

# Evaluation Report

## Mid-term Evaluation of the Response to Drugs and Related Organised Crimes Project

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Mid-term Evaluation of 3 UNODC Implemented Projects –  
Justice, Anti-corruption and Drugs

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## List of Acronyms and Abbreviations

BSA	Balanced Scorecard Approach
CA	Contribution Agreement
CCPCJ	UN Commission on Crime Prevention and Criminal Justice
CEF	Chief Executives Forum
CND	UN Commission on Narcotic Drugs
CONIG	UNODC Country office in Nigeria
CR	Country Representative
CSO	Civil Society Organisations
CSP	Country Strategy Paper
DA	Delegation of Authority
DDR	Drugs Demand Reduction
DFID	Department for International Development (UK)
DRUGS	Drugs and Related Organized Crime
ECOSOC	UN Economic and Social Council
ECOWAS	Economic Community Of West African States
EDF	European Development Fund
EFCC	Economic and Financial Crimes Commission
EU	European Union
EUD	European Union Delegation
EUR	Euros
FA	Financing Agreement
FAFA	Financial and Administrative Framework Agreement
FGN	Federal Government of Nigeria
FMoH	Federal Ministry of Health
FO	Finance Officer
FRMS	Financial Resources Management System
ICPC	Independent Corrupt Practices and Other related Offences Commission
IFAD	International Fund for Agricultural Development
INL	Bureau of International Narcotics and Law Enforcement (US State Dept)
LEA	Law Enforcement Agency
Logframe	Logical framework
M&E	Monitoring and Evaluation
MTE	Mid-term Evaluation

NAFDAC	Nigeria Agency for Food and Drugs Administration
NAO	National Authorizing Officer
NDCMP	National Drug Control Master Plan
NDLEA	National Drug Law Enforcement Agency
NPC	National Planning Commission
NPC	National Planning Commission
OIC	Officer in Charge
ONAO	Office of the National Authorizing Officer
OO	Overall objective
PC	Project Coordinator
PCC	Public Complaints Commission
PMC	Project Management Committee
PMC	Project Management Committee
PoEs	Points of entry and exit
PRINCE2	Projects In Controlled Environments
ROM	Results Oriented Monitoring
SC	Service Contract
SLA	Service Level Agreement
SO	Specific objective
TAPs	Technical and Administrative Provisions
TOC	Theory of Change
ToR	Terms of Reference
TPB	Terrorism Prevention Branch
UNDAF	UN Development Assistance Framework
UNDAF	UN Development Assistance Framework
UNDOCTED	UN Counter Terrorism Executive Directorate
UNDP	United Nations Development Programme
UNICEF	UN Childrens Emergency Fund
UNO	UN Headquarters Secretariat
UNOCD/V	UN Office of Drugs and Crime, Vienna Headquarters
UNODC	United Nations Office of Drugs and Crime
UNODC	United Nations Office on Drugs and Crime
UNOV	UN Office in Vienna
UNOV	UN Secretariat Office in Vienna

# EXECUTIVE SUMMARY

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## Introduction to the Joint Evaluation Process

This Midterm Evaluation on the “Drugs and related organised crimes” project is one part of a joint evaluation of three European Union (EU) funded governance projects (Drugs, Anti-Corruption and Justice) projects operated for the benefit of the Federal Government of Nigeria (FGN) and implemented by the United Nations Office of Drugs and Crime (UNODC). In order to recommend changes that can catalyse improvements going forward, these evaluations paid particular attention to the progress of the projects against their objectives, identifying enabling and constraining factors that have affected realization of results, particularly the governance and implementation capacity of the UNODC.

In 2012, the European Union (EU) and the Federal Government of Nigeria signed three Financing Agreements to implement the projects "Response to Drugs and Related Organized Crime in Nigeria", "European Union Support to the Justice Sector" and "Support to Anti-Corruption in Nigeria", with a total EU contribution of EUR 98,000,000 to be funded under the 10th European Development Fund (10th EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the projects, given its specific mandate and expertise on these subject matters. Contribution Agreements between the EU and UNODC were subsequently signed to guide the implementation of the projects. In addition, UNDP and UNICEF came on board as implementing partners of the Anti-Corruption and Justice projects respectively.

The approach undertaken in this, and the other two project evaluations, has been to conduct both a technical assessment of the project results as well as an organizational assessment of the UNODC, and the institutional environment within which it operates. As all three projects are being implemented by the same organization, the recommendations, lessons learned and conclusions of Section 2, the organizational and functional assessment, primarily reflect the unified analysis of the three projects, as per the TOR: “while allowing for any project specific variations”.

## **SECTION ONE: TECHNICAL ASSESSMENT**

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The technical aspect of the “Drugs and related organised crimes” evaluation has used a combination of tools and techniques for primary and secondary data collection, such as analysis of Strategy Papers and other literature review. The EUD and UNODC project teams in Lagos and Abuja provided the opportunity to collect relevant documentation, such as project background information, country information, stakeholder and beneficiary contact details. The list of documentation provided by the project includes annual and progress reports and other internal information, and country-specific documentation is found in Annex 4.

The evaluators met with the beneficiaries and stakeholders participating in the project in order to gather relevant and additional information needed for the evaluation. These meetings allowed for a general discussion about the project and a review of specific project interventions on a case-by-case basis. Meetings were also held with the EU Delegation and UNODC. These meetings have also been used for interviews to crosscheck and validate findings. The interviews have been instrumental in informing the positions of the Evaluation Team on issues such as relevance, design, efficiency, effectiveness, means and costs, impact and the integration in EU development strategies.

The organizational aspect of the evaluation (documented in Section 2) consisted of data collection using a series of tools to understand the legal setting, service outputs, organizational structure, staffing patterns, business processes, financial management and institutional environment. These data were then analysed to produce a synthesis using the Balanced Scorecard Approach (BSA) for public sector organizations. The four perspectives of a BSA used here are Mission, Customer, Business Processes, and Organizational Learning.

### **Summary of Major Findings**

**Relevance:** The project has properly identified the problems of the beneficiaries. The interventions of the project are in line with government priorities with regards to fighting drug trafficking, drug use and treatment and related organized crimes. The relevance of the project for Nigeria therefore remains quite high and the capacity that is expected to be enhanced by the project is very much needed. The project has a balanced approach in its initial design. However, some unclear actions were revised in the log frame to ensure that

each component has sufficient relevance and tied to the overall action. The project is on a sound path notwithstanding the one-year delay at the start of the project.

**Design and implementation:** The scale of the project is overly ambitious for a country like Nigeria taking into account the actual level of national stakeholders' absorption capacity and available skills. Stakeholder and beneficiary institutions in the country are very weak and unable to absorb all the technical assistance provided by the EU and other donors. For example, technical assistance provided by the EU to enhance the IT infrastructure of the NDLEA has been a challenge in the installation and distribution to those who need to have access to such IT infrastructure.

The issues with project design have been generally dealt with by revising the project's logframe to address the issues. Such revisions have been done through raising relevant concept notes that have been used to record the rationale for the change normally in relation to a particular output. The changes are captured in all progress and annual reports.

Even though the NPC is very unhappy with the progress of the EU-UNODC led actions, they have confirmed the fact that the Drugs and related Organized Crimes Project seem to be the only project that is progressing well. Generally, national stakeholders have participated in the original design of the project and engage with the annual work planning process and also participated in the workshops where the plans were discussed and agreed. Also, there was consultation during assessments, and through dissemination workshops where relevant national authorities provided inputs into the recommendations.

**Validity of assumptions and emerging issues:** The project identified political stability and resource availability in beneficiary institutions as well as the commitment of beneficiary institutions as assumptions and risks. The emerging issue of beneficiary lack of capacity to absorb technical assistance have impacted the project, but it has been addressed by the project technical team which has caused the project to scale down activities to meet the required level of the beneficiary institutions. The emerging geographic and project implementation risks have been a day-to-day activity in coordinating this project. However the project team has been very proactive and are constantly managing risk at activity level in order not to completely derail from the final desired outcomes.

**Effectiveness and Efficiency of Programme Implementation:** The implementation of the project is behind programme schedule mainly due to delays in the recruitment process of the staff and it only began to implement activities regularly in 2014. The Technical Core Team and project and programme support in Abuja as well as programme support in Vienna is sufficient to achieve the outcomes and outputs foreseen in the logframe, but are in need of greater assistance with regard processing of payments and procurement.

Internal coordination structures and mechanisms among the various stakeholders are defined and established at all levels of the organization. However, there were delays in response to actions. Evidence was collected from all the stakeholders and beneficiaries noting that the mechanisms in place were not effective nor efficient to achieve project outputs in a timely manner. In addition, the slow processes related to financial payment and procurement actions have impacted adversely the project implementation. In this complex context, we can assure that the project staff have reacted with the necessary proficiency and essential capabilities for overcoming this situation.

**Means and Costs:** The programme's funds have been appropriately used. We did not find any evidence that the funds were not used in accordance to the annual work plans approved. The resource allocations to each component are in line with the logical framework and project's planned results

The project has made some gains in a difficult operational field, but further adjustments are needed in order to meet project objectives. The lack of appropriate criminal investigation to follow up drug seizures at points of entry and exit (PoEs) is a major deficiency. However, the project, following the initial capacity assessments made, is addressing this issue through combined trainings with the US INL.

Secondly, it is assumed that the absence of a judicial training component for law enforcement officers should be incorporated as it remains difficult to secure convictions of high level targets. However, this remains a very difficult target at this point of the project implementation. There needs to be capacity building beyond basic skills. Basic skills acquired need to be put to practice to be internalised followed by advance and specialised investigative skills that will help secure convictions of high targets. This requires time beyond the currently set end date of the action in 2017.

**Progress towards impact:** The ultimate outcome of the project is difficult to evaluate at this stage of project implementation. The project's outcome on improving the evidence base for policy and programming is still in process, the capability to enhance the capacity of agencies and services leading to targeted interventions on drugs and organised crime is difficult to quantify at the current stage of implementation. Additionally, the creation of a reliable network of quality drug treatment service providers available for drug users does not exist. However, concrete and important outputs at the policy and capacity level have been achieved i.e. The Master Plan on drugs has been fully formulated and approved and has started its implementation which confirms project's potential that a degree of impact can be achieved.

The project should endeavour to continue to engage with other donors or similar national initiatives in order to promote the needed knowledge base on organized crime including drug trafficking and the laundering of proceeds of organized criminal activities, as well as in the field of drugs use and treatment in the country. This knowledge base if captured appropriately, will provide accurate information for policy decisions to deal with the scourge in a more systematic manner.

**Assessment of overall project performance:** The project, which is highly relevant, seems overly ambitious taking into account the actual level of absorption capacity and available skills (poor human, material and institutional structures) of the beneficiary institutions. In addition, despite the complex local context and difficulties encountered, the overall performance of the project seems to be satisfactory. There is need to emphasize that the capacity enhancement to be realised by the project is very much needed in the country.

### Summary of Lessons Learned

The project needs clear procurement and payment processes to efficiently implement its objectives in a timely manner.

Project design assessments should be very meticulous in evaluating the absorption capacity and institutional environment of the country so as to plan and design feasible projects. Without stronger project management systems, the project may not achieve its desired outcomes. In particular, it is essential that the identified gaps in recruitment, payment and procurement systems are adequately enhanced to produce the desired effects.

### Summary of Recommendations

**Relevance:** Need to down-scale the scope of the project and expunge some activities with outputs that are not very clear. There is need to reduce some actions to pilot states instead of covering the totality of state commands (details in report). The project envisages providing ICT infrastructure to the National Drug Law Enforcement Agency (NDLEA) commands all the over 30 states. However the project should concentrate on pilots (e.g. the 11 special commands or the crime hotspots, whichever is more relevant) with cascading effects for the future.

The implementation of the objectives and priorities of the National Drug Control Master Plan (NDCMP) needs to be supported by project activities where it might be necessary to consider extending the project's implementation timeframe to be aligned with NDCMP implementation period, which is from 2015-2019. This means an extension of two years - until 2019.

**Programme Design and Implementation:** All stakeholders and beneficiaries have always referred to the project as a UNODC project even though the project coordinator has endeavoured to involve the main beneficiaries and stakeholders of the project. The implementation agency should ensure through a clear plan and methodology, the active participation and involvement of the national organizations and structures to guarantee sustainability and ownership of the action by beneficiaries at the end of the project. Even though stakeholders have been involved in project design and particularly the planning, preparation and approval of work plans, the evaluation team received very critical comments from NPC about the UNODC execution of the EU projects. There is need to highlight here that there are two other EU Projects (Anti-Corruption and Justice Projects) being implemented by the UNODC. The DDG of the NPC made this point known to the team in the clearest of terms stating that "we are of the view that the UNODC is a poor implementing agency, they have issues with recruitment of staff when other organizations do not have the same problems ... when we, as the National Signatory Institutions of the Financing Agreement, try to find out what they are doing and how they are faring towards progress, they tell us that they are not mandated to report to NPC...". There is need to highlight here that there have been teething problems related to the implementation of the three

projects in Nigeria in general, but the implementation of Drugs and related organized crimes project seem to be doing much better than the other projects, and this was acknowledged by the NPC. The NPC Focal point specifically mentioned that this might be as a result of the Coordinators commitment to the action.

**Validity of Assumptions:** Project Coordinator and his team manage project technical risks on a day-to-day basis. This needs to be supported by the administrative team including UNDP so as to facilitate project implementation and not compound the issues. Residual administrative risks, e.g. procurement and payments, need to be treated urgently. The establishment of a risk register with detail treatment options for each risk may be envisaged and where the risk is high, a clear process of escalation should be prepared and available for use by identified responsible staff.

**Effectiveness and Efficiency of Programme Implementation:** The procurement process is unable to accommodate unique national and project specific circumstances. It is highly recommended that the EUD may need to positively consider the request for additional staff to specifically deal with the numerous procurement and payment issues directly without having to go through the UNDP if this will add value to the process and alleviate the situation by speeding the processes for acquiring training venues, tickets and DSA payments,...

Project activities should support the implementation of the National Drug Control Master Plan (NDCMP), considering its political and institutional possibilities. As the Master Plan has been accepted by all national stakeholders as their Plan, support for its implementation will ensure ownership thereby promoting sustainability.

National stakeholders should prepare and secure adequate budget plan for the implementation of the NDCMP. In particular each stakeholder should establish and work on their priority areas.

More training and institution building is needed to make concrete improvements and consolidate them.

**Means and Cost:** Lengthy administrative processes of the UNODC has caused a one year project implementation delay. Recruitment of the core project team has not been handled with utmost urgency despite the assurance of the Country Representative (CR) that the core team would be on board to start implementation as planned. Should the administrative bottlenecks persist, thereby hampering project implementation, the EUD may wish to consider a more suitable, effective and efficient implementation modality should this be feasible. For example, small grants could be provided to the national government institutions or others, to manage some of the training to be overseen by the UNODC, among other possibilities.

**Progress towards Impact:** With the above as a backdrop, an extension of the project should be considered in line with the timeframe of the new NDCMP so the project can support its implementation and ensure ownership and sustainability after the project life-cycle. The extension of two years will also consolidate the skills enhancement that is currently on-going at the NDLEA and other major beneficiary institutions. The EUD should use its directly managed M&E resources to undertake a long-term, empirical evaluation of the efficacy of the capacity building efforts of these three projects.

## Summary of Conclusions

The project implementation started one year behind schedule and at a very slow pace due to various combined external and internal factors that have affected and are still affecting the project implementation. These factors notwithstanding, the project has significantly increased the implementation pace of activities and its consequent outputs particularly in 2015. It is essential for the implementing agency to establish a risk register which will take into account all inherent risks and establish a clear response and treatment record for dealing with high and medium administrative and technical risks that can cause a deviation from project objectives. It is essential that both the sponsor and implementing agency ensure that reputational risk with regards to non-respect of the terms and conditions set out in the financing agreement, is taken seriously.

For future interventions, there may be a need to:

- undertake proper due diligence with regards to the actual capacity/skills level of beneficiary institutions to absorb the assistance being provided;
- consider much higher level of the Federal Government of Nigeria;

- There is need to factor in the lengthy UN recruitment and procurement processes on top of the actual timeframe of the project, e.g. (a) for a three years project to be implemented by UNODC, there needs to be an additional period of at least 12 months grace (preliminary) period to take care of all recruitment issues; (b) major procurement, start and end dates for surveys for example should be added to project execution time frame and not cut (eat) into the allotted time frame for project execution.
- For a project of this nature in a country like Nigeria, extensive risk assessment needs to be done to ensure that all possible (apparent as well as unknown) risks are critically examined and appropriate mitigation actions are clearly defined.

#### Key recommendations:

- An extension of the project should be considered in line with the timeframe of the new NDCMP. The implementation of the objectives and priorities of the National Drug Control Master
- Need to scale down the scope and eliminate some activities with outputs that are not very clear as well as reducing some actions to only some states
- The UNODC and EUD should ensure through a clear plan and methodology the participation and involvement of the national organizations and structures to guarantee sustainability and ownership of the action by beneficiaries at the end of the project.
- There may be need to positively consider the request for additional staff to specifically deal with the procurement and payment issues.

## SECTION TWO: ORGANIZATIONAL AND FUNCTIONS ASSESSMENT

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Section 2 of the Drugs project evaluation focuses, as per the TOR, on the existing organizational structures, functions and processes of the UN Office on Drugs and Crime (UNODC) country office in Nigeria (CONIG) and at its Vienna Headquarters in relation to its implementation of these three European Union (EU) funded projects, with particular reference to the Drugs project. This Executive Summary is structured with a summary of the factual findings at the end to facilitate easy access to lessons, conclusions and recommendations.

### Overall program assessment

Implementation of the Drugs project has suffered for reasons of both technical design and implementing agent capacity. The design was limited in its utility as it was structured around an assessment of the key partner agency, the NDLEA, as a well-organized and functional organization. The initial assessment conducted by the technical team indicated the organization had far less capacity than imagined. Organizationally, over the past two and one half years, the UNODC has shown an inability to facilitate the speedy implementation of these three projects in a manner that effectively and efficiently facilitates progress towards stated objectives. The Drugs project has organized itself to deliver a large number of activities, but has, at times, failed to follow established procedures, bringing it into conflict with the organizational support team. The implementing agent needs to be incentivised to pay greater attention to results-based, rather than events-based, project delivery. The role of the national government has been limited to that of a beneficiary rather than a full partner. From an organizational assessment perspective, if this project is to be continued past its current end date, it should be modified to facilitate greater national ownership in order to increase its potential value for money. With this in mind, a primary conditionality for extension should be evidence of FGN budgetary support for the implementation of the 2015 National Drug Control Master Plan.

### Key Lessons

With regards to design and management, the key lessons learned from the evaluation of the three projects indicate that:

1. Based on the evaluation of these three projects, the EU FAFA delivery modality through UN agencies has shown a propensity to intensify the divergence of interests between the donor and implementing agent that often exist in development projects. In the case of UNODC, its highly centralized and bureaucratic systems limit the agent's ability to add value to the EU system.
2. Classifying the FGN as a beneficiary reduced its incentive to seriously engage in solving its own problems.

**Key conclusions** derived from the three evaluations indicate that:

1. The EUD failed to undertake due diligence in the design and management of these three projects by neglecting to fully consider the root causes of governance limitations in Nigeria, by not being fully cognizant of the low skill level and limited absorptive capacity of partner organizations or the governance/financial complexities of the chosen implementing agency, by not properly preparing a results-based project design and by allowing the projects to run for the past two years without being guided by an agreed results-oriented monitoring system.
2. Future designs need to require a far higher level of involvement of the FGN so that reform-oriented projects are structured to address locally defined problems, rather than responding to perceived needs.
3. The UNODC has not based its operational modalities on modern, professional project management standards (such as ISO 21500). These are meant to effectively and efficiently foster the generation of results in time- and resource-bound projects. However, the evaluators conclude that the UNODC may be incentivised to evince a sense of urgency in improving its performance by requiring quarterly results-based narratives and financial reports designed to give the EUD timely information needed for decision making. As accountability requires consequences, this reporting would need to be coupled with the strict interpretation of FAFA para 4.1 so that the 7% Programme Support Costs could only be accessed in relation to eligible direct cost expenditures.
4. Extension should only be considered if the FGN demonstrates a willingness to provide appropriate budgetary resources for the implementation of the 2015 National Drug Control Master Plan.

### **Key Recommendations**

**Mission Perspective:** The EUD should work through the NPC to facilitate open dialogue with the new government to determine the best approach to be taken in modifying these projects to match current political realities (see Annex 6 B)

It will be critical for the UNODC and EUD to ensure that the FGN fully supports the 2015 NDCMP

**Client Perspective:** Existing communication, engagement and visibility obligations need to be revisited immediately by EU, NPC and UNODC to remove any confusion regarding the roles and functions of each agency

Any decision on an extension of the Drugs project should be held until the FGN demonstrates its commitment to the NDCMP through budgeted and released funds.

UNODC should move away from its heavy dependence on classroom trainings and develop practical adult learning-oriented capacity building interventions, with a strong orientation to problem/solution identification processes undertaken by national entities themselves

The M&E and contingency resources under the direct control of the EUD should be used to immediately engage a firm to design and implement a continuous impact evaluation process to provide unambiguous assessments on the utility of the projects' interventions, particularly training, towards building the effectiveness of the recipient organizations (see Annex 6 D)

**Business Processes:** Restructure CONIG so all finance and administrative personnel involved in processing financial and procurement transactions come under the supervision of the Programme Support Team rather than the Project Coordinators

EUD needs to recognize that the structure and staffing restrictions in the CA have also contributed to slow project implementation

All PC must submit procurement requests that are complete and timely in accord with SOP established by CR & PM—zero tolerance needs to be put into effect to end demand for 'waivers' or other adjustments

The 2016 work planning exercise must begin with partners no later than 1 October and be completely costed prior to 15 December and major procurement plans for all projects must be completed not later than 1 February 2016, with revisions only allowed with approval of the PM on a quarterly basis

Project narrative reports should be written in a short, concise, decision-oriented style using a results perspective and, beginning in 2016, should be required on a quarterly basis. Annual reporting and monthly

meetings have not sufficed to enable EUD to properly guide project direction. Third Party professionals should be employed to validate findings. (See Annex 6E)

Shift the payment of the 7% Programme Support Costs to a quarterly basis to incentivize speedier implementation and better reporting, in line with FAFA paras 2.5 and 4.1.

**Organizational Learning:** UNODC must instil sound understanding of modern project management principles and standards in their staff (see Annex 6 C) and improve their morale so their work output improves.

## Key Findings

The evaluation of all three projects indicated a substantial divergence between planned and actual implementation. Much of the problem seemed to stem from the project design weaknesses and the agent's highly centralized and bureaucratized approach to project management.

### Legal Context:

A review of UN and other documents led the evaluators to an understanding that UNODC has been struggling, for many years, certainly before it was selected to be the implementing agent for these projects, with serious internal governance and financial issues. In February 2011, the UN Office of Internal Oversight Services/Internal Audit Division found that: "governance arrangements and funding mechanisms do not fully support the programme of work at UNODC." Two intergovernmental working groups authorized by the UNO have laboured for several years to identify effective means of mitigating these core problems.

The three EU projects implemented in Nigeria are operated as an integral part of the overall UNODC structure. This is in keeping with the stipulations under the FAFA, however, the UNODC was not originally designed to be a project management service centre. Indeed, the 2010 evaluation of the EU funded anti-corruption project noted at that time that the UNODC procurement and financial management systems were not compatible with the needs of modern project management.

A reconsideration of the role of the NPC/ONAO in oversight of project implementation is called for in order to bring the implementation of these projects more in line with the stated objectives for aid effectiveness contained in the Paris, Busan and Cotonou agreements.

### Organizational Structure and Staffing:

Although delayed for a year in starting, the difficulty in identifying, recruiting and retaining both national and international staff for the Drugs project has been less problematic recently than the other projects. However, overall, of fourteen international posts in CONIG, nine fell vacant in the past year, with only one being re-filled. The programme manager post, critical for facilitating implementation, integration and oversight of the three projects, was first filled in May 2015, 30 months after the Contribution Agreements were signed. The Country Representative resigned in December 2014 and a permanent replacement had not been posted by the time of the evaluation.

The EUD placed strict organizational size and structural limitations on these projects. The experience of the past two years of operation has revealed some difficulties in project implementation have been caused by these initial strictures.

### Business Processes:

By the end of December 2014, the Drugs project had only spent about 28% of its budgeted resources for its first two years of operation. However, 52% of all expenditures went for personnel services. On the contrary, less than one percent of the funds allocated for subcontracted surveys was utilized, owing to lengthy delays in procurement at UNOV and cash flow constraints.

The lack of rigour among the project staff, combined with the lengthy operational processes of UNDP and UNOV, has led to numerous cases of delayed recruitments, procurements and payments. A reorganization of the CONIG office has been proposed to bring the project finance and administrative officers directly under the supervision of the CONIG operations team. This has the potential to improve workload balance and to ensure that their performance is objectively supervised.

The EUD has repeatedly stated that reports from CONIG are activity based and, thus, not in line with the results-based reporting requirements of the FAFA or the desires of the ONAO. There is nothing inherently wrong with activity -based reports, for the administrative recording of work done, other than these are overly long and detailed. The problem is that they do not demonstrate the causality relationships between activities, outputs and outcomes nor do they address progress towards outcome indicators. Such a modification, which could be done with a much shorter, more focused report, would make them results based.

The mismatch between expenditures on personnel versus other budget line items indicates a number of project management issues. Closer attention will need to be paid to ensure that all aspects of each of the projects are moving ahead in a synchronized manner. However, despite being activity-focused the lack of ratio calculations on work, cost & time versus results at the output level, a mainstay of modern, professional project management, seriously limits the ability of the project managers, EUD or the evaluators to assess the efficiency of budget utilization.

# INTRODUCTION TO THE JOINT EVALUATION

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A major portion of governance assistance provided to the Government of Nigeria by the European Union is intended to strengthen the capacity of national partners to deal with the collective action problems associated with drug trafficking, corruption and organized crime. The EU has elected to assist in building national capacity to institutionalize reform in the Federal Government of Nigeria's approach to addressing these critical issues through a collaborative implementation arrangement with the UNODC.

This Mid-Term Evaluation on the "Drugs and related organised crimes" project is one part of a larger evaluation of three European Union (EU) funded governance projects (Drugs, Anti-Corruption and Justice) projects operated for the benefit of the Federal Government of Nigeria (FGN) and implemented by the United National Office of Drugs and Crime (UNODC). These evaluations pay particular attention to the implementation of the project actions against their objectives, identifying enabling and constraining factors that have affected realization of results. The purpose of the joint evaluation has been to draw out both common and project specific lessons and practical recommendations for follow-up action by the EU, FGN and UNODC. It is based on the study of project documentation, field visits and interviews with a wide range of stakeholders. As all three projects are being implemented by the same organization, the recommendations, lessons learned and conclusions of Section 2, the organizational and functional assessment, reflect the unified analysis of the three projects and do not necessarily pertain to one project alone.

The approach undertaken in this, and the other two project evaluations, has been to conduct both a technical assessment of the project results as well as an organizational assessment of the UNODC, and the institutional environment within which it operates.

The technical aspect of the "Drugs and related organised crimes" evaluation has used a combination of tools and techniques for primary and secondary data collection, such as analysis of Strategy Papers and other literature review. The UNODC project teams in Lagos and Abuja provided the opportunity to collect relevant documentation, such as project background information, country information, stakeholder and beneficiary contact details.

The organizational aspect of the evaluation (documented in Section 2) consisted of data collection using a series of tools to understand the legal setting, service outputs, organizational structure, staffing patterns, business processes, financial management and institutional environment. These data were then analysed to produce a synthesis using the Balanced Scorecard Approach (BSA) for public sector organizations. The five perspectives of a BSA are Mission, Customer, Business Processes, Organizational Learning and Financial Management.

International development cooperation sometimes produces contradictory results. Therefore, one approach taken in these evaluations has been to assess whether the lack of appropriate incentives may be an important factor hindering progress towards development outcomes.

Sometimes, however, the key constraints to sustainable development often lie not in identifying the best technical approach to solving a problem, but rather in finding the most appropriate approach for implementing those technical solutions. The TOR for the evaluation of the three specific projects under review indicates that the very institutional arrangements put into place to assist the Nigerian government to address these problems may be limiting the generation of positive outcomes due to limitations inherent in UNODC's mode of operation.

For this reason, the Particip-led consortium approach to these three evaluations has ensured that the Organization and Functions team has closely allied itself with each of the three technical evaluation teams to ensure that a symbiotic approach of technical and organizational analysis is carried out on each of the three projects, resulting in the generation of a robust assessment that is generally valid across all three projects.

# SECTION 1: Project Technical Analysis

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## 1. Background

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A Contribution Agreement between the European Union (EU) and the United Nations Office on Drugs and Crime (UNODC) for the implementation of the project, “Response to Drugs and Related Organized Crime” was signed by both parties on 14 December 2012 following the signing of a Financing Agreement with the Federal Government of Nigeria (FGN) and the EU on 27 June 2012. The main aim of the project is to support the efforts of the Nigerian Government in the promotion of good governance, security and public health in Nigeria in line with national priorities and strategies. It aims to do this by supporting the efforts of State and Non-State actors in fighting drug production, trafficking and use, and in curbing related organized crime, including counterfeit narcotics and psychotropic substances.

Intermediate actions towards achieving this objective are:

- to strengthen the capacity of selected key national stakeholders involved in the fight against drugs and organized crime;
- to improve the overall governance of the sector with regards to evidence base tools, legal reform and policy development, as well as technical and operational capacities of the main national stakeholders.

The project aims to achieve these objectives through the realization of three interrelated outcomes, namely:

- improved information and evidence base on drug use, drug crime and policy impact used for policy and programming;
- enhanced technical and operational capacity in front line agencies and services leading to targeted interventions on drugs/organised crime related activities in Nigeria including improved internal scrutiny processes; and
- improved capacity to manage drug treatment/rehabilitation and prevention through the creation of a reliable network of quality drug treatment service providers available for drug users.

The project document foresees an implementation duration of 53 months, which commenced on 1 January 2013 with a total EU Contribution of EUR 36,000,000 under the 10th European Development Fund (10<sup>th</sup> EDF). The United Nations Office on Drugs and Crime (UNODC) was entrusted with the implementation of the project, given its specific mandate and expertise in the implementation of United Nations standards and norms in the fight against drug trafficking, use and related organized crime.

The project promotes the vision captured in the EU Drug Strategy 2007-2012 to protect and improve the well-being of society and of the individual, to protect public health, to offer a high level of security for the general public and to take a balanced, integrated approach to the drugs problem’ with particular attention to both supply and demand.

### 1.1 Evaluation Purpose

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The purpose of the mid-term evaluation as outlined in the ToR is to provide the European Union, the Federal Government of Nigeria and, when appropriate, the wider public with an assessment of the project's performance in the support provided to the fight against drugs and drug related organized crime and provide recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account challenges and opportunities.

## 1.2 Evaluation Scope

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The evaluation covers the geographical area of Nigeria and the period from the inception of the project up to mid-point as defined in the ToR. The evaluation scope also covers the evaluation of the evaluation criteria of the European Commission (relevance, efficiency, effectiveness, sustainability and impact).

## 1.3 The Evaluation Criteria expressed in the TOR

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This evaluation was performed using the evaluation criteria of the European Commission (relevance, efficiency, effectiveness, sustainability and impact), with a specific focus on providing recommendations on how to improve performance in the final stage of implementation, looking specifically at the following in line with the ToR:

**Relevance of the Project** - that the problems identified and the means are appropriate and adequate; that the programme's activities are succeeding in achieving a balanced approach;

**Project Design and Implementation** -that the project design and the logic of the link between the specific objectives and the expected results and indicators are adequate; that the relevance of the project's monitoring and evaluation system and that mechanisms to measure performance and results are appropriate;

**Validity of assumptions** -determine if the assumptions are still valid and determine if other assumptions have emerged;

**Efficiency of Programme Implementation** -that there is progress in implementation of the programme and its individual components; effectiveness of the organizational structures, internal implementation procedures, and allocation of staffing, reporting relations, tools, and procedures are adequate; the number and expertise of project staff in the present contribution agreement and their capacity to implement the project and suggest remedies if needed are appropriately functional;

**Means and Cost** -to review the utilization of the programme's funds and the validity of the resource allocations to each component and ensure that funds are or not economically utilised;

**Progress Towards Impact** – to review the relevance of any existing set of indicators(process, result and impact) and mechanisms that have been defined to measure benefits and impact;

**Alternatives and recommendations** - to make specific recommendations on how to enhance the strategic focus of the project and propose possible priority areas. Assess the implementation of the National Drug Control Master Plan and what are the possibilities to finance its implementation at state level; the feasibility within the remaining implementation period in order to meet the expected results; propose any revisions to the log frame, including expected outcomes, activities and indicators.

# 2. Project Outline and Management

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## 2.1 Subject of the evaluation

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The “Response to Drugs and Related Organized Crime” project document indicates that the project supports the alignment of drug control with good governance by promoting the rule of law, due process, the adherence to operational standards, and internal oversight.

- The overall objective of the project is to promote good governance, security and public health in Nigeria, in line with national priorities and strategies.
- The specific objective of the project is to Support Nigeria’s efforts in fighting drug production, trafficking, and use, and curbing organised crime in the country.

Improving the framework of the sector and the technical and operational capacities of those involved in fighting drugs and organised crime will contribute to improve good governance in the country, and to ensure

respect for human rights, address gender issues and reduce the security threats derived from organised crime activities in Nigeria. The project is designed to specifically address these issues through capacity enhancement activities for law enforcement officials at the NDLEA and DDR officials at the NDLEA, NAFDAC, FMOH and the FMOE.

The project also seeks to establish high standards of care for the treatment of drug dependent persons, and to remove the stigmatization of drug users. Drug control is closely tied to the need to protect human rights. A number of activities to safeguard the rights of drug users and of suspects arrested on suspicion of drug offences have been identified. The drug prevention, treatment and care strategy has integrated gender and increased its focus on youth. Factors affecting the vulnerability of women include dependence or arrest of children or spouses. Early intervention, treatment and prevention are critical for engaging women and youths. Women and youths will be specifically served by the project. The project will also further address HIV/AIDS issues surrounding drug use as part of the sensitization activities. The adoption of the NDCMP is a significant milestone in this respect, particularly as all stakeholders have embraced it as their own. The NDCMP addresses all these issues through a costed and actionable items with responsibilities that all stakeholder and beneficiaries have collectively owned.

## 2.2 Expected results

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The strategy adopted focuses on strengthening the capacity of key national stakeholders in terms of development and use of evidence-based instruments, legal reform and policy development in order to improve the performance to deliver services to better remedy the key identified problems and challenges in the fight against drugs and organised crime in Nigeria.

The project supports interlinked activities at the nodal points where drugs and organised crime interlock, in line with the EU Drug Policy and its "balanced approach". The project is broad in scope (supply and demand sides), integrated in approach and flexible in implementation.

The project has the following expected results:

Result 1: Information and evidence base on drug use, drug crime and policy impact is improved and used for policy and programming. The Nigerian legal framework is further developed and in line with international standards. A viable and effective coordinated and balanced drug policy and strategy are prepared and their implementation is supported. A data-collection and sharing/reporting information system is in place, including detailed information on particular drug related issues and organised crime networks in Nigeria and West Africa, where relevant. Mutual legal cooperation in criminal matters at national, regional and international level is enhanced and linkages established with ECOWAS activities.

Result 2: Enhanced technical and operational capacity in front line agencies and services leading to targeted interventions on drugs/organised crime related activities in Nigeria and improving the internal scrutiny processes. Improved capacity of national stakeholders and specially the NDLEA to address and combat effectively drug trafficking and control. Investigation skills are improved and information based activities further developed. The capacity to identify drug related money laundering is improved, as well as the effectiveness of prosecution dealing with drug offences.

Result 3: The capacity to manage drug treatment/rehabilitation and prevention is improved through the creation of a reliable network of quality drug treatment service providers available for drug users. Drug treatment professionals are trained (including Ministry of Health and civil society) and a client referral system is in place. Credible and adapted drug information is disseminated and quality drug prevention methods are developed and implemented, increasing the information, skills and opportunities of Nigerians to make healthy choices about drugs and drug use.

## 2.3 Project Strategic Plan and Theory of Change

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The evaluation maps out the logical sequence of the initiative from the design, through the planned inputs to outcomes as indicated in the Theory of Change (TOC) Diagram in Annex 5 (Technical Notes), as well as the intended impact of the intervention.

In doing so the evaluation team sought, through evidence-based data collection and discussions with stakeholders, beneficiaries and other actors as mapped out in the TOC Diagram, to identify the underlying assumptions of the intervention, the structure, effectiveness and efficiency of the input for the intervention, and how these produce the desired outcome leading to the intended impact. The team also examined the ownership of the intervention and its sustainability beyond the project lifecycle.

In a nutshell, diagram of the ‘theory of change’ (See Annex 5) shows and explains how actions and processes are understood to produce a series of results (outcomes) that contribute to achieving the final intended impacts of the project. It includes a results chain, which shows three main boxes: (1) structure (inputs foreseen in the programme which are essential to produce the actions and processes that will lead to the outputs), (2) processes (outputs that need to be produced in order to produce certain outcomes) and (3) outcome (results).

This theory of change adequately represents what the drug control and related organized project intends to achieve and how –in order to establish how change is understood to come about.

## **2.4 Linkages to EU and other donor support to the sector**

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The project promotes the vision as captured in the EU Drug Strategy 2007-2012 to “protect and improve the well-being of society and of the individual, to protect public health, to offer a high level of security for the general public and to take a balanced, integrated approach to the drugs problem’ (supply and demand). This is also in line with UN commitment to contribute to the achievement of national development aspirations as expressed in the UN Development Assistance Framework (UNDAF) for Nigeria (2009-2012 extended to 2013). The project builds on the achievements made by previous projects such as NGAS08 “Support to the Economic and Financial Crimes Commission and the Nigerian Judiciary” (under the 9th EDF). There is a complementarity between this project and one by the Bureau of International Narcotics and Law Enforcement (INL) for capacity enhancement for law enforcement officials particularly in the area of tactical investigations analysis, including the capacity to follow up drug seizures at points of entry and exit (PoEs). This was identified by the Project Coordinator (PC) who has endeavoured to ensure that trainings complement each other rather than duplicate. The EU support to ECOWAS Peace, security and stability mandate (Europe Aid/127054/C/SER/MULTI - Lot 12 Contract n°: 2011/264603) which includes Nigeria may also have related areas of interest with this project. Also, part of Outcome 2 fits into another EU-GAIBA project on “strengthening Anti-money laundering capacities in West Africa – CRIS 2012/024-594) which also includes capacity building for law enforcement agencies responsible for investigating proceeds from related organized crime for all 15 West African countries including Nigeria. Annex 5 shows the list of recent past, present and future EU and other donor actions in the area of Outcome 1 and 2 in particular bearing in mind that Outcome 3 is a new area which deals with the drug prevention, treatment and care aspects and thereby closes the loop of the drug issue in Nigeria.

# **3. Methodology**

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## **3.1 Analytical Tools Used in the Evaluation**

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The “Drugs and related organised crime” evaluation has used a combination of tools and techniques for primary and secondary data collection, such as analysis of Strategy Papers and other literature review. A questionnaire to project managers was administered (See Annex 5). Interviews with UNODC project staff and stakeholders as well as the EUD in Abuja were carried out during field visits, as well as in-depth-interviews with different staff and focus groups of stakeholder institutions.

The UNODC project teams in Lagos and Abuja were contacted for additional documentation to facilitate the evaluation, such as project background information, country information, and stakeholder and beneficiary contact details. The list of documentation provided by the project includes the Financing Agreement, annual and progress reports, and other internal information, and country-specific documentation (see annex 4 on documents consulted).

**Primary data:** Data collection has allowed obtaining direct information from beneficiaries and stakeholders in different areas of the programme, contributing to 'from 'user's perspective', to the evaluation findings.

During the inception phase, the questionnaire mentioned above was prepared. The purpose was to allow the gathering of optimal and qualitative responses to specific sub-questions directly linked to the performance indicators. This has allowed the evaluation team to answer the EQs according to global evaluation criteria, namely relevance, design, effectiveness, efficiency, means and costs and impact.

At the outset of each visit, the evaluators have met with the beneficiaries and stakeholders participating in the project in order to gather relevant and additional information needed for the evaluation. These meetings have allowed for a general discussion about the project and a review of specific project interventions on a case-by-case basis. Meetings were held with the EU Delegation, UNODC, programme beneficiaries and stakeholders as indicated in the Annex 1 on Persons met.

These meetings have also been used for interviews to crosscheck and validate findings. The interviews have been instrumental in informing the position of the Evaluation Team on issues such as relevance, design, efficiency, effectiveness, means and costs, impact and the integration into EU development strategies.

The Evaluation Team visited Abuja and Lagos during the field visit. The decision on the cities to be visited was taken together with the EUD in Nigeria and UNODC project coordinator and particularly based on the fact that the project teams and the beneficiary institutions as well as the stakeholders are mainly in these two cities (Lagos and Abuja). While the NDLEA is headquartered in Lagos it has command offices in all the States of the Federal Republic of Nigeria.

Interviews, guided by prepared questions, focused on the different areas related to the project components. To address basic issues, the Evaluation Team reviewed the performance of the activities as originally set out within the programme intervention logic frame as against the actual performance.

Utilizing different tools, the data analysis process were developed through the qualitative analysis of responses provided to the questions posed during semi-structure interviews as well as the questionnaires sent to project managers and focal points. In particular, interviews have provided an opportunity for the evaluation team to gather specific opinions and perceptions from stakeholders and beneficiary institutions.

## 3.2 Key Questions

The Evaluation team set out to respond to the following key questions as prescribed in the ToR and in line with the criteria of the European Commission:

**Table 1: Key questions as prescribed in the ToR**

EQ1 RELEVANCE	To what extent has the project identified the problems and are the means appropriate and adequate? To what extent are project activities succeeding in achieving a balanced approach of drug issues? To what extent did the project objectives consider the needs and requirements of the beneficiaries to improve, balance and impact drug policies? Any advances on the cannabis cultivation activities?
EQ2 DESIGN AND IMPLMENTATION	Has the project and the different activities that form its components correctly addressed the identified problems and social needs i.e. the project design and the logic of the link between the specific objectives and the expected results and indicators are adequate? To what extent is the project's monitoring and evaluation system and mechanisms measuring performance and results? What is the feasibility of outcome 3 within the remaining implementation period in order to meet the expected results? To what extent can the project support the implementation of the National Drug Control Master Plan and to what extent which are the possibilities to finance its implementation at state level? Are there any revisions to the logframe to be proposed, including expected outcomes, activities and indicators?
EQ3 VALIDITY OF ASSUMPTIONS	Are the assumptions still valid and are they affecting the programme? If yes, how do they affect the programme? Have other assumptions emerged?

EQ4 EFFICIENCY	To what extent is the project progressing in its implementation and its individual components? Are there adequate organizational structures in place to reach the project objectives including structures, internal implementation procedures, and allocation of staffing, reporting relations, tools, and procedures? Are the organizational structures sufficiently effective to achieve the project objectives?
EQ5 MEANS AND COSTS	Review the utilization of the programme's funds and the validity of the resource allocations to each component in light of the Logical Frameworks and programme's planned results;  Are the programme's funds appropriately used? Are resource allocations to each component valid and justified in line with the logical framework and project's planned results? How efficient are programme coordination mechanisms towards efficient implementation of the action?
EQ6 PROGRESS TOWARDS IMPACT	What is the relevance of the set of indicators (process, result and impact) and mechanisms that have been identified to measure benefits and impact?

### Judgment criteria, indicators and sources

To each of the above questions are assigned judgment criteria, indicators and an outline of sources. Judgment criteria are of utmost importance as they determine the appropriate indicators and, more generally, the nature of the data collected and the type of analysis. The indicators allow cross checking and strengthening of the evidence used as the basis for answering the question (see annex 5 for details).

## 4. Analysis and Major Findings

### 4.1 EQ 1 - Relevance

#### Problems Identification and the means of response

The project is a sustained attempt at disrupting the flow of drugs and the operation of organised crime groups operating in Nigeria by supporting different forms of law enforcement, prosecutorial, judicial action and civil society organizations in the country. It is based on the realisation that given the magnitude of the drug phenomenon, government interventions can only succeed through the strategic and creative use of available resources. As organised crime has proven adept at exploiting transnational transit routes and local vulnerabilities in enforcement and prosecution, law enforcement has to follow suit. The project therefore comprises measures along two key dimensions. First, it supports, through skills enhancement, an integrated set of activities along the spectrum of the criminal justice system, from interception, to prosecution, conviction and asset forfeiture. Secondly, it creates linkages between law enforcement, prosecutorial and judicial authorities within the country, e.g. establishment of task forces or multidisciplinary teams (Police, Customs, Immigration, etc.). Project results of enhancing Law Enforcement Agency (LEA) capacity, *i.e.* skills enhancement, are therefore designed to support law enforcement capacity, *i.e.* their ability, for sharing information and coordinating operations. In addition, and in line with the EU drug strategy 2007-2012, the project in its design has a balanced approach between drug supply reduction and drug demand reduction as well as incorporating the two crosscutting themes of 'international cooperation' and 'research', information and evaluation.

In general, the programme has properly identified the problems of the beneficiaries. The interventions of the programme are largely in line with government priorities with regards to fighting drugs trafficking, drug use and treatment and related organized crimes. The project therefore addresses important needs in the country (*i.e.* the development of information and knowledge-based systems, drug demand and supply policies). The new National Drug Control Master Plan 2015-2019, which is a major output of the project, is the appropriate instrument to promote ownership and tackle the problems identified thereby ensuring sustainability. This is an example of the effort to have a wide and balance approach to tackle the needs of the country.

In addition, the fact that the former United Nations Secretary-General Mr. Kofi Annan has launched The West Africa Commission on the Impact of Drugs on Governance, Security and Development (WACD) on 31 January 2013 in Accra, Ghana, to analyse the link between organised crime and drug trafficking in West Africa, is an indication of how important the subject of this project is. There is the acknowledgement that Nigeria, like the rest of its neighbours in the region, is not a market, but a transit corridor for drugs shipments to Europe, Asia and other parts of the world where there is a market. Law enforcement interception records show that local drugs such as cannabis are generally smuggled to the UK and other neighbouring countries. There is, however, very little idea about the scale or significance of this corridor.

The Project also complements the 2008-2011 ECOWAS Regional Action Plan to address the Growing Problem of Illicit Drug Trafficking, Organized Crimes and Drug Abuse in West Africa, thematic area 2 “Effective law enforcement and national/regional cooperation against the significant increase in illicit drug trafficking and organised crime.

The relevance of the project for Nigeria therefore remains quite high and the capacity that is expected to be enhanced by the project is very much needed. The project has strong support from both the counterparts and national stakeholders. All counterparts and stakeholders interviewed have reiterated their satisfaction of how project is progressing thus far. However, several of the project’s key outputs require long-term support to deliver the desired change<sup>1</sup>.

### *Finding*

Premature ceasing of the implementation of project activities come 2017 will be counter-productive to achieving the outcomes and overall objective of the project. Meaning that capacity would have been enhanced at basic level with little time for applying the skills and then moving on to advanced and specialised skills enhancement, which is necessary to bring about the desired change.

### **Balanced approach to the drug issues**

Technically, it can be said that the trajectory of the project is on a sound path notwithstanding the one-year delay at the start of the project. The project has a balanced approach in its initial design and in the revised log frame giving each component, sufficient relevance. While the implementation of the activities for enhancing the technical and operations capacities of law enforcement agencies and to improve drug treatment and prevention capacities are advancing as foreseen in the work plan, although with difficulties. This is due, in some cases, to the absence of basic skills of the beneficiaries and in others the lack of institutional infrastructure.

The activities for improving/creating an information- and evidence-based system has suffered significant delays caused by the delayed actions towards implementation of the national surveys on cannabis production and drug use and qualitative studies and assessments of drug trafficking and use. This would be a major contribution by the project given the fact that Nigeria has no reliable and comparable data on drug use and trafficking at national level which impedes any meaningful and evidence based actions to be taken on drug trafficking and drug use in the country.

It is very important to mention that the balanced approach of the National Drug Control Master Plan is an indication that this project is being positively viewed by all national stakeholders and beneficiaries involved in this project. The meeting at the Prisons Service revealed that they were technically ready to “start implementation of their portion of the Master Plan immediately” should funds be made available. In particular, the objectives and priorities of the National Drug Control Master Plan focus on the comprehensive and balanced approach to drugs issues, based on international cooperation and dialogue, as well as on demand and supply reduction and an evidence based approach, which shows the high level of coherence of the Master Plan with EU policies and strategies.

