders such as court experts, etc.. in specific training courses.

**Recommendation 4:** **Further support in facilitation inter-agency and international cooperation in fight against corruption**

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| --- | --- |
| Recommendation deals with:  | Inter-agency and international cooperation  |
| Recommendation is directed at:  | Donors, UNDP/SAEK  |

*This recommendation is based on Conclusion 4*

In order to increase fight against grand corruption and achieve more tangible results, it is recommended to further support activities aimed at improvement of inter-agency cooperation among the Kosovo public institutions engaged in detection and suppression of corruption, money laundering and organised crime. In addition to this, it is also recommended to further facilitate international cooperation with relevant law enforcement and anti-corruption agencies in other countries and relevant international organisations (e.g. EUROPOL, EGMONT Group, the Basel Institute, etc.).

**Recommendation 5: To improve the project visibility**

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| --- | --- |
| Recommendation deals with:  | Project and Donor Visibility  |
| Recommendation is directed at:  | UNDP/SAEK  |

*This recommendation is based on Conclusion 5*

It is recommended to increase the project visibility, particularly through a dedicated project website, which due to UNDP restrictions could be maintained by a CSO and publish project’s outputs to a greater extent. This way the project should also promote donor’s contribution better across the project deliverables.

**Recommendation 6: To follow up on corruption risk assessments and increase cooperation with the Kosovo Bar Association, Notary and Bailiff services**

|  |  |
| --- | --- |
| Recommendation deals with:  | Sustainability of Project Outcomes |
| Recommendation is directed at:  | UNDP/SAEK  |

*This recommendation is based on Conclusion 6*

It is recommended to follow-up on achieved results and increase cooperation with the Kosovo Bar Association by provision of necessary support needed for the introduction of identified measures and recommendations to eliminate corruption risks in the Kosovo Bar Association as envisaged in the Kosovo Bar Association Corruption Risk Assessment. Similarly, follow-up on the findings of corruption risk assessment of notary and bailiff services.

**Recommendation 7**: **To enhance gender and other cross-cutting issues**

|  |  |
| --- | --- |
| Recommendation deals with:  | Cross-cutting issues  |
| Recommendation is directed at:  | UNDP/SAEK  |

*This recommendation is based on Conclusion 7*

The project should enhance its design and project activities related to gender and other cross-cutting issues such as environment, climate changes, etc. In order to address these specific cross-cutting issues, SAEK could engage an external expert. Furthermore, similarly as in some other projects, SAEK could invent and organise specific activities only for women in order to stimulate beneficiaries in nominating females to certain project activities. As environmental aspects and climate changes are becoming more and more relevant and important, it is recommended that the project also provide stronger and continued support to the relevant ministries and institutions exposed to corruption risks in relation to environmental and climate changes**.**

**Recommendation 8: Strengthen evidence gathering, monitoring and data analysis**

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| --- | --- |
| Recommendation deals with:  | Evidence gathering, monitoring and data analysis |
| Recommendation is directed at:  | UNDP/SAEK  |

*This recommendation is based on Conclusion 7*

The project should enhance its evidence gathering, monitoring and data analysis into a combined project monitoring tool that tracks progress beyond project activities. Studies related to corruption impact on gender, on environment, etc. should become a visible and a regular feature of the project, similar to video productions, which for greater sustainability could be produced by local think tanks and universities. This would also strengthen the evidence of corruption impact, which is necessary for development of appropriate policy measures by institutions.

# **LESSONS LEARNED**

***Addressing requests for external donor support to different donors:***

The Kosovo beneficiaries quite often address requests for same type of support to various international organisations and development partners. If there is no regular donor coordination and cooperation among them, then there exist a huge risk for duplication of efforts and overlaps. Nevertheless, it’s evident that the project is aware of this and has taken measures to avoid such situations in the future, as for e.g. having made a written agreement with the CoE PECK project on exchanging information, forging joint policies and implementing joint activities in SAEK III.

***Over-reliance on external donor support:***

In general, the Kosovo beneficiaries over-relay on external donor support even in cases when they would be capable to develop and provide certain results without external donor support. As such, the beneficiaries’ possibility to obtain easily external donor support makes beneficiaries rather passive, less pro-active and over-reliant on donor support**.** Although it’s a general risk, the project needs to strongly consider and build in this risk in future phases.

***UNDP neutrality:***

The UNDP neutrality provides strong project impartiality and ensures that no hidden geo-political interest are behind the offered assistance. Various development partners, international organisations and individual donor states have various geo-political interest and agendas. These interests sometime can put beneficiaries in temptation and confusion in selecting appropriate aid cooperation partners due to political divergences. As such, as a neutral entity, UNDP has a significant advantage built over the years through provided assistance, and strengthening trust by government institutions. Based on this, a conducive environment has been established for further assistance by UNDP in various areas, not exclusively in the field of anti-corruption.

