

ANTI-CORRUPTION

Corruption presents barriers to sustainable development and prosperity. If the rule of law and development are to take hold, good governance is a necessary condition.

The International Development Law Organization (IDLO) is working to promote good governance, fairness and equality through the rule of law. While corruption negates the benefits of development, strengthening the capacity and integrity of institutions promotes economic prosperity and increases citizens' confidence in public administration, justice and the rule of law.

Through its programs, IDLO is working to combat all forms of corruption by making justice institutions cleaner and more responsive, reducing conflicts of interest in procurement and public life, and enhancing the capacity of institutions and justice actors to fight fraud and economic crime.

IDLO is currently implementing programs in the following countries:

INDONESIA

Electronic evidence and management in corruption trials

Corruption cases handled by Indonesia's Corruption Eradication Commission that involve electronic evidence, such as e-mails or social media posts, subsequently allowed in court, have had a conviction rate of 100 per cent. Yet, judges do not always allow electronic evidence in courts, and standard operational procedures providing guidance on electronic evidence handling and a digital forensic lab that meets international standards are lacking. Moreover, existing laws in relation to electronic evidence handling often contradict one another.

In response to these challenges and opportunities, the Partnership for Governance Reform Kemitraan is implementing a project together with the Institute for Study and Advocacy for Judicial Independence under the IDLO-managed Indonesia-Netherlands Rule of Law Fund to improve the admissibility of electronic evidence in corruption trials in Indonesia. The project focuses on strengthening the regulatory framework in Indonesia in line with international standards. Efforts also aim to strengthen the capacity of law

enforcement and justice actors by improving guidelines for the digital forensic laboratory, increasing knowledge and skills, and enhancing access to international networks on electronic evidence handling.

KENYA

Improving the capacity of key Kenyan institutions to strengthen access to justice, transparency, and accountability

Despite the strong constitutional, policy and institutional framework for accountability and transparency in Kenya, the country faces serious challenges relating to the enforcement of this framework. Various factors include weak institutional capacities, prevalent weaknesses in the legal framework, delays in the investigation, prosecution and enforcement of cases relating to transparency and accountability, perceived weak political will and negative social attitudes that seem to condone unethical and corrupt conduct, including within the public sector.

This project is strengthening the capacity of the judiciary, the Office of the Attorney General and other Kenyan institutions to effectively administer justice in line with the 2010 Constitution and the National Council on Administration of Justice Strategic Plan (2018-2023). The project is working closely with a number of Kenyan institutional partners, such as the National Treasury, Council of Governors, the Office of the Auditor General and the Ethics and Anti-Corruption Commission, to strengthen accountability and transparency mechanisms at national and county levels. The project is also providing technical assistance to the constitutional commissions and civil society organizations to efficiently implement their mandates relating to transparency and accountability.

PHILIPPINES

Enhancing the capacity of prosecutors

The criminal justice system in the Philippines faces a number of challenges which significantly limit its ability to effectively hold criminal offenders to account. A chronic shortage of prosecutors, despite efforts to appoint new prosecutors by the Department of Justice and the Office of the Ombudsman, overburdening of those in function and a lack of professional training often result in long delays, and poor rates of conviction. In addition, newly appointed prosecutors are often immediately deployed, and can feel overwhelmed with heavy caseloads and insufficient trial experience.

IDLO is implementing a project in the Philippines that aims to, inter-alia, strengthen the capacity of the prosecutors at the National Prosecution Service within the Department of Justice to conduct improved criminal prosecutions and build the capacity of the Office of the Ombudsman's prosecutors to better resolve complaints of corruption against public officials, including increasing the capacity of both institutions to design and deliver interactive training. The current phase of the project has extended its support to provide trial advocacy training, as well as training on case analysis and legal writing, to investigators and prosecutors of the Anti-Money Laundering Council. It is also supporting the Philippine Judicial Academy in the design of a training module on evidence appreciation and admissibility with an emphasis on modes of discovery, forensics and electronic evidence.

SOMALIA

Capacity building of the Financial Reporting Center

Concerns over the lack of a basic, functioning, regulated financial sector and weak financial regulation and oversight, including customer identification measures, have eroded international confidence in Somalia's financial firms. Over time, de-risking practices have resulted in banks discontinuing the facilitation of money transfer services for Somali remitters, leading to a crisis that severely complicated vital financial flows to Somalia.

IDLO is implementing a project that aims to build a soundly regulated financial sector in Somalia that can operate in a professional manner consistent with international standards. The project seeks to

strengthen the recently established Financial Reporting Center's capacity to function as an effective and high-performing financial intelligence unit capable of detecting, preventing and deterring money laundering and terrorist financing in Somalia's financial systems.

Strengthening justice institutions to combat complex crimes

Somalia is striving to strengthen its institutions and to improve the rule of law. However, high levels of crime still persist. These include forms of complex crimes, namely extremist violence, organized crime, sexual and gender-based violence and corruption. In recent years, the Somali Federal Government has improved the fight against armed groups and made efforts to improve the capacity of the justice system to handle complex crimes. With the construction of a new prison and court complex, the bulk of extremist violence cases will be moved from military courts to be tried in a civilian criminal courtroom. In order to process these cases within a new court system, technical and advisory support will be necessary to ensure judicial capacity is in line with international standards.