### *Finding*

Should the delay continue further, the project risks not achieving the expected and desired balanced approach to drug issues if the national surveys and qualitative studies are not urgently implemented. There is need to emphasise that for surveys and assessments of this nature to complete from start date to finish, and

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<sup>1</sup>See EQ 4, 4.1.foroutputs progress

be able to provide some key indicators on drug use, i. e. prevalence on drug use, infectious disease, problematic drug use, etc., a considerable amount of time is needed for such action. Should the project look to keep May 2017 as the end of the life cycle of the project, this may not be achieved.

### **Extent of consideration of stakeholders and beneficiaries needs**

The project's overall objective (OO) and specific objectives (SOs) seem to have considered, in the main, a balanced approach to the needs and requirements of the beneficiaries to improve and impact drug policies. On Drug Demand Reduction (DDR), a major gap in Nigeria is on availability of free/subsidized drug treatment services, prevention, care and rehabilitation programmes. The project addresses this issue through a different set of activities focusing mainly on increasing the institutional capacity for DDR namely Drug Prevention, Treatment and Care. The project considers strengthening both institutional and particularly human capacities of the Federal Ministry of Health (FMoH), NDLEA, civil society organizations (CSOs) and the National Prisons Services; assessing of facilities, type of drug treatment and minimum standards; as well as taking actions in drug prevention.

With regard to the operational capacities of LEAs for targeted interventions on drugs and organised crimes, needs are addressed by several activities programmed under the outputs of Outcome 2. The evaluation team believes that sufficient actions have been established to address the identified deficiencies thereby promoting the desired result.

This notwithstanding, it is unclear if given the timeframe, the outcomes will be effectively achieved even though the project has continued to build on the foundation laid down since its inception. In essence, time is needed to complete the necessary actions in order to bring about the desired result. Details of action already taken and those yet to be undertaken are addressed under EQ4.

Importantly, there is need to mention that if the project were to end as planned in 2017, will mean that many of the capacity building activities will neither be able to be finalised, nor allow sufficient time to undertake a subsequent assessment to determine if the capacity provided brought about the desired outcome. Also, there is need to highlight that the project had a delayed start date which has reduced the actual planned "life-span" of the project. An extension would be necessary to ensure that planned actions are carried out to completion.

### **Finding**

Additionally, as project start date was delayed and it only became obvious that the capacity of the average LEA is far below the envisaged threshold, by 2017 capacity building of the majority of law enforcement officers (LEOs), would only then be reaching a climax. Stopping capacity building programmes midstream (i.e. at the current planned end of the project in 2017), particularly without closing the loop through any post assessment of effectiveness will be a challenge. Without cementing these new skills into everyday practices, it potentially can result in the capacity of the agencies regressing to where they were at the start of the project and in effect all of the money and effort invested into building capacity wasted.

Minutes of meetings show that the project team has involved stakeholders, beneficiaries and target groups in the design of annual work plans as well as participation in finding responses to the way forward in project implementation. There was an isolated case of a project counterpart complaining of the Project coordinator "pushing them to partake in too much work". The individual however acknowledged that the activities were beneficial to the institution and that they had seen some positive behavioural changes following the activities.

### **Cannabis cultivation activities**

Even though cannabis as a drug is not a focus for the EU, this seems to be a major focus for Nigeria, which necessitated its inclusion in the project. Nigeria sees the growing production, supply and consumption of cannabis as a threat to both national security and the health (social) system. Nevertheless, due to complex procurement and other implementation processes that were not envisaged at the inception of the project, there have been delayed actions in achieving results. In addition, the scale of actions to be taken regarding the cannabis survey and other related activities. These assessments planned to be carried out under the project are very relevant to the country by way of providing reliable data and tools which will hopefully serve as a catalyst in impacting policy.

### *Finding*

The evaluation team observes that time lost in the early part of the project on regular UN administrative (recruitment) processes may need to be captured by as preliminary activities period and that period should be added on top of the remaining period for actual project execution in order for the completion of the surveys which should provide extremely useful information to have an impact on drug policy in Nigeria.

## **4.2 EQ 2 - Programme Design and Implementation**

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### **Assessment of local absorption capacity**

The Evaluation Team is of the view that, in hindsight, the scope and scale of the project was too ambitious for a developing country like Nigeria. The timeframe set for the implementation of the project in Nigeria is considered grossly inadequate for such a large-scale project with the level of capacity for absorption that is available in the country. A corollary of this position is the ability for the counterparts to absorb the assistance provided by the project. For example, 90 out of 100 computers delivered to the NDLEA over a year ago are still sitting in their original packaging in the Computer Lab unused. Only 10 computers are in use. The project design was based on information that was known (anecdotal) about the situation in Nigeria at the inception stage, in relation to each of the outcomes. The assessment made at that time was that the NDLEA needed 100 computers to be operational. In actual fact, the first step rightly taken by the Project Coordinator and his team at the start of implementation for the majority of the outputs, was to undertake an assessment of the current situation in relation to the thematic issues each output is targeting in order to obtain a full and proper understanding of the actual situation and in turn design a response to achieve the change each output is meant to achieve. It was not until these assessments were undertaken that the true position was known. In most cases, the assessments have revealed that the situation was much worse than the project designers had foreseen. For example, the real capacity of officers and the institutions themselves are much lower that had been envisaged. The building that houses the NDLEA for example is old with no proper wiring facilities to take on modern ICT equipment. During the evaluation visit, some of the senior staff took us around their offices and told us how they are just “waiting for their time to retire instead of putting in any extra effort for the country in such deplorable office environment”. This situation is not isolated to any one agency or ministry or sector, but across board among all of the agencies engaged with the project. However, infrastructural refurbishment is not considered under the project.

As most of the initial assessments have discovered the situation to be far worse than had previously been surmised, particularly the capacity level of law enforcement officers (LEOs) as well as the drug treatment counsellors, this has impacted the starting position of project activities, which is below what had been foreseen and the basis from which the project was designed. It follows that the lower the starting point, the greater the amount of capacity building that is required to achieve the desired outcome. In addition, the lower the starting point is, it follows that the speed in which the capacity can be built and outcomes achieved is much slower. The mid-term evaluation team was informed by the Project Coordinator that during implementation of activities it was found that in many cases that the foundation skills were very low or non-existent, so the capacity building is not about building on top of fundamental skills. It is about first providing these basic skills, then providing the recipients time to practice those new skills in the field and then building upon those skills. This requires an adequate timeframe if project objectives are to be achieved. Due to the absence of the fundamental skills in most cases, fast tracking any of the capacity building programmes the project has in place will not build the requisite capacity, as the time will not be sufficient.

Even though, as shown in the meeting records and progress reports, stakeholders have been involved in project design and particularly the planning, preparation and approval of workplans, the evaluation team received very critical comments from NPC about the UNODC execution of the EU projects. The DDG of the NPC made this point known at a meeting on 21 July 2015, in the clearest of terms, stating that “we are of the view that the UNODC is a poor implementing agency, they have issues with recruitment of staff and possibly other internal challenges that we are not aware of but which is negatively impacting the implementation of the EU Projects ... when we, as the national signatory institution of the Financing Agreement, try to find out what they are doing and how they are faring towards progress, they tell us that they are not mandated to report to NPC...”. They also mentioned that there are many other donors carrying out externally funded

actions in Nigeria, but they do not have the same challenges as the UNODC implementation of EU funded projects.

There is need to highlight here that while there have been problems related to the implementation of the three projects in Nigeria in general, but the implementation of Drugs and related organized crimes project seem to be doing much better than the other projects, and this was acknowledged by the NPC.

### **Adequacy and logic of linkage between outputs and outcomes**

Even though most of the outputs are consistent with the expected outcomes, most are premised on the assumption that the beneficiary institutions were capable of absorbing the technical assistance being provided. The fragility and weakness of the beneficiary institutions were manifest at the start of project implementation. Also, there is no evidence that consultation with policy makers (output 1.6) will lead to policy change with regards to drug trafficking, drug use and particularly treatment. It is not clear who consults with the policy makers and how that will translate into policy change. There is need to be informed of the appropriate mechanisms and hierarchies to be employed in order to bring about the desired policy change.

Output 2.10 is very vague and it is not clear which community groups this output is referring. It could be religious groups, village groups, or other. Some of the over-ambitious outputs (2.7, 2.8, 2.10, and 3.9) may need to be expunged or reviewed in order to focus attention on higher priorities. Outputs 2.5, 3.5, 3.7 may also need to be scaled down or amended in order to be SMART. This should be done in line with what is doable within the remaining or extended life-cycle of the project. EQ4 below provides details about activities status.

The evaluation team noted that as issues with project design have arisen, they have been generally dealt with in one of three ways. Firstly, was the revision of the project's logframe at the end of year 1 (2013). Secondly, concept notes have been used to record the rationale for the change normally in relation to a particular output. Thirdly, the changes<sup>2</sup> were also included in all reporting mid and annual reports and provided to the members of the Project Management Committee for approval. This shows that there is consultation at all levels of the project in order to get buy-in of the relevant stakeholders.

### **Evaluation and Monitoring**

The project supported the development of a costed operational plan and a monitoring and evaluation framework. Progress and annual reports as well as activity data sheets provide information on the progress of activities and achievements. The project has also trained the National Coordinating Unit personnel in Monitoring and Evaluation activities, which they have carried out diligently. However, even though there is evidence of progress made by the project, the evaluation team has no evidence with regards to the quality of the outputs. Below is the list of achievements thus far.

### **Feasibility of Outcome 3 within the remaining implementation period**

The main sectors in Drug Demand Reduction (DDR) and Drug Prevention, Treatment and Care need to be established and/or strengthened by the continuation of project activities in the following areas:

- The Minimum Standards for drug treatment (developed as part of the project) have been approved and implemented, providing the basis for improving the standards at 11 model centres (hospitals) across Nigeria;
- The evaluators were informed by the project technical staff that hospitals staff are well qualified, but no "standardization" of treatment standards was available. Hence, the project needs to continue developing "Minimum Standards of Treatment" for these hospitals;
- Counselling service is provided through NDLEA with minimal training at the NDLEA commands. Some staff received training on drug counselling only at their initial induction training into NDLEA. There is need for standardization of service standards. Policy guidelines and training has been initiated at NDLEA as part of the project.

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<sup>2</sup>See project progress and annual reports

- There are around 48 CSOs working on some aspect of drug prevention, treatment and care in Nigeria, though with poor capacity. The project is working with them on community based treatment and sensitization activities in 2015 and 2016. Also, the project has made provision for grants for qualified CSOs to be more responsive in their communities. More efforts need also be made from the project to improve the capacity of all CSOs on a range of issues related to prevention, treatment and care.
- In general prison conditions and infrastructure are poor including poor buildings, sanitation, record keeping etc. Drug treatment is almost non-existent in the prison system. The project is starting a pilot in one prison in Q4 of 2015. This will be the first of its kind in the country.
- It is the view of the evaluation team that simply building the capacity of CSOs or relevant national authorities will not bring about the expected change due to poor working conditions in the country. Trained and qualified staff that have to work in very poor environmental/infrastructural conditions may not be motivated to continue working in such poor conditions. The pilot that the project intends to start in Q4 of 2015 may need to include refurbishing of the prison facility to encourage better working environment. It is proposed for CSOs to receive grants from the project, it is hoped that this will go a long way to help build a better working environment, in addition to the enhanced capacity.

### *Finding*

The project timeline needs to be extended to allow sufficient time to effectively implement the project's outcome 3 activities in a quality manner.

### **Stakeholder identification, participation and consultation**

It has been explained by various contacts that national stakeholders participated in the original design of the project. National stakeholders are engaged with the annual work planning process and participated in a workshop each year where the plan was discussed and agreed. In addition, there was consultation during assessments, and through dissemination workshops where relevant national authorities had an opportunity to provide inputs into the recommendations. This is reflected in minutes of meetings and progress reports.

### **Coordination arrangements**

Local project counterparts – law enforcement, DDR and CSOs are all very active in the project at this stage, which has mainly been around training and meetings/consultations. The evaluation team has no evidence that after this phase, particularly when it comes to the implementation of the National Drug Control Master Plan, all parties will continue to be as active as they are at this level of implementation. It is unclear how financially committed the Nigeria Government is (will be) with regards to financial disbursement towards the implementation of the activities established in the Master Plan. This output being of such high priority for the country, it might be necessary for the project to assist the country to carry out its planned activities, particularly those related to outcome 3. As there is no dedicated treatment facility and a dedicated focal Unit for drug treatment either at the FMOH or at the prisons, it is unlikely that any significant progress could be made, beyond training and awareness raising of beneficiaries, which may lead to the desired outcome of the project.

### *Finding*

In the light of the above, there is need to highlight the fact that training alone, may not be what will (can) bring about the desired capacity enhancement. There may be a need for the EU to suggest that it could assist the government in preparing proposals to assistance not only for refurbishing the poor infrastructural conditions in the country, but also to consider the piloting of a culturally sensitive approach to modifying the socio-cultural environment and belief systems in order to facilitate bringing about the expected behavioural patterns needed to sustain change. Neglecting the cultural dimensions of any change situation is tantamount to failure. Future high level training activities and high level advocacy meetings need to include modules and or information on the cultural dimension of the drug problem and bringing people to understand that using licit substances to treat drug users is not condoning drug use, but helping to alleviate the situation.

## 4.4 EQ 3 - Validity of Assumptions and emerging issues

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### Are Assumptions still valid?

The project rightly identifies political instability and resource availability in beneficiary institutions as well as the commitment of beneficiary institutions to an effective and balanced drug-control and implementation, including funding of the NDCMP as valid assumptions. The project also identified some risks such as poor record keeping, weaknesses in information/data collection, but suggests no mitigating actions. Project management risks that may cause delays in project implementation (effectiveness and efficiency) have not been sufficiently considered and therefore the problems that emerged at project implementation level have come as unexpected challenges that have impacted the project implementation start dates and had a cascading impact on project implementation. These may need to be aggressively addressed in order to keep the implementation of project activities on track.

### Have assumptions affected the programme

Issues of beneficiary capacity to absorb technical assistance have impacted the project to a certain extent. However, these are being addressed by the project technical team, as and when issues arise. The realisation that the situation was far worse than assumed in the beginning has caused the project to scale-down activities to meet the required level of the beneficiary institutions e.g. providing *very basic* skills to enforcement agents.

Assumptions remain valid in the sense that evidence for drug trafficking and drug use is weak for lack of systematic data collection. For example, local consumption levels of drugs remain low according to the few localised studies carried out by individuals or NGOs. There has not yet been any national survey to gather data on the subject matter. The lack of systematic research efforts is very obvious. The project is designed to address these gaps. There are a number of EU and US bilateral actions on DDR and drug supply. The project is also set to address this lack of systematic data collection and information under Outcome 1. The surveys planned under the project, will provide evidence based information to be used both by the project and the country in policy matters. In a nutshell, the assumptions of a lack of skills and absorption capacity have caused the project to redirect its attention to deploying basic skills enhancement.

### Any emerging assumptions

Recruitment of the requisite staff, procurement issues, as well as payment for services and sourcing training venues and payment of participants DSAs are jeopardizing project implementation. Beneficiaries interviewed during the field mission mentioned that even though they are satisfied with the project, administrative issues related to payment of DSAs and hotel accommodation has been very “*disastrous*”. There is need to ensure that the recommendations of the verification mission report is adhered to by the implementation agency – the UNODC. UNODC finds itself in a situation where there have been numerous bottlenecks in their established administrative and project management procedures regarding the amount of time it takes for things to happen between CONIG, UNODC-Vienna and UNDP-Nigeria on recruitment, payment and procurement issues. Existing procedures need to be adhered to while response from participants regarding training and air-ticketing, need to be facilitated more quickly. Lengthy recruitment and procurement processes that take half the project life cycle to be completed need to be reviewed, particularly as this is not intended to be a regular programme of the UNODC or the UNDP.

Regular UNODC recruitment processes for long-term contract staff for example, may be too lengthy for short-term projects of this nature. Complex procurement processes managed either from Vienna or from the UNDP are not adding value to this EU Intervention.

### Finding

There is a need to reiterate that the design of the project did not foresee the quantum of implementing risks that exist in Nigeria on a daily basis. This is a major factor in the delay of some activities. The evaluation team recognizes that without the skills, capacity and dedication of the project technical Team led by the Project Coordinator, the current implementation level of this Project, taking the late start date into account, would not have been possible. It is also worth noting that managing the numerous emerging geographic and project implementation risks, has been a day-to-day activity in coordinating this project. From security, to

public health, to system failures, the project team has been very proactive and are constantly managing risk at activity level in order not to completely derail from the final desired outcomes.

SMARTer solutions should be found in order to adhere to the triple constraints of project management i.e. scope, schedule and budget without negatively impacting the quality of actions and ruining reputations in the process. The addition of operational staff may be one solution.

## 4.5 EQ 4 - Efficiency and effectiveness of Programme Implementation

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### To what extent is the project progressing in its implementation and its individual components?

The pace of delivery is behind programme schedule. The implementation of the project started at a very slow pace mainly because of delays in the recruitment process of the staff. It only began to implement activities regularly in 2014 once the core project staff was in place. As of 2014, 45 of the 56 activities planned for the year took place making up a little over 80% of planned activities executed. In 2014, the activities mainly focused on carrying out assessments to match the outputs. Implementation of actions in 2015 focussed more on programmatic delivery. Below is the current status of the outputs.

**Outcome 1** - Improved information and evidence base on drug use, drug crime and policy impact used for policy and programming

- 1) *Baseline studies*, work plans and finalization of logframe. All related planned activities have been carried out.
- 2) *National surveys*. The first postponement of the cannabis survey towards the end of 2014 was due to complex procurement processes, the second postponement was due to lack of sufficient funds to issue a single contract for both dry season (Apr-June) and wet season (Aug-Nov; the national household survey on drug use was approved in April 2015, the national drug use community-based surveys is in the procurement process and is expected to be completed in the third quarter of 2015.
- 3) *Qualitative Studies and Assessments*. Assessment established that no capacity existed to undertake such studies. The Strategic Intelligence Development Programme commenced at start of 2015. The group is on target to write 5 thematic threat assessments by end of 2015. The project intends to have up to 10 further assessments in 2016.
- 4) *Supporting the formulation and implementation of the National Drug Control Master Plan 2015-2019*. Formulation of the plan commenced in December 2013 and concluded in November 2014. The plan was endorsed by the Government of Nigeria in May 2015 and launched in June 2015. The project supported the development of a costed operational plan and a monitoring and evaluation framework and will assist with producing annual reports on the progress of implementing the plan. The project will support the establishment of the State Drug Control Committees.
- 5) *Legal Framework*. In June 2015, the assessment of the legal framework was completed. This assessment recommends amendments to the NDLEA Act, the creation of sentencing and practice guidelines for the courts and the review of NDLEA Policy. This will commence in September 2015 and it is anticipated will continue until late 2016.
- 6) *Regular consultations with policy makers, journalists and academics*. Only the mapping on advocacy and outreach strategies with stakeholders and assessment was implemented under this output. The assessment recommends the development of advocacy groups and coordination committees. Other activities under this output are scheduled in the fourth quarter, as per the 2015 work plan.
- 7) The selection process has been completed for Nigerian experts to participate in national and international conferences and training.

**Outcome 2** - Enhanced technical and operational capacity in front line agencies and services leading to targeted interventions on drugs/organised crime related activities in Nigeria including improved internal scrutiny processes

- 8) *Baseline studies*, work plans and needs assessment planned are being carried out.

- 9) *Development of the Institutional Strategy of the NDLEA.* In May 2014, the Institutional Assessment of the NDLEA was completed. The assessment found the NDLEA in far worse shape with a lack of internal capacity to develop Institutional reforms. In October 2014, a Change Management Team was formed and a strategy design commenced. Developing the capacity of internal Change Management Team has progressed far slower than anticipated.
- 10) The Change Management Team says it can produce the plans for the necessary changes during 2015, convert the plans into policies and procedures during 2016 and commence the implementation by mid to late 2016. The changes are designed to act on the recommendations in the institutional assessment undertaken as part of the project, which aims to change the NDLEA into an intelligence-led law enforcement agency.
- 11) *Inter-agency training for law enforcement agencies* on investigations has commenced in January 2015 and at the time of the evaluation courses on Law Enforcement Instructors, Criminal investigations and frontline supervisors were taking place.
- 12) *Cooperation and Joint Operations with ECOWAS and EU Member States.* The assessment for this work has been delayed and now not planned to occur until September 2015. It is expected that the assessment will call for the development of MOUs with other ECOWAS and EU member states as well as the development of a couple of joint operations. This initiative should consider building on similar existing initiatives such as with AIRCOP, SEACOP and (West African Police Information System) WAPIS.
- 13) *ICT platform.* The initial assessment of the NDLEA ICT infrastructure has been problematic, but a fresh one is underway and is expected to be completed by the end of July 2015. A strategy will then be developed for deployment of the ICT equipment purchased in 2013. It is expected that the implementation of the ICT platform will not commence until early 2016 and will take over six months to fully deploy. Part of the delay is the lack of building infrastructure including, space for computer servers, absence of alternate power supply. The training on these computers will also occur until late 2016. Once in place, the focus will shift to providing interconnectivity between the NDLEA and other agencies in 2017.
- 14) Awaiting new legislation about the structure and operation of Financial Intelligence Unit. No activities implemented under this output.
- 15) Activities on technical support and advice to improved seaport and airport controls will commence in the fourth quarter of 2015. This is a UNODC implemented activity under the cocaine route programme and EU funded UNODC implemented container programme. It is unclear if this project is a new initiative for Nigeria under this current project.
- 16) There is no Witness Protection Legislation in Nigeria. However the project undertook to review the draft law, which is in line with international standards. The assessment report of the draft legislation including recommendations, has been finalised for witness protection in relevant LEAs, on legal advice on legal aid provision and the development of policies, particularly in relation to detention and the training of NDLEA officers on human rights.
- 17) *Administrative Planning for training of community groups* has taken place. Activities are planned to take off towards the 3<sup>rd</sup> – 4<sup>th</sup> quarter.
- 18) *Procurement* actions have commenced to procure the priority operational needs of LEAs for drug interdiction and detection.
- 19) *Support and advice to Nigeria Agency for Food and Drugs Administration (NAFDAC) and Control* on national quantifications of narcotics guidelines and estimations for psychotropic substances and precursors and an inter-agency meeting for the control of precursor chemicals have taken place.

### **Outcome 3**

- 20) All related planned activities regarding baseline studies, needs assessments, work plans and finalization of log frame are being carried out.

- 21) The assessment of advice and support on the cooperation between agencies on DDR has been delayed until the final endorsement of the assessments of Civil Society Organizations (CSOs) and prison sectors. The project will provide subcontracts to qualified CSOs for drug treatment and care by Q4 2015.
- 22) The project intends to develop policy guidelines, minimum standards and training manual on DDR for community-based, hospital-based, NDLEA-based and prison-based drug treatment, but it is still in the drafting phase.
- 23) Technical support to the implementation of policy guidelines, minimum standards and training manuals for drug prevention, treatment and care. It is within this output that capacity building for drug treatment services is being delivered to NDLEA, prisons and the CSO sector. The assessment of the NDLEA found the standard of counselling services was very poor. Minimum standards, guidelines and training manuals for NDLEA counselling have now been developed by the project. Drug treatment services do not currently exist within prisons in Nigeria. The assessment established that very few centres have the infrastructure to support drug treatment services. A drug treatment programme will be piloted in one prison from September 2015. The project established that the level of capacity within CSOs in the provision of drug prevention, treatment and care services in Nigeria was weak. The project will commence capacity building efforts of CSOs in October 2015. This will be through a train the trainer approach.
- 24) Direct support to civil society organisation networks working on drug prevention, treatment and care (DPTC). In May 2015, the project completed an assessment of current DPTC services provided by civil society organisations. It found the capacity to be very weak. The strategy proposes to support 10 CSOs to develop community based drug treatment services; 10 CSOs to develop for sensitization activities and 2 for networks. The process for treatment services by CSOs commenced in early 2015 and at time of reporting only 6 submitted technically proficient applications.
- 25) Provision of equipment for centres and training of drug treatment professionals. Assessments of NDLEA counselling services, prison treatment services and 11 FMOH drug treatment services have taken place. UNODC is conducting a Treatnet cascade of training in six provinces
- 26) Support to routine data collection. In 2015 a trial commenced to collect drug treatment data from the 11 model drug treatment centres in Nigeria. It is proposed to expand this to collect counselling and treatment data from CSOs and NDLEA in 2016.
- 27) Sensitization on the nature of drug use, drug dependence and drug prevention, treatment and care issues by law enforcement and the general public. The project has completed an assessment of these attitudes in early 2015 and was to design the strategies in the second half of 2015.
- 28) Prevention Strategies. In early 2015 the project commenced the piloting of the school based drug prevention programme called 'unplugged'. The first phase of the unplugged pilot project is close to completion and preparation towards the start of the second phase has commenced. The last pilot school was undergoing exams at the time of the evaluation visit to the Ministry of Education. This programme will be adapted for Nigeria by the end of 2015. A trial will then be piloted in 2016. The project also proposed to commence and adapt community based drug prevention based programmed by the end of 2015.

The evaluation team cannot assure with the evidence base collected, the quality of the outputs achieved as it would need a deep analysis and the time foreseen to collect the necessary evidence for analysis is insufficient. The level of implementation is similar in component 2 and 3. In component 1 significant delays occurred in the outputs focussed on National Surveys and Qualitative Studies.

### **Adequacy of Organisational Structure, Staff allocation, tools and procedures**

The total project team for all three components is 20.5 staff including the Core Team and project and programme support in Abuja as well as programme support in Vienna. Although sufficient to achieve the outcomes and outputs foreseen in the logframe, the challenges and emerging issues since project commencement e.g. late recruitment of staff, have significantly impacted project expected achievement in a

timely manner. The backlog in schedule is still profoundly affecting in a cascading manner, the implementation of activities.

### **Lengthy Recruitment Process**

The first team of core project officers were recruited only between the 3<sup>rd</sup> and 4<sup>th</sup> quarter of 2013 taking into account that the project start date was slated for 1 January 2013. Meaning, in essence, that the Project team had to be on the ground before the start of project activities. This had been built into the inception phase of the project i.e. the 6 months to ensure that the core team was on the ground to start work as planned. The evaluation team in this regard noted that in a meeting with the EU in 2012, the Country Representative of UNODC-Nigeria clearly mentioned that UNODC was in a position to ensure the deployment the requisite staff from the region or elsewhere in order to respond to any delayed implementation issues (Minutes of Meeting with EU 2012). However the evaluation team noted that this had not happened.

Other challenges in addition to scheduling are related to the security situation of the country, changes in legislation, the 2015 elections and the Ebola virus outbreak in 2014.

### **Organizational structures and mechanisms**

Internal coordination structures and mechanisms among the various stakeholders: CONIG and UNODC headquarters and UNDP control procedures are defined and established at all levels of the organization. However, delays in response to actions e.g. 3-4 months for payments to be made to participants and vendors or late meeting venues booking by UNDP, cripples project implementation. The evaluation team has collected evidence from the stakeholders and beneficiaries (meeting participants), noting that the mechanisms in place are not effective nor efficient to achieve project outputs in a timely manner. The UNDP needs to see itself as a facilitator to UNODC actions and not allow its action to be a bottleneck to implementation of project actions. UNDP administration needs to have some flexibility that will allow for changes of participants for example, whenever necessary e.g. when a participant cannot participate and an alternative is nominated before tickets are issued, this could be taken on board, like all other agencies e.g. ECOWAS, GIABA and other UN agencies in the region.

The evaluation team is of the view that should the arrangement with UNDP continue to hamper project implementation, the Project Team should seek alternative solutions to this in order to ensure that project objectives are achieved within schedule. The evaluation team is not in a position to state specifically what local solutions may be applicable here.

With regards to the main governance bodies (Chief Executives Forum and Project Management Committee (PMC)), the meetings scheduled in the programme with the CEF for 2013 did not take place, but one out of planned meetings, did take place in November 2014. However, the second meeting for each of the thematic areas covered by the three projects did not take place for unclear reasons. Some stakeholders mention the lack of agreement on a date and time of the meeting, others mentioned the inability to get the Minister to chair meeting.

The PMC has to meet at least twice a year, but held one meeting in 2013 and another one in 2014. This contributed to the major delays for the approval of the 2013 and 2014 Work Plans. The 2015 Work plan and Procurement plan were approved by the PMC in February 2015, facilitating a faster start up for the year, with significantly greater achievements achieved during the First Quarter ending April 2015.

### **Financial payments and procurement actions**

The slow processes related to financial payment and procurement actions have impacted adversely the project implementation. Participants in the activities reported more than four months delays in DSA payments causing reduction of participants in activities. Also vendors (e.g. travel agents) have temporarily withdrawn services from the UNODC, causing important delays on implementation.

### **Procurement Process**

The MTE team noted specifically that the national cannabis survey among other earmarked surveys for this and two other EU UNODC implemented projects had significant delays although a Researcher is fully

dedicated to this tasks The complex procurement process resulted in the failure to complete any survey.. The procurement process is a bottle neck which may need to drastically be reviewed.

### **Payment issues**

The evaluation team was informed by several participants from beneficiary institutions (NDLEA and FMOE) and the CSOs that they have been invited to events where DSA payments and hotel accommodation were not provided. One trainee at the NDLEA said “I have decided I will not attend any UNODC event anymore because I cannot use my money to pay for ticket, arrive in Abuja and then go squatting with friends...” The Project Coordinator confirmed the challenges the project is facing with UNDP.

The evaluation team is of the view that UNODC should have had a better understanding of their processes and been in a better position to handle issues such as this through alternative solutions. It is clear from the project document that administrative and project management risks were not taken into consideration and consequently no measures were put in place to mitigate these risks. The UNODC administration finds itself overwhelmed by these risk events.

The evaluation team was informed that the project team has to process an important number (over 1000) of financial payments. These payments included payments to vendors for goods and services and to all participants at workshops and separate procurement actions. Payment processes have been required on some occasions to be completely restarted because they were not able to be processed by CONIG prior to month end closing off of accounts.

Also noted was the fact that since the UNODC Country Representative left in December 2014 all procurement needed to occur through the UNDP or UNODC in Vienna. The team was informed that the CONIG based Programme Management Officer had obtained this procurement delegation only in July 2015.

In addition, procurement is needed for every flight ticket which means the project has to know the names and flight details of every person well in advance e.g. two months in advance and names cannot be changed in case a participant is unable to attend, which is practically a challenge. This situation remains unchanged.

### **Project management: Capacity of the project to react to changes in circumstances for each of the components and the overall project**

The project has adapted to some changing circumstances, risks and implementing issues. But the project has been innovative and where appropriate combined like matters together to develop synergies namely with INL to provide training to LEAs where efforts were combined to provide tactical and strategic analysis trainings for beneficiaries. For instance, the project developed a terms of reference for the legal review (1.5.1) and combined this with a review of the witness protection law (2.8.1) and the issue dealing with access to legal aid by drug arrestees (2.9.1) and engaged the same consultant to do all three pieces of work. Similarly, the project developed a terms of reference to combine the assessment of human rights standards and practices of law enforcement officers (2.11.1) with the assessment of attitudes of drug use and dependence, as well as drug prevention, treatment and care training for law enforcement officers (3.8.1) and engaged the same consultant to do this work at the same time.

The technical project staff have shown the necessary proficiency and essential capabilities for the technical implementation of the project though dealing with weak national institutions and structures and in a complex local context.

In addition, although the Monitoring and Evaluation Specialist is not in place, it is essential to note that the project team has endeavoured to keep a monitoring mechanism in project implementation which facilitates evaluation of progress towards achievements of outputs. This is reflected in the Narrative, Annual and other progress Reports.

## **4.6 EQ 5 - Means and Cost**

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The total budget cost for the implementation of the action under the contribution agreement signed with the UNODC stands at EUR 36,000,000. The action is financed under the 10<sup>th</sup> Country Strategy Paper/National Indicative Programme (CSP/NIP) with Nigeria within the framework of the revised ACP-EU Partnership Agreement (Financing Agreement-Drugs Control and related organized crime project).

**Table 2: Overall indicative budget**

Categories	EU Contribution (€)	Government Contribution (€)	UNODC Contribution (€)	TOTAL €
Contribution Agreement with UNODC	34 500 000	0	0	34 500 000
Communication and Visibility	500 000	0	0	500 000
Monitoring and Evaluation	500 000	0	0	500 000
Contingencies*	500 000	0	0	500 000
Total	36 000 000	0	0	36 000 000

As evidenced in the below table, at the end of April 2015, after two years of implementation, the project has spent EUR 5,563,464 (\$7,225,278).

**Table 3: Budget spending after two years of implementation**

No.	Year	Budget (€)	Expenditure (€)
1	2013	7 541 077	956 568 (\$1 242 179)
2	2014	7 503 837	3 416 596 (\$4 441 034)
3	2015	7 962 141	1 187 299 (\$1 541 947)
4	2016	6 974 587	
5	2017	4 518 357	
Total		34 500 000	5 560 463 (\$7 225 160)

Based on the above expenditure data, with half of the project implementation period now passed, EUR 5.56 million (\$7.225 million) or 16% of the funding has been spent. A balance of approximately EUR 28.94 million (\$32 million) or 84% remains to be spent prior to the end of May 2017. Even if the planned project implementation activities occur in 2015 and 2016 as currently planned, the project funds will be largely under spent by May 2017. In particular actions towards achieving the objectives would be largely unattainable by said date. The large amount of unspent funds from the current action could easily support an extension to the end of 2019 if expected results are to be achieved.

From the information above, the documentation provided by the project to EUD and the findings of EQ4, and 6 and the documentation reviewed the programme's funds have been appropriately used. We did not find any evidence that the funds were not used in accordance to the annual work plans approved. The resource allocations to each component are in line with the logical framework and project's planned results (see annex 5).

As mentioned elsewhere, the Project Coordinator and the Project Officer (Drug Demand Reduction) both commenced in November 2013 and the remaining Project Officer commenced in March 2014.

The full time equivalent staff, the project document provides a Core Team of 3 International Experts, 10.5 National Experts; 1.33 Project Support and 3 Programme Support in Abuja and 2.66 Programme Support (Vienna): 2.66, for a total of 20.5

The project staff is supported by additional administrative and technical staff in Abuja and Vienna. The evaluation team considers the Project Technical Core Team is sufficient to accomplish the project outputs and outcomes, although local context challenges are high (see EQ 4). However, it has to be mentioned that the project staff dedicates a great amount of time to procurement and financial payment actions, which impedes dedicated actions towards the day-to-day technical tasks (see EQ4). This situation and the evidence gathered in EQ 4 lead the evaluation team to affirm the lack of efficiency and effectiveness of the project management structure and mechanisms. However, in order to alleviate the pressure on the project technical team with regards to administrative running of the project, there is need to consider recruiting

additional officer/assistants to manage the procurement and payment processes to allow the technical team to focus on core technical project actions.

A detailed assessment on the lack of effectiveness of the structures and mechanisms for internal coordination and information sharing between the Terrorism Prevention Branch (TPB) of UNODC and UNODC, within the UNODC Nigeria office (CONIG), between CONIG and TPB project management units, as well as with other implementing partners such as the UN Counter Terrorism Executive Directorate (UNCTED), was done by the verification mission last April. The report confirms the findings the evaluation team has collected during the field phase.

The expenditure of output 2.5 setting up of recording, sharing and analysis information for the NDLEA and linked with other agencies is not clear. The initial phase of the output focussed on building NDLEA's basic Information infrastructure and software capacity, which included the purchase and deployment of 100 computers and customized software (goCIS Drugs) in 2013. However, during the visit of the evaluation team to NDLEA premises, only 10 computers were in place, the rest remain in boxes and with no use yet. NDLEA could not confirm or provide any clear plan of the future use of these computers. An international consultant has been engaged to assess the NDLEA's information infrastructure to provide recommendations on the design of a cost effective and sustainable Information platform for the NDLEA, it is planned to be completed in July 2015.

## 4.7 EQ 6 - Progress towards Impact

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Field findings have confirmed the realisation of concrete and important outputs at the policy and capacity level. The Master Plan on drugs has been fully formulated and approved by Nigerian authorities and has started its implementation with the essential support of the project, according to beneficiaries and UNODC project staff. This is an important field finding which confirms project's potential that a degree of impact can be achieved where and when a causal link can be established.

The leverage and capacity of project to comprehensively achieve intended results in the country have been challenged since the start of the project as the activities did not start at a smooth pace as scheduled in 2013. Despite this, achievements have been made. The project's ambitions for its collaboration with Nigerian stakeholders took account of the fact that the country's capacity level in drug supply and DDR is very low and training in technical and management capacities as well as democratisation and modernisation is needed.

Project inputs were provided to define a Nigerian Drug Control Master Plan and the articulation of priorities and targets. Today, the Master Plan is in place which reflects project-inspired recommendations on defining objectives. Priorities and targets are concretely defined. At the same time, the Master Plan's implementation is held up and risks being somewhat insulated, when considered in the wider political context.

The ultimate outcome of the project, to promote good governance, security and public health in Nigeria, is difficult to evaluate at this stage of project implementation. The project's effect on improving the evidence base for policy and programming is still in process, the capacity to enhance the capacity of agencies and services leading to targeted interventions on drugs and organised crime have a value that is difficult to quantify at the current stage of implementation, also the creation of a reliable network of quality drug treatment service providers available for drug users does not exist, only a few dispersed centres are providing some treatment, but we have no evidence of the type of treatment and number of drug users receiving treatment.

For the moment, however, the full measurable impact of project's outputs on law enforcement capacities falls on low level officers, the initial assessments have discovered that law enforcement capacities are far lower than expected and, therefore, the starting position is below what had been foreseen. It follows that the lower the starting point, the greater the amount of capacity building that is required to achieve the desired outputs and related outcome.

In the absence of proper investigations, the arrests of the main organised crime groups remains the main outcome of all actions in the country. This is due in part to the culture of policing and the lack of capacity. But it is also important not to overlook investigative skills and capacities of drug law enforcement agencies.

The fact that information sharing is not informed by a complex investigative mind-set, but simply concerns small drug offenders and users is a major challenge; as well as the absence of a judicial/prosecutorial authority component.

It also has to be stressed that Law enforcement agencies do not necessarily produce greater public safety or help to improve governance in a country where corruption is high. There is always a risk that enhanced capacity, greater police powers and a renewed focus on drugs may result in greater harassment of citizens by law enforcement officers. Governance issues need to be considered when developing capacity of repressive institutions.

Regarding DDR, the project is focused on increased capacity even though the major gap in Nigeria is on availability of public drug treatment services. The creation of a reliable network of drug treatment service providers remains very uncertain and unlikely, not even to mention the quality, at this stage of the project. It can be ventured that this also will be very difficult to achieve at the end of the project due to the non-existence at the present time of any dedicated treatment centre in the country except for few psychiatric hospitals with almost no capacity to absorb the demand.

As for evidence base and information on drug use, crime and policy impact the main indicator of the overall outcome has been achieved: the National Drug Control Master Plan which is essential for a balance approach to drugs on DDR and drug supply. Also the qualitative studies and surveys are still in process and the remaining outputs have not yet commenced to be implemented.

### **Impact on development benefits**

The current preoccupation to implement activities and the difficulties the project staff has to deal with in the day to day work has overshadowed the need for overall assessment of project impact. At present the M&E system exists only in the monitoring mechanisms established by the Project Core Team. A more solid M&E system needs to be established to measure or at least to monitor the impact of project activities in terms of increasing access to treatment for drug users as well as the contribution the outputs make towards health governance or human rights. While the current evaluation provides an overview of project impact at present, it is important to apprise stakeholders of the need to work towards an overall outcome and break down the barriers to cooperation, coordination and collaboration.

### **Impact on beneficiary agencies**

The project provides an opportunity for constructive engagement with other institutions and agencies in the country. The need for supporting institutions is recognised as a good entry point for strengthening national capacity, but remains uncertain on the achievement of the outcome.

It is clear that the training has raised the capacity of the beneficiaries, but the supporting interventions cover only some outputs of the project and leave some problems unaddressed (See EQ4 4.1).

With regards to know-how learnt, while the project demands that trainees stay in post for a number of years after training to benefit in the long term, it is not clear the project can address the capacity gap in the longer term. Without active on-the-job training programmes and training of trainers, projects depend on continuing support. Training and follow up with mentoring is a useful device over the project cycle, but does not address capacity gaps arising from the inevitable departure of trained staff.

Enhancing the capacity of NDLEA entails working with law enforcement officers. The agency needs to be brought to a level where it can support the agents involved in the activities and provide follow up. The capacity and resource availability is very low in NDLEA. Weak institutional capacity explains implementation.

Yet, this project's activities can contribute to the consolidation and development of the agency. It is anticipated that the project will reinforce the capacity of the investigation and analysts in the institutions. The training is effective in providing capacity for officers, but unlikely yet in combating drug trafficking because of the institutional structures and the investigative culture and mind-set. The NDLEA, from which officers are recruited, continues to work with inadequate organisational strategies, standard operating procedures, and training programmes. The potential for achieving positive institutional outcomes is in doubt. Yet short-term accomplishments have been judged useful by direct stakeholders.

The project provides high quality training for beneficiary country officers that are tailored to the requirement of the beneficiaries. But it is not clear at this stage to say that these skills will be transferrable and upgrade activities across the agency. Beneficiaries allocate staff to training as offered, but the NDLEA has no training curriculum, no training plan and no training needs analysis. The project and other donors i.e. INL UK, etc. provide all of the basic training to law enforcement agencies. No other training at the national level is received by law enforcement agencies in Nigeria. The project risks, therefore, raising skills and professional expertise, which may not be translated into actions that would be used by the wider organisation.

The project similarly supports other LEAs namely police, customs, immigration and national security services in the country. But those gains are limited due to the poor absorption capacity of the beneficiary organizations and particularly the inability to isolate members or units that have drug detection as part of their functions. Even though other LEAs have some “shared responsibility” in cooperating with NDLEA staff, with regards to drug interdiction, detection and disruption, there are no dedicated officers of those agencies specifically responsible for drug interdiction, detection and disruption issues.

### **Institution building**

The objective of the project pertains to improve capacity building in policy and programming, drug supply and drug demand reduction actions and in a lesser extent institution building of the beneficiary agencies. The project has helped with furniture and equipment of an information data system to support inter-agency information sharing, but it's not ready for action yet. There is every reason to believe that the information system would not be where it is today without the project.

The drift from capacity enhancement to institution building carries the risk of participating in political processes well beyond mandate, NDLEA has limited institutional capacity and no political clout to bring about change in policy. Capacity developed will be useful for the NDLEA, but policy change may not come as easily if the NDLEA, NAFDAC or FMOH leadership does not engage with the powers that be to bring about changes in policy based on available data.

The introduction of inter-agency collaboration and the Master Plan has introduced Nigerian stakeholders to thinking and discussing change, which is a significant and unique consensual achievement that lends itself well to adaption in the wider public spectrum.

## **5.Challenges on the Evaluation Plan**

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### **Receipt of Project Documentation**

A quality evaluation is dependent on access to appropriate information and appropriate timeframe that should assist any evaluation team to produce quality work. In the case of this particular evaluation not only did it seem a rushed activity without any days for desk review, while the evaluation team members were provided with full project documents only on arrival in Abuja after the debriefing meeting.

### **Introduction of the Team to the Stakeholders**

The evaluation team had significant challenges, given the timeframe of the mission, to coordinate administrative arrangements e.g. introductory letters introducing them to the various Stakeholders and scheduling. An example was that two weeks after the evaluation team was on ground the Federal Ministry of Education had not received any letter introducing the team members and the reason for their visit. This was in spite of the promise from the EUD to send out those letters informing the stakeholders about the evaluation. The experts and the Project Team had to juggle through to the stakeholders some of whom said they first needed official letters from the requester of the mid-term evaluation before meeting with the team. However, the team managed despite the challenges, to meet with all stakeholders except the Federal Ministry of Health due to several change in the planned time to meet the stakeholders.

## 6. Lessons Learned

The recruitment process in a country like Nigeria with significant security challenges and a challenging implementing environment affects the recruitment of international project personnel. The challenging country context and the security considerations discouraged several qualified candidates from accepting employment offers. The time for recruitment competent international and national staffs need to be amplified. Also the selection of project staff must prioritize leadership and good project management skills in order to face and overcome efficiently these contextual challenges

Project design assessments should be very meticulous in evaluating the absorption capacity and institutional environment of the country so as to plan and design feasible projects in order to accomplish objectives that can have the desired impact in the country.

The procurement and payments of goods and services have constrained the project capacity to complete most of the envisaged activities. The project staff needs training to understand the procurement and payment processes to implement its objectives efficiently and in a timely manner.

## 7. Key Issues Identified and Recommendations

**Table 4: Table of key issues and recommendations**

Evaluation Element	Key issues identified	Recommendations
Relevance	The relevance of the project to Nigeria is still very high. However, the scope is a bit too broad and ambitious for the timeframe.	<p>Need to scale down the scope and eliminate some activities with outputs that are not very clear as well as reducing some actions to only some states instead of covering the totality of state commands (details in report). In order to achieve desired results, the project should concentrate on pilots with cascading effects (ref NDLEA commands in the States).</p> <p>The implementation of the objectives and priorities of the National Drug Control Master Plan may need to be supported by project activities. Project's implementation timeframe may therefore need to be aligned with NDCMP implementation period, 2015-2019 (See EQ 4 and 6)</p>
Programme Design and Implementation	It is clear from the findings that local stakeholders have participated in the design of the project. However, there are serious concerns from the NPC that the Contribution Agreement with the implementation Agency totally excludes their involvement in both project implementation and oversight functions. This may have some impact on sustainability and ownership of the action at the end of project life-cycle i.e. the project is regarded as an UNODC project rather than a national project.	The UNODC and EUD should ensure through a clear plan and methodology the participation and involvement of the national organizations and structures to guarantee sustainability and ownership of the action by beneficiaries at the end of the project.
Validity of Assumptions	Even though assumptions remain valid in the main, there have been emerging issues concerning the realistic capacity level of beneficiaries.	Project Coordinator and his team manage project technical risks on a day-to-basis. This needs to be supported by the administrative team including UNDP so as to facilitate project implementation and not compound

	<p>The assumption that UNODC was a better implementation agency was questioned, due in part to the internal processes and the late start of the project, and this has led The NAO (i.e. NPC) to rate UNODC as a poor implementing agency particularly relating to administrative and recruitment issues and believes that this does not add value to money even though as an Agency they may be technically proficient.</p>	<p>the issues.</p> <p>Need for the EU to urgently look into these issues with the NPC and UNODC to have a clear understanding of the role of the NAO in the projects.</p>
<p>Effectiveness and Efficiency of Programme Implementation</p>	<p>Delays in recruitment, payment and procurement processes are a hindrance to programme implementation.</p> <p>Interventions and training courses need to be concluded in order to achieve outputs and avoiding regression.</p> <p>Outcome I, NDCMP is of major importance in achieving project's outcomes, although the NDCMP needs to be budgeted by national stakeholders to guarantee its achievements.</p> <p>Outcome II the project interventions need to be adapted to assessments currently being undertaken that concluded the level of capacity of LEAs very basic.</p> <p>Outcome III, Drug Demand Reduction, is the area with the least institutional development in the country. It is the one with fewer resources, underdeveloped and without few treatments available. So it is probably the most difficult to build up</p>	<p>The current procurement mechanism should be reviewed in order for project implementation to continue uninterrupted.</p> <p>There may be need to consider additional staff to handle procurement issues if this will alleviate the problem i.e. reducing the need to go through a rigid UNDP process and avoiding delays.</p> <p>On the other hand, CONIG/UNODC and UNDP, should take appropriate action to ensure that appropriate processes are put in to ensure project implementation continues without disruption.</p> <p>Extend the timeframe of the project to 2019, in line with the timeframe of the new NDCMP (see of EQ 6 and1)</p> <p>Project activities should continue supporting the NDCMP, considering its political and institutional possibilities.</p> <p>National stakeholders should prepare an annual budget plan for the implementation of the NDCMP including priorities</p> <p>More training and institution building is needed to make concrete improvements and consolidate them, especially on issues such as human rights (DDR), methods of investigations and sharing of information.</p> <p>Need to streamline institutional structure for DDR (treatment and prevention).</p> <p>Need to create a unit or department for DDR in Federal Ministry of Health</p> <p>Need to develop standards and guidelines for improving standards for treatment and prevention</p> <p>Need to train and re-train staff in all relevant sectors</p> <p>Need to expand treatment availability, possibly through expanding community based treatment. This will need a "paradigm shift" in the government's approach which is a challenge but still needs to be addressed.</p>
<p>Means and Cost</p>	<p>The implementation modality does not particularly add significant value to EU money.</p>	<p>EUD may wish to consider a more suitable, effective and efficient implementation</p>

	Time spent on administrative issues out-values the programmes being implemented.	modality should this be feasible.
Progress Towards Impact	<p>The increasing pace of activity implementation is on its way to achieving the essential outputs of the project but there is the risk of not achieving several of them if the project timeframe is maintained at May 2017.</p> <p>The project achievements at this stage are mainly outputs with no direct impact on the drugs users and drug trafficking. The potential impact of the project outputs in the population depends on the continuation of the actions and if pursued and combined with other key reform elements.</p>	<p>For there to be an impact, there is need to consider an extension of the project at no cost and looking to further fine-tune the logical framework to the realities on the ground.</p>

## 8. Conclusions

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The project implementation took a late and very slow start in 2013 due mainly to various combined external and internal factors: delayed recruitment of project staff, delays in procurement services, low capacity to manage on time, financial payments, delays in finalising associated dependent assessments, security situation in the country, government elections, and low level of absorption capacity of the beneficiaries and changes in legislation. However, this is gradually turning. In addition, the scope and scale of the project was too ambitious to be implemented in the timeframe foreseen by the project. These factors have affected and are still affecting the project implementation despite the efforts to solve them from all the parties involved. Notwithstanding the project has increased significantly the implementation pace of activities and its consequent outputs while some of the underlying factors remained unsolved. The evaluation team believes that the major reason for the seeming success of the Drugs and related organized crimes project vis-à-vis the Anti-corruption and Justice projects, is the leadership skills of the team on board. The ability to manage day-to-day risks coupled with the proficiency of the present core technical team to face and adapt to all these implementing factors/issues is worth mentioning.