***Success of the project depended on political will:***

In general, the staff-turn over within the Kosovo public institutions seems not to be problematic except within the Kosovo Police. Nevertheless, the effectiveness of the project is heavily dependent on political and institutional willingness which remains problematic even though anti-corruption remains one of the main societal problems**.**

***UNDP/SAEK as a guardian of Kosovo anti-corruption institutions:***

The Kosovo public institutions, particularly KACA, are often under strong political influence and unjustified political attacks, even by ruling elites that many times oppose or reject developed legal solutions. UNDP/SAEK turned out to be a guardian of recognised international standards and best practices and providing impartial and neutral technical back-up to agencies as well as adequately supporting agencies’ efforts to introduce anti-corruption standards in line with international treaties (e.g. UNCAC). For this reason, SAEK remains highly important for Kosovo anti-corruption governance.

***Flexibility in project implementation:***

The project’s flexible approach in addressing emerging needs of the key stakeholders has turned the project into a trusted partner, enabling stakeholders to swiftly address any emerging issues, thus clearing obstacles to a successful accomplishment of the set objectives.

***Demonstrating competence and gaining trust:***

The solid competencies of the project team, reconfirmed also during the final project evaluation, provided the project with access to get involved in sensitive issues and gain full trust of key stakeholders. This approach, and possibly the same staffing, to the possible extent should be maintained also during the next phase.

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1. ANNEXES

Annex 1 – List of Persons Interviewed

|  |  |
| --- | --- |
| **Person** | **Institution** |
| Valbona Bogujevci,  | UNDP Assistant Resident Advisor  |
| Mato Meyer  | SAEK Chief Technical Specialist |
| Arben Sejdaj | SAEK Project Manager |
| Rezarta Reka  | SAEK Rule of Law Advisor |
| Faik Ispahiu,  | Internews Kosova, kallxo.com |
| Arjan Shabani,  | SDC |
| Shaip Havolli, | Director of KACA,  |
| Veli Hoti | Adviser of KACA  |
| Naim Abazi | Special Prosecutor |
| Visar Krasniqi, | Office of Legal Support, Assembly of Kosovo |
| Nita Lumezi, | Adviser at Supreme Court |
| Mentor Borovci | Legal Office, Office of the Prime Minister |
| Sefadin Blakaj | Notary of the Notary Chamber of Kosovo |
| Nasuf Hasani | Head of the Regional Branch of Prishtina, Kosovo Bar Association |
| Albert Avdiu | Adviser to ROLAG |
| Behar Xhema | Head of FIU |
| Ian McDonald | Former Team Leader EU-funded project “Further Support to Kosovo Institutions in the Fight Against Organized Crime, Corruption, and Violent Extremism |
| Benina Kusari | US Embassy |
| Fitim Mulolli | Westminster Foundation |
| Vlora Marmullakaj | Council of Europe |
| Drago Kos | External Consultant on Anti-corruption  |

Annex 2 – List of Documents Reviewed

* Terms of Reference
* Project Document Support to Anti-corruption Efforts in Kosovo II 2016-2020
* Annual Progress Report 2016-December 2016
* Annual Progress Report January 2017- December 2017
* Annual Progress Report January 2018 – December 2018
* Annual Progress Report January 2019 - December 2019
* SAEK Narrative Progress Report 2016-2020
* SAEK II Power-point presentation
* EC Progress Report for Kosovo 2019
* ToR for Project Manager
* ToR for Chief Technical Specialist/Anti-Corruption
* ToR for Project Associate
* ToR for Rule of Law Advisor
* Charti Nicuma Presentation
* Bar Association Risk Assessment
* Politically exposed persons money laundering typologies in Kosovo
* Anti-money Laundering General Typologies
* Sentencing Guidelines
* Kosovo’s national risk assessment of money laundering and terrorist financing

Internet sources:

* One Coin Movie
* <https://drive.google.com/file/d/1SUtmYADVrkETVo5hlCv9Ct9JQxEacts_/view>
* <https://www.ks.undp.org/content/kosovo/en/home/operations/projects/democratic_governance/SAEK.html>
* <https://www.undp.org/content/dam/kosovo/docs/factsheets/SAEK%20-%20fact%20sheet.pdf>

Annex 3 - The Theory of Change Model, developed by SAEK



1. As per revised ToC. [↑](#footnote-ref-1)
2. It is envisaged that a new KACA function will be introduced through the amendments to the law on KACA. [↑](#footnote-ref-2)
3. the information was redacted of names of officials, companies and in no way jeopardized any ongoing investigation [↑](#footnote-ref-3)