IDLO is implementing a project that aims to strengthen the institutional capacity of justice sector actors to address complex crimes in Somalia. IDLO is working with the Attorney General's Office, the Somali Bar Association, and the judiciary to deliver specialized trainings on cases of complex crimes. IDLO is also providing technical and advisory assistance and supporting the establishment of relevant specialized units within the Ministry of Justice, Attorney General's Office and Office of the Prime Minister to coordinate the transfer of serious crime cases from military to civilian courts. The project is also providing financial support to the Puntland Forensic Laboratory to ensure its continued success in investigating complex crimes, and in particular, crimes of sexual and gender-based violence.

UKRAINE

Since the Maidan Revolution of 2013-2014, Ukraine has embarked on a wide-ranging reform program determined to create the momentum to overcome a legacy of bureaucratic stagnation, arbitrariness and corruption. The government has created new law enforcement agencies specifically devoted to fighting corruption of high-level officials and has launched an initiative on decentralization and regional policy reform. Notwithstanding these promising beginnings,

many challenges remain, and many initiatives are still required in order to complete Ukraine's transformation and transition to a modern and prosperous democracy.

Since 2015, IDLO has been working in Ukraine to support justice, rule of law and anti-corruption reforms by strengthening capacities and increasing the efficiency, transparency and fairness of public institutions.

Supporting criminal justice reform

Contributing to institutional reform efforts, IDLO is implementing a project to build the capacity of the National Anti-Corruption Bureau and the Special Anti-Corruption Prosecutor's Office, with an emphasis on public relations and management strategies and building the capacity of newly appointed detectives and prosecutors. The project works together with regional governments, state actors, civil society and business community to implement the new system of electronic public procurement, which is obligatory for use by all state entities.

Public Service Centers

At the regional level, IDLO is supporting anti-corruption and public administration reform through consultation services on the design and operational procedures of Public Service Centers in Odessa, Kharkiv, Mariupol and other cities. The Centers are established to provide a wide range of public services to the general public under the umbrella of a one-stop administrative facility.

Strengthening civil society

Taking into consideration that civil society plays a key role in enforcing reform, IDLO is providing grants to civil society organizations that advocate for and monitor justice, rule of law, anti-corruption and public sector reforms.

Establishing the High Anti-Corruption Court

Despite the positive momentum from Ukraine's justice sector reforms, there has been a lack of court judgments in top corruption cases, underscoring the need for greater institutional transparency and independence in the process of prosecution. As corruption cases often involve complex financial schemes with elements of money-laundering, there is a strong need to delegate them to a specialized court. Ukraine's High Anti-Corruption Court, once operational, will be limited in its jurisdiction to the

corruption cases investigated by the National Anti-Corruption Bureau.

IDLO is implementing a project that aims to contribute to strengthening the capacity and integrity of Ukraine's High Anti-Corruption Court, and in turn improve public trust in the country's anti-corruption efforts. IDLO is delivering training to judges of the High Court on key concepts and international best practices pertaining to anti-corruption and is assisting with streamlining the Court's workflow through effective case management. With a view to improving public trust, IDLO is supporting the High Anti-Corruption Court's Press Unit in developing and implementing a well-balanced media and communications strategy.

IDLO has previously engaged in additional projects in the following countries:

TUNISIA

Strengthening capacity to fight financial and economic crimes

IDLO worked to strengthen the capacity of examining magistrates and public prosecutors to deal with financial and economic crime related cases. IDLO also worked with civil society to strengthen its capacity to participate in the fight against these crimes. The project also provided training on banking practice and procurement for members of the Pôle Judiciaire Financier and selected judges. Finally, a brochure and guidebook for magistrates on the practice of international mutual assistance in criminal matters were produced.

KYRGYZSTAN

Judicial strengthening program

To improve the independence of the Kyrgyz Judiciary, IDLO implemented a project to support reforms, develop the human resource capacity within the judiciary, and restore judicial integrity in the Kyrgyz system. Among other activities, the project supported the Supreme Court to develop a communications strategy, provided training to the press service within local courts, and developed and piloted a TV-series, *Aichyk-Aikyn*, which focused on raising public awareness on the role and work of the judiciary and citizens' legal rights. IDLO also provided IT support to the judiciary in the development, launch and independent maintenance of a website to publish all court decisions.

Assistance and cooperation with the General Procuracy

IDLO worked to build the capacity of prosecutors in the General Procuracy to more effectively combat and reduce crime and corruption. The project supported the development of a Strategic Plan and budget, focused on mainstreaming gender considerations for female prosecutors, and built the capacity of the Prosecutors' Training Center.

MONTENEGRO

Regional forum on judicial cooperation in criminal matters

IDLO organized a regional forum in the Balkans focusing on anti-corruption and judicial cooperation mechanisms needed to foster effective cross-border criminal investigation. The forum identified the strengths and weaknesses of coordination among different legal actors, as well as encouraged the creation of regional networks working for the promotion of the rule of law.

AFGHANISTAN

Justice Training Transition Program

Acknowledging the importance of individual development and institutional ownership of continuing professional development as an instrument for strengthening the performance of justice sector professionals and the sector overall, IDLO implemented the Justice Training Transition Program. The program worked to build the capacity of Afghan criminal justice professionals of the Supreme Court, Office of the Attorney General, Ministry of Interior and Ministry of Justice through training and coaching, and supported these institutions to progressively take responsibility for professional development with the aim of making capacity building efforts sustainable in the long term.

IDLO's work on anti-corruption has been supported by the Government of Italy, the Government of the Netherlands, the Swedish International Development Cooperation Agency (Sida), the United States Department of State and the United States Agency for International Development (USAID).