By and large, the technical advancement of the project is on a sound path. This effort is, however, crippled by the persistent administrative issues to which UNODC is attempting to respond, by putting some measures in place recently to amend the situation.

# SECTION 2:

## Organizational and Functions Assessment

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### 1. Introduction

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Section 2 of the “Drugs and related organised crimes” project evaluation focuses on the existing organizational structures, functions and processes of the UN Office of Drugs and Crime (UNODC) country office in Nigeria (CONIG) in relation to its implementation of the European Union (EU) funded projects, with particular reference to this particular project. The Analysis and Findings component of this Section focuses on the legal authorities that guide UNODC in its implementation of EU-funded projects in Nigeria, the key business processes necessary to implement those projects and the organizational structure and staffing arrangements that are in place to activate those processes. In addition, the assessment provides a cursory overview of the institutional context that affects the capability of both the EUD and the UNODC to foster governance reform in Nigeria. Recommendations are provided which are linked to key issues identified during the evidence gathering stage that may provide options for the EU and UNODC to improve the currently low quality of project implementation. Lessons and Conclusions have been drawn from the three projects as a whole, while allowing for any project specific variations.

### 2. Purpose of the Assessment

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The assistance provided to the Federal Government of Nigeria (FGN) by the European Union in the area of improved governance is intended to strengthen the capacity of national partners to deal with the collective action problems associated with drug trafficking, corruption and organized crime. The EU has elected to assist in building national capacity to institute institutional change in the Nigerian Government’s approach to addressing these critical issues through a collaborative arrangement with the UNODC.

The Terms of Reference (TOR) for the joint evaluation of the three specific projects under review indicate that the very institutional arrangements put into place to assist the Nigerian government to address these problems may be limiting the generation of positive outcomes. The TOR guided the structure of the organizational assessment primarily through the following two points:

p 1 “A joint mid-term evaluation was deemed as appropriate given, on the one hand, the obvious synergies between three projects which share key overall goals and which are implemented by the same UN agency. On the other hand, the projects are supported by the same organisational structure, with the cost for the programme support team located in the UNODC Country Office in Nigeria and UNODC Headquarters in Vienna being equally shared between the three projects.”

p 2 “The findings and recommendations of the second section are expected to be the same for all three reports, while allowing for any project specific variations.”

For this reason, the Organization and Functions team has been assigned to closely ally itself with each of the three technical evaluation teams to ensure that a symbiotic approach of technical and institutional analysis is carried out in each of the three areas, resulting in the generation of a robust assessment that is valid across all three projects.

As a result of this approach, these reports will provide the EU, Nigerian Government and UNODC with a coherent set of technical and institutional recommendations for the Anti-Corruption project as well as an overall assessment of the appropriateness of the current implementation modality together with suggestions for future modifications designed to improve the potential for achieving results at the outcome level.

## 3. Review of Prior Assessments

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Two prior assessments of UNODC operations funded by the European Union in Nigeria were used to corroborate the findings of this evaluation team.

### **2010 Anti-Corruption Evaluation:**

The evaluation of the “Support to the EFCC and the Nigerian Judiciary” project, completed in 2010, provides some salient points that remain applicable to the organization’s project management capacity today. The evaluation concluded that the project management system of the UNODC had “a long response time” and was “not conducive to project implementation”. In addition, the “financial reporting structure followed by UNODC is also not conducive for project management”. Further, “reporting to the EU also proved to be a challenge.”

Nevertheless, the “total expenditure against the project budget was very good and all indications were that the available budget (would) be spent by end of implementation (30 November 2010) and the procurement of IT through established system contacts of UNODC was very effective and efficient.

The EU project design also came in for criticism as the “logical framework did not provide a solid frame for M&E”. In order to improve upon this, the evaluators proposed that “it (would) be advisable for development partners to assist beneficiary institutions with the development of their own strategy and development plans as a first step if no policy, strategy or plan is in place.”

### **2015 EU Verification Assessments:**

Earlier in 2015, the EUD authorized a standard verification assessment of each of the three projects. The draft reports of these assessments were being received by the EUD while this evaluation was underway. The following is a summary of the key operational issues and constraints identified for the Drugs project:

#### **Staff Complement and Staff Capacities:**

Delays were noted in the recruitment of staff. Delays in recruitment for both national and international staff occurred because the HR personnel allocated to the recruitment process at both UNOV and UNDP level were not sufficient to handle the number of positions to be recruited. In the case of the Monitoring and Evaluation Specialist position, the TOR took 5 months to be finalised. In some cases, the chosen international candidate declined the offer made by UNODC.

#### **Procurement:**

There is the absence of a clear internal working arrangement within UNODC, and with UNDP, with regards to the procurement. Some procurement requests are submitted by Project Officers directly to the UNDP Procurement section, leaving CONIG unaware of the need to follow up on their status. Project personnel were unaware of the minimum turnaround time for the UNDP Procurement department to procure the different types of goods/ services, leading to requests not being made within the appropriate timeframe to ensure that goods & services can be delivered on time. Significant delays in procurement caused by lack of formal protocols relating to the flow of information and communication among different stakeholders. Delays are also encountered due to incomplete terms of reference submitted to UNDP Procurement Section, also queries from the UNDP Procurement team are not addressed on a timely basis by the project staff;

#### **Limited Delegated Authority:**

The delegation of authority was increased to USD 40,000 in April 2014. Despite this increase, all procurement exceeding USD 4,000 was still done through the UNDP Procurement section and UNOV. This was due to the absence of a procurement specialist within the current CONIG structure. As a result, all procurement, including low value procurement, is being done through the UNDP Procurement section and UNOV.

### **Financial Payments:**

The Finance Unit at each Project operates in relative independence vis à vis the Finance Officer at CONIG level. Moreover, both the level of the Finance Officer at CONIG level and existing reporting lines may not be appropriate to ensure a high level of coordination among the various finance teams. Disbursements for the project are processed either through the CONIG local currency bank account or through the UNDP disbursement team. Often several transactions are submitted by the respective projects at month's end leading to several instances whereby the transactions processed by the projects at month end had to be reversed and re-processed in the following month due to insufficient funds in the CONIG local currency bank account at month end. This resulted in delays in payments to vendors as the payment had to be cancelled and subsequently re-processed. There have also been instances of delays of payments to vendors and DSA to participants to workshops and meetings because invoices from vendors were not shared with respective projects on a timely basis and appropriate bank accounts for participants not confirmed during the workshops leading to delays in subsequent payments of DSA.

### **Visibility:**

100 desktop computers; 8 servers; and 14 network devices. were transferred to the National Drug Law Enforcement Agency (NDLEA), but except for 10 desktop computers which are currently being used by Data Clerks in the Data Centre Office of the NDLEA, the equipment is currently stored in their packaging material at the NDLEA. The assets were transferred to the NDLEA in February 2015. The 10 desktop computers which are being used by the Data Centre Office did not have the EU Logo affixed to them.

## **4. Methodology**

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The evaluation team gathered data on current operational systems and structures with the intent to assess their potential for achieving expected results. This orientation required the team to maintain close liaison with the other three teams in order to clarify the current program theories and their potential for achievement.

The team used a mix of assessment methods for data collection and synthesis. Critical among these was the use of an assessment of organizational structure and functions during the data collection and the incorporation of Institutional Analysis and the Balanced Scorecard Approach during the Synthesis phase.

## 5. Analysis and Major Findings

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Data was collected through review of reports, emails, and interviews with staff. The data were collected according to a structured organizational assessment method provided in detail in the Organization and Functions Team Evaluation Matrix that was an integral component of the Inception Report.

### 5.1 Legal Context

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The legal framework sets the stage for the evaluation by providing an understanding of the level of discretion afforded to the implementing agent.

#### Evidence

##### UNODC Governance and Financing Context

The UNODC operates as an office of the UN Headquarters Secretariat (UNO), based in Vienna. As such, UNODC has limited flexibility in setting its internal operational rules, being required, in the main, to operate under UN Secretariat-wide rules governing recruitment, procurement and financial management. The UN Office in Vienna (UNOV) oversees many of the rules that UNODC is obligated to follow, including those governing the process of procurement.

The Commission on Crime Prevention and Criminal Justice (CCPCJ) has been under the Economic and Social Council (ECOSOC) of the UN since 1992. It is the principal policymaking body of the UN on crime prevention and criminal justice. Since 2006, the CCPCJ has operated as a governing body of the UNODC, and to approve the UN Crime Prevention and Criminal Justice Fund, which constituted 44% of the UNODC consolidated budget in 2014.

The Commission on Narcotic Drugs (CND) was established by ECOSOC in 1946. The CND was mandated to function as a governing body of the UNODC and approve the budget of the Fund of the UN International Drug Control Programme, which accounts for over 56% of UNODC resources in 2014. In 1999, the ECOSOC authorized the CND to form an operational segment, through which CND exercises its role as the governing body of UNODC.

In 2001, the UNODC faced a serious crisis when its Executive Director resigned under allegations of misuse of funds and abuse of authority at the highest levels of the organization. A significant restructuring of the organization and realignment of systems was undertaken thereafter.

Prior to the initiation of the EU governance project in Nigeria, in February 2011, the UN Office of Internal Oversight Services/Internal Audit Division prepared an audit of UNODC governance arrangements and funding mechanisms. The key finding of the report indicated that “governance arrangements and funding mechanisms do not fully support the programme of work at UNODC.” The audit further suggested that the services provided by UNODC to CND and CCPCJ “would benefit from a joint governance by these commissions”. The report further stated that “plans are required to demonstrate how and when the UNODC strategy and Results Based Management will be implemented” and that a “fund raising strategy is needed to identify the total amount of resources required to fund the strategy, mandates and resolutions and ensure sufficient core capacity to support earmarked activities.”

In July 2012, the ECOSOC approved the 2012-2015 strategy for the UNODC and requested the Executive Director to present this to the relevant intergovernmental bodies, for the consideration and approval.

The 2012-2015 UNODC consolidated budget is US \$ 760.1 million, including \$88.9 million (11.7% from the UN regular budget). Donor contributions are of two types: general purpose funds (2%) and special purpose funds (98%). The EU was among the larger donors in 2014 and the project allocations in Nigeria fall into the special purpose category. The EU did not contribute to the General Purpose funds.

Over the past several years, UNODC has faced a significant decline in funding from major donors. As of 2009, two open-ended intergovernmental working groups, chaired separately by the CND and CCPCJ, were working on improving the governance and financial situation of the UNODC. As of May 2015, the CND working group met 58 times and the CCPCJ met 24 times to address critical issues, including “promoting measures to improve the funding situation of the UNODC” and “supporting measures to promote a culture of evaluation throughout the UNODC at all stages of programme planning, development and implementation”. In May 2015, the CPPCJ recommended to the ECOSOC to adopt a decision to review the outputs of its working group and to extend its mandate. The note also included its wish to “express once again continued concern about the governance and financial situation of the UNODC” and of the “continued need to address these issues in a pragmatic, results-oriented, efficient and cooperative manner”.

### UNODC Legal Setting in Nigeria

The framework of the European Union (EU) assistance to the Federal Government of Nigeria (FGN) in place at the time these three projects were initiated was defined under the 10th European Development Fund (EDF). The 10th EDF allocates a substantial proportion of its funding to the improvement of governance and the protection of human rights. Under the authorization Country Strategy Paper 2008-2013, and with the full consent of the EU Member States, the EU Delegation to Nigeria and ECOWAS (EUD) engaged the Federal Government of Nigeria (FGN) in substantial consultations that resulted in the design of the three projects under evaluation at this time (justice, drugs and Anti-corruption).

A Financing Agreement (FA) was prepared with the FGN formally authorizing the EU contribution (valued at EUR 36,000,000) to the implementation of the Response to Drugs and Related Organized Crime (Drugs) project. Agreeing with the terms of the FA, the National Planning Commission (NPC) signed the FA as the National Authorizing Officer (NAO) on 27 June 2012.

The UNODC has maintained an office in Nigeria for over 23 years. It has operated in Nigeria under the legal cover of the latest UN Development Programme (UNDP) basic agreement with the FGN signed in 1988. Under the leadership of the United Nations (UN) Resident Coordinator, the head of UN Country Team, the UNODC has committed \$78 million to advancing UN objectives on Good Governance under the UN Development Assistance Framework (UNDAF) 2014-2017. All of these resources are anticipated to be contributed by the EU.

The UNODC is a small office in the UNO, noted for its technical knowledge, but with limited operational resources. Although it has many deconcentrated regional and country offices, its field operations are managed, in the main, under a global working agreement with UNDP, signed on 1 January 2004, to handle all of its local recruitment and most of its local procurement and financial expenditures.

A Financial and Administrative Framework Agreement (FAFA) was signed between the EU and the UN on 29 April 2003. The FAFA lays out the operational terms and conditions for the EU when using the Joint Implementation Management (with international organizations) modality to engage an office, programme or agency of the UN to act as an implementing agent for an EU project. The terms of the FAFA were further discussed jointly between the EU and UN on 21 January 2011, clarifying the operational arrangements between the EU and UN, particularly the requirements for high quality results-oriented narrative and financial reporting. A new EU implementation modality was announced in 2014 that may have significant ramifications for future programme implementation assignments for UN agencies.

Guided by the Drugs project FA and the global FAFA, the EUD undertook a review of UNODC’s capacity to implement the Drugs, plus justice and anti-corruption, projects. Following the positive review, which noted high quality performance, the EU prepared and signed a Contribution Agreement (CA) for the Drugs project implementation with UNODC on 12 December 2012. It is important to note that prior to the signing of the FA, the UNODC had already been engaged with the EUD and FGN in the process of reviewing the action fiche and its Technical and Administrative Provisions (TAPS) that were to form the technical annex contained in the FA and the guiding framework for CA with UNODC to implement the Drugs project.

The FA was signed with the NPC as NAO, but the CA is signed only with the UNODC and does not mention a direct role for the NPC beyond being the Chair and convenor of governance committees, which meet exceedingly rarely. This has led to a confusion of roles for the NPC. The NPC also stated to the evaluators that they are concerned that the capacity of the UNODC is lower than expected and it uncertain as to the value of the capacity building efforts. They are anxious that these efforts be focused on the organizational capacities that the partner agencies can use to carry on their own work. They believe that UNODC has access to regional and global experts in these fields, but these have rarely been seen. The NPC did remark that the Drugs project has been managed more effectively than the other two UNODC implemented projects.

### Major Findings

The UNODC has a complex governance and financial structure that detracts from its ability to serve as a value added implementation agent for EUD in Nigeria. The complex governance and financial structure of UNODC makes it difficult for it to operate a project in the modern sense of a semi-autonomous entity focused on the achievement of time bound results. The three EU projects implemented in Nigeria operate as an integral part, and under the rules, of the overall UNO structure. This is in keeping with the stipulations of the FAFA, however, these rules and structures were not originally conceived to be used by a project management service centre.

The FAFA provides the EU with access to professional bodies with high technical capabilities, without the need for a lengthy procurement process. A limitation is that it apparently superimposes the bureaucratic rules and regulations of other international bureaucracies on top of the EU processes. As noted above, the 2010 evaluation of the previous “Support to the EFCC and Nigerian Judiciary” project, focused on anti-corruption, clearly noted that the UNODC procurement and financial management systems were not compatible with the needs of modern project management. The significant increase in budgetary resources under UNODC management since 2013 has brought out limitations in the UN system (UNDP included) in Nigeria to manage large-scale projects involving multiple partners engaged in numerous activities being conducted simultaneously in different parts of the country. (see evidence sections of Structure and Business below). In this regard, the Drugs project is being implemented simultaneously by UNODC along with two other governance projects in Nigeria on justice and anti-corruption, each of comparable size, thus immediately trebling the size of its project management obligations.

A potential constraining factor in the structure of the FA is the mention of UNODC as the implementing agent in the TAPS. If improvements in project management are not forthcoming, a change of implementing agents, as might be a normally expected consequence in an openly procured contract with a private sector (or quasi-private) agent that did not perform well, would apparently require a new TAPS and FA, possibly leading to a lengthy review and approval process at many levels.

The NPC has reported that the EU keeps it informed of its activities more completely than other major donors. Nevertheless, a reconsideration of the role of the NPC does appear to be a necessity to foster more complete programme ownership by the FGN. The NPC, itself, is the subject of a large EU capacity building programme which underwent a mid-term review in September 2014. Indeed, the review stated that “EUD needs to re-think the content of Contribution and Administration Agreements to enable NPC/NAO perform its monitoring role actively without any hindrance”.

While the global UNDP/UNODC working agreement is in place, the delay by CONIG in agreeing to the terms of a standard Service Level Agreement (SLA) with UNDP/N has limited its ability to hold the UNDP/Nigeria business unit to meaningful time and quality commitments.

## 5.2 Organizational Structure and Staffing

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The internal structure of the UNODC/V and CONIG the adequacy of staffing levels, to include issues related to recruitment, training and retention was reviewed. Proposals for restructuring were also assessed.

## Evidence

The UNODC is based in Vienna with Regional, Sub-regional, Country and Project Offices in over 50 countries around the globe. The Vienna office consists of four divisions: Operations, Treaty, Policy and Management. The Regional Section for Africa and the Middle East assumed direct supervision of the Country Representative for CONIG in October 2014. Nominally, the gross value of the three EU-funded projects in Nigeria is equal to approximately 38% of the potential operational budget for the region. The Drug Reduction and Health unit and a small Justice team are under the Operations Division. The anti-corruption and organized crime branch is under the Treaty Division. The Statistics and Survey unit, engaged in designing all of the surveys planned for all of the projects in Nigeria, under the Policy Division. Human Resources, IT and Finance are under the Management Division, while Procurement comes under the purview of the UNOV.

The UNODC in Nigeria (CONIG) is headed by a Country Representative (CR). This post was most recently held by a person who had worked for the UNODC from 1995-2003, and other UN agencies thereafter until her appointment. The incumbent was not, at the time of hire, a career staff person of UNODC, but someone hired from the market specifically to manage the Nigeria Country Office on an annually renewable contract. The incumbent departed Nigeria in December 2014 after rejecting a second three-month contract extension. The process of seeking her replacement has also been conducted through open recruitment.

The CA for the Drugs project was signed in November 2012, with an expected start-up in January 2013. The first tranche of funding to cover expected project initiation costs for 2013 was released to UNODC shortly after signing. The release of the 2013 funding was necessary for UNODC to initiate its formal recruitment process, although the CR and UNODC/V had initiated informal recruitment measures prior to signing the CA. This follows from the rule obligating all offices of the UNO to deposit the full amount of an incumbent's salary and benefits for the duration of a contract with the UNO once recruitment is finalized.

UNODC agreed with the EUD on a staffing pattern involving approximately 60 staff members in Nigeria (10 in Lagos and the remainder in Abuja). The evaluation team was also provided with a set of six TOR for staff based in Vienna that were to be paid by the EU funding. During video interviews with Vienna, it became apparent that only two of these posts, the Project Officer and Assistant, are assigned full-time to one individual. The others reflect TOR that are shared by a number of UNODC/V staff who work part-time for the EU-projects. As an example, the HR Associate interviewed stated he calculated that less than 20% of his time was billed to the EU projects.

The staff in Abuja is divided into six groups: the office of the Country Representative (2 staff), the Programme Support Team (Technical) (5 staff) and the Programme Support Team (Operations) (9 staff) both headed by a Programme Manager, the two project units for the justice and anti-corruption projects and a liaison office for the Drugs project.

All Nigerian national staff must be recruited by UNDP under their rules, not even a cleaner can be hired by CONIG. UNDP rules call for project staff to be recruited under a Service Contract, which has limited health insurance coverage or pension benefits attached.

Each project is headed by a Project Coordinator (PC), operating together with a small team of technical, managerial and administrative staff. Each project unit has an embedded finance officer reporting directly to the Project Coordinator. The PC reports directly to the Country Representative and has no direct reporting relationship with the EUD.

Both the technical and operational Programme support teams in Abuja reported that they had experienced considerable push back from the PCs on a number of issues. On the technical side, it was reported that some PCs were reluctant to accept advice from the Technical Programme Support teams on the quality of their plans and reports, although this appears not to be the case for the Drugs PC. However, the operations team reported that they had a difficult time in holding all project teams to the requisite timelines and documentary completeness required for timely procurement and disbursement.

The Drugs project has had a comparably better record in recruitment and retention. The Drugs project PC was identified from the UNO general roster of potential candidates, seemingly the only one to come in to CONIG in the past few years through that process. He was fielded in November 2013. At the time of the evaluation, there were two other filled international posts with the project handling the drug rehabilitation activities and the other focused on policy and legislation. There are also two national technical officers with the project, one on drug rehabilitation and the other on capacity building. The technical team in Lagos is supported by four administrative staff. According to data compiled by the EU Verification Mission of the Drugs project, by the end of December 2014, of the resources spent from its first tranche to finance 2013 and 2014 activities, 52% were on personnel costs.

### Major Findings

It appears that UNODC does not have a large enough set of permanent staff who are qualified to serve as Country Representatives, even in a country where the office has existed for over 23 years and with an EU-funded budget that amounts to nearly 40% of the Africa-Middle East Section. Direct oversight of the CONIG by the Regional Office, initiated in October 2014, may again lapse with the arrival of the new CR. As currently structured, the Regional Directors can only supervise CR of P5 grade. The new CR post for Nigeria has been advertised as a D-1 posting, requiring direct supervision by the UNODC Director of Operations.

The UNODC has experienced considerable difficulty in recruiting and retaining both qualified national and international staff in its Nigeria office and the three projects. At present, there are fourteen international posts with nine falling vacant within the past year. The UNODC points to a number of factors that make international recruitment in Nigeria difficult. One, particularly critical at start up, was the massive bombing of the joint UN building in Abuja in 2011 and smaller bombings in 2014. Another is the international reputation of Nigeria as being a difficult place to accomplish project objectives. Third, is the high cost of rental space, and the requirement to pay full rent at least one year in advance. Comparison interviews with other agencies, in and outside of the UN, indicated a mixed situation. The non-UN agencies had the easiest recruitment and retention as they did not have the UN building bombing hangover and can provide more competitive rates & benefit packages, including being able to pay housing costs as a part of the international benefits package. A final factor given by departing staff is the increasing uncertainty that their contracts will be extended, plus the inordinate level of bureaucratic processing needed to complete any personnel transaction. Others have articulated that their capacity had been 'crippled' by the UNODC organizational culture.

None of the international posts that became vacant in the three projects during the past year has been filled with employees hired directly for the projects. A junior staff in Vienna applied and was recruited for a P3 post in Nigeria under the Justice project. Then when the two P4 posts came vacant under the Justice Project, she was appointed OIC for the project. During the evaluation she said she was about to depart on maternity leave until December 2015, the PC post remains vacant still, with no immediate full-time replacement identified. The new PM (this post had never been filled previously) is expected to play the role of PC Justice on a part time basis, but this is not in his TOR. The CR post was filled in January 2015 by a retired UNODC officer whose tenure has already been extended until October 2015 awaiting assignment of a permanent CR. As noted, the Drugs project has suffered less from staff turnover than the other two.

Typically, SC holders, in all projects in all countries, use their time in a project to build the experience necessary to obtain a fixed-term appointment elsewhere. This has led to difficulties in both recruitment and retention of national staff by the UNODC. As of August 2015, nine national posts were under recruitment, three announcing their departure during the course of the evaluation.

The UNODC is currently negotiating with the EU to obtain 'full cost recovery' of its operations in Nigeria. This would entail enabling the UNODC to recoup the full costs of all its office staff, including the costs of the Office of the Representative and several other posts only partially funded by the EU. At the time of the evaluation, the EU had not agreed to this request.

The critical PM post was first filled in April 2015 by a UNODC/V staff who is on temporary assignment (retaining his permanent post in Vienna) and is currently expected to remain in this post only until the end January 2016. The post was originally advertised in January 2013 and a qualified candidate was selected in January 2014, but she subsequently went on Special Leave without Pay in February 2014 before joining. The post was re-advertised, but no suitable candidates were identified. Her leave period will be over in February 2016, and she is expected to take up the position. The reasons for leaving this critical post unfilled for so long before fielding a temporary posting are unclear to the evaluation team.

Despite the long gaps in technical and managerial posts, until the posting of the PM, UNODC/V has not sent any of their managers or experts on a short-term basis to temporarily fill the gaps in the projects. The EUD reports that it has never rejected any request for fielding Vienna-based managers or experts on such short-to-medium-term missions, which would be funded by the projects. However, it does reject the idea that UNODC/V could charge staff training missions from Vienna as direct costs.

The CONIG has proposed some structural modifications to facilitate more coherent operations. Key among these will be to shift the project-level Finance Officers under the direct supervision/reporting of the Senior Finance Officer. Likewise, the project level Administrative Assistants will be placed under the Operations Manager, who would take on the added role of Procurement Officer to reduce the number of procurements going through UNDP, by assisting procurement processes through either UNODC/V or through the two CONIG staff holding procurement delegation of authority (one recently obtaining DA clearance is associated with an ECOWAS project). Also, a new position is proposed for an international CONIG Finance Officer. These changes should facilitate more balanced workloads, especially when some projects are engaged in higher activity levels than others, remove the potential conflict of interest when these critical support staff are reporting directly to the PC, rather than to the Country Office, and streamlining the reporting structure that currently has proven to be inefficient.

While many of the CONIG staff have the requisite technical skills, there is a lack of knowledge of the fundamentals of project management, a lack of willingness to abide by existing UN rules of business and a seeming general lack of attention to detail in administrative matters (see Business Processes for specific examples). This has led to long delays in the approval of needed plans, procurement requisitions and payments. As a result, the image of the UNODC as a competent project management unit has been seriously compromised in Nigeria.

Part of the problem with staff capacity has been the limited attention paid to ensuring they have undergone requisite orientation and training. This applies both to the tools of project management as well as to broader concepts of sustainable development. This latter is fully covered in the Drugs technical review above indicating that the project concentration has been on the delivery of technical assessments, trainings and workshops without giving sufficient attention to how these are being used to build the capacity of the organizations to improve their functionality in carrying out their own work. Part of this current heavy concentration on delivery is the result of the project only getting started a full year after the CA was signed.

Recognizing the UNODC's difficulties in recruiting and retaining qualified staff for these projects, there does appear to be a drag on project implementation caused by the rigid structure and staffing strictures set out in the CA. While this may be a standard means of EU contract setting, this is not a normal approach to managing complex projects under other donors. That being said, it also appears that CONIG has not made sufficient use of temporary consultants to improve its ability to mitigate the operational constraints to its contractual obligations (see Business Practices for examples of such operational gaps).

### 5.3 Business Processes

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Capabilities in key administrative processes, covering planning, finance, and management responsibilities, were rated individually and as components of an overall system. Potentials for human resource development were also being assessed.

#### Evidence

### Governance:

The CA for the Drugs project noted that the evaluation of the previous anti-corruption project had noted a deficit in beneficiary ownership of the project activities, thereby requiring a higher level of stakeholder engagement in the Drugs, justice and anti-corruption projects. Two key governance structures have been established to maintain close coordination and strong working relations between the UNODC, EUD and FGN. A Chief Executives Forum (CEF) composed of the heads of partner FGN agencies, and chaired by the Minister of the NPC serves as a platform for open dialogue across agencies engaged in the three projects. The last meeting of the CEF was in November 2014. A Project Management Committee (PMC) exists for each of the three projects separately. However, a review of the available documents provided by the Drugs project indicates only one meeting was held in 2013 and 2014. A 2015 meeting was held in February.

### Headquarters Guidance:

UNODC/V reports that it has provided substantial advice and assistance of both a technical and managerial nature to the teams in Nigeria. Clearly, the CONIG business processes are guided by the UN Operations Manual, UNDP Manual on Procurement, UN Financial Rules and Regulations, Human Resource guidelines and manuals for local staff recruitment. The newly created Field Operations Management Support Section is in the process of preparing a new quality assurance system for world-wide application, including the establishment of evaluation focal points based in the field.

### Planning and Priority Setting:

The CONIG has required that project teams prepare an annual workplan and procurement plan. All of the teams have had difficulty in accomplishing these planning tasks and obtaining timely approval from their multi-partner Project Management Committees (PMC). All three projects failed to complete a timely 2014 annual project plan. Many of the implementation delays have been attributed to project staff failing to complete documents on time and failing to convene the PMC. It is worthwhile to note that the Drugs project obtained approval from its PMC on its 2015 workplan and procurement plan by February this year, setting the stage for more effective implementation during the first quarter.

As noted above, UNODC is obligated by global agreement to use the local UNDP office for all of its local recruitment and most of its local procurement and financial transactions. All transactions done on behalf of UNODC are charged using the Universal Price Listing (UPL) and the local price listing (LPL) and not charged as ISS (3%). The UPL is a UNDP corporate provided price list while the LPL is a country-driven pricing list, which covers areas not fully covered by the UPL.

### Procurement:

The procurement processes required to implement the three EU projects are broken into three components. All international procurement is overseen by the UNO/V. Most national procurement is carried out under the agreement with UNDP. A (sub-) Delegation of Authority (DA) has been granted to the CONIG by the UNODC/V (the supra DA is granted by UNOV to UNODC/V).

The DA limits were raised to \$40,000 in April 2014 (from \$4000) under the previous CR, but after her departure this could not be much used until recently as, apparently, there was no one in the office with the requisite authority. However, prior to 2015, most of the annual project procurement plans have not been completed on time, because the annual work plans were never prepared by the project teams on time. Procurement plans are derived from the workplans, leading the CR a. i. to state that he had disallowed the use of the Delegated Authority for direct procurement by the CONIG "to force his staff to plan". In an email response to the evaluation team, the new PM indicated that he has now been authorized to initiate the use of the Delegated Authority.

The Drugs project has undertaken considerably a greater number of project activities in 2015 than the other two projects, partly because their first tranche budget had not been depleted. Also, they did complete their 2015 annual project plan on time and, according to a review of the 2014 annual report and 2015 first quarter report, the team seems well organized and competent. However, there have been several instances when the Drugs project team has submitted procurement requests for

trainings/workshops after the deadline for proper processing at UNDP. Indeed, the UNODC/V procurement chief confirmed this recognition of serious lapses by all three projects in following standardized procurement guidelines during his visit in January. He provided a training session for staff, but noted that no PCs attended. A sample of project procurement requisitions made after the UNOV training mission is provided in Annex 6 A1, indicating whether the requisition was submitted within approved timelines or otherwise.

An example of a seemingly unnecessarily pressurized requisition for a major procurement involved the request to hold a national launch of the National Drug Control Master Plan (NDCMP) on 26 June 2015. The PC stated in an email to the evaluators (see Annex 6 A2) that he wanted the event to take place on UN International Day Against Drug Abuse and Illicit Trafficking in order to maximise visibility for the project and create a stronger awareness of the Master Plan. This is a laudable idea, however, the PC submitted the procurement request to CONIG on 5 June before he had obtained the NDLEA Chairman's full endorsement of the plan. The NDLEA's ultimate expectations for the event required a revision (submitted on 16 June) to the request, as NDLEA demanded an increase the number of participants by 50% over the contract agreed by the UNDP with the Hilton Hotel (a 5-star location already requiring UNDP to seek a waiver for contracting an elite establishment). UNDP refused to accept the late change in the participant numbers, ultimately requiring CONIG go ahead with the event on its own and to seek approval from UNOV for an *ex post facto* direct procurement action in order to avoid an embarrassing situation with the government. When asked by CONIG leadership, the PC was reluctant to confirm that submission of such late and/or incomplete requests would not happen again.

An example of a possible confusion in the programme chain of command regarding the relationship of the UNODC with the EUD involves the procurement of vehicles for the NDLEA in 2015. Twenty-four vehicles had been included in the approved 2015 procurement plan. A debate arose in CONIG over whether the budget for non-expendable assets was applicable to the purchase of vehicles. The Drugs PC wrote to the EUD, seemingly without copying the CR, requesting approval for the requisition based on the vehicles inclusion in a technical needs assessment and not whether resources had been budgeted for vehicle purchase. The EUD replied that the purchase was technically justified, again, apparently without copying the CR (see table in Annex 6 A3). Later, the UNODC/V budget chief advised against going ahead with this procurement without appropriate budgetary clearance from EUD because the EU had disallowed vehicle purchases made by UNODC in previous projects. To the knowledge of the evaluators, this budget question was never resolved with EUD, but the new PM approved the submission of the procurement request of 11 vehicles to UNDP for processing.

In addition, under the Anti-Corruption project, an interagency agreement was signed authorizing UNDP to act as the agency to manage the civil society component of the project including grants to qualified CSOs. A similar agreement was reached with UNICEF, although requiring considerably greater time and effort, to support justice for children through technical assistance and civil society grants on the Justice project. A plan also exists for UNDP to manage the transfer of funding to qualifying CSOs engaged with the Drugs project beginning later in 2015. Normally, UNDP would collect 7% overhead for programs they implement, however, for the portion of the projects implemented by UNDP for UNODC, it has been agreed that out of the 7% charge, UNDP will take 5% and UNODC will take 2%.

### Finance Resource Utilization<sup>3</sup>

The Drugs project received an initial tranche payment of EUR 6,786,969 in January 2013, the largest of the three projects. In the budget contained in the CA, the anticipation was that the project would spend approximately EUR 15,044,914 in the two years of operation. However, by the end of December 2014, the project had only spent EUR 4,376,164 or about 29% of the first two year's planned expectation.

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<sup>3</sup>Although the first tranche financial expenditure report was approved in June 2015 by the EUD, the evaluation team has elected to use the expenditure figures contained in the three Verification missions as these provide a consistent record over two years of operation for all three projects. The Justice project, in particular, had already consumed most of its first tranche resources before end 2014, leading to a serious implementation gap in early 2015. including the loss of staff members whose contracts could not be renewed due to constraints on cash flow.

Although the Drugs project, was intended to work primarily with FGN agencies located in Lagos and Abuja, it received the second largest travel budget of all three projects. Even so, after two years, it was only able to spend 18% of the expected travel total for that period. The project spent 52% of its available resources on personnel related costs in the first two years of the project, however, according to the CA budget, personnel costs should only have consumed 12% of expenditures over that period. Training and meetings, a major purpose of the project, comprised 23% of the first two years' expenditures in line with the 20% anticipated in the CA budget. However, subcontracts had been allocated 31% of the first two years' total, while only a total of \$10,990 or less than 1/10 of 1% of planned expenditure was spent in this manner. With equipment, we find spending essentially in line with expectations with 20% of the first two year budget allocated while 15% of the total was spent on this budget line.

At the end of the first two years, the Drugs project still had more than 36% of the first tranche resource remaining. This enabled the project to continue apace during the beginning of 2015 while the EUD and UNODC came to an agreement on the acceptable contents of a financial report.

### Monitoring and Reporting:

There does not appear to be any monitoring system used in any of the projects that objectively tracks progress towards achievement of indicators at the outcome level. There was an M&E Officer in place for nine months, but he never produced a programme-wide system that could be used. The Drugs project has developed an activity monitoring system to aid in simultaneous implementation of project activities of many types, but the technical review (section one above) has questioned whether this adequately assesses progress towards results above the output level.

Without a coherent monitoring system in place, the project teams have found it difficult to meet the narrative reporting requirements of the EU. A broad outline of a standard report is contained in the 2003 FAFA. The outline includes both activities and results as components of the report. The 2011 FAFA dialogue between the UNO and the EU clarified that "Reports are expected to focus on results and outcomes, not just on the inputs, activities and outputs that lead up to these."

The 2014 Annual Report and the 2015 first quarter report of the Drugs project give considerable detail on activities completed, but do not follow this EU reporting guideline. Although both of these reports are over 100 pages in length, there is no discussion of progress towards achieving the indicators set at the Outcome level. The reports appear to be designed to meet administrative requirements rather than structured as an analytical tool to assist in EU, or UNODC, decision making. The quarterly report, in particular, could be considerably shortened to focus exclusively on an assessment of progress towards outcome indicators, with an analysis of contributing and constraining factors. This shift would be important for understanding whether the training, policy and other inputs of the project are actually engendering the desired change in organizational behaviour. Of course, the production of such a report would, however, require the design of a professional M&E system, based on outcome indicators agreed with EUD and FGN. If the new M&E officer does arrive in September as the evaluators were told, such a system could be designed and approved by the end of 2015.

At the beginning, narrative reports had to be submitted repeatedly before receiving EUD approval. The 2013 Drugs narrative report was submitted February 2014, with a revised version submitted in June, a third version in August and an approved version in November 2014. The 2014 report moved more smoothly with the first version submitted in February 2015, second in March and approved in April 2015. The Drugs 2013 Financial report was submitted in February 2014 with the second in November 2014. The 2014 Financial report was submitted in February 2015, the second report in March and third in April 2015.

### Visibility:

Visibility requirements for acknowledgement of the EU and the FGN are clarified in the FAFA and the EU-UN Visibility Guidelines to ensure the national stakeholders, donor community and general public is aware of the EU contribution to the project. The UNODC reported that a draft Visibility Strategy was submitted to the EUD in January 2014, with a second version submitted in November 2014. There

remains some confusion whether this has been approved by EUD and NPC. The Visibility Strategy was discussed at length in the 2014 Annual and 2015 first quarterly reports of the Drugs project.

#### Financial Management:

The EU funds are kept in three segments: international expenditures kept in Vienna, national expenditures kept with UNDP and local expenditures (a maximum \$60,000 replenishable account) kept by the CONIG.

Forecasting of cash needs is a critical function of the project teams. This should be done in gross terms on an annual and quarterly basis and in detail for the monthly forecast. This process requires a detailed breakdown of the procurement plans.

The local account level to be transferred monthly from Vienna is determined through a consolidation of monthly cash forecasting exercises conducted by each project. Replenishments are allowed when the cash level gets to \$10,000, however, this can be speeded up if the needed volume is higher than the maximum allowed to be held in the account.

As noted above in the technical assessment section, serious complaints have been raised by vendors and participants in UNODC managed events regarding the slow pace encountered in receiving clearing financial transactions. Indeed, a review conducted by CONIG in December 2014, indicated a large number outstanding payments. For the Drugs project, this amounted to a value of over Naira 42 million, with some outstanding payments dating back to May 2014. The exact cause of each of the delayed payments was not fully assessed by the evaluators and the verification mission did not note any illegalities in transactions. It is our understanding that CONIG, together with the projects, is working out mechanisms to improve this debilitating situation. Nevertheless, this represents a troubling situation that had been allowed by UNODC to continue unchecked for far too long.

Apparently, Finance Officers working in the projects frequently submit payment requests late and incomplete. In addition, rather than submitting each request when it has been processed, the FO, in many cases, holds the requests in order to submit them in batches. This leads to complications with the CONIG cash system because submission of many payment requisitions at once can throw the Imprest balance into a negative state, which is not allowed, sometimes requiring resubmission, especially at the end of a calendar month, once the cash balance is back in order. This can also make the replenishment requisitions out of sync with demand.

The UNODC financial accounting system is divided into two parts. A Field Office Management ledger is maintained by CONIG while the primary accounting system is maintained by Vienna. The only official financial expenditure reports are issued by UNODC/V.

The entire UNO Secretariat will shift to a common financial accounting system in the second half of October 2015 with the system required to be operational by November 2015. This will eliminate the distinction between the Field Office and Headquarters systems. However, all financial controls will still be retained by UNODC/V.

In the past, financial reports were prepared for submission to EUD by UNODC/V without providing detailed expenditure categories to CONIG. This has been rectified in the most recent report submitted in May 2015.

Further, disagreement between EUD and UNODC on what constituted an appropriate financial reporting format, particularly involving the definition of 'legally committed obligations', coupled with claims by EUD of inaccurate recording of expenditures, resulted in a substantial delay in the release of the second tranche payment. This seriously undermined the ability of the UNODC to continue project implementation in all three projects (including the timely awarding of large survey contracts), as it could not substantiate to the satisfaction of the EUD that more than 70% of the initial tranche had been expended on eligible items. The UNODC took a long time before agreeing to modify its reporting templates to distinguish between committed and legally committed expenditures. This has now been accomplished to the

satisfaction of the EU and the second tranche was released for all projects that had reached the 70% expenditure level in late June 2015.

### Major Findings

The lack of rigour among the project staff, combined with the lengthy operational processes of UNDP and UNOV, has led to numerous cases of delayed local procurements and payments. The complicated procurement procedures in Vienna, played a major role in the failure to conclude any surveys over the past two years. Also, the cash flow problem resulting from the disagreement with EUD over what constituted legal obligations played a role. Improvements in the UNOV procurement processes have been reported, which may speed international procurements now that the second tranche funding is available.

The UNODC seems not to be able to press the UNDP business office to speed their processing of UNODC transactions. The utilization of the DA may help by reducing the total number of transactions processed by UNDP. In addition, CONIG, through its DA, can also directly avail of some of the Long Term Agreements that the UNCT has established for all UN agencies with various vendors for hotels, printing, supplies, etc. However, the lack of a signed Service Level Agreement limits CONIG's ability to hold UNDP to agreed timelines for the services that it provides directly to UNODC.

The examples illustrating work patterns of the Drugs project are not presented to place blame on the project team, but rather to illustrate just how weak is the operational backstopping support from UNODC/V. Having your project teams fully understand all aspects of recruitment, procurement and financial rules is a basic requirement of any project management service centre. That teams continue to submit requests, such as the Hilton event, without fully understanding all of the ramifications of such a requisition, indicates that UNODC has not yet provided full required guidance to its team, two years after the start of the projects. Concomitant with this is the need for UNODC to fully explain the roles and functions of the PC post. This is not a post that sets the rules of transactional processes. This is a post that has been hired to implement project activities within the parameters set out by the implementing agent's rules and regulations. It benefits no one if the PC views operational rules as barriers to efficient implementation, rather than a set of parameters within which he must adapt his plans of action. This statement in no way contradicts other comments in either the technical or the operational section of this report intimating that the rules of UN organizations are not consistent with modern principles of project management or that the utilization of those rules by CONIG, and UNDP, may not be optimally organized. This only serves to recognize that the PC is a middle management post with little or no ability to alter the rules of the organization. Evaluators have the liberty to question the efficacy of such rules, while a PC can only work within the rules set out by his organization, and suggest means to improve utilization of those rules, to the best of his ability.

Submitting payment vouchers as soon as prepared apparently requires a level of rigour that has not been easily obtainable among the project staff, partly because the project finance officers report to the PC rather than the Senior FO. In the current setting, the performance of the project FO is reviewed by the PC, rather than the CONIG FO. This arrangement is an anomaly in programmes composed of sets of projects being implemented under a joint management system. The structural adjustments in personnel reporting responsibilities of the project financial and administrative staff may help to improve the process flow for all administrative transactions.

The EUD has repeatedly stated that reports from CONIG are activity based and, thus, not in line with the results-based reporting requirements of the FAFA. The reports reviewed by the evaluators concur that these reports do not appear to match the requirements set out in the 2011 advisory note. These reports do a good job at tracking activities, but, in the eyes of the evaluators, this does not constitute a 'results-based report'. The UNODC has stated that an appropriate M&E system is in place with the annual and semi-annual reports of all three projects and documented in its program operations manual, which includes an electronic system for programming results. From the perspective of an evaluator, if the principal continues to state that reports are not substantively complete, then it should be incumbent upon the implementing agent to ascertain what could be done quickly and appropriately to rectify the situation.

The financial reporting system of the UNODC is heavily oriented towards compliance with UN accounting standards. There is no evidence in the project narrative or financial reports prepared by CONIG or UNODC/V of any analysis of expenditure using basic project management parameters. The approach appears to be a straightforward accounting of expenditure leading to a justification of a subsequent tranche payment from the EUD. The lack of ratio calculations on work, cost & time versus output at the sub-project level, a mainstay of modern, professional project management, seriously reduces the ability of the project managers, EUD or the evaluators to assess the efficiency of budget utilization for achieving results<sup>4</sup>. Admittedly, such calculations for the past two years would have been skewed due to the cash flow constraints, but such calculations will provide invaluable information for decision making by all parties going forward.

The mismatch between expenditures on personnel versus other budget line items indicates a number of project management issues. One is the seriously slow international procurement process required to sub-contract firms/agencies to carry out activities, such as CSO grants and sub-contracts or large-scale surveys, which UNODC apparently does not have the in-house capability to perform directly. The failure to carry out these surveys and to get civil society activated to work together with government represents a serious flaw in the UNODC capacity to deliver as expected. The second major constrain was the lack of agreement between the EUD and UNODC regarding the accounting of eligible expenditures. This resulted in serious cash flow problems, preventing approved survey contracts from being implemented, but has apparently now been resolved. Closer attention will need to be paid to ensure that all aspects of each of the projects are moving ahead in a synchronized manner.

## 5.4 Institutional Context

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The production and delivery of project services are strongly influenced by the political economy framework within which the work is being performed.

### Evidence

#### Political Economy Analysis

One of the earliest case studies in DFID's Drivers of Change political economy analysis series was undertaken in Nigeria. The document makes the following four arguments:

- Although the transition to civilian governance had been (as of 2003) a significant improvement over military rule, it had not achieved the progress towards pro-poor change that had anticipated.
- Focusing on 'Champions of Change' had not driven reform, partly because the actions of individuals and organizations are seriously constrained by Nigeria's pre-existing structural environment. The structural environment is heavily reinforced by unearned income from oil, reducing the power that can be wielded by reform oriented actors.
- Thus, the assumption that the inability of individual and organizational actors to achieve reform is a result of weak capacity is not well founded as it is the institutional framework within which these actors must operate that determines their ability to foster change. (A good example in the EU projects is the fact that the anti-corruption policy, created in 2009, was never formalized.)
- The report acknowledges that focusing key organizations have a value, while recognizing that building internal capacity may not be the most effective approach to doing so.

#### Previous attempts at Drug Policy Implementation

Drugs began to be a recognized issue in Nigeria in the 1960s when cannabis farms were first encountered, but the problem of drug trafficking did not become a potential issue of international relations until the early 1980s. Several laws relating to drug control and money laundering were passed in the

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<sup>4</sup> See Annex 6 C Project Management Standards

1980s and 1990s. The most significant of these was the National Drug Law Enforcement Agency Decree in 1989. These laws apparently did little to convince the international community that the government was serious as the numbers of traffickers and the amounts moved continued to climb, controlling over 79% of Southeast Asian heroin traffic. As a result, Nigeria was decertified by America in 1994, a status that lasted until 1998

The FGD previously approved NDCMPs in 1999 and 2008. The 1999 NDCMP was one of the factors that enabled Nigeria to get off the decertified list maintained by America. A more important factor, however, may have been the shift from military dictatorship to a democracy. The implementation of the 1999 NDCMP was reportedly weak with most of the benchmarks not achieved. The creation and maintenance of the Plan did help to give the appearance that the government was serious about combating the drug problem, thus helping to keep American certification in place. The next NDCMP was approved in 2008, running initially to 2011. The evaluators have not encountered much commentary regarding the implementation of this plan. The NDLEA website only contains the document itself and a report on an Inter-Ministerial Committee meeting in 2011 that stated it was seeking additional time. An extension was approved until 2013.

Interesting from an institutional perspective, the final report on the Drugs project formulation gives this remark:

“In 1994, the GoN set-up an Inter-Ministerial Committee. By 1995, this committee had developed and released the National Drug Control Strategy. Subsequently, the committee developed the National Drug Control Master Plan (NDCMP), a document modelled on a template developed by the United Nations Drug Control Programme, the precursor to UNODC.

“The plan consists of an ambitious agenda of proposed activities supposed to lead to a poorly defined ‘drug free society’. An Inter-Ministerial Drug Control Committee is theoretically in charge of devising the plan, the latest of which spans the period 2009-2011 and is in need of being updated. The last document, drafted by a consultant, is rich in detail, but serves neither as a policy document, nor as a strategy, nor does it inform any set of professional practices. It has not been circulated among stakeholders in the field, and its objectives are largely unknown even to the leading officers of the NDLEA.

“As it is recommended to support the development of the next DCMP, it is strongly recommended that instead of developing a wish list of what is desirable, the exercise should be restricted to a sober and realistic set of what is achievable. It should be underlined that the plan should be precisely that, to inform the work plans executive agencies.”

The Drugs project Action Fiche (dated 2/2011) also mentions the 2008 Plan, with this comment:

“The Inter-Ministerial Committee on Drug Control (IMCDC) is charged with a key role in the formulation of drug policy and was responsible for supervising the drafting of the National Drug Control Master Plan (NDCMP) 2008–2011. Most of the stated goals are yet to be attained, and the IMCDC has not been very pro-active in terms of leading a coordinated effort to effectively implement the NDCMP, partly due to the lack of technical and operational capacity of national stakeholders in this sector.”

In addition, the Action Fiche characterized the NDLEA institutional environment as:

“Efforts by the Government and particularly the specialised Nigerian Drug Law Enforcement Agency (NDLEA) founded in 1989 with a mandate for all actions relating to illicit drugs have delivered results, including the United States certification and recognition by EU law enforcement agencies. The NDLEA staff complement of 3,405 (2009) is currently being expanded by a recruitment drive. Internal management systems are well-structured and staff commitment is high by Nigerian standards. Working in a challenging environment, the agency does go through continuing quality improvements and has a promising basis for improved investigative capacity.

“The organisational culture of NDLEA and the prioritization of supply side activity in terms of resource and management time, makes it less inclined to focus on demand reduction activities. Psychiatric hospitals have developed some skills and training capacity, but are not the appropriate locations for drug treatment

by international standards. Many Nigerians have to turn to poorly resourced civil society organisations to receive basic drug demand reduction services.”

### Major Findings

The DFID document, produced in 2004, does not appear to have been referenced during the Drug project design process. In fact, the Drugs project document prepared by UNODC for its internal approval process states that: “The resolution of underlying problems that engenders the violence requires a better understanding and awareness of root causes and drivers.” In fact, the core arguments in DFID’s analysis would appear to suggest that while the capacity building path taken by these projects may have had some useful aspects, they do not aim at the root causes of the problems.

The critical aspect of policy reform in Nigeria, as with every country on earth, lies in the implementation rather than in design. The two earlier NDCMPs seem not to have been the major factor impacting the drug control/use reduction institutional environment. Given the concern expressed by the technical evaluation team regarding the uncertainty of political or budgetary support for the 2015 NDCMP, it will be critical for the UNODC and EUD to ensure that the 2015 NDCMP does not suffer the same fate by reaching out to senior political decision makers in the current administration, perhaps introducing the issue through the NPC, so they are fully aware of the importance of this plan, signed at the end of the previous administration. The EU should do its best to press for inclusion of NDCMP implementation costs into the next national budget.

A useful contrast can be made between the description of the NDLEA institutional culture contained in the Action Fiche and that found by the UNODC project team, and the technical evaluation team discussed in Section One above. This comparison would appear to substantiate the assessment of the technical evaluation team that one of the root causes of poor performance of the project has been the inaccurate assessment of organizational capacity at NDLEA, and associated agencies, done at the time of project formulation.

In addition, the institutional arrangement for project implementation, described above under Legal Authorities, set up a confusing set of principal/agent relationships that fostered the creation of a potential moral hazard whereby UNODC was incentivized to take on a larger programme management responsibility than it seemingly could handle in Nigeria, whereas the FGN was not sufficiently incentivized to take full ownership of the programme.

## 6. Lessons Learned

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### 1 The FAFA has the unintended consequence of intensifying the principal/agent challenge in development projects

All development suffers from a confusion over what set of incentives will actually influence the behaviour of an agent in carrying out its responsibility to complete the tasks assigned by a principal (typically a donor). In the projects reviewed here, the FAFA appears to have compounded this problem for several reasons. First, the incentives inherent to the EU and its internal agents, its staff and consultants, influence the ways in which a project is designed, with an emphasis placed, first, on committing money (see lessons 2) and, secondly, on spending that money. Second, despite substantial technical resources existing within the EU system, the FAFA is used to transfer EU resources to an external agent, often a UN agency, to implement a project using its own systems. While a private sector agent would be driven primarily by incentives to deliver what the principal is asking for, and profit from that delivery, United Nations agencies must contend with their own sets of internal principal/agent dynamics. In the case of UNODC, the organization is responsible to two separate Commissions, with their own sets of incentives, important among which is institutional preservation and growth. The behaviour of the UNODC and its staff is also heavily influenced by the incentives generated by the rules and regulations created by the United Nations Secretariat. In addition, as has been seen in the rapid flow-through of national and international staff, an important incentive for individual agents is to use the EU-funded experience at UNODC as a

base for obtaining a better job elsewhere. While aimed at easing the EU's programme management burden, the FAFA is seen by the evaluators as having the potential for creating an unintended moral hazard whereby a UN agency is incentivised to take on more responsibility than it can effectively handle. In its revised 2014 guidance on project implementation modalities, the EU appears to have also recognized this dilemma.

## **2 Projects that are designed around international norms are often out of sync with the reality of local problems.**

The design processes of the three EU governance projects reviewed under this assignment were all dominated by external advisors and guidance from EUD (such as the pre-selection of UNODC to be the implementing agent in some cases). The designs concentrate large amounts of money, particularly for a middle income country, to be spent on training, equipment, provision of advice and preparation of plans and strategies aimed at building individual and organizational capacity in a short period of time. Consultations were held with potential beneficiary organizations, but apparently assessment of skill levels and absorptive capacity were not carefully conducted. In addition, seemingly no in-depth political economy analysis of the root causes of the corruption, justice or drugs dilemma was carried out. In fact, the project designs actually run counter to several of the findings of a political economy analysis carried out by DFID five years earlier, arguing that working on individual and organizational capacity building would not address the core problems of governance in Nigeria. For the Drugs project in particular, the Action Fiche describes the primary government partner, NDLEA, as "Internal management systems are well-structured and staff commitment is high by Nigerian standards," leading to a design focused on building individual capabilities whereas the technical team immediately recognized that such individual training had little impact on a dysfunctional organizational culture.

Considering the analyses of the technical evaluation teams, particularly those of the Drugs team, which states that the only basic training for law enforcement agencies comes from foreign entities, the creation or upgrading the capacity of an academy or series of academies may have proven to have been a better focus of an EU capacity building intervention rather than expecting temporary projects to fill that long-term role. In that way, one project could have been set up to build or upgrade internal training capacities while thematic projects could have focused on the utilization of such capacity in the resolution of specific problems identified by the partner organizations themselves, leading ultimately to the drafting and implementation of evidence-based policies that are fully owned by the government.

## **3 Classifying the FGN as a beneficiary in the FA reduces the government's incentive (and ability) to seriously engage in solving its own problems, and would appear to run counter to Paris and Cotonou principles on aid effectiveness**

A weak state results when internal and external actors fail to align themselves around a goal of sovereignty. Donor/beneficiary relationships assume no conditionalities of performance. Beneficiaries consider themselves lucky to have to been singled out to receive some good that they may want to have. That good may not actually be something the beneficiary needs to solve its core problem, but it may be useful for other purposes. However, this relationship reduces the role of the government (or even an NGO) to that of a recipient, not a partner. As a partner, you need to define your own problem and, if necessary, you need to engage with international donors who can act as a catalyst in providing some external knowledge that you need in order to find your own solutions, and you need to use your own budget to implement that solution to the satisfaction of your citizens. Policies are exhortations, plans are menus, neither are solutions.

## **4 The inclusion of financing for tangible assets undermines a focus on systemic problem-solving in governance reform**

This lesson comes from three realizations. First, Nigeria is a middle-income country. In 2014, it passed South Africa as the largest economy in Africa. According to the 2008 EU CSP, international assistance amounts to 1% of the national government budget. Nigeria has the resources to purchase its own vehicles, computers and other equipment, if these are national priorities. Paying for such goods reduces the need for the Government to make difficult budget decisions, allowing the international community to fill in any gaps they wish. Second, particularly when there are no conditionalities on progress included in

the agreement, the inclusion of tangible goods in a project, in the form of computers, vehicles or other assets, often leads to a dispute over why funds are being spent on advisers and their work (potential long-term benefits) when it could be spent on equipment that has immediate benefits (see lesson 3). Three, the provision of such inputs in connection with a governance reform intervention does nothing to solve the underlying development problem, but it can make the beneficiary look like it is more capable. This is the core of the Samaritan's Dilemma in development that repeatedly plagues institutional reform efforts by increasing donor dependency without generating sustainable performance improvement. The Drugs project's experience with the purchase of 100 computers, of which the NDLEA has the capacity to utilize only 10 of them, and the current year's procurement plan for purchasing 24 vehicles are examples of this approach.

## 7. Recommendations

The evidence and major findings noted above were analysed to produce the following table of Key Issues and Recommendations. The process involved the use of the Balanced Scorecard Approach for public sector organizations to synthesize the evaluation team's understanding of the factors that influence the operations of UNODC and the current potentials for improvement. Four key aspects of a Balanced Scorecard Approach for the public sector are used as the major grouping for the issues and recommendations below. These perspectives have been viewed as critical to a public organization's capacity to deliver on its mandate in accordance with the expectations of its principal clients.

**Table 5: Table of organizational and functional issues and recommendations**

Organizational and Functional Issues and Recommendations	
Key Issues	Recommendations
<b>Mission Perspective</b>	
Do the initiatives undertaken by UNODC bring about the expected results?	
<ul style="list-style-type: none"> <li>▪ The three projects match closely with the mission and vision of UNODC</li> <li>▪ Professional capacity is available in Vienna in all major areas covered by the projects</li> <li>▪ This expertise has been underutilized to date with all but the Drugs project</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNODC HQ needs to play a far more direct role in providing technical advisory services to the project partners</li> <li>▪ Budget for technical consultants should be expanded, however, this may need to be balanced by a reduction in non-expendable asset procurement</li> </ul>
<ul style="list-style-type: none"> <li>▪ The current process for the preparation of project revision riders has been led by UNODC/V and seemingly has not involved national partners in a meaningful way</li> </ul>	<ul style="list-style-type: none"> <li>▪ The EUD should work through the NPC to facilitate open dialogue with the new government to determine the best approach to be taken in modifying these projects to match current political realities</li> <li>▪ Following this, the MTE should be viewed as just one of many inputs to the project revision process</li> <li>▪ It will be critical for the UNODC and EUD to ensure that the FGN fully supports the 2015 NDCMP</li> </ul>
<b>Client Perspective</b>	
How is the performance of CONIG perceived by the key stakeholders/beneficiaries associated with the three governance projects?	

<ul style="list-style-type: none"> <li>▪ Relationship of UNODC with EU reached a low point in late 2014</li> <li>▪ Serious efforts were initiated at the beginning of 2015 by UNODC/V to address key issues, but the EUD has not seen this as a meaningfully sustained effort</li> <li>▪ NPC has not noticed any improvement in communication or engagement <ul style="list-style-type: none"> <li>▪ The validation assessment found equipment that UNODC purchased with EU funds and gave to project beneficiaries failed to carry the EU logo.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Existing communication, engagement and visibility obligations need to be revisited immediately by EU, NPC and UNODC to remove any confusion regarding the roles and functions of each agency</li> <li>▪ Procedures, compliance standards and templates thus agreed must remain in effect until formally revised and would not be modified following a change of personnel in any of the partner agencies</li> <li>▪ The UNODC visibility strategy needs to be implemented</li> <li>▪ Reassess budget lines for non-expendable equipment in order to reduce demand for inputs that should be funded by the host government as a part of its normal budget process</li> </ul>
<ul style="list-style-type: none"> <li>• ONAO evaluation indicated EUD needs to improve its administration of CA</li> </ul>	<ul style="list-style-type: none"> <li>▪ Any decision on an extension of the Anti-Corruption project should be held until 2016 with clear conditionalities of budgetary support to the NDCMP required for continued release of funds.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Many comments from FGN questioning the utility of repeated short trainings that do not appear to have a sustainable impact</li> <li>▪ Skills training for in-service capacity development has long been seen as a suboptimal to action orient problem solving scenarios for adults</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNODC needs to move away from a heavy dependence on classroom trainings and develop practical adult learning-oriented capacity building interventions, with strong orientation to problem/solution identification processes undertaken by national entities themselves</li> <li>▪ Focusing on building problem-solving scenarios that are centred on issues identified by participating organizations will facilitate both sides to learn what interventions are really needed to improve organizational effectiveness</li> </ul>
<p><b>Business Processes</b></p> <p>What processes does CONIG need to excel at in order for stakeholders/beneficiaries to fully appreciate their performance?</p>	
<ul style="list-style-type: none"> <li>▪ Project implementation teams have technical capacity, but have limited management capacity to deliver</li> </ul>	<ul style="list-style-type: none"> <li>▪ EUD should reconsider the rigid staffing plan contained in the CA, focusing instead on a result-based management approach</li> <li>▪ EUD should give CONIG permission Implement the proposed office structural changes for existing staff while considering approval for adding new staff</li> <li>▪ CONIG should a standard Service level Agreement with UNDP by 1 October with provision for amendments if gaps in service occur</li> </ul>
<ul style="list-style-type: none"> <li>▪ Work planning has been slow and incomplete</li> </ul>	<ul style="list-style-type: none"> <li>▪ Zero tolerance for incomplete or inaccurate work plans is needed.</li> <li>▪ The 2016 work planning exercise must begin with partners no later than 1 October and be completely costed prior to 15 December</li> </ul>
<ul style="list-style-type: none"> <li>▪ Speed of Procurement has been a major drag on the project, undermining delivery rates, relations with partners and morale of staff</li> </ul>	<ul style="list-style-type: none"> <li>▪ Use of Delegated Authority by the PM should be improved with the creation of additional LTAs, perhaps in association with UNDP and other members of UNCT, for small, repeated procurement with strict compliance with UN rules</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Restructure the country office to eliminate conflicts of interests and create a procurement function within operations</li> <li>▪ All PC must submit procurement requests that are complete and timely in accord with SOP established by UNOV—zero tolerance needs to be put into effect to end demand for ‘waivers’</li> <li>▪ Major procurement plans for all projects to be completed not later than 1 February 2016, revisions only allowed with approval of the PM on a quarterly basis</li> </ul>
<ul style="list-style-type: none"> <li>▪ There has been no formal Monitoring of progress towards project outputs or outcomes. Most reports are activity based.</li> <li>▪ There are no monitoring frameworks for the three projects and this makes monitoring impossible</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNODC/V should use Nigeria as an early implementer of its new global M&amp;E and quality assurance systems or work with the EU to deploy the EU ROM system with the Nigerian projects</li> <li>▪ Riders for modification of current project designs should be results based and hence make results based monitoring frameworks an integral part of design and management</li> <li>▪ Project narrative reports should be written using a results perspective and, beginning in 2016, should be required on a quarterly basis. Third party professional should be used to validate findings<sup>5</sup>.</li> <li>▪ EU, NPC and UNODC must agree on dates for PMC and CEF meetings at start of 2016. The next CEF meeting should be held shortly after approval of the MTE report.</li> <li>▪ The M&amp;E resources under the direct control of the EUD should be used to immediately engage a firm to design and implement a continuous impact evaluation process to provide unambiguous assessments on the utility of the projects’ interventions, particularly training, towards building the effectiveness of the recipient organizations<sup>6</sup></li> </ul>
<ul style="list-style-type: none"> <li>▪ Reporting errors and delays have affected program efficiency and delayed release of subsequent tranche payments</li> </ul>	<ul style="list-style-type: none"> <li>▪ Restructure UNODC so all finance and administrative personnel involved in processing financial transactions come under the supervision of the Programme Support Team rather than the Project Coordinators</li> <li>▪ Continuation of CONIG review of combined financial reports from Vienna should reduce errors and delays</li> <li>▪ Deployment of unified FMS on 1 Nov will further help to reduce errors and speed report generation</li> <li>▪ Continued agreement on the legal obligations to be a part of the 70% expenditure level will be critical to maintaining an appropriate match between the expenditure of fixed and variable costs</li> <li>▪ Shift the payment of the 7% Programme Support Costs to a quarterly basis to incentivize speedier implementation and better reporting, supported by</li> </ul>

<sup>5</sup> See Annex 6 E Reporting as Accountability

<sup>6</sup> See Annex 6 D Training Impact

	FAFA para 2.5 and 4.1
<p>Per diem payments are slow leading participants to refuse invitations to UNODC events</p> <ul style="list-style-type: none"> <li>▪ Vendor payments are slow leading firms to refuse to work with UNODC</li> </ul>	<ul style="list-style-type: none"> <li>▪ Enforce strict guidelines on who will be paid to attend workshops. These need to be approved by EUD and NPC.</li> <li>▪ Develop a checklist to be reviewed by Operations Chief to ensure all documents are provided to UNDP in a complete and timely manner</li> <li>▪ Until the CONIG reorganization is in place, the PC must take personal responsibility for uncleared advances and ensure that his staff have carefully documented the status of all backlogged payments for clearance by CONIG/UNDP</li> </ul>
<ul style="list-style-type: none"> <li>▪ HRM: Staff recruitment and retention, both national and international have been a drag on program quality</li> <li>▪ Hiring international staff as organizational employees facilitates their ease of movement to other organizations</li> </ul>	<ul style="list-style-type: none"> <li>▪ Expand use of the UN international roster for recruitment</li> <li>▪ Create a local roster for managerial and technical specialities that can be sourced p/t from Nigerian entities</li> <li>▪ The EU needs to recognize the competition for qualified Nigerian and international staff, allowance to upgrade in post levels should be considered</li> <li>▪ UNODC needs to consider the use, or to create, project posts of limited duration to speed recruitment processing and to ensure International staff are treated the same as national staff. Such project posts could possibly be compensated by providing housing costs, as is the case with the J4A project.</li> </ul>
<b>Organizational Learning</b>	
How can CONIG continue to improve its performance and create lasting value for beneficiaries?	
<ul style="list-style-type: none"> <li>▪ Program support teams have the requisite technical skills to process project transactions, but are burdened by limited delegation of authority, poor project planning and management and inability to manage UNDP services efficiently</li> </ul>	<ul style="list-style-type: none"> <li>▪ The UNODC/V needs to place greater attention on the operations in Nigeria by focusing on speeding recruitment, and procurement, improving working relations with UNDP, upgrading staff competence in project management fundamentals &amp; enhancing staff morale so their work output improves</li> <li>▪ Project staff should be guided to better understand the UN rules and regulations as well as appreciate the need procedures that govern financial and procurement requirements.</li> <li>▪ Introduce modern project management training to upgrade knowledge of principles and standards. An option is PRINCE2, the standard project management system for UK, Netherlands and other EU member states and for the UNDP. Instruction is offered in Abuja for basic certification. The logframe, when used properly remaining remains a viable tool for project design, but is an outmoded tool for use in project management.</li> <li>▪ UNODC should deliver a professional knowledge practice designed to facilitate the stipulations in the CA for sustainable development</li> </ul>
<ul style="list-style-type: none"> <li>▪ Assessments of Vienna provided management training utility have not been seen</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal training evaluations need to be carried out immediately at the end of activity and at regular intervals to ascertain impact</li> </ul>

- The understanding of the institutional and political economy context of governance in Nigeria is limited
- Understanding of effective approaches to institutional reform interventions is weak...strong orientation to skills/awareness training

- Support mix of Nigerian and international academics to produce an analysis of the political economy of drugs, corruption and justice, best to be done as a follow on to the national A/C survey, unless this will be further delayed
- Seek advice from knowledgeable development analysts on modern approaches to sustainable institutional reform, examples are provided in Annex 6 B Organizational Notes

## 8. Conclusions

### 8.1 Conclusions with meaning for future programming

- 1 The EU failed to use due diligence in the design and management of these projects, on four counts. First, the EU did not rigorously apply the Paris and Cotonou principles on aid effectiveness. Second, the EU did not fully take into consideration the deeper root causes of governance constraints in Nigeria. Third, the EU designed these large-scale capacity development projects without, apparently, being fully cognizant of the existing low skill level and limited absorptive capacity in the partner organizations and the governance and financial complexities of the implementing agent. Fourth, by not properly preparing a results-based project design and then allowing the projects to spend money for over two years without having an objective, results-oriented monitoring and evaluation system in place. These gaps have been major contributing factors in the limited progress to date.
- 2 A locally owned design would have required a far higher level of involvement of the FGN, a seemingly difficult proposition. Equally, in any democracy, particularly one involving a maturing political arrangement like Nigeria's, continuous commitment is never a foregone conclusion no matter how committed the government may be at the time of design. Nevertheless, any effort that shifts the role of a government from beneficiary to leading partner creates a greater opportunity for sustainable reforms that enhance the effectiveness of all the partners involved. This is particularly the case when a government is held accountable for progress and is required to finance meaningful aspects of a joint project from its own budget.

### 8.2 Conclusions with direct impact

- 3 Regardless of any design flaws, the UNODC implementation of the three projects has not matched either EUD or FGN expectations. One reason for this may be that the UNODC has not been sufficiently incentivised by the FAFA or CA to perform at a professionally acceptable level. As a result, the UNODC has not shown an appropriate sense of urgency in rectifying the shortcomings noted by the EUD in regular communications over the past two years.
- 4 The evaluation team concludes that, beginning in 2016, results-based narrative and financial reports would be required (using FAFA 2.5 and EU rules for reporting in problematic situations) to be submitted by UNODC to the EUD on a quarterly basis to facilitate more timely scrutiny of progress and analysis of evidence for decision making purposes. UNODC already prepares detailed internal quarterly and semi-annual reports, so this would not impose an extra burden on their systems. These quarterly reports should, however, be greatly reduced in detail to focus more clearly on indicators of progress towards results at the outcome level, coupled with analyses of contributing or constraining factors to be addressed. Combined with this, however, would be the firm requirement that, beginning with the third tranche payment, as per FAFA para 4.1, the UNODC would access the 7% Programme

Support Costs fee based on approved quarterly narrative and expenditure reports of eligible expenses.

- 5 A decision for an extension beyond the current lifespan of the project should not be taken until 2016 for three reasons. First, by that time, the EU will have a better sense of the direction and priorities of the new Government. Second, it will also need an opportunity to assess the ability of UNODC to improve its management capacity. Third, if it takes up the recommendation to introduce a long-term evaluation of capacity building impact immediately, it will have some real data to use when finalizing the extension to ensure that lasting improvement in organizational functionality results from any future capacity building efforts.
- 6 However, if at all possible, the best option would be for the FA to be modified so that the FGN can take greater ownership of the project and its operations, perhaps using UNODC as a technical assistance provider. This conclusion draws from two sources. First, that UNODC has access to global expert technical assistance, but has struggled to provide professional level project management support. Second, that the NAO has expressed a strong desire to take greater ownership of the programme to ensure “its own systems can be built to carry on after any project”. Therefore, the extension should be crafted such that resources would continue to be available after the original end date of the project if and only if the National Drug Control Management Plan has been taken to an implementation stage, with the necessary budget for robust nationwide implementation. This argument would incentivise the government to address the issue of Plan implementation and would incentivise the project to focus their attention above the basic activity level.

## Annex 3: Terms of Reference

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### SPECIFIC TERMS OF REFERENCE MID-TERM EVALUATION OF THE PROJECTS:

"Response to Drugs and Related Organized Crime in Nigeria" (FED/2011/022-512) "European Union Support to the Justice Sector" (FED/2011/021-747)

"Support to Anti-Corruption in Nigeria" (FED/2011/022-161)

FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs EuropeAid/132633/C/SER/multi

### BACKGROUND

In 2012, the European Union (EU) and the Federal Government of Nigeria signed three Financing Agreements to implement the projects "Response to Drugs and Related Organized Crime in Nigeria", "European Union Support to the Justice Sector" and "Support to Anti- Corruption in Nigeria", with a total EU contribution of EUR 98,000,000 to be funded under the 10<sup>th</sup> European Development Fund (10<sup>th</sup> EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the projects, given its specific mandate and expertise on the subject matters. Contribution Agreements between EU and UNODC were subsequently signed to guide the implementation of the projects.

The projects, while different in focus, aim at assisting the Nigerian government in advancing policy development, building capacity of selected national stakeholders and improving coordination within the respective sectors. Ultimately the projects aim to promote better governance, strengthen rule of law and advance citizen security and public health, responding as such to the objectives of the Focal Sector 1 "Peace and Security" and Focal Sector 2 "Governance and Human Rights" of the European Union's Country Strategy Paper and National Indicative Programme 2008-2013 for Nigeria, which guides the implementation of the 10<sup>th</sup> EDF. Detailed descriptions on each project can be found in Annex 1 "Specific Terms of Reference".

As provided for by the respective Contribution Agreements, a mid-term evaluation will now be conducted to provide the EU Delegation to Nigeria and ECOWAS, National Authorising Officer (Nigeria), UNODC and other implementing partners and beneficiaries with an assessment of the projects' performance and recommendations on how to improve the interventions to achieve expected goals and outcomes, taking into account problems and opportunities.

A joint mid-term evaluation was deemed as appropriate given, on the one hand, the obvious synergies between three projects which share key overall goals and which are implemented by the same UN agency. On the other hand, the projects are supported by the same organisational structure, with the cost for the programme support team located in UNODC Country Office in Nigeria and UNODC Headquarters in Vienna being equally shared between the three projects.

The mid-term evaluation will be complementary to, and take into account the findings and recommendations of, the Verification Mission which is currently being carried out to assess the systems of financial accountability put in place by UNODC for the three projects.

Beneficiaries of this evaluation are the National Authorising Officer (Nigeria), the UNODC and the EU Delegation to Nigeria and ECOWAS.

## DESCRIPTION OF THE ASSIGNMENT

### Global objective

The mid-term evaluation will provide the EU and other partners with an assessment of the projects' performance and recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account problems and opportunities.

### Specific objective(s)

To evaluate the relevance, efficiency, effectiveness, sustainability and impact of the projects:

"Response to Drugs and Related Organized Crime in Nigeria" (FED/2013/023-123);

"EU Support to the Justice Sector" (FED/2012/308-728)

"Support to Anti-Corruption in Nigeria" (FED/2012/306-220).

The evaluation will be carried out in accordance with the specific terms of reference for each project (Annex 2), and with a specific focus on providing recommendations on how to improve performance in the final stage of implementation.

To assess the effectiveness of the organisational structures and programme support functions in place to reach the three projects' objectives, and offer recommendations for any improvement.

This should include structures, internal implementation procedures, capacity and skills, internal mechanisms for coordination, and allocation of staffing, reporting relations, tools, and procedures, etc., in the UNODC Country Office in Nigeria and UNODC Headquarters in Vienna.

### Requested services

The evaluation of the three projects and of the projects' organisational structures and programme support functions will be carried out simultaneously by a team composed of four sub-teams with two experts each – one team per project and one team for the organisational structures and programme support functions. The tasks will be fully coordinated by the contractor and team leader for the

overall assignment, who will also ensure coherence of findings and recommendations in the reports for the different projects.

The entire team will participate in the inception briefing and de-briefing meetings that will be held in the EU Delegation in Abuja, Nigeria, at the start and end of the field mission.

The evaluation team will work in close cooperation with the UNODC, implementing partners (UNDP/UNICEF), the National Authorising Officer (National Planning Commission), national beneficiaries and other stakeholders to address the specific objectives stated above, as well as the challenges experienced and lessons learned in the implementation of the project. Other stakeholders will include Civil Society Organisations and development partners. The consultants are expected to carry out briefings and debriefings with key stakeholders and submit a report to the EU Delegation.

Consultants will familiarise themselves with all relevant documentation from the project, the respective EU Financing Agreements with the Nigerian Government and Contribution Agreements with UNODC, including identification/formulation studies, project reports, workplans, as well as other available reports of stakeholders related to the project. Relevant findings and recommendations of previous evaluations on any of the projects and the currently conducted Verification Mission of the projects will also be taken into account.

Consultants will review all the relevant project documents and arrange individual meetings with stakeholders, including in focal states under any of the projects. A proposed methodology must be submitted in support of the expression of interest.

#### Required outputs

The expected results of the evaluation include the following aspects:

For each of the three projects: an evaluation report which critically analyses and assesses the relevance, effectiveness, efficiency, means and costs involved, and sustainability so far in the implementation of the project.

Each report will consist of two parts, the first covering specific objective 1 and the second specific objective 2. The findings and recommendations of the second section are expected to be the same for all three reports, while allowing for any project specific variations.

An in-depth analysis of the problems & recommendations to improve the implementation of the three projects. Each problem identified will lead to a corresponding recommendation.

If relevant, propose concrete modifications in the design and log frame for any of the projects, including proposals on expected outcomes, activities and indicators.

Language of the Specific Contract

English.

Subcontracting (to be foreseen or not)

No subcontracting possible.

## EXPERTS PROFILE

### Team 1 – UNODC Organisational Structures and Programme Support Functions (and Team Leader)

Number of requested experts per category and number of days per expert or per category

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 13 working days in Nigeria and 2 working days in Vienna.

Profile per expert or expertise required:

Expert 1, Organisational Development Specialist; Evaluation Team Leader (Category I)

#### Minimum required skills:

Candidate should have:

At least a Master Degree (Academic level) in Management, Business Administration Project and Programme Management, Finance Management, Public Administration, Political Science, Law or relevant, directly related discipline, or equivalent;

Experience in monitoring and evaluation of large development projects in complex political environments;

Minimum 12 years of professional experience with organisational and institutional development and efficiency, and project/programme management preferably in a UN environment; and/or implementation of activities at international level (worked in at least two countries) some of which should have been acquired in a developing country.

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

#### Preferred required skills for this assignment:

Experience in leading missions for project evaluations.

Experience with capacity development projects as per guidance provided by the "EU backbonestrategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding good governance and rule of law

Familiarity with contractual and tender procedures in United Nations Environment;

Minimum of 3 years' experience with EDF programming procedures will be an asset;

Proven field research and report writing skills;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;

Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

Expert 2, Organisational Development Specialist (Category II)

Minimum required skills:

Candidate should have:

A University Degree (Academic level) in Public Administration, Business Administration, Law, Political Science, Development Cooperation or relevant, directly related discipline, or equivalent;

Professional experience in monitoring and evaluation of development projects in developing countries;

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Minimum 6 years of experience with organisational and institutional development and efficiency, preferably in an UN environment;

Preferred required skills for this assignment:

Experience in Sub-Saharan Africa;

Experience with capacity development projects as per guidance provided by the "EU backbonestrategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Proven field research and report writing skills;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;  
Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;  
IT literate, very good data-processing knowledge, and of office automation software;  
Experience in communication, negotiation and dialogue at high level;

At least two references including phone number and email address shall be supplied for the proposed experts.

#### Team 2 – Evaluation "Response to Drugs and Related Organized Crime in Nigeria"

Number of requested experts per category and number of man-days per expert or per category

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 15 working days in Nigeria.

Profile per expert or expertise required:

Expert 1, Drugs and Organised Crime Team Leader (Category 1)

#### Minimum required skills:

Candidate should have:

At least a Master Degree (Academic level) in Public Health, Law, Political Science, Development Cooperation or relevant, directly related discipline, or equivalent;

Experience in monitoring and evaluation of large development project in complex political environments;

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Minimum 12 years of professional experience as programme manager/expert in the fight against drugs and related crime sector, or equivalent; and/or implementation of activities at international level (worked in at least two countries) some of which should have been acquired in a developing country.

Minimum 7 years of professional experience in leading missions for project evaluations

#### Preferred skills:

Minimum of 3 years' experience with EDF programming procedures will be an asset;

Experience with capacity development projects as per guidance provided by the "EU backbone strategy"

([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical))

[\\_cooperation\\_en.pdf](#)) and the "Guidelines on "Making technical cooperation more effective"" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding fight against drugs and related crime sector reform, especially with regards to legal aspects and law enforcement;

Proven field research and report writing skills;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;

Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

Expert 2 – Drugs/Organised Crime/Public Health Specialist (Category 2)

#### Minimum required skills:

Candidate should have:

A University Degree in Public Health, Law, Political Science, Development Cooperation or relevant, directly related discipline, or equivalent;

Experience in project management and evaluation of development projects in developing countries;

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

#### Preferred skills:

Minimum 6 years of professional experience as programme manager/expert in Drugs and/or Crime Prevention, Health and Social Protection related sectors, or equivalent;

Experience with capacity development projects as per guidance provided by the "EU backbone strategy"

([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical)

[\\_cooperation\\_en.pdf](#)) and the "Guidelines on "Making technical cooperation more effective"" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding drug related health and social sector reforms;

Highly developed interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

At least two references including phone number and email address shall be supplied for the proposed experts.

### Team 3 – Evaluation "Support to Anti-Corruption in Nigeria"

Number of requested experts per category and number of man-days per expert or per category

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 15 working days in Nigeria.

Profile per expert or expertise required:

Expert 1 – Anti-corruption Team Leader (Category I)

#### Minimum Required Skills:

Candidate should have:

At least a Master's Degree in law, political/social sciences or related field.

At least 10 years Experience in monitoring and evaluation of large development projects in complex political environments.

Minimum 12 years professional experience in monitoring anti-corruption related projects and/or implementation of activities at international level (worked in at least two countries) some of which should have been acquired in a developing country.

Minimum 7 years experience in at least in three of the following anti-corruption areas: law enforcement, prosecution, prevention, reform and procurement and with specific expertise in designing technical assistance, capacity development and training programs.

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

#### Preferred skills:

Candidate should have:

Minimum 7 years of professional experience in leading missions for project evaluations

Minimum of 3 years experience with EDF programming procedures will be an asset;

Knowledge of anti-corruption legislation, policies and strategies;

Expertise in problem analysis, stakeholders' analysis and preparation of Log frames;

Knowledge/Experience in Nigeria and/or West Africa or similar countries is an advantage

Full working knowledge of English, as well as excellent field research report writing and communication skills.

## Expert 2 – Anti-Corruption Expert (Category II)

### Minimum Required Skills:

University degree in Law, Political Science, or other related social science disciplines.

Experience in project management and/or evaluation of development project in developing countries.

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

At least 6 years of anti-corruption professional experience at international level, some of which should have been acquired in a developing country;

Minimum of 6 years experience in participatory planning and management of large anti-corruption projects in complex political environments, including specific working experience in law enforcement, dealing with anti-corruption cases;

### Preferred skills:

Minimum of 5 years' experience in project management and/or evaluation of development project in developing countries

Experience with working with civil society groups is an asset;

Experience in donors-government co-ordination and strategic understanding to ensure overall coordination of the project;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;

Highly developed interpersonal skills to constructively interact with stakeholders at all levels;

Knowledge/Experience in Nigeria and/or West Africa or similar countries is an advantage.

At least two references including phone number and email address shall be supplied for the proposed experts.

### Team 4 – Evaluation "EU Support to Justice Sector"

Number of requested experts per category and number of man-days per expert or per category

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 15 working days in Nigeria.

Profile per expert or expertise required:

Expert 1, Justice Team Leader

Minimum required skills:

Candidate should have:

At least a Master Degree (Academic level) in Law, Political Science or a relevant, directly related discipline, or equivalent;

Experience in monitoring and evaluation of large development project in complex political environments;

Professional experience as programme manager/expert in Rule of Law, Justice Sector Reform, or equivalent;

Minimum 12 years of professional experience as programme manager/expert in the Rule of Law, Justice Sector Reform, Police or Prison reform, or equivalent; at international level (worked in at least two countries) some of which should have been acquired in a developing country.

Preferred required skills for this assignment:

Minimum 7 years of professional experience in leading missions for project evaluations

Minimum of 3 years experience with EDF programming procedures will be an asset;

Experience with capacity development projects as per guidance provided by the "EU backbone strategy"

([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical)

[\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"

([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding justice delivery and justice sector reform;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;

Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

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Expert 2, Justice Reform Expert

Minimum required skills:

Candidate should have:

University Degree (Academic level) in Law, Political Science or a relevant, directly related discipline, or equivalent;

Professional experience as programme manager/expert in the Justice sector, or equivalent;

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Preferred skills:

Experience in Sub-Saharan Africa;

Minimum of 3 years' experience in project management and evaluation of development project in complex political environments;

At least 6 years of professional experience as programme manager/expert in the Rule of Law, Justice Sector Reform, Police or Prison reform, or equivalent;

Experience with capacity development projects as per guidance provided by the "EU backbone strategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding justice delivery and justice sector reform;

Highly developed interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

At least two references including phone number and email address shall be supplied for the proposed experts.

## LOCATION AND DURATION

Starting date: 1 July, 2015

Foreseen finishing date: 19 August, 2015

Location of assignment: Home base of the experts, Abuja, Vienna (team 1 only) Focal States (Justice Project) Nigeria.

## REPORTING

### Content

The structure, format and level of detail of the three final reports will be agreed with the EU Delegation during the briefing at the beginning of the assignment. As a minimum, the final reports must include the following:

Executive Summary  
Introduction / Background  
Project outline and management  
Objectives  
Methodology  
Analysis  
Findings  
Lessons Learned  
Recommendations  
Relevant Annexes, e.g.  
List of people interviewed  
List of acronyms  
Evaluation work plan and TORs  
Key reference documents

The recommendations must be duly justified.

The final reports have to demonstrate a solid understanding of the context, the sector and the methodology of evaluation. The format and structure of the reports shall follow the European Commission standard evaluation reports and address the points as specified in section 2 of the present Terms of Reference.

The assignment shall be completed in close coordination with the United Nations Office on Drugs and Crime (UNODC), and the Delegation of the European Union in Nigeria.

Language

All reports and correspondences have to be issued in English.

Submission and Timing

Upon arrival in Nigeria:

The experts will submit an inception report detailing their methodology and a work- plan with a section addressing specifically each of the three projects (communicated to EU Delegation by email at the latest 24 hours, before the briefing meeting, for further distribution to partners);

A briefing meeting with the representatives of the NAO (NPC), UNODC, and the EU Delegation, is organised to discuss the inception report, methodology and the work plan.

At the end of the field mission (before departure of the consultants from Nigeria):

An end of mission note incorporating the preliminary conclusions and recommendations (communicated to EU Delegation by email at the latest 24 hours before the de-briefing meeting for further distribution to partners);

A de-briefing meeting is organised with NAO (NPC), UNODC, and EU Delegation for the presentation of the mission note.

After the field mission:

Maximum 5 working days after departure from Nigeria: submission of the three draft final reports incorporating the conclusions of the de-briefing meeting held at the end of the field mission;

A period of 10 working days is granted to the NAO (NPC), UNODC, and the Delegation to submit their comments on the draft final reports. The comments from all stakeholders will be compiled by the EU Delegation and submitted in one document for each of the reports to the contractor within one week of reception of the said comments.

The final reports, including executive summaries, have to be submitted at the latest 5 days after receiving the consolidated comments on the draft final reports. The final reports should be submitted in a computerized format (electronic version) and once approved and accepted, hard copies at no extra charge. The reports are to be submitted to the EU Delegation for further dissemination to the other parties.

The date of the postal stamp on the envelope of the hard copies evidences the date of submission. The email submitting the electronic version of the final reports has to be dated before this deadline.

Number of report(s) copies

All reports shall be submitted on the due dates to the following contacts in English, in Word and (if applicable) Excel format (unless otherwise agreed) by email as well as paper (3 copies of each report) to the:

Head of Delegation

Delegation of the European Commission to Nigeria 21<sup>st</sup> Crescent, off Constitution Avenue  
Central Business District Abuja

E-mail: [REDACTED]

## INCIDENTAL EXPENDITURE

Unless an agreement between the European Commission and the Beneficiary Country outside the Union partially or fully exonerates local taxes levied by the Beneficiary Country, such local taxes upon reimbursable expenditure incurred under the Specific Contract and approved by the Contracting Authority shall be reimbursed in full.

The Framework Contractor (the Contractor) is in charge of any arrangements as concerns supervision of experts, management, output and report production and delivery. A prospective Contractor must make available an appropriate logistical support for the experts, including their travel, visa and accommodation arrangements and other services such internet connection and photocopies, as well as any other equipment that may be necessary for the completion of the assignment. Please note that equipment is excluded from the authorised reimbursable items.

As for reimbursable expenditure, the rules of Framework contracts apply for local travel. Expenditures for international travel (air travel) have to be incorporated in the price breakdown. No workshops are expected to be organised by the expert. The joint meetings will be organised in the premises of the EU Delegation in Abuja.

The sum of 2,500 EUR will be made available for an expenditure verification.

Annex 1: Indicative time schedule

Annex 2: Specific Terms of Reference for Evaluation of project "Response to Drugs and Related Organized Crime in Nigeria; "EU Support to the Justice Sector"; "Support to Anti-Corruption in Nigeria"

Annex 3: Financing Agreements: Response to Drugs and Related Organized Crime in Nigeria (FED/2011/022-512)"EU Support to the Justice Sector" (FED/2011/021-747); "Support to Anti-Corruption in Nigeria (FED/2011/022- 161)

Annex 4: Contribution agreements (UNODC): Response to Drugs and Related Organized Crime in Nigeria (FED/2012/306-744)"EU Support to the Justice Sector" (FED/2012/308-728); "Support to Anti-Corruption in Nigeria (FED/2012/306- 220)

Annex 1

## INDICATIVE TIME SCHEDULE

1 Number of requested experts per category and number of man-days per expert

	Number	Category	Workdays*
	4	1	25
	4	2	25
Total	8		100+100

\* The workdays are based on a 5 day working week in Nigeria.

Week	Location/Activity	Dates	Number of days
Week 1	Abuja/Lagos/Focal States, Nigeria	01/07/2015 – 07/07/2015	5 days (each)
Weeks 2 & 3	Vienna*/Abuja/Lagos/Focal States, Nigeria	08/07/2015 -21/07/2015	10 days (each)
Week 4	Home based Finalization of draft report and transmit electronically to the EU Delegation	23/07/2015 – 29/07/2015	5 days (each)
Weeks 5 & 6	Consolidation of comments by stakeholders and transmission to consultants	30/07/2015 – 12/08/2015	
Week 7	Home based Finalisation and submission of the final report	13/08/2015 – 19/08/2015	5 days (each)
	Total Number of days		25 days (each)

\*Team 1 will travel to Vienna for two days within this period

**SPECIFIC TERMS OF REFERENCE MID-TERM EVALUATION OF THE PROJECT**

**"Response to Drugs and Related Organized Crime in Nigeria" (FED/2011/022-512)**

**FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs**

**BACKGROUND**

In June 2012, the European Union and the Federal Government of Nigeria signed a Financing Agreement for the amount of EUR 36,000,000 to implement the project "Response to Drugs and Related Organized Crime in Nigeria". Under the agreement, the project is to be implemented from January 1st 2013 until the end of May 2017 with a total EU Contribution of EUR 36,000,000 under the 10<sup>th</sup> European Development Fund (10<sup>th</sup> EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the project, given its specific mandate and expertise to guard and protect United Nations standards and norms in the fight against drugs and organized crime.

In December 2012, a Contribution Agreement between EU and UNODC was signed for a total EU contribution of EUR 34,500,000.

The project aims at strengthening the capacity of selected key national stakeholders involved in the fight against drugs and organised crime. The project has been designed to improve the *overall governance of the sector (evidence base tools, legal reform and policy development)* as well as the technical and operational capacities of the main national stakeholders. This will lead to a measurable improvement of their capacity and performance related both to law enforcement and drug demand reduction issues.

Nigerian drug policy is articulated in the National Drug Control Master Plan 2008-2011. Put together under the auspices of the Inter-ministerial Committee on Drug Control (IMCDC), this is the ultimate policy instrument for coordinating drug control measures. Having a committee in place and working with the United Nations Office on Drugs and Crime (UNODC) is a clear strength for the purpose of the project. Besides, there is an urgent need for a revision of the legal framework of the Nigerian Drug Law Enforcement Agency (NDLEA) act to bring it in line with the stipulations of a civilian government, to facilitate international cooperation and to shift the focus from the current rhetoric of 'war on drugs' towards a human security and public health approach.

The project promotes the vision captured in the EU Drug Strategy 2007-2012 to "protect and improve the well-being of society and of the individual, to protect public health, to offer a high level of security for the

general public and to take a balanced, integrated approach to the drugs problem' (supply and demand). The project divides into three interlinked components that address (i) the lack of information without which policy cannot become evidence based, and the need for reform of the legal framework; (ii) the lack of technical capacity in key law enforcement agencies through capacity building and; iii) the need for a balanced approach by supporting drug prevention, treatment and care.

#### Main activities:

National surveys on cannabis cultivation and on drug use.

Support the Inter-Ministerial Committee on the formulation and implementation of the new National Drug Control Master Plan (2014-2018).

Capacity-building activities to develop and implement the institutional strategy for NDLEA.

Training for law enforcement agencies on investigations and intelligence analysis.

Direct support to NGO working on drug prevention, treatment and care.

Provision of equipment for centres and training of drug treatment professionals.

While the project has had some notable achievements – including the re-activation of the Inter-ministerial Committee; the formulation of the National Drug Control Master Plan 2015- 2019 by the inter-ministerial committee on drugs; the NDLEA Institutional Assessment and Change Management Programme endorsed by NDLEA; the first National Seminar for Nigeria International Standards on Drug Use Prevention; the finalization of the NDLEA Training Needs Assessment and the development of the training matrix; the completion of the Priority Operational Needs Assessment of Partners and the Training on International Prevention Standards – the project has had a backlog of unprocessed payments to contractors and project participants due to UNODC difficulty in processing payments. Moreover, important surveys have been delayed or postponed.

Performance has further been constrained by issues such as UNODC recruitment difficulties and internal challenges including the limited level of delegation of authority to the UNODC Country Office, as well as other factors relating to project management and support functions.

## DESCRIPTION OF THE ASSIGNMENT

### 2.1. Global objective

The mid-term evaluation will provide the EU and other partners with an assessment of the project's performance of the support provided to the fight against drugs and drug related organised crime and will provide recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account problems and opportunities.

#### Specific objective(s)

In order to meet the global objective, the evaluators are expected to perform the evaluation of the project "Response to Drugs and Related Organized Crime in Nigeria "using the criteria of the European

Commission (relevance, efficiency, effectiveness, sustainability and impact) and with a specific focus on providing recommendations on how to improve performance in the final stage of implementation.

### Relevance of the Project

The evaluator will analyse if the project has correctly identified the problems and that the means are appropriate and adequate;

Determine the extent to which the programme's activities are succeeding in achieving a balanced approach of drug issue so far;

Determine the extent to which the programme's activities have advanced in data collection on cannabis cultivation;

### Project Design and Implementation

Assess the project design and the logic of the link between the specific objectives and the expected results and indicators;

Assess the relevance of the project's monitoring and evaluation system and mechanisms to measure performance and results;

Make specific recommendations on how to enhance the strategic focus of the project and propose possible priority areas and focal states;

Assess the extent to which the project can support the implementation of the National Drug Control Master Plan and what are the possibilities to finance its implementation at state level. It should also look at the measures the project can take to increase the cost contribution by States to implement the Master Plan.

Determine the feasibility of outcome 3 within the remaining implementation period in order to meet the expected results;

On basis of above propose any revisions to the logframe, including expected outcomes, activities and indicators.

### Validity of assumptions

Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;

### Efficiency of Programme Implementation

Assess the subsequent progress in implementation of the programme and its individual components;

Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, and allocation of staffing, reporting relations, tools, and procedures;

Assess the number and expertise of project staff in the present Contribution agreement vis-à-vis the technical and administrative project workload and their capacity to implement the project and suggest remedies if needed;

#### Means and Cost

Review the utilisation of the programme's funds and the validity of the resource allocations to each component in light of the Logical Frameworks and programme's planned results;

#### Impact

The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;

#### Alternatives and recommendations

Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f);

Determine if the same effects/impacts could be achieved through different ways, for the same results. The evaluator will examine the viability of alternative activities and implementation approaches and offer recommendations for future programmes as appropriate.

**SPECIFIC TERMS OF REFERENCE MID-TERM EVALUTION OF THE PROJECT**

**EU SUPPORT TO THE JUSTICE SECTOR IN NIGERIA (FED/2011/021-747)**

**FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs  
EuropeAid/132633/C/SER/multi**

#### BACKGROUND

In June 2012, the European Union and the Federal Government of Nigeria signed a Financing Agreement for the amount of EUR 28,000,000 to implement the project "Support to the Justice Sector in Nigeria". Under the agreement, the project is to be implemented from June 2012 until June 2015 with a total EU Contribution of EUR 27,000,000 under the 10<sup>th</sup> European Development Fund (10<sup>th</sup> EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the project, given its specific mandate and expertise to guard and protect United Nations standards and norms in crime prevention and criminal justice. In December 2012, a Contribution Agreement between EU and UNODC was signed for a total of EUR 26,000,000, with an EU contributing EUR 25,000,000 and UNODC EUR 1,000,000. UNICEF was selected as partner implementing agency, in charge of the outputs concerning child rights and justice administration.

The project supports the efforts of the Government of Nigeria to improve justice delivery and compliance with the rule of law in Nigeria, and specifically to enhance effectiveness, accessibility, accountability, transparency and fairness of the justice system. The expected outcomes of the project, as defined in the project document are: i) increased coordination and sector policy development within the justice sector; ii) training, research and operational capability of the justice sector developed; and iii) increased access to justice and respect for human rights.

The activities of this project are implemented at the federal level and in 10 focal states, namely Anambra, Bayelsa, Benue, Cross Rivers, FCT, Imo, Katsina, Lagos, Osun and Yobe. Some of the main activities include:

- support for implementation Action Plan for Reform of the Federal Justice Sector (2012-2015) and formulation and implementation of state reform action plans in the focal states;
- strengthen and justice sector coordination structures at federal at state levels;
- support for development of key justice related policies and legislation;
- build capacity of relevant training institutions to deliver quality training;
- build capacity of officials of the judiciary, police and prison service;
- strengthen juvenile justice administration;
- build capacity to reduce pre-trial detention and prison congestion;
- strengthen accountability and integrity regime for the judiciary, Ministry of Justice, police and prisons services;
- support state and non/state actors to promote legal aid activities and advocacy on justice and child protection related issues.

A Project Core Team, consisting of long-term national and international staff, was set up in Abuja and is responsible for the day-to-day management of the project and for coordinating the implementation of project activities. In addition, a Programme Support Team based in the UNODC Office in Abuja, and a Project Support Team in UNODC HQ in Vienna, provide direct programmatic and operational support to the project, as well as to three other EU funded and UNODC implemented project on anti-corruption, drugs and crime and migration.

National ownership of the project is promoted through a Sector Policy Review Committee (SPRC) / Chief Executives Forum and a Project Management Committee (PMC) chaired by the National Authorising Officer

(National Planning Commission) and with participation of national beneficiary institutions. The beneficiary institutions have also designated Project Focal Points to foster collaboration, smooth implementation and institutional ownership.

While the project has had some notable achievements – including the development/revision of state action reform plans for all 10 focal states and development of guidelines and development of draft institutional strategies and guidelines for improved justice delivery – overall, project implementation has been relatively slow. In particular, performance has been constrained by issues such as an overly ambitious project design, UNODC recruitment difficulties and high level of staff turn-over, limited level of delegation of authority to the UNODC Country Office, reporting delays, as well as other factors relating to project management and support functions.

An external evaluation of the inception phase of the project was concluded in May 2014, which highlighted some important achievements, but also pointed to the need to enhance the strategic approach, strengthen national ownership, improve project management effectiveness and enhance coordination/synergies with other development partners. The evaluation also pointed to an ambitious project design, and the need to review the logical framework and focus on achieving specific outcomes.

## DESCRIPTION OF THE ASSIGNMENT

### 2.1. Global objective

The mid-term evaluation will provide the EU and other partners with an assessment of the project's performance and recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account problems and opportunities.

#### Specific objective(s)

In order to meet the global objective, the evaluators are expected to perform the evaluation of the project "EU Support to the Justice Sector" (FED/2011/021-747) using the criteria of the European Commission (relevance, efficiency, effectiveness, sustainability and impact) and with a specific focus on providing recommendations on how to improve performance in the final stage of implementation.

#### Relevance of the Project

The evaluator will analyse if the project has correctly identified the problems and that the means are appropriate and adequate;

Assess the relevance of the Action Plan for the Reform of Federal Justice Sector (2012-2015) and State Action Plans for Justice Sector Reform as a basis for project implementation;

Assess the degree of project ownership, performance and commitment to reform of in the 10 focal states.

#### Project Design and Implementation

Assess the project design and the logic of the link between the specific objectives and the expected results and indicators;

Assess the relevance of the project's monitoring and evaluation system and mechanisms to measure performance and results;

Make specific recommendations on how to enhance the strategic focus of the project and propose possible priority areas and focal states;

On basis of above propose any revisions to the log frame, including expected outcomes, activities and indicators.

#### Validity of assumptions

Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;

#### Efficiency of Programme Implementation

Assess the subsequent progress in implementation of the programme and its individual components and focal states;

Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, and allocation of staffing, reporting relations, tools, and procedures;

#### Means and Cost

Review the utilisation of the programme's funds and the validity of the resource allocations to each component in light of the Logical Frameworks and programme's planned results;

#### Impact

The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;

## Alternatives and recommendations

Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f);

Determine if the same effects/impacts could be achieved through different ways, for the same results. The evaluator will examine the viability of alternative activities and implementation approaches and offer recommendations for future programmes as appropriate.

### **SPECIFIC TERMS OF REFERENCE FOR MID-TERM EVALUATION OF THE SUPPORT**

#### **TO ANTI-CORRUPTION IN NIGERIA (FED/2012/022-161) PROJECT**

**FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs  
EuropeAid/127054/C/SER/multi**

## BACKGROUND

Anti-corruption is a fundamental prerequisite to entrenching good governance. Unfortunately, corruption is endemic and remains a major problem in Nigeria impacting negatively on governance and affecting the development of the country. Despite that anti-corruption legislation is in place, that anti-corruption institutions have been set up and that federal budget allocations to fight corruption exist, corruption is still anchored in the institutions and the society.

Nigeria has a fragmented and uncoordinated anti-corruption institutional setting that reflects the lack of political will and prevents from tackling corruption effectively. The existing legal frameworks do not bear clarity on how institutions link to each other and this leads to duplication and overlapping of mandates and functions between different Ministries, Departments and Agencies (MDAs) and prevents institutions from mutually benefiting from each other's expertise, strengths and statutory mandates, among others.

The capacities of the law enforcement and prevention agencies are still weak. In an environment where corruption has long been tacitly condoned, prosecutions and convictions are still appropriate means to address corruption. Besides, the capacities of other agencies related to public procurement (BPSR) should also be strengthened to ensure transparent processes and mechanisms to award public contracts, within a framework of a more general public reform process.

The implementation of anti-corruption measures in a generally 'hostile' Nigerian environment (weak support institutions like courts, police and legislature), poverty and political patronage, will still require a

strong political commitment and public support. Non State Actors are critical to increase the demand side of governance, putting pressure on the political leadership to sustain the anti-corruption drive, encourage changes in practices and attitudes, track the responsiveness of Government and promote passage and implementation of relevant legislation.

A comprehensive national anti-corruption policy, strategy and action plan is being prepared within the framework of the Inter Agency Task Force (IATT).

On the basis of the Nigeria-EU Joint Way Forward, the Country Strategy Paper/National Indicative Programme (CSP/NIP) 10<sup>th</sup> EDF signed between the EC and Nigeria in November 2009 and building on the previous support to Nigeria's Economic and Financial Crime Commission (EFCC), the EU Delegation signed a Contribution Agreement with the United Nations Office on Drugs and Crime (UNODC) in the value of 34 million Euros to implement a 5 year project (2012 -2017) to support thirteen key Nigerian anti-corruption agencies and Non state Actors. The project has been designed to fulfil three specific objectives namely;

i) Anti-corruption policy-making, coordination and monitoring mechanisms are strengthened and legislation is improved; ii) Anti-corruption agencies increasingly cooperate to prevent and combat corruption; and iii) Civil Society Organizations are empowered to increase the provision of services and their participation in Anti - corruption activities enhanced (Component implemented by UNDP).

A Project Core Team, consisting of long-term national and international staff, has been put in place in the UNODC office in Abuja and is responsible for the day-to-day management of the project and for coordinating the implementation of project activities. In addition, a Programme Support Team based in the UNODC Office in Abuja, and a Project Support Team in UNODC HQ in Vienna, provide direct programmatic and operational support to the project, as well as to three other EU funded and UNODC implemented project on Support to the Justice Sector, drugs and crime, and migration

## DESCRIPTION OF THE ASSIGNMENT

### Global objective

The mid-term evaluation will provide the EU and other partners with an assessment of the project's performance in terms of relevance, efficiency, effectiveness and sustainability of the support provided to anti-corruption agencies and key stakeholders and its impact on the fight against corruption in Nigeria.

### Specific objectives

#### Relevance of the Programme

The evaluator will determine if the programme has correctly identified the problems and that the means are appropriate and adequate;

#### b) Programme Design and Implementation

Assess the Programme scope, design and the logic of the link between the specific objectives and the expected results;

c) Validity of assumptions

Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;

Efficiency of Programme Implementation

Assess the subsequent progress in implementation of the programme and its individual components;

Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, relationship with key beneficiaries and key stakeholders and development partners with similar mandate. Allocation of staffing, reporting relations, tools, and procedures;

Means and Cost

Review the allocation of funds per component in line with project objectives.

f) Impact

The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;

g) Alternatives and recommendations

Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f);

Determine if the same effects/impacts could be achieved through different ways, for the same results. The evaluator will examine the viability of alternative activities and implementation approaches, and offer recommendations for future programmes as appropriate.

## Annex 4: Key References

### Section One: Technical Assessment

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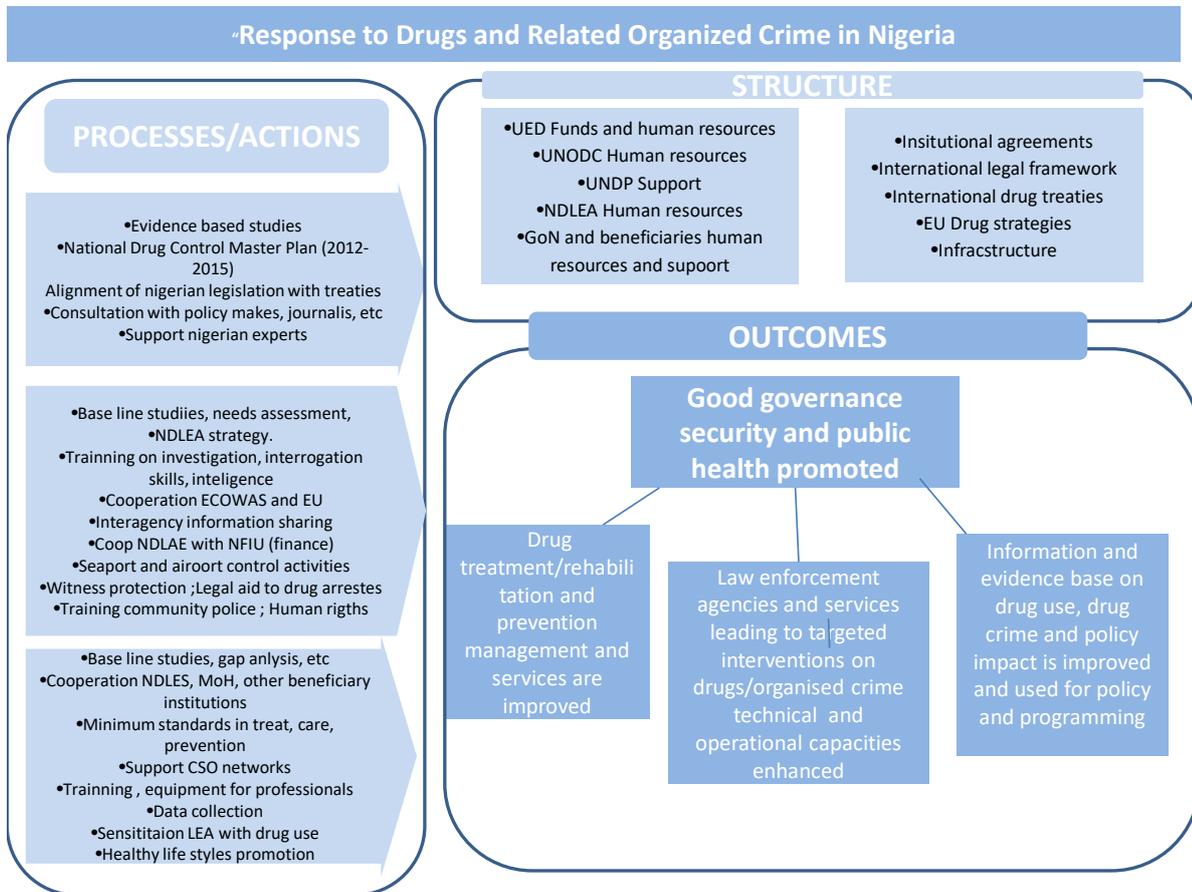
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## Annex 5: Technical Assessment Notes

### Theory of Change



The overall outcome of the project is to promote good governance, security and public health in Nigeria through the achievement of three intermediate outcomes: i) improving the Information and evidence base on drug use, drug crime and policy impact and using it for policy and programming improving drug treatment/rehabilitation and prevention management and services; ii) enhancing law enforcement agencies and services leading to targeted interventions on drugs and organised crime technical and operational capacities and iii) Improving the capacity to manage drug treatment/rehabilitation and prevention through the creation of a reliable network of quality drug treatment service providers available for drug users

The outputs for achieving the first intermediate outcome are the following: baseline studies and gap analysis; national surveys on cannabis production and drug use, with counterpart capacity built to conduct similar exercises; detailed qualitative studies and assessments of drug trafficking and use, including narcotics and psychotropic substances, drug related crime, organized crime groups and networks, and the associated threats at the national, regional and international level; support to the Inter-Ministerial Committee on the formulation and implementation of the new National Drug Control Master Plan (2014-2018) following an integrated, multi-disciplinary and balanced approach (demand & supply side); advice on aligning relevant legislation in Nigeria with treaty requirements, human rights and international best practice, removing contradictions in existing legislation and reviewing the proportionality of penalties; assist in the setting up of regular consultations with policy makers, journalists, health professionals and academic audiences, and consistent outreach through multiple media to reach all relevant stakeholders; support to Nigerian experts to participate in and contribute to national and international conferences, training, study tours, twinnings, and publications

The outputs for achieving the second intermediate outcome are the following: baseline studies and needs analysis; support to the development and implementation of the institutional strategy for the Nigerian Drug Law Enforcement and Regulatory Agencies; Inter-agency training exercises for relevant law enforcement agencies on investigations, intelligence analysis and other key skills; advice on and support to cooperation and joint operations between Nigeria, ECOWAS and EU Member States; setting up of recording, sharing, and analysis of information supported by training, provision of hardware and software, etc. to support regular inter agency information sharing at command level; expert advice and support to the cooperation, coordination and exchange of information between NDLEA, NFIU and SCUML on anti-money-laundering; technical support and advice to improved seaport and airport controls through closer cooperation between relevant law enforcement agencies, including provision of training and equipment; strengthened witness protection in relevant LEAs, and support to reviewing the draft law and drafting of administrative guidelines and SOPs for witness protection; advice on legal aid provision and due process for drug arrestees and support to Judiciary for the prosecution and adjudication of drug cases; training of community groups in dealing with drug-related incidents; review of human rights standards & development of relevant training tools for law enforcement officers; support to enhance operational capacities of Police, Customs, Immigration and NDLEA in drug interdiction Technical support and advice to NAFDAC for improved narcotics and psychotropic substances estimates, control and availability for medical and scientific purpose.

The outputs for achieving the third intermediate outcome are the following: baseline studies and gap analysis; expert advice and support to review the cooperation between NDLEA, the Ministry of Health and other actors on drug prevention, treatment and care; policy advice and support to the preparation of policy guidelines, minimum standards, and training manuals for drug prevention, treatment and care; technical support to the implementation of these policy guidelines, minimum standards, and training manuals for drug prevention, treatment and care; direct support to civil society organizations networks working on drug prevention, treatment and care; provision of equipment for centers and training of drug treatment professionals; support to improve routine data collection and case reporting by statutory and CSO treatment providers; sensitization on the nature of drug use, drug dependence and drug prevention, treatment and care for law enforcement agencies operatives and general public Promotion of- and training/building skills for 'healthy lifestyles' in schools, families and communities.

All these outputs will be achieved through the implementation of the activities and actions made explicit in the project programming. The completions of these outputs will lead to the overall outcome of the project: the promotion of good governance, security and public health in Nigeria.

### Questions for Project Managers/Coordinators/Focal Points

Evaluation question	Response
<b>RELEVANCE</b>	
Has the project and the different activities that form its components correctly addressed the identified problems and social needs?	
Did national stakeholders participate in or were they consulted with regard to the formulation and the design of the project?	
Were activities under the project executed as originally planned?	
Have the originally identified problems changed in the course of the project? Have project objectives been updated to keep pace with changing context (what is the process across used)?	
To what extent has the project objectives met the priorities defined by the EU Drugs Strategy 2005-	

2012; EU Drugs Action Plan 2005-2008; and other relevant PoA, other?	
Have project activities been preceded by an identification of key stakeholders and target groups (including gender analysis and analysis of vulnerable groups) and of institutional capacity issues?	
Have the projects involved the participation of beneficiaries in the design and in the management/implementation of the project; what is the level of local ownership?	
Does the project constitute a coherent and integrated set of activities? Are any components more relevant than others? Have the project had to prioritize after the baseline studies?	
<b>EFFECTIVENESS</b>	
Has the project adequately assessed the capacity of local partners to absorb project assistance?	
Have the project activities and outputs and been achieved within the planned timeframe?	
Is risk factored into project formulation and implementation in order to plan and manage risks as they arise?	
Have you done any self/internal assessments to ensure that project activities are carried out based on international standards (auditing, monitoring and evaluation).	
Would you have a lessons learned register?	
What is the rate of delivery thus far? If low any plans on how to improve the situation? Is it possible that we are provided with the list of achievement thus far made on the project and an updated stakeholder matrix?	
<b>EFFICIENCY</b>	
<ul style="list-style-type: none"> <li>Project management: what was the capacity of the project to react to changes in circumstances for each of the components and the overall project?</li> </ul>	
<ul style="list-style-type: none"> <li>Value for money: have the resources provided to the project (human, technical, financial) been used efficiently to achieve the given outputs</li> </ul>	
Were there major challenges experienced during project implementation – External/internal factors? How were they addressed?	
What do you think should be changed in future activities?	

What should be done differently in future activities?	
The significant problems regarding the processing of payments and procurement of goods and services in a timely manner experienced by UNODC have caused and continue to cause significant delays and impeded the implementation of many of the project activities from the beginning. The steps taken to solve the situation is the creation of a Finance and Operations Officer and an additional assistance finance officer (3Q 2015, why these additional officers and how will this overcome these challenges?	
Optimal use of human and financial resources. The number (33 employees) of project staff recruited for the project implementation is this an optimal number for reaching the objectives and completion of activities with particular reference to the level of implementation at this stage?	
Any strategy or measure to avoid delays? Have the delays affected at any manner the project?	
<b>PROGRESS TOWARDS IMPACT</b>	
Any recommendations already provided (i.e. 2.11.1 human rights standards) for use, incorporation, into any policy, regulations or protocols of the GoN? If yes, please provide details?	
Under act. 3.3.2 drug treatment guidelines that have been approved by the MoH had they been incorporated, used...or is there any plan for its incorporation in policies or protocols? Is there any monitoring or follow up of implementation, incorporation of these recommendations? And for the guidelines and manual elaborated by the project?	
As for activity 3.4.2. to upgrade treatment centers on minimum standards is there any follow up to include these standards in the centers protocols?	
As for output 3.5 which CSO are participating in the activities? What was the selection criteria?	
As for output 3.6 several assessments were done, which are the next steps to reach outcome 3 quality drug treatment for drug services? Any follow up for introducing the findings in the treatment services? Regarding the Training of Trainers, what was the selection criteria? Do the participants remain in place (sustainability)?	

Output 3.9. act 3.9.2. How many schools? Selection criteria? The timetable to start the implementation of the pilot programme is more than one year, why? Act. 3.9.3 is linked to act. 3.9.2 dissemination of these pilot programmes ? What are the next steps to accomplish with the calendar?	
<ul style="list-style-type: none"> <li>Are there parallel anti-money laundering investigations during arrests for predicate offences</li> </ul>	
<p>Are skills acquired during training sessions being used appropriately?</p> <p>How many of those trained have moved on to other functions?</p>	
<b>SUSTAINABILITY</b>	
<ul style="list-style-type: none"> <li>Is there a likelihood that activities or processes initiated by the project will continue after its termination? How?</li> <li>Has the project brought about structural changes that are these embedded in delivery at institution/agency level?</li> </ul>	
<ul style="list-style-type: none"> <li>What arrangements have been made to provide on-going technical support after project termination? Has the handover to beneficiaries been factored into project design and been budgeted for?</li> </ul>	
During the implementation of activities of the project, how was EU visibility showcased?	
<b>Other Questions Related to Law Enforcement specifically</b>	
What is the percentage of drug abuse in Nigeria?	
Engagement with CSOs.	
What's the population of drug users in prisons	
Has the SOPs and manuals been developed for the LEAs? When?	
Any seizure reports from NDLEA? Any improvement since project start?	
Any parallel anti-money laundering and counter financing of terrorism investigations leading to asset recovery?	
Any reports from NAFDAC regarding import authorizations of substances?	
How tight is the cooperation NDLEA/FIU/SCUMUL?	
Any arrests and convictions since the start of project?	
Is there a witness protection law? What's the practice?	
<p>Coordination EU-UNODC – How many meeting are held on annual /bi-annual basis?</p> <p>Who are the participants to these meetings? Are there any Minutes of the meetings?</p>	

Glen	Eliphas	Ajayi Adetun	Explaining EU approval for vehicle purchase based on needs assessment	30 March
Eliphas	Koli Kouame	Allojoe Ekpor	Explaining the purchase of vehicles will require a budget amendment because no specific vehicle budget line exists	30 March
Glen	Eliphas	Koli, Allojoe	Explaining the purchase is authorized	30 March
Eliphas	Glen	Allojoe	Explaining vehicles are not mentioned in the budget	30 March
Koli	Eliphas	Glen, Allojoe	Asking if any other vehicles have been purchased since start of the project	30 March
Eliphas	Koli	Glen, Allojoe	None to our knowledge	30 March
Eliphas	Glen	Koli, Allojoe	Budget refers to non-expendable equipment, not non-expendable assets, which carries a different accounting code	30 March
Catherine Perret Vienna/UNO	Koli	Many	Advised seeking EU endorsement as in previous EU funded projects, UNODC faced the situation where purchase of vehicles was rejected by the EU	9 June 2015

## B Fundamental Concepts of Programme Design

### Analyses of Development Design and Implementation

Martens, Bertin with Uwe Mummert, Peter Murrell and Paul Seabright. The Institutional Economics of Foreign Aid. Cambridge University Press, 2002.

*Bertin Martens is an economist at the European Commission in Brussels. He has worked for various foreign aid organizations, including United Nations agencies and the EC and he is a member of the International Society of New Institutional Economics. He currently works for the EC in its Institute of Prospective Technological Studies, Joint Research Centre.*

The book is about the institutions, incentives and constraints that guide the behaviour of people and organizations involved in the implementation of foreign aid programmes. While traditional performance studies tend to focus almost exclusively on policies and institutions in recipient countries, this book looks at incentives in the entire chain of organizations involved in the delivery of foreign aid, from donor governments and agencies to consultants, experts and other intermediaries. Four aspects of foreign aid delivery are examined in detail: incentives inside donor agencies, the interaction of subcontractors with recipient

organizations, incentives inside recipient country institutions and biases in aid performance monitoring systems. The four studies in the book use a common methodological approach, namely principal-agent or agency theory. This approach fits well with the donor-contractor-recipient model of development projects wherein the donor needs to delegate at least part of the work and the contractor/agent receives a reward for carrying out the assigned tasks.

A standard economic concept explained in the context of international development is that of a 'moral hazard'. A moral hazard defines a situation wherein an agent may, knowingly or otherwise, undertake greater risk than it is capable of handling due to lack of incentive to guard against risk when advancing its own interests rather than those of the principal. Martens notes that a project based approach to reform may be more susceptible to moral hazard problems than a conditionally based one. In addition, several examples illustrate that moral hazard can occur on both the donor and implementer side.

Ostrom, Elinor, Clark Gibson, Sujai Shivakumar, Krister Andersson. Aid, Incentives, and Sustainability: An Institutional Analysis of Development Cooperation. SIDA Studies in Evaluation 02/01, December 2001.

*Elinor Ostrom was the 2009 co-recipient of the Nobel Prize in Economics. She worked for over 50 years on institutional approaches to understanding problems in public administration, public service delivery and environmental management. She died in 2011.*

From the Foreword by Eva Lithman Director, Department for Evaluation and Internal Audit Sida, Stockholm.

–Does 'aid' itself create incentives that undermine sustainability? This is the provoking question underlying the present study, which explores how the incentives that arise in the system of development co-operation affect sustainable outcomes.

The point of departure (of this study) is the view that many development problems in countries where foreign 'donors' operate are caused by weak or so-called perverse incentives for local actors to engage in collective action for their common good. In turn, these perverse incentives are to a large extent rooted in unfavourable institutional circumstances. Sustainable solutions to development problems require institutional conditions that shape incentives for collective action, and development co-operation may promote the creation of such favourable institutions. However, it may also create or reinforce perverse incentives that prevent sustainable outcomes. In order to better understand any such 'donor'-imposed constraints to development, Sida's Department for Evaluation and Internal Audit, which is an independent department reporting directly to Sida's Board of Directors, commissioned the present study. It was conducted by a research team from the Workshop in Political Theory and Policy Analysis at Indiana University, headed by the internationally acknowledged (n. b. later 2009 Nobel Prize winner in Economics) Professor Elinor Ostrom.

The contribution of the study is manifold: First of all, it introduces an institutional perspective on development and development cooperation that is partly novel to side and the rest of the 'aid' community. This perspective highlights the importance of incentives and increases our understanding of incentive problems within developing-country contexts as well as within the system of 'aid' itself. Secondly, the study provides a method and tools for institutional analysis and evaluation of the relationship between 'aid', incentives and sustainability. It illustrates theoretically how these tools can be used to analyse incentives within the complex system of 'aid', associated, e.g. with 'donor-recipient' negotiations and with different 'aid' modalities. Finally, the study applies the method empirically, by initiating an analysis and evaluation of the incentive structure and its causes within Sida and five Sida-supported projects in India and Zambia. The analysis is based on interviews of more than 175 persons within Sida and Sida-supported activities and a thorough literature survey. The study concludes by drawing lessons and recommending Sida an agenda for action.

A central argument of the study is that Sida can contribute to more sustainable outcomes, through 1) a more explicit and systematic understanding of incentive problems and their institutional causes in the local development contexts as well as those created by the very system of development co-operation; 2) the creation of incentives within Sida that encourage individual and organisational learning about sustainability; and 3) the devolution of ownership to the actual target population.

Pritchett, Lant, Salimah Samji and Jeffrey Hammer. Using Structured Experiential Learning to Crawl the Design Space, UN University WIDER Working Paper No 2012/104, December 2012.

*Lant Pritchett is a development economist. He is currently Professor of the Practice of International Development at the Kennedy School of Government at Harvard University.*

Ministries of Finance, Planning, Budgeting allocate budget resources across ministries and projects/programmes within ministries. Implementing organizations typically try to do the best they can with the funds they have while executive organizations have to decide what and who to fund. Monitoring and Evaluation has always been an element of the accountability of implementing agents to their principals. There has been a recent trend towards much greater rigour in evaluations to isolate causal impacts of projects and programmes and more 'evidence base' approaches to accountability and budget allocations.

The techniques of impact evaluation can be directly useful to implementing organizations by designing structured experiential learning which allows implementing agencies to actively and rigorously search across alternative project designs using monitoring data that provides real time performance information. The argument is that within-project variations in design can serve as their own counter-factual and this dramatically reduces the incremental cost of evaluation and increases the direct usefulness of evaluation to implementing agencies. The right combination provides the right space for innovation and organizational capability building while at the same time providing accountability and an evidence base for funding agencies.

Andrews, Matt and Lant Pritchett and Michael Woolcock. "Escaping Capability Traps Through Problem Driven Iterative Adaptation (PDIA)". *World Development*, vol 51, pp 234-244, 2013.

*Matt Andrews (Australian) is Associate Professor of Public Policy at the Kennedy School of Government at Harvard University. His research focuses on public sector reform, particularly budgeting and financial management reform, and participatory governance in developing and transitional governments.*

Many development initiatives fail to improve performance because they promote isomorphic mimicry—governments change what they look like, not what they do. This article proposes a new approach to doing development, Problem-Driven Iterative Adaptation (PDIA), which contrasts with standard approaches. PDIA focuses on solving locally nominated and prioritized performance problems (instead of transplanting 'best practice' solutions). PDIA encourages positive deviance and experimentation (instead of requiring that agents implement policies as designed). PDIA creates feedback loops that facilitate rapid learning (instead of lagged learning from ex post evaluation). PDIA engages many agents to create viable, relevant interventions (instead of depending on external experts).

Booth, David and Sue Unsworth. Politically smart, locally led development. ODI Discussion Paper, September 2014.

*Sue Unsworth served for 30 years with the UK's Department for International Development (DFID), ending as Chief Governance Adviser (2003-2004). She was one of the main initiators of DFID's "Drivers of Change" programme. Since 2004 she has been a Research Associate at the Institute of Development Studies, where she has worked with the Centre for the Future State.*

This paper is a contribution to ongoing debate about the need for donor agencies to think and work more politically. It presents seven cases of aid-funded interventions that show how donors have been able to facilitate developmental change 'despite the odds'. The central message is that donor staff were successful because they adopted politically smart, locally led approaches, adapting the way they worked in order to support iterative problem-solving and brokering of interests by politically astute local actors.

The call for politically smart, locally led approaches highlights the changes that donors need to make to their own thinking and practices in order to act as effective facilitators of development change. They need to be politically informed and astute to assess the scope for change, and make good choices regarding issues to work on and partners to work with; and they need to allow local actors to take the lead in finding solutions to problems that matter to them. But donors would need to abandon practices that assume development progress to be simple, predictable and deliverable from the outside.

Booth, David and Victoria Chambers. The SAVI programme in Nigeria: Towards Politically Smart, Locally Led Development, ODI Discussion Paper, October 2014.

*David Booth leads the ODI research on Developmental Regimes in Africa. He has worked on aid, innovations in development policy and practice, and the political economy of governance and service delivery in Africa and Latin America.*

Development assistance programmes that start from careful analysis of what works and what does not in country contexts are still remarkably rare. This is mainly because aid programming is heavily constrained by what politicians in donor countries believe, often on limited evidence, about recipient country needs and possibilities. To a lesser extent, it is because we lack well documented examples of programming that achieves a 'good fit' with country context, or is 'politically smart', problem-driven, adaptive, locally led, etc. This paper is a contribution to an expanding set of studies that is helping to correct this evidence gap. It examines the experience of SAVI, one of a suite of state-level DFID programmes in Nigeria.

SAVI belongs to the formal category of 'demand side' governance programmes; the acronym stands for State Accountability and Voice Initiative. It provides support to State Houses of Assembly, mass media organisations and civil society organisations (CSOs), while another state-level programme, SPARC, provides public management assistance to the executive branch of government. The paper asks to what extent SAVI differs from previous programmes in Nigeria and elsewhere that are similarly labelled, and whether it may be accurately described as politically smart and locally led.

DFID's SAVI programme has revealed a hitherto untapped potential for change leading to better development results at the state level in Nigeria. SAVI provides low-profile support of state-level organisations and partnerships, building their capacity to engage constructively with government. It avoids the pitfalls of a donor-driven approach by 'taking the money off the table'. This illustrates the power of facilitated multi-stakeholder engagement and the disadvantages of seeing this in terms of 'supply side' and 'demand side' governance. The set-up of the DFID suite of state-level programmes, with separately managed sector support and 'governance' initiatives, has limited realisation of the potential. Key enabling conditions were that DFID provided space for an experience-based design process and permitted tangible results to be judged retrospectively, not pre-programmed.

## **Political Economy Analyses**

Heymans, Chris (GHK International, London) Chris Pycroft (DFID-Nigeria, Abuja). Drivers of Change in Nigeria: A Preliminary Overview, DFID, July 2003.

### Introduction

Drivers of Change initiative (DoC) is an attempt to develop better understanding of Nigeria's political economy, and to use this new information to reassess DFID and the international community's engagement with Nigeria. Initial findings show a need for new assumptions about how pro-poor change will be achieved, and for new approaches to supporting change.

### Key concepts

The Drivers of Change Analysis turns on a distinction between agents, institutions and structures. Drawing on work done under Component 1 of the DoC initiative, The report defines structural features as 'natural and human resources, economic and social structure, and other non-institutional facts'; institutions as 'frameworks of rules structuring the behaviour of agents'; and agents as 'individuals and organisations pursuing particular interests'. Systemic change involves the relationships between these drivers, but there is no clear causality in these relationships. Agents often offer entry points for change and structures fundamentally define the scope for change, but institutions mediate between structural features and agents. This makes it particularly important to understand how institutions have evolved, how they interact with political agents and structures, and how agents contest the terrain of institutions. As the discussion below indicates, structure-like traits of Nigerian institutions have influenced the scope for change considerably.

Assumption One -- 'Democracy' Creates Political Space for Pro-Poor Change: In Nigeria, the DoC analysis indicates that, although the transition to civilian governance has been a significant improvement on military rule, it has not achieved the progress towards pro-poor change initially anticipated. Rigidities within Nigeria's institutional framework that operate as structural constraints fundamentally hamper the room for change.

Assumption Two – ‘Champions of Change’ will Drive Reform: The government and civil society do not lack rhetorical commitment to achieving pro-poor outcomes. Furthermore, Nigerian civil society has survived military rule to emerge as a potentially significant force. The pre-conditions for the fulfilment of this assumption therefore appeared to be present in 1999. This led the international community to focus support on pro-poor reform agendas of key ‘champions of change’, particularly within the Executive, but also within civil society. However, the DoC analysis indicates that the actions of individuals and organisations – including the Executive – however well intentioned, genuine and important in raising political consciousness, are critically constrained by Nigeria’s structural environment.

These structural features overlay a status quo that appears immovable and rigid. In reality, this status quo is both incredibly flexible and responsive. It is able to respond to, and absorb, both internal and external shocks, as well as to manage and balance diverse interests and cleavages based on ethnicity, religion, regionalism and economic interest. It is apt at using a continually changing combination of coercion (including the political manipulation of conflict) and consent (built upon patronage politics and the misallocation of oil revenue).

Within this structural environment - reinforced by the unearned income from oil - individuals and organisations (including the international community) are relatively powerless. The DoC analysis indicates that a strategy built upon support to individuals and organisations alone will have limited impact, unless it begins to address the underlying institutional problems and structural constraints.

Assumption Three – Lack of Capacity is the Problem: A focus on individuals and organisations as champions of change leads to the next assumption – the inability of individuals and organisations to achieve pro-poor reform is a result of weak capacity within government, civil society and organisations responsible for service delivery. The solution, therefore, would be to build capacity within key organisations – in civil society to demand change, in government to respond appropriately to the demands, and in the public service and the private sector to deliver services.

There is little doubt that many organisations within government, civil society and those responsible for service delivery lack the appropriate capacity. This has been confirmed by the DoC research. Furthermore, Nigeria has reasonable or even good capacity within some areas of government, as well as in parts of the Executive, the Supreme Court within the judiciary, and within the media, human rights organisations, faith based groups, and components of the private sector. Closer scrutiny therefore appears to indicate that capacity per se is not necessarily the key constraint to achieving pro-poor development in Nigeria. Rather, the institutional framework within which these organisations operate, created by the structural features of Nigeria’s political economy, prevents even organisations with capacity from achieving pro-poor change. Therefore, whilst building capacity is necessary, it is insufficient to achieve the transformational change necessary for Nigeria to eradicate poverty, without addressing constraints.

Assumption Four – ‘Gate-Keeper’ Organisations Drive Change: The fourth assumption is that it is important to focus capacity building on organisations that operate as gatekeepers to reform. In Nigeria, this approach focuses attention on organisations such as the Bureau of Debt Management; the Independent Corrupt Practices Commission; the Federal Ministry of Justice; or the Bureau of Public Enterprise. The Drivers analysis confirms the importance of supporting gate-keeper organisations and acknowledges the key role they play in driving change, but sees long-term impact as contingent upon transforming the institutional environment in which they operate.

North, Douglass C. John Joseph Wallis, Steven B Webb, Barry R Weingast. [In the Shadow of Violence: Politics, Economics and the Problems of Development](#). Cambridge University Press, 2013.

*Douglass North is an economist and was the 1993 co-recipient of the Nobel Prize in Economics. He has spent the past 60 years applying economic theory and quantitative methods in order to explain economic and institutional change.*

This book shows, through nine case studies (including three from Africa: Congo, Zambia and Mozambique) how political control of economic privileges is used to limit violence and coordinate coalitions of powerful organizations. Rather than castigating politicians and elites as simply corrupt, the case studies illustrate why development is so difficult to achieve in societies where the role of economic organizations is manipulated to

provide political balance and stability. The volume develops the idea of a Limited Access Social Order as a dynamic social system in which violence is constantly a threat and political and economic outcomes result from the need to control violence rather than promoting economic growth or political rights.

### **C Project Management Standards**

The evaluators were surprised that both UNODC and EU questioned whether there are any standards in project management. This actually has never been the case, but now, with the plethora of methods and training courses available on-line, it is quite easy to professionalize project management skills, and concomitant outcomes. The use of a logframe as the sole project management tool, as advocated by UNODC, is, as we have seen, a highly ineffective method. The following technical section in the OD annex is designed to introduce readers to some resources they can use while learning about these standards.

"Projects are a means of organizing activities that cannot be addressed within the organization's normal operational limits. Projects are, therefore, often utilized as a means of achieving an organization's strategic plan." A Guide to the Project Management Body of Knowledge Project Management Institute; 4th edition, 2009.

Unfortunately, the evaluation of these three projects shows that EUD has not been able to achieve its strategic plan through these projects. The primary cause of this is that the UNODC is incapable of applying project management standards and principles to overcome its normal operational limits. It is stuck in a UNO rule-based environment that, while it may potentially be useful in a conference or study environment, has proven to be antithetical to effective project management.

An unacceptably high level of project inefficiency and ineffectiveness continues to persist in the UNODC implemented EU projects. Despite the claims of increased use of sophisticated methods, tools and techniques employed to manage project work and related activities, these projects have not delivered the benefits anticipated in the first place. The benefits and outcomes that have been achieved have been realized at the expense of higher unintended costs, lower quality outcomes, therefore, it is now proposed that extended project timeframes will be necessary because project achievement to date has come in well below expectations.

Despite having project teams that appear to exhibit the necessary experience and competencies to execute and complete the projects successfully, the results reported by UNODC and observed by the evaluation teams have been rather poor, calling into question whether UNODC uses adequate internal measures of project management performance beyond tracking total expenditure and distinguishing between gross budget line categories.

The prevailing view of project management is that it has "developed into a professional discipline based on careful planning, organizing, motivating and controlling resources to achieve specific goals and meet specific success criteria". A project is a temporary activity designed to produce a unique product, service or result within a specified period of time and undertaken to meet clearly articulated goals and objectives.

The temporary nature of projects distinguishes them from typical bureaucratic operations, which are permanent, or semi-permanent functional activities to produce recurring products or services. In practice, projects were created as a means of getting around normal bureaucratic constraints. However, under UNODC, this has proven to be impossible as they are mandated to operate only within the strictly defined rules of the UNO. This is the core problem facing EUD, and seemingly of UNODC as it struggles internationally to retain its core resource levels.

There are a number of well-established private sector project management methodologies that have been tested and found to be appropriate for achieving project objectives within an implementation environment controlled by limits of time and resources. Two will be mentioned below. The primary purpose of this annex section, however, is to introduce the premier International Project Management Standard: ISO 21500:2012.

**ISO 21500:2012** provides guidance for project management and can be used by any type of organization, including public, private or community organizations, and for any type of project, irrespective of complexity, size or duration.

ISO 21500:2012 provides a high-level description of concepts and processes that are considered to form good practice in project management. Projects are placed in the context of programmes and project portfolios, however, ISO 21500:2012 does not provide detailed guidance on the management of programmes and project portfolios. Topics pertaining to general management are addressed only within the context of project management.

ISO 21500:2012, Guidance on Project Management, is an international standard developed by the International Organization for Standardization, starting in 2007 and released in 2012. It is intended to provide generic guidance, explain core principles and what constitutes good practice in project management. The ISO technical committee dealing with project management, ISO/PC 236, was led by the American National Standards Institute (ANSI) which had approved four standards that used materials from the Project Management Institute (PMI). One of which was ANSI/PMI 99-001-2008, A Guide to the Project Management Body of Knowledge - 4th Edition (PMI BoK Guide).

ISO plans for this standard (21500) to be the first in a family of project management standards. ISO also designed this standard to align with other, related standards such as ISO 10006:2003, Quality management systems – Guidelines for quality management in projects, ISO 10007:2003, Quality management systems – Guidelines for configuration management, ISO 31000:2009, Risk management – Principles and guidelines. Since ISO 21500:2012 is a guidance document, it is not intended to be used for certification/registration purposes.

In June 2013, a summary of ISO 21500, Guidance on project management - A Pocket Guide, was published. The Pocket Guide was reviewed on LinkedIn project management discussion boards, among others. In essence the view was that “this 'Pocket Guide' provides an excellent introduction and justification for project management. Moreover, it charts a careful path between the excesses of professional pontification and the reality of real-world projects.

"The intention of this pocket guide is to provide you with a quick introduction to one of the latest developments in the project management profession: ISO 21500 'Guidance on project management' being the first really global accepted standard in project management. This guide contains a brief and straightforward introduction and high-level summary of ISO 21500, with tips for its practical application. It is therefore key knowledge for a project manager who is ready for the future."

Many private bodies have developed systems of project management standards that have become widely accepted. Two of these are PRINCE2 and PMI-PMBOK. As the PMI system underpins the ISO 21500, PRINCE2 will be described briefly here.

## **PRINCE2**

PRojects IN Controlled Environments (PRINCE2) is the most widely practiced project management methodology, used in over 150 countries, including many EU member country and several UN agencies, including UNDP.

PRINCE2 is a process-based approach that focuses on the organization and control over the entire project, from start to finish. That means projects are thoroughly planned before kick-off, each stage of the process is clearly structured, and all loose ends are neatly tied up after the project ends.

There are three principle roles for PRINCE2: the project board, the project manager, and the project team. But there are many supplemental roles that help ensure requirements and standards are met, and that work runs smoothly.

The PRINCE2 process is broken up into 7 phases:

1. Starting-up a project
2. Directing a project

3. Initiating a project
4. Controlling a Stage
5. Managing Product Delivery
6. Managing Stage Boundaries
7. Closing the Project

These phases indicate that project management is a responsibility shared by the principle, the agent and the recipient. Of critical importance, PRINCE2 system provides guidance for the development of both Stage and Team plans so that individuals understand their roles within the larger whole.

Throughout these 7 stages, a variety of specified records are kept so the project stays organized and on track. These records are also used to report to the project board, check deliverables against quality requirements, and improve future work processes. Such a record system would be invaluable to the establishment of a more rigorous approach to EUD project reporting on a quarterly basis as recommended.

## **D Training Impact Evaluation**

A comment was made on the draft indicating that it had been assumed that a training impact evaluation would be undertaken by this team. The TOR for this evaluation did not mention conducting training impact evaluations. That was not unusual as such work is an entirely different task that needs to be done by specialists over a period of time using numerous tools on a large number of respondents of various types. The EU has a combined 1.5 million euros under its direct management for M&E (plus an equal amount for contingencies) of the three projects. A portion of those funds could be allocated usefully to such an assessment in order to improve training outcomes in both these and future projects.

This short technical section is designed to introduce the readers to a conceptual approach that could be used to structure this additional task evaluative task.

Trainings to induce capacity enhancement of an existing worker (as opposed to a new inductee) are typically designed using a theory of change chain that assumes participants will attend, training increases their skills and knowledge, this is sufficient to improve job performance, performance enhancement will have positive outcomes, and those outcomes will generate the desired results.

A well acknowledge method for testing whether or not this chain represents reality in any given case is called the Kirkpatrick Four-level training evaluation model designed help objectively analyse the effectiveness and impact of any training, so that it can be improved in the future. Donald Kirkpatrick, past president of the American Society for Training and Development (ASTD), first published his Four-Level Training Evaluation Model in 1959 and it was updated repeatedly through 1994 as "Evaluating Training Programs." The model assumes that each level's importance is greater than the last level, and that all levels are linked. Of course, organizations change in many ways, and behaviours and results change depending on these, as well as on training.

This model includes:

**REACTION:** Satisfaction with the training event, participant engagement, receptivity to learning

Typically, this is the only level that is covered in most training assessments. Questions at this level might include:

How many trainees enrolled?

How many completed the course?

Were they satisfied with the instructor?

Were the location and facilities satisfactory?

Would trainees recommend the course to a colleague?

**LEARNING:** New knowledge and skills gained, plus confidence and commitment

A training evaluation would typically measure gains in knowledge and skills using techniques like a pre-test and a post-test.

**BEHAVIOUR:** Changed behaviour on the job, plus 'drivers of change' in place

This is the 'behaviour change level'. A person may have all the knowledge and skills needed, but conditions on the job may not support a new practice. The term "drivers of change" recognizes that there are facilitators and barriers to change, but even stronger are incentives, or drivers that promote change.

Questions might involve:

Did the trainees put any of their learning to use?

Are trainees able to teach their new knowledge, skills, or attitudes to other people?

Are trainees aware that they've changed their behaviour?

**RESULTS:** Were expected improvements achieved?

Training results can mean different things to different people. It is important to be clear about what the training sponsors hoped the training would achieve. Having clarity about expectations helps the evaluator determine what to measure.

Further modification in Kirkpatrick's model, known as the New World Model, incorporated a fifth element designed to enable the training delivery agent to make adjustments in real-time rather than only waiting for a training impact assessment to come along.

**MONITOR AND ADJUST:** Adjust approach if expectations are not being met

If the problem still exists after a successful training is conducted, it's time to ask what else might be needed. Data on all four levels can be collected by the implementing agent and incorporated into their periodic reports to the donor/principle.

## **E Reporting as an Accountability Mechanism**

A concern was raised regarding the practicality of quarterly reporting. This annex section will address that issue.

Internal monitoring of project progress involves the gathering of evidence to show what progress has been made in the implementation of programs. The focus is usually on inputs and, sometimes, outputs. This has been the fundamental orientation of the UNODC annual reports to date.

Midterm and final evaluations attempt to measure changes in outcomes and evaluate impact of specific interventions on those outcomes. This happens very infrequently and is usually done by people who typically are technically competent, but have limited background in the projects, and perhaps the country context as well. These evaluations can only explore a tiny part of the project design space, given the time allowed and the typically wide array of design parameters addressed.

In between these two should be a process of ongoing evaluation that works within the existing project design to identify differentials in the efficacy of the project's input and outputs to make advances towards outcomes. This process is proposed as a fundamental conclusion of this joint evaluation and can be done in two steps.

First, would be a quarterly (preferably) or semi-annual report from the implementing agent, UNODC, that is written in a manner that directly relates inputs delivered and outputs achieved with indicators of progress towards outcomes. In the case of UNODC, a Program Support Team is already in place that can be called upon to prepare these quarterly reports. A new M&E specialist is expected to arrive in September who could be tasked with establishing the indicators (perhaps in collaboration with an external expert) necessary to establish valid output/outcome relationships before the end of 2015 so that the data collection & reporting system could be established for the first quarter of 2016.

Second, would be a brief (say one week) assessment conducted by a third party (which could be a technical working group composed of national and international experts, including the relevant officers of the ONAO) to validate the reports. The small costs for this team could be borne by the separate M&E funds controlled directly by EUD. The use of third party validation would be valuable, again for two reasons. First, the UNODC has had difficulty in preparing reports that are results oriented. The establishment of a permanent TWG would serve as an incentive to report correctly and completely. Second, the EUD would have access to feedback on a regular basis, from both the implementing agent and an independent party, ensuring that project progress is seen from different perspectives. Specifically, the inclusion of the ONAO in the TWG would significantly enhance its role in, and understanding of, the project operations.

This process would have the potential for significantly enhancing the quality of dialogue in the various project governance forums, particularly providing the ONAO and national associated agencies with independent information as a basis for dialogue with the EUD and the implementing agent. If a project reporting system doesn't provide timely decision making information – what is the point of doing any reporting at all?

The underlying purpose of the increased frequency in reporting would be to enhance the involvement of the national partners, update information on baseline conditions, draw intermediate lessons, and serve as a feedback loop into the project design. Not all aspects of a project can be designed perfectly at the beginning. Basing design modification on a midterm evaluation is inefficient as it often comes too late and does not have the advantage of watching the progression of the project over time. Using monitoring data for regular intermediary reporting enhances the value of having a monitoring system and helps to keep the data real and relevant.

A concern raised is that project teams already have great difficulty in completing project activities and additional reporting would only get in the way. This concern points to the serious issue noted by the evaluations that the project teams are overly focused on carrying out events and other activities without adequate concern for the long-term impact of those activities. Requiring regular reporting on the value of those activities for advancing towards project objectives would help to shift the mind-set of the implementing agent away from activities, and gross expenditures, towards results. Being too busy to analyse what you are doing is a clear indication that you may not know why you are doing it in the first place. The shift, then moves project focus away from expenditure towards impact, keeping design parameters fully in mind.

This enhanced reporting orientation would also potentially help to transform these projects into more innovative policy advocacy practices rather than the linear (and faulty) delivery mechanisms they have become. However, a linked recommendation is that the payment of the 7% Programme Support Costs (indirect costs) be tied to the production of these quarterly reports. An accounting system that has no consequences is not accountable.

# Evaluation Report

## Mid-term Evaluation of EU Support to the Justice Sector in Nigeria (FED/2011/021-747) Nigeria July – August 2015

Framework Contract EuropeAid/132633/C/SER/Multi  
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Letter of Contract N° 2015/361052  
Mid-term Evaluation of 3 UNODC Implemented Projects –  
Justice, Anti-corruption and Drugs

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## List of Acronyms and Abbreviations

A/C	Anti-corruption
ACJ	Administration of Criminal Justice (Act)
ACJL	Lagos Administration of Criminal Justice Law
ADR	Alternative Dispute Resolution
ATP	Awaiting Trial Prisoners
BSA	Balanced Scorecard Approach
CA	Contribution Agreement
CCPCJ	UN Commission on Crime Prevention and Criminal Justice
CEF	Chief Executive's Forum
CONIG	UNODC Country Office in Nigeria
CND	UN Commission on Narcotic Drugs
CPN	Child Protection Network
CR	Country Representative
CRA	Child Rights Act
CSO	Civil Society Organisation
CSP	Country Strategy Paper
DA	Delegation of Authority
DFID	Department for International Development (UK)
ECOSOC	UN Economic and Social Council
ECOWAS	Economic Community of West African States
EDF	European Development Fund
EFCC	Economic and Financial Crimes Commission
EU	European Union
EUD	European Union Delegation to Nigeria and ECOWAS
EUR	Euros
FA	Financing Agreement
FAFA	Financial and Administrative Framework Agreement
F-AP	Federal Action Plan

EFCC	Economic and Financial Crimes Commission
FCT	Federal Capital Territory
EDF	European Development Fund
FGN	Federal Government of Nigeria
FIDA	International Federation of Women Lawyers
FJSRCC	Federal Justice Sector Reform Coordination Committee
FMOJ	Federal Ministry of Justice
FMS	Financial Management System
FO	Finance Officer
FRMS	Financial Resources Management System
GTZ	Gesellschaft für Technische Zusammenarbeit
HR	Human Resources
HRM	Human Resources Management
J4A	Justice for All
JPO	Junior Professional Officer
JRC	Judicial Research Centre
LACON	Legal Aid Council of Nigeria
LEDAP	Legal Defence and Assistance Project
LTA	Long Term Agreements
MEUR	Million Euros
M & E	Monitoring and Evaluation
NAO	National Authorising Officer
NEEDS	National Economic Empowerment and Development Strategy.
NGO	Non-Governmental Organisation
NHRC	National Human Rights Commission
NIALS	Nigerian Institute of Advanced Legal Studies
NIP	National Indicative Plan
NJI	National Judicial Institute
NLRC	Nigerian Law Reform Commission
NPC	National Planning Commission
NPF	Nigeria Police Force

NPO	National Programme Officer
NSA	Non State Actors
OIC	Officer In Charge
PC	Project Coordinator
PMC	Project Management Committee
PRAWA	Prisoners Rehabilitation and Welfare Action
PRINCE2	PRojects IN Controlled Environments
ROM	Results Oriented Monitoring
S-AP	State Action Plan
SC	Service Contract
SLA	Service Level Agreement
SOP	Standard Operating Procedures
TA	Technical Assistance
TAPs	Technical and Administrative Provisions
ToR	Terms of Reference
ToT	Training of Trainers
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNDP/N	United Nations Development Programme/Nigeria
UNICEF	United Nations' Childrens' Emergency Fund
UNO	UN Headquarters Secretariat
UNODC	United Nations Office on Drugs and Crime
UNODC/V	United Nations Office on Drugs and Crime/Vienna
UNOV	United Nations Office Vienna
VACS	Violence Against Children Study

# Executive Summary

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## Introduction to the Joint Evaluation Process

This Mid-Term Evaluation on the “European Union Support to the Justice Sector in Nigeria” project is one part of a joint evaluation of three European Union (EU) funded governance projects (Drugs, Anti-Corruption and Justice) projects operated for the benefit of the Federal Government of Nigeria (FGN) and implemented by the United National Office of Drugs and Crime (UNODC). In order to recommend changes that can catalyse improvements going forward, these evaluations paid particular attention to the progress of the projects against their objectives, identifying enabling and constraining factors that have affected realization of results, particularly the governance and implementation capacity of the UNODC .

In 2012, the European Union (EU) and the Federal Government of Nigeria signed three Financing Agreements to implement the projects "Response to Drugs and Related Organized Crime in Nigeria", "European Union Support to the Justice Sector" and "Support to Anti-Corruption in Nigeria", with a total EU contribution of EUR 98,000,000 to be funded under the 10th European Development Fund (10th EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the projects, given its specific mandate and expertise on these subject matters. In addition, UNICEF came on board as implementing partner on juvenile justice issues in December 2013. The Justice project has a total budget of MEUR 26 and a 42-month duration.

The approach undertaken in this, and the other two project evaluations, has been to conduct both a technical assessment of the project results as well as an organizational assessment of the UNODC, and the institutional environment within which it operates. As all three projects are being implemented by the same organization, the recommendations, lessons learned and conclusions of Section 2, the organizational and functions assessment reflect the unified analysis of the three projects and do not necessarily pertain to one project alone.

The mid-term evaluation reflects the situation as at 29 July 2015.

## SECTION ONE: TECHNICAL ASSESSMENT

### Summary of Findings and Recommendations

The activities of the justice project are planned to be implemented at federal level and in 10 focal States: Anambra, Bayelsa, Benue, Cross River, The Federal Capital Territory (FCT), Imo, Katsina, Lagos, Osun, Yobe. With regards to the **overall assessment** of the project, it has suffered from implementation problems from the onset: the absence of mobilisation of key staff and procurement problems have led to poor results with the project implementation phase concluding already in June 2016. Whereas it is recognised that the project design is not optimal (it is too broadly formulated), the absence of corrective measures on the part of UNODC have led to undue delays in implementation and a lack of tangible results. It is recommended to impose strict conditionalities on UNODC (including an adequate management response fully agreed upon by EUD and NPC), for the remaining period and if an extension was to be envisaged, as well as refraining from undertaking new activities, but rather to consolidate what has been achieved (see Table below).

With regards to **relevance**, the project has correctly identified the problems addressed in the three outcomes. However, the federal Administration of Criminal Justice Act (ACJ Act) enacted in 2015 is a key piece of legislation expected to be adopted at State level. This framework may create a new context for the criminal justice sector that will require careful monitoring as it may change the role of the supported Federal Justice Sector Reform Coordinating Committee (FJSRCC) and may affect coordination with justice reform teams and committees at State level. In the context of the recent elections at federal and State levels, the commitment to justice reform is still pending, but some promising indications are to be mentioned, such as the fact that the rule of law is among the new Government's priorities. However, the poor management of the project by UNODC has decreased the project's relevance in the sense that no significant interventions took place beyond preparatory activities and the institutional changes expected from the intervention could not be

realised. Beneficiaries expressed disappointment that support to the federal and State Action plans on justice reform did not result in concrete implementation. The great number of assessments, studies and surveys did not result in the setting of baselines. A heavy emphasis has been placed on training without a direct linkage to fostering institutional changes. This emphasis on activities not embedded in the existing system of national structures has created a disconnect with the priorities of the beneficiaries. A communications breakdown with national partners has taken place. There is confusion about ownership of the State Action Plans and the exact nature of UNODC involvement in the follow-up of the plans.

With regards to **project design**, at all levels (objective, outcomes, outputs, and activities) the project was too broadly formulated with no focus. Each activity could easily have been a project in itself. Such a design without subsequent corrective actions or prioritisation by the implementing agent have made the project very difficult to roll-out. The beneficiary institutions of most of the activities had not been identified during project formulation. This allows for maximum flexibility by the project team, but means that precious time is lost before the activity can be implemented. The number of prior identifications and assessments undertaken is too high for a project of such limited duration. Indicators are dispersed and some are not appropriate for the measurement of tangible results and targets are imprecise.

There are no **assumptions** in the logframe and no mitigation measures are identified in UNODC Project Document for some of the major risks: security situation; limited absorptive capacities of existing training institutions and mechanisms; lack of political will to set justice sector reform high on the political agenda. New assumptions have emerged: the federal 2015 Administration of Criminal Justice Act is expected to be adopted at State level; the procurement function of UNODC/UNDP is improved; UNODC is fully staffed; UNODC narrative and financial reports are submitted on time allowing for EU disbursements to take place on time.

With regards to **efficiency and effectiveness**, a significant amount of resources were spent on the organisation of meetings, round tables, conferences, and workshops. Little progress has been achieved in project implementation. To increase sector coordination and policy development as planned under Outcome 1, only preparatory activities have been undertaken. The project baseline review, critical to anchor the project at federal and state levels, could not take off. Action Plans have been developed in all focal States, but with mixed results, since they are not finalised and, more importantly, their implementation has not started. Under Output 1.3 Legislation and policies on justice developed, a number of outputs have been achieved (e.g. Sentencing Guidelines). Under Outcome 2, scattered training has taken place. The institutional capacity assessment foreseen was not finalised at the time of the evaluation. The Evaluators question the validity of conducting so many training activities (planned costs for 2015 of EUR 2,775,899.84) if such an assessment is not ready. The logic and rationale for having IT training sessions with no linkage to specific institutional changes should be discussed. Under Outcome 3, strategic advice and support given to the Police for the respect of human rights has not started, except training. The 6-month prison report carried out in 36 prisons does not contain the information expected from the logframe (sentence, duration, etc.) and the report is too general for building up follow-up activities. Neither legal aid activities nor the activities on recreational facilities for prisoners have started. As regards the outputs implemented by UNICEF in similar areas, the drafting of Child Rights Action Plans at State level is not finalised. A bottleneck assessment was carried out in the pilot States of Lagos and Cross River States.

Unsatisfactory management, delayed or inadequate reporting have prevented the governance structures (CEF, PMC) from meeting according to schedule. Too few focal points meetings took place although serious problems were encountered in the implementation.

With regards to **means and cost**, It does not appear that this vast project is adequately staffed to achieve its purpose. The project implementation rate was only able to attain the 70% expenditure threshold from the first tranche by 31st October 2014, and the programme will not be able to achieve all expected outputs and disburse all pre-allocated funds (€ 26 M). The project Monitoring and Evaluation system is little developed despite having a full-time monitoring and evaluation specialist (cost-shared for the three projects) occupied for eight months; but the position has been left vacant since December 2014.

With regards to **impact**, it can already be observed that many targets will not be achieved at the end of the implementation period. A refocus of the project for the remaining implementation period will require that UNODC and UNICEF review the indicators and adjust targets.

<b>Summary of main recommendations</b>
<b>Relevance</b>
<b>Problems correctly identified?</b>
<ul style="list-style-type: none"> <li>• Caveat for the future as regards continued support to the Federal Justice Sector Reform Coordinating Committee (FJSRCC) under Outcome 1 to take into account the new ACJ law.</li> <li>• The coordination between the yet to-be established Criminal Justice Monitoring Committees and the Federal and State Justice Sector Reform Coordinating Committees need to be monitored.</li> </ul>
<b>Appropriateness and adequacy of means?</b>
<ul style="list-style-type: none"> <li>• A better balance should have been sought between assessments/studies/surveys and concrete interventions with tangible results.</li> <li>• The 'State of justice surveys' should not be undertaken. Planned general assessments should not be initiated.</li> <li>• The training activities should be more anchored in the activities and work plans of the training institutions of the partner institutions (National Judicial Institute, prison, police).</li> <li>• As regards trainings, there could be: (1) practical sessions to apply the theoretical knowledge; (2) individual/group mentoring sessions; (3) TA to the target institution in addition to the training itself.</li> <li>• The organisation of mixed training sessions between different groups of participants (prosecutors, judges and police) should be undertaken to promote practical coordination among the agencies.</li> </ul>
<b>Relevance of the Federal and State Action Plans for justice sector reform as a basis for project implementation?</b>
<ul style="list-style-type: none"> <li>• The FJSRCC and the State Reform Committees need TA: (1) to prioritise Plans' outputs; (2) to roll out with the concerned institutions steps to attain the outputs; (3) to ensure that they are integrated in their policy and practice; (4) to roll out budgetary implications and clarify the contributions of the Federal/State governments; (5) to set a precise calendar, as well as baselines and realistic indicators.</li> <li>• UNODC staff is needed on the ground to increase interactions with beneficiaries and provide TA.</li> <li>• Regular focal point meetings should take place to monitor implementation of the Actions Plans.</li> </ul>
<b>Project Design</b>
<ul style="list-style-type: none"> <li>• Continue the implementation of key activities already initiated (see details in the table below).</li> </ul>
<b>Validity of Risks and Assumptions</b>
<ul style="list-style-type: none"> <li>• The project should concentrate its main activities in the safest areas.</li> <li>• Indications regarding the geographic scope of project interventions, as well as the financial incentives, should be more explicitly mentioned in the vacancy announcements.</li> <li>• UNODC should make better use of the UNO roster of candidates.</li> <li>• Conditionalties should be met: adequate management response on procurement function, recruitment, reporting, strengthening of the Finance Unit at CONIG.</li> </ul>
<b>Effectiveness and Efficiency of Programme Implementation</b>
<b>Assessment of the subsequent progress in implementation of the project and its individual components and focal States</b>
<b>Outcome 1: Increased coordination and sector policy development within the justice sector</b>
<ul style="list-style-type: none"> <li>• The 'State of justice surveys' should not be undertaken.</li> <li>• The project should focus on capacity building activities to implement the Sentencing Guidelines and Prosecutors' Policy at State level.</li> </ul>

- The FJSRCC and the State Reform Committees need TA: (1) to prioritise Plans' outputs; (2) to roll out with the concerned institutions steps to attain the outputs; (3) to ensure that they are integrated in their policy and practice; (4) to roll out budgetary implications and clarify the contributions of the Federal/State governments; (5) to set a precise calendar, as well as baselines and realistic indicators.

#### **Adequate number of focal States**

- Given its current staffing, UNODC should concentrate at State level and in no more than two States (Lagos, Cross River) and the FCT, except for activities involving all States (coordination, training).
- This concentration should also apply to UNICEF.

#### **Outcome 2: Training, research and operational capability of the justice sector developed**

- The execution of the planned activities should be suspended in order for UNODC to specify its training approach. Such clarifications should be made in Management Response.
- IT trainings should be better linked to a specific institutional change.
- Training in modern investigation techniques should associate police investigators, prosecutors and judges.
- The training activities should be better anchored in the activities and work plans of the project partners' training institutions (National Judicial Institute, prison, police).
- Reduce the 12 planned procurement activities for the JRC.
- Re systems for Police and Prison record keeping and court case management, such multifaceted interventions (IT, training, change of management and work practices) should not be started.
- UNICEF should provide its training plan.

#### **Outcome 3: Increased access to justice and respect for human rights**

- Training on human rights for the police should be continued.
- Grants to NSAs for legal aid should not start if there is no project extension and a grant manager is not recruited/the TORs for the National Programme Officer for Civil Society include this competence.
- In this case, a partnership could be entered into with LACON (elaborating call for proposals, etc.), but UNODC would directly fund and manage the grants.
- The initiative on restorative justice in Lagos State could be rescheduled until 11<sup>th</sup> FED.
- The release by UNODC of funds pre-allocated to UNICEF should be part of the Management Responses expected from both institutions.
- UNICEF Chief of section should detail the activities planned until project's end.
- UNICEF should finalise the Adjudication Guidelines on Child Offenders and support their adoption at State level.
- The content of the diversion model and a calendar for its implementation needs to be submitted by UNICEF.
- It is suggested UNICEF concentrate activities in no more than two States (Lagos, Cross River) and the FCT.
- Grants to provide legal aid to children in conflict with the law be supported by UNICEF in the pilot States and in collaboration with LACON.

#### **Governance structures to reach the programmes' objectives**

- Meetings of the PMC and the Project Focal Points should be held more frequently.
- New work plans for the remaining months in 2015 and for 2016 need to be designed after the evaluation process and need urgent approval of the PMC.

#### **Means and cost**

- A selection of key positions is to be filled urgently as conditionality for project extension.
- UNODC should make efforts to retain current staff until the remaining period of implementation.
- The budget lines for “sub-contracts”, ‘short-term international consultants’ and ‘international experts’ should be better used in the remaining implementation period.
- The budget for training should be reduced.

#### Impact

- Refocus of the project will require UNODC and UNICEF to adjust indicators and targets.

## SECTION TWO: ORGANIZATIONAL ASSESSMENT

Section 2 of the Justice project evaluation focuses on the existing organizational structures, functions and processes of the UN Office of Drugs and Crime (UNODC) country office in Nigeria (CONIG) and at its Vienna Headquarters in relation to its implementation of the European Union (EU) funded projects, with reference to this Justice project.

### Overall program assessment

Implementation of the Justice project has suffered for reasons of both technical design and implementing agent capacity. Organizationally, over the past two and one half years, the UNODC has shown a limited capacity to actually implement the project in a manner that effectively and efficiently facilitates progress towards stated objectives. The implementing agent needs to be incentivised to pay greater attention to results-based, rather than events-based, project delivery. The role of the national government has been limited to that of a beneficiary rather than a full partner. In the Justice project, this has resulted in utter confusion over the purpose of the State Action Plans. From an organizational assessment perspective, there would be little value for money earned by extending this project past its current end date.

### Key Lessons

With regards to design and management, the key lessons learned from the evaluation of the three projects indicate that:

1. Based on the evaluation of these three projects, the EU FAFA delivery modality through UN agencies has shown a propensity to intensify the divergence of interests between the donor and implementing agent that often exist in development projects. In the case of UNODC, its highly centralized and bureaucratic systems limit the agent’s ability to add value to the EU system.
2. Classifying the FGN as a beneficiary has reduced its incentive to seriously engage with the EU in solving its own problems.

The **conclusions** derived from the three evaluations indicate that:

1. The EUD failed to undertake due diligence in the design and management of these three projects by neglecting to fully consider the root causes of governance limitations in Nigeria, by not being fully cognizant of the low skill level and limited absorptive capacity of partner organizations or the governance/financial complexities of the chosen implementing agency, by not properly preparing a results-based project design and by allowing the projects to run for the past two years without being guided by an agreed results-oriented monitoring system.
2. Future designs need to require a far higher level of involvement of the FGN so that reform-oriented projects are structured to address locally defined problems, rather than responding to externally focusing on perceived needs.
3. The UNODC has not based its operational modalities on modern, professional project management standards (such as ISO 21500). These are meant to effectively and efficiently foster the generation of results in time- and resource-bound projects. However, the evaluators conclude that the UNODC may be

incentivised to evince a sense of urgency in improving its performance by requiring quarterly results-based narratives and financial reports designed to give the EUD timely information needed for decision making. As accountability requires consequences, this reporting would need to be coupled with the strict interpretation of FAFA para 4.1 so that the 7% Programme Support Costs could only be accessed in relation to eligible direct costs.

4. If an extension is required for non-technical reasons, 1) the project should be modified to place a stronger focus at the State level and 2) clear conditionalities of performance are established continued release of funds.

### Key Recommendations

**Mission Perspective:** The EUD should work through the NPC to facilitate open dialogue with the new government to determine the best approach to be taken in modifying these projects to match current political realities. (see Annex 6B)

**Client Perspective:** The UNODC/V needs to focus its attention on improving performance in Nigeria by upgrading staff competence in project management fundamentals and enhancing their morale so their work output improves.

- UNODC should move away from a heavy dependence on classroom trainings and develop practical adult learning-oriented capacity building interventions, with a strong orientation to problem/solution identification processes undertaken by national entities themselves.

**Business Processes:** Restructure CONIG so all finance and administrative personnel involved in processing financial and procurement transactions come under the supervision of the Programme Support Team rather than the Project Coordinators

- The 2016 work planning exercise must begin with partners no later than 1 October 2015 and be completely costed prior to 15 December 2015 and major procurement plans for all projects must be completed not later than 1 February 2016, with revisions only allowed with approval of the PM on a quarterly basis
- Project narrative reports should be results based, written using a results perspective and, beginning in 2016, done on a quarterly basis. Annual reporting and monthly meetings have not sufficed to enable EUD to properly guide project direction. Third Party professionals should be used to validate findings. (see Annex 6E)
- Shift the payment of the 7% Programme Support Costs to a quarterly basis to incentivise speedier implementation and better reporting.

**Organizational Learning:** EU should finance, from its separate M&E budget, formal training impact evaluations by third party professionals (see Annex 6D)

- UNODC must instil sound understanding of modern project management principles and standards in their staff (see Annex 6C)

### Key Findings

#### Legal Context:

The evaluation of all three projects indicated a substantial divergence between planned and actual implementation. Much of the problem seemed to stem from the project design weaknesses and the agent's highly centralized and bureaucratized approach to project management. A review of UN and other documents led the evaluators to an understanding that UNODC has been struggling, for many years, certainly before it was selected to be the implementing agent for these projects, with serious internal governance and financial issues. In February 2011, the UN Office of Internal Oversight Services/Internal Audit Division found that: "governance arrangements and funding mechanisms do not fully support the programme of work at UNODC." Two intergovernmental working groups authorized by the UNO have

laboured for several years to identify means of mitigating these core problems.

The three EU projects implemented in Nigeria are operated as an integral part of the overall UNODC structure. This is in keeping with the stipulations under the FAFA, however, the UNODC was not originally designed to be a project management service centre. Indeed, the 2010 evaluation of EU funded anti-corruption and justice project noted at that time that the UNODC procurement and financial management systems were not compatible with the needs of modern project management.

A reconsideration of the role of the NPC/NAO in oversight of project implementation is called for in order to bring the implementation of these projects more in line with the stated objectives for aid effectiveness contained in the Paris, Busan and Cotonou agreements.

#### Organizational structure and Staffing:

The difficulty in identifying, recruiting and retaining both national and international staff for the Justice project has been problematic to say the least. Two of the three international staff on the Justice project resigned in late 2014 and the third is on leave, expected to return only in December 2015. The Justice project finance officer post fell vacant in late 2014 due to lack of funds. In addition, of fourteen international posts in CONIG, nine fell vacant in the past year, with only one being re-filled. The CONIG Project Manager post, critical for facilitating implementation, integration and oversight of all three projects, was first filled, by a temporary posting from the Vienna office, in May 2015, 30 months after the Contribution Agreements were signed. The Country Representative resigned in December 2014 and a permanent replacement has not been posted.

The EUD placed strict organizational size and structural limitations on these projects. The experience of the past two years of operation has revealed some difficulties caused by the initial strictures.

#### Business Processes:

By the end of December 2014, the Justice project had only spent 34% of the budgeted allocation for its first two years of operation. The project spent 43% of its available resources on personnel related costs while, despite having ten States to cover in its project scope, its travel expenditure was the lowest of the three projects

The lack of rigour among the project staff, combined with the lengthy operational processes of UNDP and UNOV, has led to numerous cases of delayed recruitments, procurements and payments. A reorganization of the CONIG office has been proposed to bring the project finance and administrative officers directly under the supervision of the CONIG operations team. This has the potential to improve workload balance and to ensure that their performance is objectively supervised.

The EUD has repeatedly stated that reports from CONIG are activity-based and, thus, not in line with the results-based reporting requirements of the FAFA or the desired of the ONAO and Justice project partners. The mismatch between expenditures on personnel versus other budget line items indicates other project management issues. One is the lengthy procurement process required to sub-contract firms/agencies to carry out activities, such as CSO grants or large-scale surveys, which UNODC apparently does not have the in-house capability to perform directly. The other, seemingly overcome, was UNODC's difficulty in matching its accounting of committed expenses to EU requirements.

Closer attention will need to be paid to ensure that all aspects of each of the projects are moving ahead in a synchronized manner. However, despite being activity-focused, the lack of calculations on work, cost & time versus results ratios at the output level, a mainstay of modern, professional project management, seriously limits the ability of the project managers, EUD or the evaluators to objectively assess the efficiency of budget utilization.

## Introduction

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A major portion of governance assistance provided to the Government of Nigeria by the European Union is intended to strengthen the capacity of national partners to deal with the collective action problems associated with drug trafficking, corruption and organized crime. To address these critical issues, three Financial Agreements aimed at assisting in building Nigerian capacity to institutionalize reforms in these areas were signed with the FGN, to be implemented respectively through Contribution Agreements signed with UNODC

This Mid-Term Evaluation on the “Support to the Justice Sector in Nigeria” project is one part of a larger evaluation of three European Union (EU) funded governance projects (Drugs, Anti-Corruption and Justice) projects operated for the benefit of the Federal Government of Nigeria (FGN) and implemented by the United National Office of Drugs and Crime (UNODC). These evaluations pay particular attention to the progress of the project towards their objectives, identifying enabling and constraining factors that have affected realization of results, particularly the governance and implementation capacity of the UNODC. The purpose of the joint evaluation has been to draw out both common and project specific lessons and practical recommendations for follow-up action by the EU, FGN and UNODC. It is based on the study of project documentation, field visits and interviews with a wide range of stakeholders. As all three projects are being implemented by the same organization, the recommendations, lessons learned and conclusions of Section 2, the organizational and functions assessment, reflect the unified analysis of the three projects and do not necessarily pertain to one project alone.

The approach undertaken in this, and the other two project evaluations, has been to conduct both a technical assessment of the project results as well as an organizational assessment of the UNODC, and the institutional environment within which it operates.

The technical aspect of the “Support to the Justice Sector in Nigeria” evaluation (documented in Section 1) has used a combination of tools and techniques for primary and secondary data collection, such as analysis of Strategy Papers and other literature review. The UNODC project team in Abuja provided the opportunity to collect relevant documentation, such as project background information, country information, stakeholder and beneficiary contact details.

The organizational aspect of the evaluation (documented in Section 2 below) consisted of data collection using a series of tools to understand the legal setting, service outputs, organizational structure, staffing patterns, business processes, financial management and institutional environment. These data were then analysed to produce a synthesis using the Balanced Scorecard Approach (BSA) for public sector organizations. The four perspectives of a BSA used here are Mission, Customer, Business Processes, Organizational Learning.

International development cooperation sometimes produces contradictory results. For this reason, one approach taken in these evaluations was to assess whether the lack of appropriate incentives may be an important factor hindering progress towards development outcomes.

Sometimes, however, the key constraints to sustainable development often lie not in identifying the best technical approach to solving a problem, but rather in finding the most appropriate approach for implementing locally identified solutions. The TOR for the joint evaluation of the three specific projects under review indicates that the very institutional arrangements put into place to assist the Nigerian government to address these problems may be limiting the generation of positive outcomes.

For this reason, the Particip-led consortium approach to these three evaluations was designed so that the Organization and Functions team could closely ally itself with each of the three technical evaluation teams to ensure that a symbiotic approach of technical and organizational analysis was carried out on each of the three projects, resulting in the generation of a robust assessment that is generally valid across all three projects.

# SECTION 1 Project Technical Analysis

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## 1 Background

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### 1.1 Evaluation Purpose

In 2012, the European Union agreed to support the Government of Nigeria to address three interrelated issues, namely drugs and organized crime, the justice sector and anti-corruption. In order to create an environment for institutional change, the EU agreed to implement three separately funded projects addressing these issues. The three projects have specific technical mandates, but are jointly managed by UNODC. A joint evaluation was agreed as appropriate by the EU and the Government of Nigeria as the three projects share key overall goals and are being implemented by the same agency, whose costs are covered jointly by all three project budgets. This specific report concerns the justice project.

### 1.2 Evaluation Scope

The scope of the evaluation defines the geographical areas to be covered by the evaluation and this includes the overall national coverage (Federal level) as well as 9+1 focal states: Anambra, Bayelsa, Benue, Cross River, FCT, Imo, Katsina, Lagos, Osun, Yobe). The Mid Term Evaluation covers the period from the inception of the projects (27/12/2012) up to Mid-point (Jul.-Aug. 2015). The evaluation scope also covers the assessment of the effectiveness of organizational structures and programme support functions as well as use of resources in achieving results for the beneficiaries.

### 1.3 Methodology

The need to understand the role and capacity of the UNODC and its Nigerian partners necessitated that the principles of a participatory approach guide the evaluation. The evaluation team was informed about the program, its operation and stakeholders through a series of discussions with key stakeholders. Methods and techniques chosen by the review team promoted inclusive participation of key stakeholders. The detailed methodology is given below.

### 1.4 The Evaluation Criteria expressed in the TOR included the following:

#### a) Relevance of the Programme

- The evaluator will analyse if the project has correctly identified the problems and that the means are appropriate and adequate;
- Assess the relevance of the Action Plan for the Reform of Federal Justice Sector (2012-2015) and State Action Plans for Justice Sector Reform as a basis for project implementation;
- Assess the degree of project ownership, performance and commitment to reform of in the 10 focal states.

#### b) Programme Design

- Assess the project design and the logic of the link between the specific objectives and the expected results and indicators;
- Assess the relevance of the project's monitoring and evaluation system and mechanisms to measure performance and results;

- Make specific recommendations on how to enhance the strategic focus of the project and propose possible priority areas and focal states;
  - On basis of above propose any revisions to the log frame, including expected outcomes, activities and indicators.
- c) Validity of assumptions
- Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;
- d) Effectiveness and Efficiency of Programme Implementation
- Assess the subsequent progress in implementation of the programme and its individual components and focal states;
  - Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, and allocation of staffing, reporting relations, tools, and procedures;
- e) Means and Cost
- Review the utilisation of the programme's funds and the validity of the resource allocations to each component in light of the Logical Frameworks and programme's planned results;
- f) Impact
- The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact.

## 2 Project Outline and Management

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### 2.1 Subject of the evaluation

Under the 9th EDF, the EU had been supporting the judiciary as a component of its support to Law Enforcement against Economic and Financial Crimes Commission (9 ACP UNI 8). The 10th European Development Fund (EDF) Country Strategy Paper/National Indicative Plan (CSP/NIP) for the period 2008-2013 included the rule of law as a focal sector and agreed to support Nigeria to improve the judicial and prison systems, to strengthen human rights, to support efforts to reform the police, and to strengthen the fight against criminality and impunity. Once the project had been formulated, UNODC was selected as the implementing agency. The Contribution Agreement with UNODC was signed in December 2012, while UNICEF became an implementing partner for the juvenile justice aspects of the project at the end of 2013. The project is in support of the following national partners: Federal Justice Sector Reform Coordinating Committee (FJSRCC), the Federal Judiciary, the Judiciary of the Federal Capital Territory (FCT) Abuja and nine focal states (Anambra, Bayelsa, Benue, Cross River, Imo, Katsina, Lagos, Osun, and Yobe), federal and States Ministry of Justice, National Judicial Institute (NJI), the Nigeria Police Force (NPF), Nigeria Prisons Service (NPS), National and States Planning Commission, National Human Rights Commission (NHRC), Legal Aid Council of Nigeria (LACON), Nigerian Law Reform Commission (NLRC), Nigeria Institute of Advanced Legal Studies (NIALS), Civil society organizations and Non-State Actors (CSOs and NSAs). The Nigerian population at large is meant to be the final beneficiary of the project: court users, police trainees, prisoners, victims of human rights violations, and all ordinary citizens who should benefit from the improvement of the justice delivery system, the observance of the rule of law and the delivery of good governance.

## 2.2 Project Strategic Plan and Theory of Change

The project is designed to break with the reform plans and policies in the justice sector that focus on individual pillars within the system. It is designed to achieve an integrated justice sector reform package, by means of coordinated strategic planning involving all justice sector stakeholders both at federal and State levels. Reform initiatives are designed to target all at once the systems (information collection, management systems...) and capabilities of justice sector stakeholders (knowledge, skills, practices), the facilities of the justice sector institutions (IT-based case management pre-requisites), the legal framework in which the system operates, and increase access to justice by citizens. The programme is very broadly formulated to allow for alignment with interventions planned in a pre-existing Action Plan at Federal level and Actions Plans at State level, the drafting of which the project intends to support. All three outcomes of the project are meant to support interventions both at federal level and in 10 focal States.

## 2.3 Coordination with other Development Partners

The main development partner in the justice sector, besides the EU, is the British Council/J4A. Other development partners are present, for instance the Swiss Embassy who runs a programme which concentrates on training police on human rights. GTZ is also developing a programme for the police. There is a coordination structure, the Development Partners Coordination Group on Security and Justice.

The DFID funded Justice for All (J4All) programme, a programme of £47 million managed since 2011 by the British Council (which also ran the predecessor Security, Justice and Growth from 2002-2010) in consortium and to be implemented until 2016, works in five pilot States (Lagos, Kaduna, Enugu, Kano, Jigawa) and in four others (FCT, Anambra, Katsina, Yobe) with stakeholders from both the formal and the informal justice sector to improve access to justice and personal safety. It has components in access to justice, community policing, anti-corruption and cross-sector coordination. Twelve Justice Sector Reform Teams have been established at the federal and state levels to drive a broad range of activities, including supporting timely case resolution and improved case management across the sector and enabling citizens to access their rights. The programme has offices in Lagos, Enugu and Kano.

Since the design of the "EU Support to the Justice Sector in Nigeria" project, potential areas for overlaps and collaboration with the J4All programme were identified, both in terms of geographical areas of operation (Lagos, FCT, Anambra, Katsina, Yobe are covered by both programmes) and in terms of interventions (access to justice, police and cross-sector coordination). Systematic coordination between the two programmes was initiated, either at strategic or operational levels. While informal coordination discussions have taken place between the National Coordinator of J4A and the former Representative of UNODC, these have come to an end since the departure of the latter in December 2014. At the operational level, a few joint meetings were held on the implementation of the ACJ Act and on the annual reviews of the initiatives implemented in the States but close cooperation could not fully take place in practice because of the many problems encountered by UNODC in managing its programme (lengthy delays in programme roll-out, lack of presence in the field, lengthy travel procedures). Coordination has been achieved in the field of police training. The ownership and visibility of shared tools (Police training manual) became an issue that was solved, but after some level of tension.

# 3 Methodology

Analytical tools used for data collection include an evaluation matrix especially designed for the purpose of this evaluation. This is an internal tool used by the Team, to guide collection and analysis of information. The matrix contains the key evaluation questions of the terms of reference; each one of these key questions is broken down in second level questions. Each second level question has a corresponding indicator identified at the beginning of the mission. The evaluation was achieved on the basis of individual and focus group interviews, documentation analysis, and direct observation through field visits. Sources include beneficiary

agencies, development partners, CSOs, documents including budgets, statistics, project logframes, financial and narrative reports, FJSRCC Action Plans, and State Action Plans. The Analytical Matrix was part of the Inception Report submitted in July 2015. Documents including budgets, statistics, project logframes, financial and narrative reports, FJSRCC Action Plans, State Action Plans and so on, were examined. On that basis, the interviews were more targeted. The team collected primary data in the form of interviews, analysis, and direct observation. Interviews have constituted an important method of data collection. After a prior introductory letter was sent to the beneficiary agencies by the EUD, UNODC assisted the team in arranging meetings with representatives of beneficiary institutions, CSOs/NSAs, development partners, UNODC/UNICEF, independent researchers. Meetings were arranged progressively, allowing for maximum flexibility. Semi-directed interviews have been conducted, allowing for interlocutors to express themselves freely, while at the same time orienting the discussions towards the questions to be addressed by the evaluation.

## 4 Analysis and Major Findings

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### 4.1 Relevance

#### **I- Identification of problems:**

The project expects to impact on the effectiveness, accessibility, accountability, transparency and fairness of the justice system. It has three different outcomes relating to both the supply and the demand side of justice.

#### **Outcome 1: Increased coordination and sector policy development within the justice sector**

**Outcome Indicators:** Progress relative to implementation of the Action Plan of the FJSRCC; Progress relative to implementation of the State action plans for justice sector reform.

**Outputs related to Outcome 1** relate to a strengthening of the justice sector coordination structures at federal and State levels, including capacities to manage these structures, and to collect and share information. Another output related to Outcome 1 is developed legislation and policies on justice, as well as strengthened monitoring and evaluation capacities of the FMOJ/NPC and lead agencies.

**Assessment regarding relevance of interventions in Outcome 1:** Since 1999, the Federal Government of Nigeria (FGN) has embarked on an agenda of reforms in the justice sector, in recognition of the problems affecting the sector. However, many recommendations are yet to be implemented. The NPF and prisons remain highly militarised and human rights violations by prison officials and the police are not uncommon. The Police lack many of the basic skills required to investigate cases, trials take lengthy periods to be finalised, and prisons remain overcrowded with Awaiting Trial Prisoners (ATPs). Part of the problem appears to be that policies and plans aimed at the justice sector generally, and the criminal justice system in particular, have continued to focus on 'pillars' – the police, courts and prisons – without fully acknowledging that justice requires a sectoral approach, that criminal justice is a chain, and that problems are interlinked.

Sectoral support to an initiative such as the FJSRCC, which is embedded in the Federal Ministry of Justice but also comprising representatives of other ministries, the NPF and the NPS was, therefore, considered to be a strategic move. The FJSRCC was set up in 2008 to coordinate the reform agenda nation-wide, and was expected to drive and manage an integrated package of reforms by building a body of best practice models that federal and state institutions could replicate and adopt. A review of the expiring FJSRCC is planned later in 2015. However, it should be noted that while the FJSRCC Action Plan 2012-2015 is coming to an end, most of the reforms included therein are yet to be implemented, which is also the case at State level.

Across the sector, the capacity for planning and management is inadequate. The strengthening of management capacities, strategic planning and data collection will support the implementation of reforms. Given the crucial importance of an enhanced legal framework for the overall reform process, the support to legal reform advocacy efforts to drive critical legislation through the National Assembly has been equally relevant. These efforts have led to the provision of support to the FJSRCC and others, including NSAs, to

advocate for the passage of legislation and the adoption of key policies, and to provide support for technical expertise, comparative analysis and drafting in the area of legislative reforms at the National and States' Assemblies.

The long awaited and newly enacted 2015 Administration of Criminal Justice Act (ACJ Act) is a key piece of legislation expected to modernize the criminal justice process and to unify the criminal procedures of the North and South of Nigeria. The Act calls for the establishment of a Criminal Justice Monitoring Committee, headed by the Chief Judge of the FCT and with representatives from several of the justice sector institutions, with the responsibility of overseeing the administration of criminal justice. Thirty-six States still need to pass the law or adopt their law to the new one. Any State that adopts the Act will establish its Criminal Justice Monitoring Committee at the State level. This new legal context is expected to reduce the importance of the FJSRCC in matters of criminal justice. This being noted, it is expected that the FJSRCC may continue to coordinate and implement reforms at the federal level and may focus more generally on coordination issues within the justice sector and on all other branches of law, while criminal justice issues are expected to be handed over to the Criminal Justice Monitoring Committee.

The EU project aims to support criminal justice reform and the long hoped adoption of the ACJ law is a positive signal. Still the law will have to be adopted at state level and this may be a long process or at least a process whose length cannot be predicted. Therefore, in the framework of this project that is ending, and even in case of one year extension, it would not be appropriate to embark on this new activity (technical assistance with legislative drafting and drafting of by-laws, advocacy campaigns for adoption).

## **Outcome 2: Training, research and operational capability of the justice sector developed**

**Outcome Indicators:** National training programmes revised and improved; new courses and modules developed.

Outputs related to Outcome 2 relate to improved quality of training for staff of the justice sector at federal and State level, including for the juvenile justice sector personnel. Another output focuses more particularly on achieving the improvement of competence and skills of prosecutors and officials of the Judiciary, the Police and judicial officers. Other outputs are the enhanced operational and research capacities of MoJ, NJI and the Judiciary, and improved systems for Police and Prison record-keeping and court case management.

**Assessment regarding relevancy of interventions in Outcome 2:** Problems have been correctly identified. Justice sector stakeholders generally lack the basic tools and skills to perform core functions, which in turn impacts on their ability to drive forward and implement reform initiatives. Training institutions such as the National Judicial Institute are ill-equipped, and training is often provided to large groups during lectures using curricula that are outdated and not focused on where learning and skills gaps exist. Staff of these institutions requires support with improved training methodologies. Police investigations are poor and lack the quality to secure convictions. With limited forensic services and skills, the Police often resort to force to obtain confessions.

Most criminal cases take place in lower courts, using police prosecutors who have never been trained to prosecute cases. Lower courts' judges too need training on new laws and procedures and on current approaches to restorative and juvenile justice contained in existing and new laws. Prison staff lack proper training, even in basic ICT skills. In order to address the bottlenecks in the criminal justice chain and reduce the number of ATPs, the Police, Prison and Ministry of Justice staff will be trained in IT case-management, and IT case-tracking systems will be introduced.

With regard to the introduction of computerized case management and case-tracking systems, a request expressed to the Evaluation Team on a number of occasions, caution needs to be exerted. Quite a few institutional challenges to the introduction of such systems were identified in the "Report on Assessment of Administrative Data on Crime in Nigeria". Some of these challenges include the requirement for a statistics and research department to be established in institutions of the justice system; the lack of general appreciation for the value of statistics in the administration of justice and management of crime prevention; difficulties of accessing the information, due to limited capacity of the institutions with respect to both infrastructure and human resources; availability and stability of internet connectivity hampering the development of computerised systems of data compilation; unavailability of funds for the maintenance of

databases<sup>1</sup>. These institutional challenges are found both at State and federal level, which raises a question regarding the relevance of planning such heavy interventions in the police, ministries of Justice and prisons in five different states in the current lifespan of the project without having addressed these challenges beforehand. The progressive introduction of an electronic file management system adapted to the Nigerian context, that can be maintained by the beneficiaries at low cost without dependency on expensive software, piloted for instance in two-three prisons, could constitute a more sustainable option.

### **Outcome 3: Increased access to justice and respect for human rights.**

**Outcome indicators:** Change in the length of time prisoners have been on remand; Percentage change in the number of women, children and vulnerable persons receiving legal aid.

**Outputs related to Outcome 3** relate to improved respect for human rights by the Police and improved capacity of the justice criminal chain to decrease pre-trial detention and Prison congestion, including for children. Another output is a mapping of NSAs working in the justice sector, and strengthened rights awareness-raising and legal aid activities of these NSAs, including those working on juvenile justice. An increased access to services for prisoners, including vulnerable prisoners, is another output; these services encompass health services, vocational, educational, recreational and rehabilitation facilities. In addition, the project expects to achieve a strengthened accountability and integrity regime for the Judiciary, MoJ, Police and the Prison service. Improved competence of Specialised Children's Units, and improved systems for prison, remand homes, police record-keeping and court-case management in juvenile cases are other outputs the project is expected to achieve.

**Assessment regarding relevancy of interventions in Outcome 3:** Outcome 3 appears to be fully relevant. Long delays in the administration of justice have been reported, due to inadequate case management and management of detainee information, delays in police investigations, a lack of coordination among stakeholders and the use of complex and outdated laws. There is limited accountability and compliance with human rights standards in the administration of criminal justice, due to the absence of effective oversight mechanisms and systems of professional accountability. With an estimated total ATPs population of 75% for reasons related to adjourned cases, inadequate transportation from prisons to courts and manual data retrieval systems, prison overcrowding by pre-trial detainees is a major problem that requires interventions to reduce delays in concluding cases in courts. Prison congestion makes it difficult for the NPS to provide adequate rehabilitation programmes for convicts; key equipment to use in rehabilitation programmes is also lacking. This leads to a great risk of recidivism.

There is limited access to justice and legal aid and assistance. Most offenders are unrepresented after arrest and during their trials. Litigation costs are high and beyond the reach of the poor, women and children in particular. Although the informal (traditional) justice system offers many poorer people an opportunity to resolve disputes, discrimination against women and minorities is reported in this system. Various Development Partners and NSAs provide alternative dispute resolution (ADR) training and services, which the project also supports. At the same time, numerous NSAs provide legal advice and assistance to people in need in both civil and criminal matters (including prisoners) and there is a growing sense that restorative justice approaches already allowed under the law could ease the current burden on the judiciary.

## **II- Relevance of the Federal and State Action Plans for justice sector reform as a basis for project implementation:**

### **A- Federal Action Plan:**

The Action Plan for the Reform of the Federal Justice Sector (2012- 2015) articulated by the Secretariat of

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<sup>1</sup> BEDIAKO Grace, "Report on Assessment of Administrative Data on Crime in Nigeria", December 2014, pages 41 to 43

the FJSRCC, is a lengthy document divided into several sections: Reform of the Institutions of the Justice Sector; Reform of the Criminal Justice Administration; Reform of the Civil Justice Administration; Human Rights and the Rule of Law. Each section contains a number of themes, the objective and the action required to address the problem, the agencies/bodies responsible, the expected outputs or results, and the tools/resources required to achieve the outputs/results.

The Action Plan appears to be a document drafted in 2011; the team is not aware of any update to the Plan. It lacks prioritization and sequencing of interventions: all themes are on the same level and there is no timeframe to achieve its objectives. The actions required are very broadly formulated (“Provision of adequate workshops and manpower”; “Full implementation of the Child's Rights Act”; “Building of more prisons...”) and lack further rolling out of concrete implementation measures needed to achieve the envisaged results. The output indicators are too broadly formulated (“better and efficient administration of justice”; “better and speedy dispensation of justice”, etc.) and do not allow a measurement of results; there is no baseline. The budget is not detailed, but roughly estimated.

The Project “Support to the Justice Sector in Nigeria” was designed on the basis of the pre-existing Federal Action Plan and focuses on specific outcomes therein, but the Federal Action Plan is more encompassing (civil justice) and also contains a number of activities directly linked to the FMOJ budget (salaries, vehicles, recruitment of additional staff...). The lifetime of the project and the lifetime of the Federal Action Plan that will expire at the end of 2015 do not correspond. At the time of the Evaluation mission, the FJSRCC had not started working on a follow-up Federal Action Plan for 2016 onwards.

#### B- State Action Plans:

Nine State Action Plans were developed with the technical support of UNODC, on the same model as the Federal Action Plan. These State Action Plans were developed after the project was designed and, as an output of the project (Output 1.2). They are divided into several sections that correspond with the content of the project: 1) Measures to increase the coordination in the criminal justice system; 2) Enhance training, research and operational capability of the justice sector; 3) Enhance timeliness and quality of justice delivery; 4) Strengthen independence, accountability and oversight; 5) Enhance access to justice and respect for human rights. Thus, the activities in the State Action Plans are in line with the activities of the project, but there is no indication of the State government's contribution to the Action Plans, although some of the activities the Plans contain are clearly meant to be supported by the State government and not by Development Partners. The Action Plans are lists of very different activities prioritized as high, medium or low, but, here also, there is no rolling out of concrete implementation measures needed to achieve the envisaged results. For example “Establish effective information, case flow and workflow management systems across the justice sector institutions” is one activity. The lifetime of the State Action Plans (2017 or 2018) is longer than the lifetime of the project. The State Action Plans contain a rough estimation of the budget involved, and an estimation of the start date of the action. Some of the start dates of the action mention for instance that the action is to start in the first quarter of 2014, but there is no indication on whether it did actually start on that date, and what was achieved so far. There are impact indicators included, but no baseline. The Action Plans are not finalized and some are not costed at all.

**Concluding.** The Federal Action Plan and the State Action Plans provide an indication of the priorities of the beneficiaries. Many of the interventions of the project are reflected in the State Plans. Although the team considers the Federal and State Action Plans to be relevant, they are insufficiently developed to constitute a good basis for project implementation purposes. They may constitute a good indication for future identifications to be carried out under the 11th EDF.

#### III- Degree of project ownership, performance and commitment to reform in the 10 focal States:

Stakeholders at state level met by the Evaluation Team do not have a clear representation of the project as a capacity building project aimed to support the development of tools to improve the quality and efficiency of justice delivery. Because of the limited number of activities supported by the project until concrete implementation and the intellectual approach it developed (e.g. support to plans disconnected from their implementation) instead of a result-oriented approach, stakeholders may rather see the project as a supplier of funds or an alternative for strained justice budget. The drafting process itself of Action Plans for the past

two years has not involved close cooperation of the organs in charge of further implementation. In other words, the drafting process was not associated with 'concrete action', hence the mixed feelings among most stakeholders about the role and the value of the plans. States went through this exercise in the expectation that UNODC would assist them in implementing some parts of their Action Plan. Many of them expressed strong disappointment with the fact that there had been no implementation measures so far.

In Calabar (Cross River), the Evaluation Team attended a meeting of the Justice Sector Reform Team during which the Action Plan was presented and discussed.

Justice Sector Reform Teams are the equivalent of Justice Sector Reform Committees but they are established by J4A; some have been established in 'UNODC States'. The purpose of the team/committee is to follow-up on the implementation of the Action Plan. Some Justice Sector Reform Committees are functional (Anambra, Benue, Cross River, Imo, Lagos, Yobe) which means meetings are held. The issue is that recently established committees (or teams) need support and technical advice before their activities are firmly entrenched and before they can act as real actors in the implementation of the State Action Plans. In addition, since the Action Plans are not prioritised, the committees lack a strong agenda to defend. The lack of presence of UNODC on the ground has not helped in the strengthening of the committees. As a result, they are not addressing key issues such as the reduction of the duration of detention or the number of awaiting trial prisoners. It should be noted that Justice Sector Reform Teams have been established by J4A in "UNODC States" where there were no Justice Reform Committees. Hence there is no overlapping since the support to the reform team has to be delivered by UNODC. This means that as long as UNODC is not present on the ground, the recently established committees or teams will likely not attain cruising speed.

Some of the stakeholders at the meeting expressed frustration with the whole process and considered the time spent on designing the Plan as "wasted". Members of the Justice Sector Reform Team expect tangibles such as vehicles, computers, funds for organising meetings. Beneficiaries said they expected the UNODC to implement all aspects of the Plan, while no action had been implemented so far. When the Evaluation team informed them that the Action Plan is meant to be a living document that belonged to them, that it could be updated, refined and eventually submitted to other Development Partners for funding in the coming years, beneficiaries expressed surprise that the Plan was not meant to be fully implemented by the UNODC. They also said they were not given the mandate to make changes to the document. When the Evaluation Team observed that the Plan was not costed, beneficiaries informed them that it had been costed and sent to the UNODC at the beginning of 2015, but when the Plan was sent back to them by the UNODC with some revisions, the budget no longer appeared in the document. They mentioned no explanations had been provided to them by the UNODC as regards the missing budget, and they did not know the further steps foreseen by the UNODC with regard to the Action Plan and if/when some of the actions it contained would be funded. Communication channels between them and the UNODC seemed to have broken down in the past six months.

The confusion regarding the nature and ownership of the Action Plans is maintained in the presentation of the Action Plans that carry the UNODC and EU logos on their cover page, as well as the name of the project. These logos seem to be an indication that the UNODC/EU claim ownership of these Action Plans. If these Action Plans are State documents owned by the beneficiaries and designed with support of the project, there should be no confusion regarding their ownership. Based on their content, it is to be expected that the implementation of these Plans may take a decade and will go well beyond the limited remaining lifespan of the project. In the opinion of the team, discrete EU/UNODC logos on the last page of the document, mentioning that the State Action Plans were designed with support of the project would have been more appropriate.

The meeting with the Justice Sector Reform Team in Calabar illustrates that the poor implementation pace of the project is a discouraging factor that undermines confidence in the project and does not allow performance to be measured. High levels of expectations were created with the beneficiaries but there is a lack of communication between the UNODC and the beneficiaries regarding what the project can actually achieve/fund, and the next steps in this process. There is also some confusion about the exact nature of the Action Plans and UNODC's involvement in the process. The beneficiaries don't see these documents as

containing any particular commitment to reform on their part, but rather as documents containing all their needs, which the UNODC will assist them in fulfilling by concretely implementing the actions planned. The allocation of State funds and the concrete actions that the States intended to undertake to implement the reforms contained in the Action Plans were not mentioned during interviews conducted by the Evaluation team with the beneficiaries, and cannot be inferred from the Action Plans. Hence, while each State has an Action Plan that it would like to see implemented, the burden of implementation seems to fall exclusively on the UNODC. While there is ownership by beneficiaries of the content of the Action Plans, it is difficult to see the commitment to reform on the part of the beneficiaries.

The fact that judicial court staff is on strike for the past six months in many States, while the State governments have not been particularly active in finding solutions to put an end to these strikes, is an indication that the justice sector is not high on the list of their priorities. The allocation of a sufficient budget by the Governors of the States to implement some of the reforms contained in the Action Plans is very uncertain. An exception to this situation is constituted by a few States where there are more encouraging signs of commitment. In Anambra and Lagos, States did not wait for the ACJ to become a law to set up justice sector reform committees to monitor implementation of the criminal provisions contained therein. In Benue, activities initiated by the UNODC under the EFCC project and under the current project that were discontinued by the UNODC in 2015 due to delays in obtaining the second tranche of funding, were continued by the beneficiaries on States' funds. The JRC is said to continue functioning as beneficiaries did not wait for the UNODC to install the computers, but mounted the equipment that had been provided, paid for the subscription and maintained the Internet facilities. Similarly, performance-based evaluations of lower court magistrates were introduced as a continuation of the performance-based evaluations introduced by the project for higher court magistrates. The "bail is free" programmes on radio and television initiated by the project in the framework of access to justice and the dissemination of pamphlets were continued by the judiciary in 2015, as well as non-custodial sentences introduced by the project for minor offences. Vocational training for inmates was also continued on States' funds. With a view to achieving a quicker dispensation of justice, the ICT trainings initiated by UNODC will allow every judge to connect to the internet in his chambers, and the judiciary also plans to install a case-management database in the State High Court.

At federal level, it remains to be seen whether justice reform will be high on the political agenda of the new government, but some promising indications can be mentioned, such as the fact that the rule of law is among the new Government's priorities, the vice-president is the former Attorney General of Lagos and is reform minded. Currently, the FJSRCC expects the Federal Action Plan to be implemented by the UNODC/UNICEF, with financial support from the EU. The fact that no actions contained in the Federal Action Plan for 2015 were implemented and that the FJSRCC attributes this to delays with the UNODC/UNICEF and the EU raises the question what the Federal Government intends to do to support implementation of planned reforms.

## 4.2 Project Design

### I- General assessment of the project design:

The logical framework is a document of 21 pages, with no focus. For instance, the project objective "to improve governance and compliance with the rule of law in Nigeria through improved effectiveness, accessibility, accountability, transparency and fairness of the justice system" is extremely vast and ambitious, particularly given the limited timeframe of three and a half years of implementation, of which six months constitute the closing period. The three outcomes of the project are formulated extremely broadly, not targeted enough, and encompass the whole justice sector with its thirteen beneficiary institutions at federal and State level, as well as ordinary citizens for aspects related to access to justice.

### II- Logic of the link between the outcomes and the outputs:

Outputs 1.1. to 1.4. are logically linked to Outcome 1, as well as Outputs 3.1. to 3.9. are logically linked to Outcome 3. Outputs under Outcome 2 are also logically linked.

However, with regards to Outcome 2, the problem goes beyond the logical link. Outcome 2 is too broadly

formulated, as the envisaged changes are targeting training, research and operational capabilities of the whole justice sector. It will be hard to measure whether the outcome has been reached. The outputs linked to Outcome 2 are not direct/tangible outputs delivered by the action that can be controlled directly and as such can be linked to the donor-funded assistance. It is doubtful whether the improved competence and skills of justice sector stakeholders, or their enhanced operational and research capacities across the whole sector can be measured and attributed to the project.

In this project, training is not considered as a means to build capacities and to achieve a particular change, but is considered as a specific objective in itself. The project design sees training as a means of fostering institutional change as it contributes to the general objective, as well as a specific objective in itself. The problem is that the way it has been put into practice responds more to training as an aim in itself: the institutional change that it is aimed at through the proposed training activities is not specified. For instance, IT trainings are provided without linkage to a specific institutional reform, such as better case management, improved processing of judicial decisions.

### **III- Logic of the link between the outputs and the activities:**

In general, it can be observed that all outputs are too broadly formulated. Most of the activities are logically linked to these outputs, but are equally broadly formulated to be implemented directly by the project team. Most of the evaluation team's interlocutors remarked that the logframe's outputs with their corresponding activities are projects by themselves. The implementation of almost all activities requires additional identifications and assessments by external consultants before implementation can take place. The beneficiary institutions of most of the activities have not been specifically identified either when the project was formulated.

This allows for maximum flexibility by the project team, but means that precious time will be lost before the activity can actually be implemented. The number of additional identifications and assessments to be conducted is too high for a project of such limited duration. In addition, it implies a proactive approach on the logframe.

### **IV- Relevance of the project's monitoring and evaluation system and mechanisms to ensure performance and results:**

#### *A- Monitoring:*

The Monitoring and Evaluation system of the project is undeveloped, although the Monitoring and Evaluation Specialist position (P3)/Cost-Shared for the three projects, was filled from mid-April 2014 to the end of December 2014. The post is still under recruitment.

The M&E Specialist started designing a training for the project core team on basic M&E principles and methods, but the training that had been expected to take place in January 2015 was not delivered due to her departure.

It was foreseen that pre- and post-training evaluation questionnaires would be distributed and filled in by participants. These questionnaires are monitoring tools that allow for a quick assessment of whether trainees have benefited from the trainings. However, these questionnaires need to be adapted to every training, and should subsequently be attached to the activity reports prepared by the Core Project Team. They have not been attached to activity reports so far and the National Project Officer Coordination did not know whether these questionnaires had actually been used.

A web-based M&E system that would allow for the tracking of progress status of all activities was not developed. However it is doubtful a heavy software is necessary to track activity status.

Indicators included in the project are mostly results indicators linked to activities (number of events organised, number of persons trained...) that do not require a particular monitoring. The 'State of Justice Survey' (activity 1.1.1) was not carried out; the implementation of this activity at the beginning of the project would have enabled the establishment of baselines and the monitoring of more progress and results

indicators.

### *B- Evaluation:*

The Project Document mentions that an evaluation strategy will be developed at the beginning of the project for all key activities of the project. This strategy will incorporate the establishment of baselines and monitoring systems. The evaluation strategy has not yet been prepared.

As the implementation of the project was much delayed and the inception phase was still being implemented as of 31<sup>st</sup> December 2013, the evaluation of the inception phase was only completed in May 2014 instead of mid-2013.

A final evaluation of the project is planned at the end of the implementation period.

## 4.3 Validity of Assumptions and Risks

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It should be noted that no assumptions are mentioned in the logframe or revised logframe. Risks were identified in the revised logframe and in the UNODC project document.

Mitigation measures were not undertaken to deal with some of the major risks identified. In the opinion of the evaluation team, the following risks should have been anticipated and mitigated, and at the very least, mitigation should have taken place in the course of the implementation of the project. At objective level, the security situation was expected to deteriorate and is expected to deteriorate further in the two coming years. As regards risks at outcome level, the limited absorptive capacities of existing training institutions and mechanisms are major risks that were identified and were not dealt with, although this will affect the sustainability of the whole Outcome 2. At the level of project implementation, the lack of political will to set justice sector reform high on the political agenda is also a factor that was not mitigated, as indeed the evaluation team noticed a strong discrepancy between official statements on the importance of justice sector reform and the fact that in many States, justice staff have been on strike for more than six months, resulting in a non-functioning judiciary in a very large part of the country. This could have greatly impacted project implementation –had there been implementation of activities as planned, and could impact project implementation in the future.

Details are provided below on each risk identified.

### **I- Risks identified in the revised logframe:**

#### *At Objective level:*

*Current non sectoral environment to justice sector reform may undermine the holistic approach pursued by this project.* The risk is still valid, but the project precisely seeks to improve the coordinating abilities of the MoJ and the NPC. There is a growing understanding among stakeholders that the justice sector needs to be considered as a whole.

*Delays and difficulties in project delivery due to the security situation in the country* have been mentioned, but this relates mainly to Yobe, and the project should have been able to deliver on the federal level and in other focal states. However, the intensification of civilian attacks by Boko Haram has seriously deteriorated the security situation and has impacted on the recruitment of staff, especially international staff, for both UNICEF and UNODC.

#### *At Outcome levels:*

##### **Outcome 1:**

*At present, adopting a unified approach to justice sector reform in Nigeria is faced with slow progress and difficulties that may undermine project progress in this area.* The risk is still valid, and linked to the current non-sectoral environment to justice sector reform, a risk already identified at objective level. The project precisely seeks to improve the coordinating abilities of the MoJ and the NPC.

##### **Outcome 2:**

*Limited absorptive capacities of existing training institutions and mechanisms.* The risk is still valid and has not been mitigated, as existing training institutions and mechanisms have limited institutional and human capacity to absorb such large amounts of trainings. This limits the ability of these institutions to replicate the trainings they have themselves benefited from.

*Non-retention of trained staff may negatively impact on sustainability of the capacities built.* The risk is still valid and has not been mitigated. The project plans trainings as one-shot events; no gradual implementation of trainings has taken place, and no follow-up trainings have been foreseen. Thus, trainings constitute costly, dispersed actions with little sustainability.

### **Outcome 3:**

*Limited commitment of the leadership of the institutions to improve on internal accountability measures.* The risk is still valid and may result in a lack of will/motivation of the MoJ, Judiciary, Police and Prison Service in engaging in such activities.

*CSO's do not have the capacity to demand for an increased respect for human rights.* Specialised CSOs on justice and police reform such as PRAWA, ACCESS TO JUSTICE, FIDA are known to have built up considerable expertise. The team does not consider a potential lack of capacity to constitute a risk, as the aim of the project is precisely to achieve strengthened capacities of CSOs in demanding for increased respect for human rights.

## **II- Risks to project implementation identified in the UNODC project document:**

*Project implementation is impacted by overall security situation.* As said earlier, the risk is still valid and has affected implementation. The situation is not expected to improve in the coming two years.

*Justice institutions officials are unwilling to work with one another to share information/data and submit to coordination and cooperation.* The risk is still valid but inherent to the justice sector. The programme supports the FJRSCC and State level justice reform committees to broaden inter-agency participation.

*Human rights concerns may seem secondary to other concerns, especially in times of crisis (e.g. terrorist attacks or other violent crime, etc.).* This risk is still valid and is linked to political will to set the rule of law and human rights agenda high on the agenda of priorities of the incoming government. President Buhari has made statements and declarations of intention in that sense, but it remains to be seen how much this agenda will be pushed.

*Leadership of the justice sector institutions are unwilling to undertake reform and to change attitudes including adherence to transparent accountability systems.* The risk is still valid (see above Outcome 3 risks in the revised logframe).

*Change in leadership or key government officials retards implementation and sustainability of project actions.* The risk is still valid. The project has so far mitigated the risk by working with ministries of justice and sector career officials, as well as with the management structures of the programme to ensure that changes at political level only minimally affect the project.

*Limited technical expertise in the justice institutions to carry out surveys and research.* This risk is very limited, as UNODC/UNICEF have relied on their own expertise and external consultants, as pointed out in the project document.

*Reform of the justice sector is not a high priority for the GON, and as a result, government will not be committed to the project or invest resources to sustain its outcomes.* The risk is still valid and is related to political will of the incoming government to set the rule of law high on the agenda of priorities. Justice reforms have been prioritised under the past government, and the project has built on policy commitments (ACJL, NEEDS, ACJL, Vision 20:2020...). The part of the budget allocated to the justice sector has very slightly increased over the years. On the ground however, in some States, judicial staff have been on strike for more than six months; this seems to point out that there is a discrepancy between the official statements and figures pointing out justice as a priority area and the realities on the ground. The appointment of a new

Attorney-General by the new government will be a key factor in taking forward the reforms.

*Absence of cohesive and strategic engagement between the CSOs and the justice institutions, and unwillingness of CSOs to work together to monitor the sector.* The project will capacitate CSOs for advocacy, rights awareness and monitoring the conduct and performance of agencies in the sector. The engagement of CSO with the justice institutions will increase as the capacities of CSOs are strengthened. Specialised CSOs on justice and police reform, such as Prisoners Rehabilitation and Welfare Action (PRAWA), Access to Justice, FIDA, CLEEN Foundation, Legal Defence and Assistance Project (LEDAP), etc. have considerable expertise in their field. As pointed out in the mitigating measures, the project can focus on these before extending to State-level CSOs.

### III - New assumptions:

New assumptions have emerged.

#### *At federal and State levels:*

**The 2015 Administration of Criminal Justice Act has been adopted at federal level and is expected to be adopted at State level.** ACJ Monitoring Committees are expected to be set up to monitor implementation of the Act. This will drive some further reforms in the justice sector, but may also give rise to new challenges: respective mandates of current JSR coordinating committee at federal level with the newly established ACJ monitoring committee; respective mandates of yet to be established State ACJ monitoring committees with both State justice reform coordinating committees and current criminal justice committees (e.g. Lagos or Ekiti). This is an important contextual change but only an assumption for successful project implementation for those activities aimed at supporting this process. The focus has been on federal Action Plans and State Action Plans. UNODC suggests that the project should be refocused to support adoption and implementation of the Act at State level, but this will be a long process. Some States, especially Lagos, have a similar committee and laws that are close to the new Act, however UNODC did not specifically support Lagos State in that field during project lifespan. To embark on a new activity such as the support to the replication at State level of the ACJ is not realistic for this project. There is still room for work on the implementation of the federal Action Plan and State Actions Plans for the remaining period and in case of an extension.

#### *At project level:*

**The procurement function of UNODC/UNDP is improved.** Despite an increase in the delegation of authority levels, the Verification Mission<sup>2</sup> noted that all procurement exceeding USD 4,000 is still done through the UNDP Procurement section and UNOV. The previous Country Representative had Delegated Authority but could not use it due to conflict of interest in the functions of administrative and finance staff, which is being addressed through the current restructuring. The Verification Mission also noted that following the resignation of the former Country Representative in December 2014, the incumbent Country Representative had not yet received a formal Delegation of Authority from the Vienna Headquarters relating to procurement of goods/ services. It took until July 2015 before the Acting Project Manager received the Delegation of Authority relating to procurement of goods/ services from the Vienna Headquarters. The Project Manager was granted Delegation of Authority upon request by the new Country Representative and adequate training. As the Delegation of Authority is personalised, the procedure will need to be reinitiated after her departure at the end of July 2015, which is again expected to take several weeks if not months.

**UNODC is fully staffed.** The Verification Mission noted delays in the recruitment process at all professional levels, due to a limitation in capacities in the recruitment process by both UNOV (UNO Vienna) and the UNDP that handle the process. Given the delays in the recruitment process, professionals for the projects were on-boarded approximately one year after the Action start date, which delayed implementation of the same and the work plan. The TOR for the Monitoring and Evaluation Specialist position took 5 months to be finalised. In some cases for international staff, after competency and technical assessment only one candidate was successful and selected. The selected candidate declined the offer due to security concerns

<sup>2</sup> Draft Verification mission report, page 29.

in Nigeria. For future recruitment, the evaluators, in line with the findings of the Verification Mission<sup>3</sup>, recommends that UNODC should make use of the Roster of candidates where applicable and suitable candidates are available for the position and they should better rely on the Roster's list. If the Roster does not contain suitable candidates for a justice reform project in Western Africa, it could mean the Roster is not properly managed or updated.

**UNODC narrative and financial reports are submitted on time allowing for EU disbursements to take place on time.** The Verification Mission notes that several narrative and financial reports were submitted late, leading to important delays in disbursement of EU funds. The Verification Mission recommends that the annual plan defines the respective internal deadlines with respect to reporting obligations, and that clear templates are agreed upon between the UNODC and the EU. The evaluators in line with the Verification Mission's findings further recommend a strengthening of the Finance Unit at CONIG (Country Office in Nigeria) level and improvement of coordination with Financial Resources Management System (FRMS) so that financial report is issued on a timely basis, in the appropriate format.

#### 4.4 Effectiveness and Efficiency of Programme Implementation

A - Assessment of the subsequent progress in implementation of the programme and its individual components and focal States - *See also above section on Relevance: Ownership and commitment.*

Below is a table of most salient achievements beyond mere preparatory work. These interventions that have already started should be sufficient to select a detailed programme of intervention for the remaining period of implementation and even in case of an extension.

The details of what has been achieved are provided in Annex 5.

<b>OUTCOME 1: INCREASED COORDINATION AND SECTOR POLICY DEVELOPMENT WITHIN THE JUSTICE SECTOR</b>
<b>Output 1.1. Information collection, management and sharing in the justice sector improved</b>
Preliminary assessment of the data collection, management and information systems of the justice sector institutions.
Preliminary support to the Justice Sector Reform Committee (Data Sub-Committee).
<b>Output 1.2: Justice sector coordination structures at federal and State levels established and functional</b>
State Sector Justice Sector Reform Committees established in Cross River, Imo, Oshun and Yobe States.
State Action Plans developed for the 9 States.
<b>Output 1.3: Legislation and policies on justice developed</b>
Prosecutors' Policy, Guidelines and Codes of Conduct developed.
Draft Sentencing Guidelines developed on rape, sexual offences against children, kidnapping, abduction and stealing; alternatives to imprisonment.
Draft practice direction for Sentencing Guidelines developed.
Training module on the guidelines for Judges and Magistrates developed.
Technical support to the Nigerian Law Reform Commission (NLRC) in the drafting of an Anti-torture Bill.
Two-day National Workshop on Mental Health and Justice: Strategies for Effective and Humane

<sup>3</sup> Idem, page 30.

Management of Prisoners with Mental Health organised in partnership with LACON and PRAWA.
<b>Output 1.4. Capacity of FMoJ/NPC and lead agencies in the sector strengthened in monitoring and evaluation</b>
/ (TOR developed).
<b>OUTCOME 2. TRAINING, RESEARCH AND OPERATIONAL CAPABILITY OF THE JUSTICE SECTOR DEVELOPED</b>
<b>Output 2.1: Improved quality of training for staff of the justice sector (at federal and state levels)</b>
Development of the methodology for the institutional capacity assessment of the Police, Judiciary, Prosecutors, Ministries of Justice, Legal Aid Council, National Human Rights Commission and the Prison system at Federal and State levels.
About 200 persons trained on basic Information Technology skills for Police, State Ministries of Justice, Prisons and the Judiciary.
<b>Output 2.2: Improved competence and skills of prosecutors and officials of the Judiciary, the Police and judicial officers</b>
20 Public prosecutors from the pilot states trained on prosecutorial skills.
In partnership with the Nigeria Police Force (NPF) and with the support of the Embassy of Switzerland and the civil society organization PRAWA, planning meeting to ensure that the <i>Nigeria Police Force Human Rights Training Manual</i> and the <i>Trainers' Guide</i> are adopted into NPF training practice throughout Nigeria.
<b>Output 2.3 Enhanced operational and research capacities of MoJ, NJI, and the Judiciary</b>
Assessment of existing Judicial Research Centres (JRCs).
IT-equipment for three new JRCs procured and delivered.
<b>Output 2.4 Improved systems for Police and Prison record keeping and court case management</b>
Six-Month Prison Assessment Report.
<b>Output 2.5 (UNICEF implementation) - Improved quality of training for the juvenile justice sector personnel (at federal and state levels)</b>
Addendum developed for the Prison Training manual, to include a module on child justice.
<b>OUTCOME 3: INCREASED ACCESS TO JUSTICE AND RESPECT FOR HUMAN RIGHTS</b>
<b>Output 3.1: Strategic advice and support given to the Police in support of respect for human rights</b>
See training on human rights for the police.
<b>Output 3.2: Improved capacity to decrease pre-trial detention and Prison congestion</b>
/ See 2.4. Six-Month Prison Assessment Report.
<b>Output 3.3: Mapping of NSAs and support for NSAs rights awareness raising and legal aid activities</b>
/ (TOR developed in support of mapping of NSAs).
Two workshops to review and update Court User Guides developed in a previous project (seven updated Guides): (1) Victims and Witnesses, (2) Contacts for Court Users, (3) Basic Criminal Procedure, (4) Alternative Dispute Resolution, (5) Detention and Bail, (6) Basic Civil Procedure, (7) Court User Organogram.
<b>Output 3.4: Increased access to HIV, TB and mental health services, vocational, educational, recreational and rehabilitation facilities for Prisoners, including vulnerable prisoners</b>

<i>See above National workshop on mental health and justice.</i>
Some information on vocational, pre and post-release rehabilitation programs available in the 6-month Prison Survey (see 3.2).
<b>Output 3.5 Accountability and integrity regime for the Judiciary, MoJ, Police and the Prison service strengthened</b>
Co-funding of International Conference on Judicial Reform organised in collaboration with the Performance Evaluation Committee of the National Judicial Council (NJC).
<b>Output 3.6 - (UNICEF Implementation) Improved Competence of Specialized Children's Units</b>
/ (Preparatory consultations held on the improved competence of Specialized Children's Units).
<b>Output 3.7 - (UNICEF Implementation) Improved systems for Prison/Remand home/Police record keeping and court case management in juvenile cases   Output 3.8 - (UNICEF Implementation) Improved capacity to decrease pre-trial detention of children   Output 3.9 - (UNICEF Implementation) Support State and Non-State Actors' rights awareness, legal aid activities an advocacy on justice for children</b>
Self-assessment of the implementation of the Child Rights Act 2003 in Bayelsa, Cross River and Lagos: preparatory work with the FJSRCC Sub-Committee on Child Rights and Juvenile Justice; Child Rights Self-Assessment Action Plans drafted.
Bottleneck assessment of cases of children in conflict with the law (Baseline study on the status of children in prisons and borstals) carried out in the pilot states of Lagos and Cross River.
Establishment of a Child Protection Network (CPN) in Yobe.
Adjudication Guidelines on Child Offenders drafted.
Support for the national planning meeting of the Legal Aid Council of Nigeria (LACON).
Awareness-raising publication entitled "Justice for Children in Nigeria" finalised.
Support to the initial implementation stages of the national Violence Against Children Study (VACS) conducted by the National Population Commission.

The project has achieved few results although it will terminate soon. Hence this section has been dealt with in order to provide recommendations on areas where the project could focus during the remaining implementation period (until January 2016 + 6-month closure period).

A detailed Table is provided is Annex 5.2.

With regards to **Outcome 1**: Increased coordination and sector policy development within the justice sector:

The core activity under Output 1.1 Information collection, management and sharing in the justice sector, i.e. the project baseline review that was critical to anchor the project at federal and state levels, could not take off. It is now too late (even if an extension was agreed upon) to work on this output.

With regards to Output 1.2 Justice sector coordination structures at federal and State levels established and functional. The State Action Plans are not fully finalised. Some Justice Sector Reform Committees are functional (Anambra, Benue, Cross River, Imo, Lagos, Yobe) which means meetings are held. Justice Sector Reform Teams are the equivalent of Justice Sector Reform Committees but they are established by J4A; some have been established in 'UNODC States'. The purpose of the team/committee is to follow-up on the implementation of the Action Plan. Some Justice Sector Reform Committees are functional (Anambra, Benue, Cross River, Imo, Lagos, Yobe) which means meetings are held.

With regards to Output 1.4 Capacity of FMoJ/NPC and lead agencies in the sector strengthened in

*monitoring and evaluation.* The TOR developed in 2014 should be reviewed by the National Planning Commission (NPC), UNODC and the EUD in order to agree on an intervention that could start being implemented on the ground during project's lifespan.

As regards Output 1.3 Legislation and policies on justice developed. The project should focus on capacity building activities to implement the Sentencing Guidelines and Prosecutors' Policy at State level in coordination with the National Law Reform Commission (NLRC) and the National Judicial Institute. The basis for the latter activity would be the draft documents prepared with the support of the project, for example the Practice Direction for the adoption and implementation of the Sentencing Guidelines in the States.

As regards the LACON's policy, preparation work could be finalised in order to allow for the design and roll out of more concrete activities if an extension was granted, since it is too late to develop and more importantly to monitor grants or other schemes that would support legal aid in the remaining period of implementation.

As regards the geographical scope of the project, given the current staffing, it is suggested to concentrate activities in no more than two states (e.g. Lagos, Cross River) and the FCT. With an increased number of staff, a higher number of States could be envisaged after taking into consideration ongoing initiatives, better performances/commitment to reform. Anambra, Benue, Cross River, Imo, Lagos and Yobe could fulfil the requisite institutional functionalities (State Justice Sector Reform Committees in place). The inclusion of Yobe may be looked at more critically from the security angle.

With regards to **Outcome 2:** Training, research and operational capability of the justice sector developed:

Scattered trainings have taken place. The institutional capacity assessment foreseen under Output 2.1 Improved quality of training for staff of the justice sector (at federal and state levels) was not finalised at the time of the evaluation. It would have been useful to have an assessment of the training plans of Nigeria's training institutions.

In addition, the Evaluation Team questions the validity of conducting training activities or planning so many training activities (planned costs for 2015 are of EUR 2,775,899.84) if such an assessment is not ready. Therefore, the execution of the planned activities should be suspended in order for UNODC to better explain its training approach and strategy. Such clarifications could be made in Management Response Meetings to be attended by UNODC, UNICEF, the EUD and the NPC.

The logic and rationale for having costly IT only training sessions should be discussed; these sessions should be linked to a specific change in the justice sector. Training in modern investigation techniques should be encouraged, but only if it takes place within the framework of a more global approach where police investigators, prosecutors and judges are associated in the programme. The training activities should be more anchored in the activities and work plans of the training institutions of the partner institutions (National Judicial Institute, prison, police). If the project were awarded an extension, the possibility to have a grant or a partnership/institutional agreement could be considered.

Output 2.1 Improved quality of training for staff of the justice sector (at federal and state levels) and Output 2.2 Improved competence and skills of prosecutors and officials of the Judiciary, the Police and judicial officers could be merged since they are very similar. It is doubtful whether the project, given its weak staffing resources can embark on brand new complex activities such as Standard Operating Procedures (SOP) on crime scene evidence or the development of a forensic strategy. Human rights training process already initiated with police needs to be concluded.

There is no time left until project's end for 12 procurements to be launched as planned under Output 2.3 Enhanced operational and research capacities of MoJ, NJI, and the Judiciary since the UN system and the Justice Project have proved not to be well fitted to deal with procurement (or recruitment) procedures. As regards Output 2.4 Improved systems for Police and Prison record keeping and court case management, for both systems, no specific preparatory activity was undertaken and there is no time left to initiate such multifaceted interventions (IT procurement, training, change of management and work practices).

Under Output 2.5 Improved quality of training for the juvenile justice sector personnel (at federal and State levels), UNICEF should clearly indicate to the EUD in their expected Management Response what specific

training programmes they are planning to carry out (objective of the training, how the training will be integrated with their general programme, etc.). To allow for deeper ad hoc capacity building, training should take place only in 2 selected focal States (e. g. Lagos, Cross River) and complement other capacity building interventions.

With regards to **Outcome 3**: Increased access to justice and respect for human rights:

Very few activities have been launched and their relevance is questionable.

The implementation of Output 3.1 *Strategic advice and support given to the Police in support of respect for human rights* has not started, except training. Anyhow, the planned activities are far too broad to ensure results-oriented management. As regards human rights training process already initiated with the police, it should be continued.

Under Output 3.2 *Improved capacity to decrease pre-trial detention and Prison congestion*, the main activity was the 6-month prison report carried out in 36 prisons. The draft report does not contain all the information expected from the project logframe (sentence, duration, etc.). It is doubtful whether the report can be used for building up follow-up activities. The activity has not been carried out directly by the Nigeria Prisons Services, the results will be quickly outdated. In addition, it is impossible to manage a project in 36 prisons. Although the assessment was a big financial investment/expenditure, the quality of the report does not allow further interventions to be implemented on that basis. It provides some information, but this information is too general and not technical enough, as well as being purely descriptive. Recommendations are vague and general. The lack of specialised penitentiary competence within the project core team to guide, manage, and orientate consultants should prevent the project from continuing the activity.

The implementation of Output 3.3 *Mapping of NSAs and support for NSAs rights awareness raising and legal aid activities* has not started. It is doubtful whether the project has enough time left to start implementing and monitoring these activities. In addition since there was no project officer in charge of liaising with the NGOs at the time of the evaluation, it is suggested not to embark on such activities, unless the project is extended and a grant manager is recruited or the TORs for the National Programme Officer for Civil Society include this competence. In this case, a partnership could be entered into with LACON (elaborating call for proposals, etc.), but UNODC would directly fund and manage the grants.

The same reasoning should apply to Output 3.4 *Increased access to HIV, TB and mental health services, vocational, educational, recreational and rehabilitation facilities for Prisoners, including vulnerable prisoners*. The scope is too large (HIV/TB, mental health services, educational, recreational and rehabilitation facilities for prisoners) and it is too late to start implementing schemes even if an extension was granted.

Under Output 3.5 *Accountability and integrity regime for the Judiciary, MoJ, Police and the Prison service strengthened*, activities are at a very initial stage and it is suggested to reschedule them under FED 11.

UNICEF implements Outputs 3.6 to 3.9 *Competence of Specialized Children's Units improved | Improved systems for Prison/Remand home/Police record keeping and court case management in juvenile cases | Improved capacity to decrease pre-trial detention of children | Support State and Non-State Actors' rights awareness, legal aid activities and advocacy to justice for children*.

The new Chief of section should detail the activities UNICEF is planning to carry out until project's end. UNICEF should finalise the Adjudication Guidelines on Child Offenders and support their adoption at State level. A diversion model to be piloted to implement the draft Guidelines on Child Offenders, in advance of their finalization, was suggested by UNICEF. The content of this model and a calendar for its implementation needs to be submitted. It is suggested specific grants/other schemes (through LACON) be supported to provide legal aid to children in conflict with the law.

UNICEF should concentrate activities in no more than two States (Lagos, Cross River) and possibly the FCT. The release by UNODC of funds pre-allocated to UNICEF should be part of the Management Responses expected from both institutions.

## B - Assessment of the organisational structures in place to reach the programmes' objectives:

### Structures:

#### Governance Structures:

Limited frequency of governance structures meetings (CEF, PMC and focal points meeting) have had a detrimental impact on project ownership.

The Chief Executives' Forum (CEF): The overall objective of the CEF is to serve as a platform for sector policy dialogue on justice sector reform. The CEF is chaired by the Minister/Deputy Chairman, NPC co-chairing with the Ministry of Justice, and includes as participants the Head of Delegation of the EU in Nigeria, the UN Resident Coordinator, the UNODC and UNICEF Representatives, as well as the Chief Executives of the benefitting agencies. The thematic justice CEF is designed to take place at least once a year. In addition, given the inter-linkages between the Drugs/Organised Crime, Justice, and Anti-corruption projects, a joint CEF is envisaged to take place annually, to bring together the Chief Executives of all beneficiary entities under the three projects, for a broader exchange on rule of law, drugs and organized crime in Nigeria. In 2013, none of the planned thematic and joint CEF could take place due to the inability to secure a convenient date for the Chief Executives involved and as a result of the reshuffling of the Nigerian Federal Executive Council in October 2013, which led to the removal of the Minister of the NPC and the designation of a Supervising Minister. In 2014 again, no thematic CEF took place, as the period leading up to the 2015 elections did not allow to attract the high level participation of political office holders that drive justice reform forward. The first joint CEF took place on 11 November 2014. A thematic CEF is planned in September 2015, and a second joint CEF is planned in November 2015.

The fact that no thematic CEF has taken place so far since the start of the project is a challenge. There has been no meaningful engagement of the Justice Chief Executives', as these political appointees do not have a guarantee to be re-elected in the prevailing period of political transition. The first thematic CEF planned in September 2015 may again be postponed, as the CEF should be chaired by a minister and no minister has been appointed yet, and the political uncertainty was expected to continue till the end of 2015. The added-value of the CEF's meetings was openly questioned during the Evaluation mission.

The Project Management Committee (PMC): This structure oversees and validates the overall policy direction of the project. It monitors, supervises and coordinates the overall progress and implementation of project activities and provides guidance for the different components. The PMC is made up of representatives of the NPC (Chairperson, as National Authorising Officer), the beneficiary agencies, UNODC, UNICEF, and a representative of the EU Delegation in Nigeria (observer status). It should meet twice a year, according to the project document. The inaugural meeting of the PMC was held on 11 June 2013, where the Terms of Reference of the PMC and the 2013 annual work plan of the project were reviewed and approved. The proposed list of Project Focal States was also approved by the PMC during this inaugural meeting. The composition of the PMC was also amended to reflect the inclusion of the Chief Judges of two of the Project's Focal States on a rotational basis. No meeting of the PMC took place in 2014 due to the fact that the project had suffered delays in implementation and there were no key project documents to be approved. The second PMC that took place since the start of the project was held in April 2015; the 2014 and 2015 work plans were approved during that meeting.

#### Implementation structures:

A Project Core Team: The Project Core Team is responsible for carrying out the day-to-day project operations with the specific target institutions. The Project Core Team consists of the long-term national and international staff recruited for the duration of the project.

A Programme Support Team based in the UNODC Office in Abuja: The Programme Support Team, composed of international and national staff, provides direct programmatic and operational support to the project. The costs of this team are shared with three other EU-funded and UNODC implemented projects on corruption, drugs and crime and migration.

A Programme Support Team based in Vienna: The Programme Support Team, composed of international and national staff, provides direct support services to the project. The costs of this team are shared with

three other EU-funded and UNODC implemented projects on corruption, drugs and crime and migration.

**Project Focal Points:** Beneficiary institutions designate a senior official to act as the Project Focal Point within that institution. The Project Coordinator and the beneficiary institutions' Project Focal Points were due, according to the Project Document, to hold monthly implementation meetings to foster collaboration, and smooth collaboration and implementation of the project. However, considering the logistical difficulties to organise these meetings which were not held since the beginning of the project, it was decided that the planned monthly meetings would be held quarterly as of 2015. In 2015, only the first quarterly meeting of Project Focal Points took place; the second quarterly meeting of 2015 was again skipped. Considering the implementation difficulties of the project, it is recommended at a minimum to hold quarterly meetings of the Project Focal Points.

#### **Internal implementation procedures:**

Work plans are used by the Project Core Team. It is to be observed that parts of the 2015 work plan are obsolete, considering that many of the planned activities have not been carried out due to the delayed disbursement of the second tranche in the course of 2015. The late disbursement was caused by a dispute over what constituted a legally obligated expense and over the reporting format. A new work plan for the remaining months in 2015 will need to be designed urgently following some of the recommendations of the Evaluation and will need approval of the PMC as soon as possible.

#### **Reporting relations:**

In accordance with the Contribution Agreement between the UNODC and the EU, an annual Narrative Report for the project is due on 31st January and a semi-annual Narrative Report is due on 31st August. These reports are subjected to a thorough quality control carried out by the National Project Officer Coordination and the Programme Management Officer within the Programme Support Team, supported by the Representative. The quality control process includes harmonisation of crosscutting themes pertaining to the justice, drugs/organised crime and anti-corruption projects. At the time of the Evaluation, the Quality Assurance Team was not complete: it should include the M&E Specialist under recruitment and a JPO position that has always remained vacant in the absence of funding by a Member State. The reports subjected to a quality control in Vienna are then sent back to the Programme Support Team that sends them for approval to the Representative. The Representative then finally sends them to the EU.

Internally, the UNODC Core Project Team also reports to the UNODC on a quarterly basis, on a semi-annual basis and on an annual basis. Standard internal monitoring tools are used to that effect (see below). Here again, a quality control is carried out at the level of the CONIG Programme Support Team.

UNODC as a whole also reports to the UNDAF on project activities on a quarterly, semi-annual and annual basis, against the UNDAF logframe. The CONIG Programme Support Team also subjects these reports to a quality control.

Overall, the Core Project Team has heavy reporting obligations, considering the limited number of staff. This may explain the fact that reports are systematically submitted well beyond the deadline, in spite of reminders on the reporting cycles sent to the Project Core Team by the Programme Support Team. For instance, during the Evaluation Team mission, the second quarterly UNODC internal report was due on the 27th July, while the deadline for the semi-annual UNODC internal report was set on 31st July. At the same time, preparations had begun for a semi-annual report due to the EU on the 31st August. With regard to the external reporting obligations, another delaying factor stems from the quality controls at the level of the CONIG Programme Support Team and the Vienna Office; the same report can be sent many times between the Core Project Team, the Programme Support Team and the Vienna Office before being approved for sending.

#### **Tools:**

While a standardized work plan template common to all the EU-funded projects was agreed upon between the EU and the UNODC, there is still no agreed common template for semi-annual and annual narrative reports. The justice annual narrative report 2014 was delayed: the EU questioned the content of the report,

UNODC presenting mere activity rather than results based reports, which do not give the PMC key information on performance needed to make management decisions, and requested revision. Currently, ten months before the foreseen end of the implementation period, the team was informed that the UNODC had submitted a common template to the EU for the three projects (It appears that all EU managers are not aware of this template), but only the EU programme manager in charge of the justice project had so far provided comments on the template. The UNODC reported it was still waiting for the two other EU programme managers to approve the proposed template.

In addition to the reporting required by the Contribution Agreement with the EU, UNODC and CONIG employ standard internal monitoring tools. The quarterly monitoring tools could be examined by the Evaluation team: **1)** quarterly Qualitative Performance Assessments for each project; and **2)** quarterly Monitoring Reports synthesising progress for all EU-funded projects. These consolidated Monitoring Reports contain a financial section and a narrative section regarding progress made in project development and implementation.

The activity compacts described in the UNODC Project Document as important planning and monitoring tools to be developed for each project activity were not developed by the Focal Points.

## 4.5 Means and Cost

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### A. Financial means:

From the onset, it can be observed that the financial means allocated to this project are substantial (26 Million Euros)<sup>4</sup>, especially considering that there is no infrastructural support foreseen and the provision of equipment is limited.

By the end of 2013, the project was able to achieve an implementation delivery of EUR 1,138,208, equivalent to 28% of the EUR 4,059,331.45 budget for the reporting period. The project's implementation rate could only attain the 70% threshold required to request the second tranche of EUR funding, amounting to EUR 7,499,740, by 31 October 2014. By the end of December 2014, the total amount disbursed by the project was of EUR 4,790,263 (Source: Verification Report of 2015). As part of this amount, a total of EUR 900,000 has been transferred to UNICEF (EUR 200,000 have not been disbursed at the time of the evaluation). UNICEF is expecting to receive EUR 800,000 after the release of the second tranche.

By the end of 2014, after 2 years of implementation out of 3.5 planned years including project closure, only 18.42% of the total budget had been spent. It seems obvious that the programme will not be able to achieve all expected outputs and disburse all pre-allocated funds - even in case of an extension of the lifespan of the project.

From project launch until December 2014, 41.75% were spent on staffing costs while these costs represented 21.68% of the total budget for the action. This reveals the flaw in the efficiency and the productivity of the teams.

The pre-allocated funds on training (for a total amount of EUR 6,009,492) are far too high and should be reduced given the weak anchorage of the proposed activities within the national training institutions, especially within the judiciary, and the absence of follow-up.

The issue of the capabilities of the Nigerian beneficiary institutions to absorb such a high number of trainings is thus raised. The Evaluation Team notes that these trainings are not linked to any specific output other than 'achieving an improved quality of trainings'. It should be noted that trainings do not constitute an end by themselves, but a means to achieve a specific output geared toward institutional change. The multiplication of trainings will not necessarily achieve results by themselves if not embedded into a larger capacity-building intervention.

The budget for grants in the initial budget for the action appears as limited (EUR 350,000) given the project geographical (10 states) and thematic scopes. In addition, only EUR 141,398 had been disbursed up to

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<sup>4</sup> As per project document in annex to contribution agreement: EUR 26,000,000. (EUR 25,000,000 of EU Contribution, and UNODC co-funding of EUR 1,000,000).

December 2014, which is also an illustration of the weak anchorage of the programme in the well-developed network of NGOs in Nigeria.

The same applies to sub-contracts where EUR 6,255,802 was pre-allocated and only EUR 127,134 spent. All the figures are an illustration of the poor overall management capacity of the project that could have opted for 'grants', 'sub-contracts', mobilisation of 'short-term international consultants' and 'international experts' as foreseen by the project budget, when permanent staffing were less numerous as expected. But this would imply functional recruitment and procurement systems are in place within UNODC.

Significant resources are dedicated to the support to plans and strategies. A very important number of assessments, studies and surveys, to be carried out by consultants, is foreseen, while there is not necessarily any concrete intervention foreseen in the design of the project to build on these.

Delays in implementation have led many of the beneficiaries to express disappointment that the project did not fulfil expectations with regards to concrete interventions, beyond the support to plans, strategies and assessments. For example, Baseline review of the state of justice in Nigeria; Six months study of prisons records on flow and release of prisoners on a monthly basis (In 2014, the project spent about EUR 182,000 on the 6-month Prison Report whose contribution to the strengthening of the national data management system for prisons is unclear); Assessment of administrative data on crime in Nigeria; Institutional capacity assessments of the Police, Judiciary, Prosecutors, Ministries of Justice, Legal Aid Council, National Human Rights Commission and the Prison system at Federal and State levels, and others. Considering the limited absorption capacity of the justice system that does not allow beneficiary institutions to process the findings and recommendations contained in these documents and the fact that such assessments, studies and surveys contain rapidly outdated data, the relevance of these assessments, studies and surveys for the beneficiaries themselves may be limited and the benefit of this information may be lost.

## **B. Human resources:**

The availability of human resources is critical for success in capacity-building projects. Yet the project has suffered since launching of serious flaws in that regard. The lack of appropriate solutions brought by UNODC to this key issue is problematical and difficult to understand, whatever the justifications that could be provided by the organisation. Unquestionably this challenging issue raises doubts concerning the viability of the project during the remaining period of implementation and in case of an extension.

The Current UNODC Organogram updated on 3rd July 2015 mentions the Core Project Team for justice sector support: Project Coordinator, P4, under recruitment; Project Officer, Capacity Building, P4, under recruitment; Crime Prevention and Criminal Justice Officer-Access to Justice, P3, on maternity leave and accrued leave until the end of 2015 (last days in the office when Evaluation took place). She has been Acting Project Coordinator since the departure of the Project Coordinator at the end of 2014. She could be replaced by a consultant under recruitment during her maternity leave; National Project Officer, Policy/Leg/Inst. and Coordination with Pilot States; National Project Officer, Criminal Justice and Multidimensional Security (training); National Project Officer, Coordination with NSAs, under recruitment; National Project Officer, Outreach and Communication (cost-shared with Drugs Project); National Project Officer: Finance Officer, under recruitment; National Admin/Finance Associate; Project Administrative Assistant; 2 Drivers/Clerks; 1 full-time international consultant.

The staffing table contained in Annex 2 of the 2nd Year Narrative Report reveals a high turnover rate of international staff. Currently, on a total of ten positions in the Core Project Team (excluding drivers/clerks support functions), four key staff are under recruitment. At the time of the evaluation at the end of July 2015, the project had not had a Project Coordinator since December 2014; Employed until 14 January 2014, the Project Coordinator notified non-renewal of his contract and departed before 31st December 2014 on accrued annual leave. When the post became vacant, a fixed term position was advertised, and several candidates were recommended for selection. However, as the release of funds from the 2<sup>nd</sup> tranche was delayed, the recruitment process could not be completed. When the funds were finally released at the end of June 2015, the implementation period of the project was less than a year. As the UN cannot issue a fixed term contract of less than a year, the position had to be re-advertised as a temporary position. The

recruitment process was still pending at the time the evaluation took place. Therefore, the Programme Manager Officer (P4) of the Programme Support Team would be expected to work part-time as Acting Project Coordinator for the Justice Sector Support project -although this is not in his job description. The Project Officer Capacity Building employed on 3 March 2014 also notified he would not renew his contract and departed before 31st December 2014 on accrued annual leave. The national position of Finance Officer has been vacant since 31st December 2014. The national Project Officer Coordination with NSAs was employed beginning the 2nd of January 2014 and departed on 5 September 2014; his position has been vacant since then due to lack of funds for new recruitments. The Crime Prevention and Criminal Justice Officer (P3) has been Acting Project Coordinator since her arrival, although she was recruited on an advisory position and not on a managerial position. Although she will be on maternity leave as of the beginning of August 2015 and will not return to the office before January 2016, her replacement was not finalised at the time that the evaluation took place and no proper handover will take place. This situation could have been anticipated at managerial level.

In the Programme Support Team, the Research Expert (P4) is leaving soon, and the Monitoring and Evaluation Specialist (P3) position is still under recruitment.

Looking at the dates since some of the key positions became vacant, it can be observed that recruitment is a lengthy process, with positions left vacant for as long as 11 months (for the National Project Officer Coordination with NSAs). The recruitment process is as lengthy for national positions as it is for international positions. Reasons identified for the lengthy duration of vacant positions are the worsening security situation for international staff and the non-availability of the second tranche of funding that prevented the filling of national positions. As regards the latter reason, however, it is the unduly delayed submission of narrative and financial reports by the UNODC that was the cause of the delayed payment of the second tranche by the EU; the duration of the recruitment process for national staff is thus entirely imputable to the UNODC. In both cases, cumbersome recruitment procedures add to the problem. For example, terms of reference for international consultants are drafted by the Core Project Team, then sent to Vienna Headquarters (HQ) for quality assurance purposes. The quality assurance phase in Vienna is a process that was described to the evaluation team as requiring the sending back and forth of draft terms of reference for several weeks between CONIG and Vienna Headquarters before finalization; then the recruitment is carried out by Vienna. If the consultant is national, CONIG does quality assurance while UNDP does the recruitment.

The Justice project has no core project staff outside of Abuja, in a project that has 9 focal States + Abuja FCT. Some coordination with the focal States has been carried out from CONIG by the National Project Officer responsible for Policy/Leg./Inst. and Coordination with focal States, but no funds were available for field visits in 2015. Other members of the core project team have also undertaken some irregular field visits in 2013, 2014, and 2015 but not recently, for lack of funding.

UNICEF also has recruitment challenges: A child justice specialist is planned to be recruited (full time international position) to assist the part time Chief of unit (10% of her time dedicated to the project). There are 5 administrative field officers (Bauchi, Lagos, Enugu, Kaduna, FCT) with a small amount of time dedicated to the project. There are child protection specialist posts in four field offices and in the Abuja office which oversees the programmes nationally. However it is planned to increase the allocation of time in certain States to 20%. So far, UNICEF has mainly concentrated its preliminary activities on Lagos and Cross River states. To cope with the shortage of consultants to carry out activities, UNICEF is planning to sign an institutional contract with either a consultancy firm specialised in child rights development or a local partner whose advantage is its flexibility. The contract can be modified in accordance with the allocation of funds that UNICEF will receive from UNODC.

## 4.6 Impact

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It can already be observed that many targets will not be achieved at the end of the implementation period, as many activities have not yet started.

As regards the relevance of the indicators:

At Project Objectives' level, two results indicators have been identified, being the implementation of the National Action Plan and the implementation of the States' Action Plans. Considering that the project only intends to support some of the interventions planned in both the National and the States' Action Plans, and that these Plans also contain many interventions to be achieved by the federal government and the State governments respectively, the implementation of these Plans is not a project objective indicator. In addition, it has been observed that these Plans can only be implemented progressively over a lengthy period of time, that spans well beyond the lifetime of the project.

At Outcome 1 level, progress relative to implementation of the Action Plan of the FJSRCC and progress relative to implementation of the State Action Plans for justice sector reform have been identified as indicators. Both these process indicators appear to be well chosen but the targets allowing to measure progress are expressed in "activities" while the action plans do not contain activities but are broadly formulated actions. In order to achieve implementation of these actions, many steps may be required. The targets are too vague and do not allow a measurement of the progress achieved.

At Outcome 2 level, one single baseline ("1") and one single target ("3") seem to apply to two different results indicators (National training programmes revised and improved; New courses and modules developed). These indicators cannot be merged, as they are clearly different, and their baselines and targets will be different. The target ("3") seems particularly modest, given the financial means provided for trainings in the project (more than 6 Million Euros).

At Outcome 3 level, two interesting impact indicators relating to a change in situation have been identified: change in the length of time prisoners have been on remand, and percentage change in the number of women, children and vulnerable persons receiving legal aid. The indicators cannot be monitored because no activities have taken place. It would have been interesting to include more of such impact indicators instead of activity indicators (number of workshops held, etc.)

Results indicators at Output level are mostly linked to activities to be organised by the project, and therefore are easy to monitor in the absence of baselines. In general, these results indicators seem to be well chosen, although in some instances it appears that targets are either too modest or too ambitious.

Examples:

Output 1.2.: Number of strategic plans and policies developed: target 3 seems too modest given that the baseline is 2. Other indicators are activity indicators.

Data on inmates awaiting trial available in the project States: target 1 seems too modest.

Output 2.4.: Case management system deployed in the Police, Courts/Prisons/MoJ of 5 pilot States: target 5 States (baseline 1) seems very ambitious, considering the difficulties of setting up such system.

Refocus of the project for the remaining implementation period will require a careful review of process, results and impact indicators, as well as a review of baselines and targets. Yet, it is unclear whether UNODC can take on this difficult, but crucial task given the lack of effective presence of human resources in the office to support and drive the programme. The lack of common vision of UNODC on its remaining mandate is worrying and may indicate that the organisation is not prepared to set meaningful targets. Hence time extension, even though it is limited to twelve months, may appear as a risk if UNODC's backstopping structure does not decide for instance to provide short time (1-2 months) support to the field-office for the preparation of this revised plan of action. An extension should not be granted without upstream preparation.

## 5 Challenges on the Evaluation Plan

Considering the extremely ample scope of the evaluation, time constraints were a major limitation experienced by the Team. The time frame was too short to allow visits to more than two States (Lagos and Cross-River, in addition to Abuja) and all beneficiary institutions could also not be visited. However the team could arrange meetings with state project focal points visiting Abuja. Some meetings had to be cancelled due

to lack of time. Two bank holidays further limited the available time for interviews.

Documentation was received very shortly before departure. On several occasions during the mission, the Evaluation Team had to request missing key documents which should have been available at the moment some of the interviews were conducted, and to better support the heavy reporting. Some additional files on the project's activities would also have facilitated the evaluation process.

## 6 Lessons Learned

In its planned objective to reform the whole justice sector holistically, the project lacks focus, both thematically and geographically. A successful project requires focused and manageable outputs. A more limited number of focal States should also have been selected.

The identification process has encompassed the whole justice sector. The identification process should have been more limited and targeted in its scope, and carried out fully.

Implementation procedures of the beneficiary country were not used as recommended by the Paris Declaration on aid effectiveness.

A project that has 10 focal States needs to be managed not only centrally, but also requires a more frequent presence in the States to move things forward.

An experienced full-time Project Coordinator during the whole duration of the project is needed to successfully manage a project of this size.

Delays in implementation need to be addressed early on in a flexible manner. A refocus of the project both thematically and geographically would have needed to be considered, and the logframe should have been revised accordingly.

## 7 Key Issues Identified and Alternative and Recommendations

**Table 1: Key Problems and Recommendations**

Summary of key problems identified	Alternatives and Recommendations
<b>Relevance</b>	
<b>Problems correctly identified?</b>	
<ul style="list-style-type: none"> <li>Federal Action Plan (F-AP) for justice sector reform and State Action Plans (S-Aps) not always a solid basis for project implementation. In addition, support to the F-AP and S-Aps are only one of the project activities. UNODC/UNICEF logframe has a much larger number of interventions.</li> <li>Strong disappointment of beneficiaries re concrete interventions beyond the support to plans and strategies.</li> <li>Variable ownership and commitment to reform but poor level of project implementation does not allow the evaluation of performance and affecting</li> </ul>	<ul style="list-style-type: none"> <li>Caveat for the future as regards continued heavy support to the FJSRCC under Outcome 1; the developments related to the new role of the FJSRCC will need to be closely monitored and taken into account in the remaining period of project implementation. In addition, the coordination between the to be established Criminal Justice Monitoring Committees and the Federal and State Justice Sector Reform Coordinating Committees may need to be closely monitored.</li> </ul>

<p>confidence in the project.</p>	
<p><b>Appropriateness and adequacy of means?</b></p>	
<ul style="list-style-type: none"> <li>• In the overall programme, a very important number of assessments, studies and surveys, to be carried out by consultants, are foreseen while there is not necessarily any concrete intervention foreseen in the design of the project to build on these. Important means are also devoted to the support to plans and strategies.</li> <li>• In addition, the content of these assessments, which are meant to constitute baselines, is not enough precise.</li> </ul>	<ul style="list-style-type: none"> <li>• A better balance should have been sought between assessments/studies/surveys and the support to plans and strategies on the one hand, and concrete interventions with tangible results on the other hand.</li> <li>• Assessments should be carried out at the beginning of the project, as they will assist in setting baselines and identifying subsequent project interventions. The Evaluation Team recommends that the 'Baseline review of the state of justice in Nigeria', a study to be carried out by a team of consultants over a period of minimum 10 months, should not be undertaken in the final stages of implementation of the project.</li> <li>• More generally all the planned general assessments should no longer be initiated.</li> </ul>
<ul style="list-style-type: none"> <li>• Outcome 2: A heavy emphasis is placed on training, for a total amount of EUR 6.009.492. These trainings are not linked to any specific output other than achieving an improved quality of trainings in the project.</li> </ul>	<ul style="list-style-type: none"> <li>• The training activities should be more anchored in the activities and work plans of the training institutions of the partner institutions (National Judicial Institute, prison, police). If the project were awarded an extension, the possibility to have a grant or a partnership/institutional agreement could be considered.</li> <li>• It is recommended that trainings be more targeted and embedded in a broader capacity-building objective, in order to achieve specific results. In order to ensure that trainings will lead to concrete changes in behaviour, there could be: (1) practical sessions to put into practice the theoretical knowledge of participants; (2) individual and group mentoring sessions; (3) technical assistance to the target institution in addition to the training itself.</li> <li>• The organisation of mixed training sessions between different groups of participants, such as for instance prosecutors and police, will promote cross-fertilization of ideas to improve the day-to-day work.</li> </ul>
<p><b>Relevance of the Federal and State Action Plans for justice sector reform as a basis for project implementation?</b></p>	
<ul style="list-style-type: none"> <li>• Federal Action Plan: The Action Plan for the Reform of the Federal Justice Sector (2012-2015) appears to be a static document. It lacks prioritization and sequencing of interventions. The actions required are broadly formulated and lack further rolling out of concrete measures. The indicators are too broadly formulated and do not allow a measurement of results; there is no baseline. The budget is not detailed, but roughly estimated. The</li> </ul>	<ul style="list-style-type: none"> <li>• The Secretary of the FJSRCC and the State justice sector reform committees need support and assistance:             <ul style="list-style-type: none"> <li>• (1) to prioritise outputs to be implemented.</li> <li>• (2) to roll out with the concerned institutions steps needed to attain the outputs set in the plan;</li> <li>• (3) to work with the concerned institutions to ensure that these outputs are integrated in their policy and practice;</li> <li>• (4) to roll out budgetary implications, as well as</li> </ul> </li> </ul>

<p>Project “Support to the Justice Sector in Nigeria” was designed on the basis of the pre-existing F-AP and focuses on specific outcomes therein, but the Federal Action Plan is more encompassing (civil justice) and also contains a number of activities directly linked to the FMOJ budget (salaries, vehicles, recruitment...). The lifetime of the project and the lifetime of the F-AP that will expire at the end of 2015 do not correspond. At the time of the Evaluation mission, the FJSRCC had not started working on a follow-up Federal Action Plan for 2016 onwards.</p> <ul style="list-style-type: none"> <li>• State action plans: There is confusion about ownership of the plans and the exact nature of UNODC involvement in the follow-up of these plans.</li> </ul>	<p>the contribution of the Federal/State governments to the Action Plans;</p> <ul style="list-style-type: none"> <li>• (5) to set a realistic calendar for these outputs to be realised;</li> <li>• (6) to set baselines and realistic indicators for every output.</li> <li>• There is an urgent need for regular communication channels to be set up between the project staff and the beneficiaries. (1) The presence of UNODC staff is needed on the ground in order to increase interactions with beneficiaries and provide sustained technical assistance. (2) Regular focal point meetings should take place in order to monitor implementation of the Actions Plans (e.g. Are the steps indicated above realised? Problems encountered? Sharing of best practices.)</li> </ul>
<p><b>Project Design</b></p>	
<ul style="list-style-type: none"> <li>• Outputs are too broadly formulated and encompassing the whole justice sector at federal and state level making the project unfathomable.</li> <li>• Quasi-all activities require further thorough identification. In addition, all activities are projects/programmes per se. Hence, the implementation of almost each and every single activity requires additional identifications and assessments by external consultants before implementation can take place. The beneficiary institutions of most of the activities have not been identified either when the project was formulated. This allows for maximum flexibility by the project team, but means that precious time will be lost before the activity can actually be implemented. The number of additional identifications and assessments to be conducted is too high for a project of such limited duration.</li> <li>• Indicators are dispersed and some are not appropriate for the measurement of tangible results or targets are imprecise (e.g. Output 2.4: only one training on case management and record keeping is foreseen but in 10 states. For how many police and prison officers? What is the length of the training session?).</li> </ul>	<ul style="list-style-type: none"> <li>• Refocus the project on few activities (Their detailed description is provided in the Annex 5. 2. Table of recommendations for action until project's end)</li> </ul>
<p><b>Validity of Risks and Assumptions</b></p>	
<ul style="list-style-type: none"> <li>• The UNODC has not undertaken mitigation measures for a number of important risks that had been identified in the project document. Three important risks were not mitigated: security situation, limited absorptive capacities of existing training institutions and</li> </ul>	<ul style="list-style-type: none"> <li>• The project should concentrate its main activities in the safest areas. Indications regarding the geographic scope of project interventions should be clearly mentioned in the vacancy announcements.</li> <li>• Financial incentives should be more explicitly mentioned in the vacancy announcements.</li> </ul>

<p>mechanisms; lack of political will to set justice sector reform high on the political agenda.</p> <ul style="list-style-type: none"> <li>• New assumptions have emerged: the 2015 Administration of Criminal Justice Act has been adopted at federal level and is expected to be adopted at State level; the procurement function of UNODC/UNDP is improved; UNODC is fully staffed; UNODC narrative and financial reports are submitted on time allowing for EU disbursements to take place on time.</li> </ul>	<ul style="list-style-type: none"> <li>• UNODC should make better use of the Roster of candidates where applicable and suitable candidates are available for the position.</li> <li>• Conditionalities should be met: an adequate management response, fully agreed by EUD and NPC, should be among these conditionalities. They would include the following: i) urgent remedial action is taken in order to improve the procurement function of UNODC; ii) for recruitment, UNODC make better uses of the Roster of candidates where applicable and suitable candidates are available for the position; iii) there is a strengthening of the Finance Unit at CONIG (Country Office in Nigeria) level; iv) there is improvement of coordination so that reports are issued on a timely basis and provide the level of detailed information requested by the EU.</li> </ul>
<p><b>Effectiveness and Efficiency of Programme Implementation</b></p>	
<p><b>Assessment of the subsequent progress in implementation of the project and its individual components and focal States</b></p>	
<p><b>Outcome 1: Increased coordination and sector policy development within the justice sector</b></p>	
<ul style="list-style-type: none"> <li>• In general, only preparatory activities have been undertaken to increase sector coordination and sector policy development.</li> <li>• The core activity under Output 1.1 <i>Information collection, management and sharing in the justice sector</i>: the project baseline review that was critical to anchor the project at federal and state levels, could not take off.</li> </ul>	<ul style="list-style-type: none"> <li>• It is now too late (even if an extension was agreed upon) to work on the activity: State of justice sector review and it should not be started.</li> </ul>
<ul style="list-style-type: none"> <li>• With regards to Output 1.2 <i>Justice sector coordination structures at federal and State levels established and functional</i>, the State Action Plans are not fully finalised and, more importantly, their implementation has not started. Some State committees hold meetings (Anambra, Benue, Cross River, Imo, Lagos, Yobe).</li> </ul>	<ul style="list-style-type: none"> <li>• The FJSRCC and the State justice sector reform committees need support and assistance:             <ul style="list-style-type: none"> <li>• (1) to prioritise outputs to be implemented.</li> <li>• (2) to roll out with the concerned institutions steps needed to attain the outputs set in the plan;</li> <li>• (3) to work with the concerned institutions to ensure that these outputs are integrated in their policy and practice;</li> <li>• (4) to roll out budgetary implications, as well as the contribution of the Federal/State governments to the Action Plans;</li> <li>• (5) to set a realistic calendar for these outputs to be realised;</li> <li>• (6) to set baselines and realistic indicators for every output.</li> </ul> </li> </ul>

<ul style="list-style-type: none"> <li>• Under <i>Output 1.3 Legislation and policies on justice developed</i>, a number of outputs have been achieved (e.g. : Sentencing Guidelines).</li> </ul>	<ul style="list-style-type: none"> <li>• The project should focus on capacity building activities to implement the Sentencing Guidelines and Prosecutors' Policy at State level in coordination with the National Law Reform Commission (NLRC) and the National Judicial Institute. The basis for the latter activity would be the draft documents prepared (and yet to be finalised) with the support of the project, for example the Practice Direction for the adoption and implementation of the Sentencing Guidelines in the States.</li> <li>• As regards the LACON's draft policy, preparatory work should be finalised in order to allow for the designing and rolling out of more concrete activities if an extension was granted, since it is too late to develop and more importantly monitor grants or other schemes that would support legal aid in the remaining period of implementation</li> </ul>
	<p>Comments on the issue of adequate number of focal States:</p> <ul style="list-style-type: none"> <li>• Given the current staffing, it is suggested that UNODC develop activities in the States under the Outcome 1 in no more than two States (Lagos, Cross River) and the FCT.</li> <li>• With an increased number of staff, a higher number of States could be considered after taking into consideration <u>ongoing initiatives, performances/commitment to reform, State Justice Sector Reform Committees in place (Anambra, Benue, Imo, Yobe).</u> The inclusion of Yobe may be looked at more critically from the security angle.</li> </ul>
<p><b>Outcome 2: Training, research and operational capability of the justice sector developed</b></p>	
<ul style="list-style-type: none"> <li>• Scattered training has taken place.</li> <li>• The institutional capacity assessment foreseen under <i>Output 2.1 Improved quality of training for staff of the justice sector (at federal and state levels)</i> was not finalised at the time of the evaluation.</li> <li>• The Evaluators question the validity of conducting training activities/planning so many training activities (planned costs for 2015 of EUR 2,775,899.84) if such an assessment is not ready.</li> <li>• The logic and rationale for having costly IT only training sessions should be discussed.</li> </ul>	<ul style="list-style-type: none"> <li>• It would have been useful to have an assessment of the training plans of Nigeria's training institutions at the beginning of the project.</li> <li>• The execution of the planned activities should be suspended in order for UNODC to better explain its training approach and strategy. Such clarifications could be made in Management Response Meetings to be attended by UNODC, UNICEF, the EUD and the NPC.</li> <li>• IT trainings should be better linked to a specific institutional change in the justice sector.</li> <li>• Training in modern investigation techniques should be encouraged if police investigators, prosecutors and judges are associated in the programme.</li> <li>• The training activities should be better anchored in the activities and work plans of the project partners' training institutions (National Judicial Institute, prison, police).</li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Output 2.1 Improved quality of training for staff of the justice sector and Output 2.2 Improved competence and skills of prosecutors and officials of the Judiciary, the Police and judicial officers</i> could be merged (as in 2015 workplan) since they are very similar.</li> <li>• It is doubtful whether the project, given its weak staffing resources can embark on brand new complex activities such as Standard Operating Procedures (SOP) on crime scene evidence or the development of a forensic strategy.</li> </ul> <ul style="list-style-type: none"> <li>• There is no time left until project's end for 12 procurement to be launched as planned under <i>Output 2.3 Enhanced operational and research capacities of MoJ, NJI, and the Judiciary</i> since the UN system and the Justice Project have proved not to be fitted to deal with procurement (nor recruitment) procedures.</li> </ul> <ul style="list-style-type: none"> <li>• As regards <i>Output 2.4 Improved systems for Police and Prison record keeping and court case management</i>, for both systems, no specific preparatory activity was undertaken and there is no time left to initiate such multifaceted interventions (IT procurement, training, change of management and work practices).</li> </ul> <ul style="list-style-type: none"> <li>• Under <i>Output 2.5 Improved quality of training for the juvenile justice sector personnel (at federal and State levels)</i>, UNICEF should clearly indicate to the EUD in their expected Management Response what specific training programme they are planning to carry out (objective of the training, how the training will be integrated with their general programme, etc.). To allow for deeper ad hoc capacity building, training should take place only in selected focal States (Lagos, Cross River) and complement other capacity building interventions.</li> </ul>
<p><b>Outcome 3: increased access to justice and respect for human rights</b></p>	
<ul style="list-style-type: none"> <li>• The implementation of <i>Output 3.1 Strategic advice and support given to the Police in support of respect for human rights</i> has not started except police human rights training.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue the training on human rights for the police.</li> </ul>
<ul style="list-style-type: none"> <li>• Under <i>Output 3.2 Improved capacity to decrease pre-trial detention and Prison congestion</i>, the main activity was the 6-month prison report carried out in 36 prisons.</li> <li>• The draft report does not contain all the information expected from the logframe (sentence, duration, etc.). It is doubtful</li> </ul>	<ul style="list-style-type: none"> <li>• Although the assessment was a big financial investment/expenditure, the quality of the report does not allow further interventions to be implemented on that basis. It provides some information but this information is too general and not technical enough, as well as purely descriptive. Recommendations are vague and general. The lack of specialised penitentiary</li> </ul>

<p>whether the report can be used for building up follow-up activities. Since the activity has not been carried out directly by the Nigeria Prisons Services, the results will be quickly outdated. In addition, it is impossible to manage a specific project in 36 prisons.</p>	<p>competence within the project core team to guide, manage, and orientate consultants should prevent the project from continuing the activity.</p>
<ul style="list-style-type: none"> <li>The implementation of <i>Output 3.3 Mapping of NSAs and support for NSAs rights awareness raising and legal aid activities</i> has not started.</li> </ul>	<ul style="list-style-type: none"> <li>It is doubtful whether the project has enough time left to start implementing and <u>monitoring</u> these activities. In addition since there was no project officer in charge of liaising with the NGOs at the time of the evaluation, it is suggested not to embark on such activities, unless the project is extended and a grant manager is recruited or the TORs for the National Programme Officer for Civil Society include this competence. In this case, a partnership could be entered into with LACON (elaborating call for proposals, etc.), but UNODC would directly fund and manage the grants.</li> </ul>
<ul style="list-style-type: none"> <li><i>Output 3.4 Increased access to HIV, TB and mental health services, vocational, educational, recreational and rehabilitation facilities for Prisoners, including vulnerable prisoners;</i> the scope is too large and it is too late to start implementing concrete schemes even if an extension was granted.</li> </ul>	<ul style="list-style-type: none"> <li>The initiative on restorative justice in Lagos State should be rescheduled until 11<sup>th</sup> FED.</li> </ul>
<ul style="list-style-type: none"> <li>Under <i>Output 3.5 Accountability and integrity regime for the Judiciary, MoJ, Police and the Prison service strengthened</i>, activities are at a very initial stage.</li> </ul>	<ul style="list-style-type: none"> <li>It is suggested not to go on with these activities.</li> </ul>
<ul style="list-style-type: none"> <li>UNICEF implements <i>Outputs 3.6 to 3.9 Competence of Specialized Children's Units improved   Improved systems for Prison/Remand home/Police record keeping and court case management in juvenile cases   Improved capacity to decrease pretrial detention of children   Support State and Non-State Actors' rights awareness, legal aid activities and advocacy on justice for children.</i></li> <li>The Child Rights Committee under the FJSRCC appears to be functional. The drafting of Child Rights Action Plans at State level has been initiated in Bayelsa, Cross River and Lagos. The State Action Plans (S-Aps) on Child Rights have not been finalised by UNICEF and the general State Action Plans prepared with the support of UNODC do not always contain child-related activities.</li> <li>Bottleneck assessment carried out in the pilot States of Lagos and Cross River States.</li> </ul>	<ul style="list-style-type: none"> <li>The new Chief of section should detail the activities UNICEF is planning to carry out until project's end.</li> <li>The release by UNODC of funds pre-allocated to UNICEF should be part of the Management Responses expected from both institutions.</li> <li>UNICEF should finalise the Adjudication Guidelines on Child Offenders and support their adoption at State level.</li> <li>A diversion model to be piloted to implement the draft Guidelines on Child Offenders, in advance of their finalization, was suggested by UNICEF. The content of this model and a calendar for its implementation needs to be submitted.</li> <li>It is suggested UNICEF concentrate activities in no more than two States (Lagos, Cross River) and the FCT.</li> <li>It is suggested specific grants/other schemes (through LACON) be supported to provide legal aid to children in conflict with the law.</li> </ul>

<b>Assessment of the organisational structures in place to reach the programmes' objectives</b>	
<ul style="list-style-type: none"> <li>• Insufficient number of Project Management Committee (PMC) meetings.</li> </ul>	<ul style="list-style-type: none"> <li>• Considering the numerous problems encountered by the project, the Evaluation Team recommends that the PMC meets twice a year till the end of the implementation period and fulfils its mandate, which is clearly not limited to approving work plans but also to monitoring, supervising, coordinating, providing guidance and strategic orientations.</li> </ul>
<ul style="list-style-type: none"> <li>• Insufficient number of meetings of Project Focal Points.</li> </ul>	<ul style="list-style-type: none"> <li>• Considering the implementation difficulties of the project, it is recommended at a minimum to hold quarterly meetings of the Project Focal Points.</li> </ul>
<ul style="list-style-type: none"> <li>• Despite the lack of implementation from January to August 2015, the work plan for 2015 was not updated yet. This is due to the decision that any revision/update would come only after Mid-Term Evaluation. However insufficient prior preparation of the project's potential rearrangement has been carried out by UNODC. The programme support teams in Abuja and Vienna have not assisted the core team although implementation could resume after the release of funding in June 2015.</li> </ul>	<ul style="list-style-type: none"> <li>• A new work plan for the remaining months in 2015 and 2016 will need to be designed urgently after the evaluation process and will need approval of the PMC as soon as possible.</li> </ul>
<b>Means and cost</b>	
<ul style="list-style-type: none"> <li>• It does not appear that this vast project is adequately staffed to achieve its purpose.</li> <li>• The project implementation rate was only able to attain the 70% expenditure threshold from the first tranche by 31<sup>st</sup> October 2014, and it seems obvious that the programme will not be able to achieve all expected outputs and disburse all pre-allocated funds.</li> <li>• The project monitoring and evaluation system is little developed despite having a full-time position of Monitoring and Evaluation Specialist (cost-shared for the three projects) occupied for eight months, but it has since then been left vacant.</li> </ul>	<ul style="list-style-type: none"> <li>• A selection of key positions is to be filled urgently as a conditionality for project extension. In addition, UNODC should make efforts to retain current staff until the remaining period of implementation.</li> <li>• The management is willing and able to use available means (consultants, experts) to remedy staff shortages.</li> </ul>
<ul style="list-style-type: none"> <li>• The pre-allocated funds on training are far too high and should be reduced given the weak anchorage of the proposed activities with the national training institutions, especially with the judiciary.</li> </ul>	<ul style="list-style-type: none"> <li>• The budget for training should be reduced.</li> <li>• The budget lines for "sub-contracts", and even more for 'short-term international consultants' and 'international experts' should be used in the remaining implementation period and in case of an extension.</li> </ul>
<b>Impact</b>	
<ul style="list-style-type: none"> <li>• Many targets will not be achieved at the end of the implementation period, as many activities have not yet started.</li> <li>• Some indicators and targets are inappropriate.</li> </ul>	<ul style="list-style-type: none"> <li>• Refocus of the project for the remaining implementation period will require UNODC and UNICEF review the indicators and adjust targets.</li> <li>• The EUD could use its directly managed M&amp;E resources to undertake a long-term, empirical evaluation of the efficacy of the capacity building efforts of the justice project and the</li> </ul>

two projects.

*See also the detailed Table of recommendations for action in Annex 5.2.*

## 8 Conclusions

The project will not achieve its objectives regardless of a possible extension of its lifespan. Hence, although a refocus is necessary, it will not compensate for the accumulated delays.

This fact should not prevent implementing partners from doing the utmost to address and redress the continued and left unsolved weaknesses. Considering the needs for improved coordination and managerial skills of the various beneficiary institutions involved, and the fact that the justice sector includes many different institutions as well as NSAs on the demand side of justice, it does not appear that this vast project is adequately staffed to achieve its purpose. Key positions have remained vacant for almost a year. There has been no Project Coordinator and no Deputy Project Coordinator (Project Officer Capacity Building) since the end of 2014. The UNODC project is mostly centralised in Abuja and is not managed at State level where the management and coordination needs are even greater.

A serious issue is the lack of capacity of UNODC to provide an adequate level of management. This is among the most critical points and it is suggested the EU does not engage in an extension if UNODC is not providing an adequate Management Response. Conditionalities should be met: this adequate management response, fully agreed by EUD and NPC, should be among the conditionalities. They would also include the following: i) urgent remedial action is taken in order to improve the procurement function of UNODC; ii) for recruitment, UNODC make better uses of the Roster of candidates where applicable and suitable candidates are available for the position; iii) a selection of key positions is to be filled urgently; iv) there is a strengthening of the Finance Unit at CONIG (Country Office in Nigeria) level; v) there is improvement of coordination so that reports are issued on a timely basis and provide the level of detailed information requested by the EU; vi) Funds allocated to UNICEF are released.

Refocus of the project for the remaining implementation period will require a careful review of process, results and impact indicators, as well as a review of baselines and targets.

## SECTION 2 Organizational and Functions Assessment

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### 1 Introduction

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Section 2 of the Justice project evaluation focuses on the existing organizational structures, functions and processes of the UN Office of Drugs and Crime (UNODC) country office in Nigeria (CONIG) in relation to its implementation of the European Union (EU) funded projects, with particular reference to this particular project. The Analysis and Findings component of this Section focuses on the legal authorities that guide UNODC in its implementation of EU-funded projects in Nigeria, the key business processes necessary to implement those projects and the organizational structure and staffing arrangements that are in place to activate those processes. In addition, the assessment provides a cursory overview of the institutional context that affects the capability of both the EUD and the UNODC to foster governance reform in Nigeria. Recommendations are provided that are linked to key issues identified during the evidence gathering stage that may provide options for the EU and UNODC to improve the current low quality of project implementation. Lessons and Conclusions have been drawn primarily from the three projects as a whole.

### 2 Purpose of the Assessment

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The assistance provided to the Federal Government of Nigeria (FGN) by the European Union in the area of improved governance is intended to strengthen the capacity of national partners to deal with the collective action problems associated with access to justice, drug trafficking, and corruption. The EU has elected to assist in building national capacity to institute institutional change in the Nigerian Government's approach to addressing these critical issues through a collaborative arrangement with the UNODC.

The Terms of Reference (TOR) for the joint evaluation of the three specific projects under review indicate that the very institutional arrangements put into place to assist the Nigerian government to address these problems may be limiting the generation of positive outcomes. The TOR specifically guided this organizational assessment primarily through the following two points:

p 1 "A joint mid-term evaluation was deemed as appropriate given, on the one hand, the obvious synergies between three projects which share key overall goals and which are implemented by the same UN agency. On the other hand, the projects are supported by the same organisational structure, with the cost for the programme support team located in UNODC Country Office in Nigeria and UNODC Headquarters in Vienna being equally shared between the three projects."

p 3 "The findings and recommendations of the second section are expected to be the same for all three reports, while allowing for any project specific variations."

For this reason, the Organization and Functions team has been assigned to closely ally itself with each of the three technical evaluation teams to ensure that a symbiotic approach of technical and institutional analysis is carried out in each of the three areas, resulting in the generation of a robust assessment that is valid across all three projects.

As a result of this approach, this report will provide the EU, Nigerian Government and UNODC with a coherent set of technical and institutional recommendations for the project as well as an overall assessment of the appropriateness of the current implementation modality together with suggestions for future modifications designed to improve the potential for achieving results at the outcome level.

## 3 Review of Prior Assessments

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Two prior assessments of UNODC operations funded by the European Union in Nigeria were used to corroborate the findings of this evaluation team.

**2010 Anti-Corruption Evaluation:** The evaluation of the “Support to the EFCC and the Nigerian Judiciary” project, completed in 2010, provides some salient points that remain applicable to the organization’s project management capacity today. The evaluation concluded that the project management system of the UNODC had “a long response time” and was “not conducive to project implementation”. In addition, the “financial reporting structure followed by UNODC is also not conducive for project management”. Further, “reporting to the EU also proved to be a challenge.”

Nevertheless, the “total expenditure against the project budget was very good and all indications were that the available budget (would) be spent by end of implementation (30 November 2010) and the procurement of IT through established system contacts of UNODC was very effective and efficient.

The EU project design also came in for criticism as the “logical framework did not provide a solid frame for M&E”. In order to improve upon this, the evaluators proposed that “it (would) be advisable for development partners to assist beneficiary institutions with the development of their own strategy and development plans as a first step if no policy, strategy or plan is in place.”

**2015 EU Verification Assessments:** Earlier in 2015, the EUD authorized standard verification assessment of each of the three projects. The draft reports of these assessments were being received by the EUD while this evaluation was underway. The following is a summary of the key operational issues and constraints identified with specific regard for the Justice project:

- Limited Delegated Authority: Delegation of Authority could not be utilized
- Staff Complement and Staff Capacities: Delays were noted in the recruitment of staff and current organizational structure of CONIG not effective to meet its requirement
- Procurement and Payments: The procurement plan for the Justice project was not prepared by UNODC and communicated to UNDP on a timely basis, VAT reimbursed on airline tickets, the absence of formal guidelines from UNDP and limited regular communications with UNDP, re-processing of transactions due to insufficient funds,
- Internal Control Procedures: Many internal control procedures are in place in UNODC but appropriate information and/or documents are not collected and transmitted on a timely basis, insufficient follow up on year-end financial controls, absence of a cash flow reconciliation statement
- Delays in the Submission of Narrative and Financial Reports. Many narrative and financial reports are submitted late and incorrect to the EU, leading to late funds disbursements which impact the entire programme implementation and delivery of services.
- Governance structure meetings not held as prescribed in the project document
- Visibility: No EU Logo on equipment procured by the Action and transferred to partners and beneficiaries

## 4 Methodology

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The evaluation team gathered data on current operational systems and structures with the intent to assess their potential for achieving expected results. This orientation required the team to maintain close liaison with the other three teams in order to clarify the current program theories and their potential for achievement.

The team used a mix of assessment methods for data collection and synthesis. Critical among these was the use of an assessment of organizational structure and functions during the data collection and the incorporation of Institutional Analysis and the Balanced Scorecard Approach during the Synthesis phase.

## 5 Analysis and Major Findings

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Data was collected through review of reports, emails, and interviews with staff. The data were collected according to a structured organizational assessment method provided in detail in the Organization and Functions Team Evaluation Matrix that was an integral component of the Inception Report.

### 5.1 Legal Context

The legal framework sets the stage for the evaluation by providing an understanding of the level of discretion afforded to the implementing agent.

#### Evidence

##### UNODC Governance and Financing Context

The UNODC operates as an office of the UN Headquarters Secretariat (UNO), based in Vienna. As such, UNODC has limited flexibility in setting its internal operational rules, being required, in the main, to operate under UN Secretariat-wide rules governing recruitment, procurement and financial management. The UN Office in Vienna (UNOV) oversees many of the rules that UNODC is obligated to follow, including those governing the process of procurement.

The Commission on Crime Prevention and Criminal Justice (CCPCJ) has been under the Economic and Social Council (ECOSOC) of the UN since 1992. It is the principal policymaking body of the UN on crime prevention and criminal justice. Since 2006, the CCPCJ has operated as a governing body of the UNODC, and to approve the UN Crime Prevention and Criminal Justice Fund, which constituted 44% of the UNODC consolidate budget in 2014.

The Commission on Narcotic Drugs (CND) was established by ECOSOC in 1946. The CND was mandated to function as a governing body of the UNODC and approve the budget of the Fund of the UN International Drug Control Programme, which accounts for over 56% of UNODC resources in 2014. In 1999, the ECOSOC authorized the CND to form an operational segment, through which CND exercises its role as the governing body of UNODC.

In 2001, the UNODC faced a serious crisis when its Executive Director resigned under allegations of misuse of funds and abuse of authority at the highest levels of the organization. A significant restructuring of the organization and realignment of systems was undertaken thereafter.

Prior to the initiation of the EU governance project in Nigeria, in February 2011, the UN Office of Internal Oversight Services/Internal Audit Division prepared an audit of UNODC governance arrangements and funding mechanisms. The key finding of the report indicated that “governance arrangements and funding mechanisms do not fully support the programme of work at UNODC.” The audit further suggested that the services provided by UNODC to CND and CCPCJ “would benefit from a joint governance by these commissions”. The report further stated that “plans are required to demonstrate how and when the UNODC

strategy and Results Based Management will be implemented” and that a ‘fund raising strategy is needed to identify the total amount of resources required to fund the strategy, mandates and resolutions and ensure sufficient core capacity to support earmarked activities”. In July 2012, the ECOSOC approved the 2012-2015 strategy for the UNODC and requested the Executive Director to present it to the relevant intergovernmental bodies, for the consideration and approval.

The 2012-2015 UNODC consolidated budget is US \$ 760.1 million, including \$88.9 million (11.7% from the UN regular budget. Donor contributions are of two types: general purpose funds (2%) and special purpose funds (98%). The EU was among the larger donors in 2014 and the project allocations in Nigeria fall into the special purpose category. The EU did not contribute to the General Purpose funds.

Over the past several years, UNODC has faced a significant decline in funding from major donors. As of 2009, two open-ended intergovernmental working groups, chaired separately by the CND and CCPCJ, were working on improving the governance and financial situation of the UNODC. As of May 2015, the CND working group had met 58 times and the CCPCJ met 24 times to address critical issues, including “promoting measures to improve the funding situation of the UNODC” and “supporting measures to promote a culture of evaluation throughout the UNODC at all stages of programme planning, development and implementation”. In May 2015, the CCPCJ recommended to the ECOSOC to adopt a decision to review the outputs of its working group and to extend its mandate. The note also included its wish to “express once again continued concern about the governance and financial situation of the UNODC” and of the “continued need to address these issues in a pragmatic, results-oriented, efficient and cooperative manner”.

### UNODC Legal Setting In Nigeria

The framework of the European Union (EU) assistance to the Federal Government of Nigeria (FGN) in place at the time these three projects were initiated was defined under the 10th European Development Fund (EDF). The 10th EDF allocates a substantial proportion of its funding to the improvement of governance and the protection of human rights. Under the authorization Country Strategy Paper 2008-2013, and with the full consent of the EU Member States, the EU Delegation to Nigeria and ECOWAS (EUD) engaged the Federal Government of Nigeria (FGN) in substantial consultations that resulted in the design of the three projects under evaluation at this time (justice, drugs and Anti-corruption).

A Financing Agreement (FA) was prepared with the FGN formally authorizing the EU contribution (valued at EUR 27,000,000) to the implementation of the “Support to the Justice Sector” (Justice) project. Agreeing with the terms of the FA, the National Planning Commission (NPC) signed the FA as the National Authorizing Officer (NAO) on 27 June 2012.

The UNODC has maintained an office in Nigeria for over 23 years. It has operated in Nigeria under the legal cover of the latest UN Development Programme (UNDP) basic agreement with the FGN signed in 1988. Under the leadership of the United Nations (UN) Resident Coordinator, the head of UN Country Team, the UNODC has committed \$78 million to advancing UN objectives on Good Governance under the UN Development Assistance Framework (UNDAF) 2014-2017. The majority of these resources are anticipated to be contributed by the EU.

A Financial and Administrative Framework Agreement (FAFA) was signed between the EU and the UN on 29 April 2003. The FAFA lays out the operational terms and conditions for the EU when using the Joint Implementation Management (with international organizations) modality to engage an office, programme or agency of the UN to act as an implementing agent for an EU project. The terms of the FAFA were further discussed jointly between the EU and UN on 21 January 2011, clarifying the operational arrangements between the EU and UN, particularly the requirements for high quality results-oriented narrative and financial reporting. A new EU implementation modality was announced in 2014 that may have significant ramifications for future programme implementation assignments for UN agencies.

Guided by the Justice project FA and the global FAFA, the EUD undertook a review of UNODC’s capacity to implement the Justice, plus drugs and anti-corruption, projects. UNODC prepared a prisons assessment as part of the background documents for the formulation mission. Both DFID and UNODC were considered as implementation agents during the formulation process. Following the review, which noted high quality performance, the EU prepared and signed a Contribution Agreement (CA) for the Justice project

implementation with UNODC on 14 December 2012.

The FA was signed with the NPC as NAO, but the CA is signed only with the UNODC and does not mention a direct role for the NPC beyond being the Chair and convenor of governance committees, which meet exceedingly rarely. This has led to a confusion of roles for the NPC. The NPC also stated to the evaluators that they are concerned that the capacity of the UNODC is lower than expected and it is uncertain as to the value of its capacity building efforts. They are anxious that these efforts be focused on practical organizational capacities so that the partner agencies can improve their ability to carry on their own work. They believe that UNODC has access to regional and global experts in these fields, but these have rarely been seen.

The UNODC is a small office in the UNO, noted for its technical knowledge, but with limited operational resources. Although it has many deconcentrated regional and country offices, it operates under a global working agreement with UNDP, signed on 1 January 2004, to handle its local recruitment, and most of its local procurement and financial expenditures. In addition, under the Justice project, an interagency agreement, requiring nearly a year of negotiations, was signed authorizing UNICEF to act as the agency to manage the component of the project supporting justice for children through technical assistance and civil society grants.

### Major Findings

The UNODC has a complex governance and financial structure that detracts from its ability to serve as a value added implementation agent for EUD in Nigeria. The complex governance and financial structure of UNODC makes it difficult for it to operate a project in the modern sense of a semi-autonomous entity focused on the achievement of time bound results. The three EU projects implemented in Nigeria are operated as an integral part of the overall UNODC structure. This is in keeping with the stipulations under the FAFA, however, these rules were not originally designed to be used by a project management service centre.

The FAFA provides the EU with access to professional bodies with high technical capabilities, without the need for a lengthy procurement process. A limitation is that it apparently superimposes the bureaucratic rules and regulations of other international bureaucracies on top of the EU processes. As noted above, the 2010 evaluation of the previous “Support to the EFCC and Nigerian Judiciary” project, focused on anti-corruption, clearly noted that the UNODC procurement and financial management systems were not compatible with the needs of modern project management. The significant increase in budgetary resources under UNODC management since 2013 has brought out limitations in the UN system (UNDP included) in Nigeria to manage large-scale projects involving multiple partners engaged in numerous activities being conducted simultaneously in many parts of the country. (See evidence sections of Structure and Business below). In this regard, the Justice project is being implemented simultaneously by UNODC along with two other governance projects in Nigeria on anti-corruption and drugs, each of comparable size, thus, immediately trebling the size of its previous project management obligations.

A potential constraining factor in the structure of the FA is the mention of UNODC as the implementing agent in the TAPS. If improvements in project management are not forthcoming, a change of implementing agents, as might be a normally expected consequence in an openly procured contract with a private sector (or quasi-private) agent that did not perform well, would apparently require a new TAPS and FA, possibly leading to a lengthy review and approval process at many levels.

The NPC has reported that the EU keeps it informed of its activities more completely than other major donors. Nevertheless, a reconsideration of the role of the NPC does appear to be a necessity to foster more complete programme ownership by the FGN. The NPC, itself, is the subject of a large EU capacity building programme which underwent a mid-term review in September 2014. Indeed, the review stated that “EUD needs to re-think the content of Contribution and Administration Agreements to enable NPC/NAO perform its monitoring role actively without any hindrance”.

While the global UNDP/UNODC working agreement is in place, the failure of CONIG to agree on the terms of a standard Service Level Agreement (SLA) with UNDP/N has limited its ability to hold the UNDP/N business

unit to meaningful time and quality commitments.

## 5.2 Organizational Structure and Staffing

The internal structure of the UNODC/V and CONIG the adequacy of staffing levels, to include issues related to recruitment, training and retention was reviewed. Proposals for restructuring were also assessed.

### Evidence

The UNODC is based in Vienna with Regional, Sub-regional, Country and Project Offices in over 50 countries around the globe. The Vienna office consists of four divisions: Operations, Treaty, Policy and Management. The Regional Section for Africa and the Middle East assumed direct supervision of the Country Representative for CONIG in October 2014. Nominally, the gross value of the three EU-funded projects in Nigeria is equal to approximately 38% of the potential operational budget for the region. The Drug Reduction and Health unit and a small Justice team are under the Operations Division. The anti-corruption and organized crime branch is under the Treaty Division. The Statistics and Survey unit, engaged in designing all of the surveys planned for all of the projects in Nigeria, under the Policy Division. Human Resources, IT and Finance are under the Management Division, while all international Procurement for the Nigerian projects comes under the direct purview of the UNOV.

The UNODC in Nigeria (CONIG) is headed by a Country Representative (CR). This post was most recently held by a person who had worked for the UNODC from 1995-2003, and other UN agencies thereafter until her appointment. The incumbent was not, at the time of hire, a career staff person of UNODC, but someone hired specifically to manage the Nigeria Country Office on an annually renewable contract. The incumbent departed Nigeria in December 2014 after rejecting a second three-month contract extension. The process of seeking her replacement has also been conducted through open recruitment.

The CA for the Justice project was signed in December 2012, with an expected start-up in January 2013. The first tranche of funding to cover expected project initiation costs for 2013 was released to UNODC shortly after signing. The release of the 2013 funding was necessary for UNODC to complete its formal recruitment process, although the CR and UNODC/V had initiated preliminary recruitment measures prior to signing the CA. This follows from the rule obligating all offices of the UNO to deposit the full amount of an incumbent's salary and benefits for the duration of contract with the UNO once recruitment is finalized.

UNODC agreed with the EUD on a staffing pattern involving approximately 60 staff members in Nigeria (10 in Lagos and the remainder in Abuja). The evaluation team was also provided with a set of six TOR for staff based in Vienna that were to be paid by the EU funding. During video interviews with Vienna, it became apparent that only two of these posts, the Project Officer and Assistant, are assigned full-time to one individual. The others reflect TOR that are shared by a number of UNODC/V staff who work part-time for the EU-projects. As an example, the HR Associate interviewed stated he calculated that less than 20% of his time were billed to the EU projects.

The staff in Abuja is divided into six groups: the office of the Country Representative (2 staff), the Programme Support Team (Technical) (5 staff) and the Programme Support Team (Operations) (9 staff) both headed by a Programme Manager, the two project units for the justice and anti-corruption projects and a liaison office for the Drugs project.

All Nigerian national staff must be recruited by UNDP under their rules, not even a cleaner can be hired by CONIG. UNDP/N rules call for project staff to be recruited under a Service Contract, which has limited health insurance coverage and no pension benefits attached.

Each project is headed by a Project Coordinator (PC), operating together with a small team of technical, managerial and administrative staff. Each project unit has an embedded finance officer reporting directly to the Project Coordinator. The PC reports directly to the Country Representative and has no direct reporting relationship with the EUD.

Both the technical and operational Programme support teams in Abuja reported that they had experienced considerable push back from the PCs on a number of issues. On the technical side, it was reported that

several PCs were reluctant to accept advice from the technical Programme Support teams on the quality of their plans and reports while the operations team reported that they had a difficult time in holding project teams to the requisite timelines and documentary completeness required for timely procurement and disbursement.

The Justice project has had a comparably bad record in recruitment and retention. The first staff was recruited in late 2013, with the major staff obtained in 2014. However, a significant number have already left. The PC resigned in December 2014. The post has been advertised, but no replacement has been identified. A junior staff in Vienna applied and was recruited for a P3 technical post in Nigeria under the Justice project. Then, when the two P4 posts came vacant, she was appointed as OIC for the project. During the evaluation, she informed that she was about to depart on maternity leave until December 2015. The PC post remains vacant still. The newly arrived Programme Management Officer, having a justice background, will devote 25% of his time to that PC post, although this is not within his post TOR. Currently, three other key posts are under recruitment. Despite these recruitment problems, according to data compiled by the EU Verification Mission of the Justice project, at the end of December 2014, of the resources spent from its first tranche to finance 2013 and 2014 activities, 43% were on personnel costs.

## Major Findings

It appears that UNODC does not have a large enough set of permanent staff who are qualified to serve as Country Representatives, even in a country where the office has existed for over 23 years and with an EU-funded budget that amounts to nearly 40% of the Africa-Middle East Section. Direct oversight of the CONIG by the Regional Office, initiated in October 2014, may again lapse with the arrival of the new CR. As currently structured, the Regional Directors can only supervise CR of P5 grade. The new CR post for Nigeria has been advertised as a D-1 posting, requiring direct supervision by the UNODC Director of Operations.

The UNODC has experienced considerable difficulty in recruiting and retaining both qualified national and international staff in its Nigeria office and the three projects. At present, there are fourteen international posts with nine falling vacant within the past year. The UNODC points to a number of factors that make international recruitment in Nigeria difficult. One, particularly critical at start up, was the massive bombing of the joint UN building in Abuja in 2011 and smaller bombings in 2014. Another is the international reputation of Nigeria as being a difficult place to accomplish project objectives. Third, is the high cost of rental space, and the requirement to pay full rent at least one year in advance. Comparison interviews with other agencies, in and outside of the UN, indicated a mixed situation. The non-UN agencies had the easiest recruitment and retention as they did not have the UN building bombing hangover and were able to pay housing costs as a part of the international benefits package. A final factor given by departing staff is the increasing uncertainty that their contracts will be extended, plus the inordinate level of bureaucratic processing needed to complete any personnel transaction. Others have articulated that their capacity had been 'crippled' by the UNODC organizational culture.

None of the international posts that became vacant in the three projects during the past year has been filled with employees hired directly for the projects. The CR post was filled in January 2015 by a retired UNODC officer whose tenure has already been extended until October 2015 awaiting assignment of a permanent CR.

Typically, SC holders, in all projects in all countries, use their time in a project to build the experience necessary to obtain a fixed-term appointment elsewhere. This has led to difficulties in both recruitment and retention of national staff by the UNODC. As of August 2015, nine national posts were under recruitment, with three announcing their departure during the course of the evaluation.

The UNODC is currently negotiating with the EU to obtain 'full cost recovery' of its operations in Nigeria. This would entail enabling the UNODC to recoup the full costs of all its office staff, including the costs of the Office of the Representative and several other posts only partially funded by the EU. At the time of the evaluation, the EU had not agreed to this request.

The PM post was first filled in April 2015 by a UNODC/V staff who is on temporary assignment (retaining his

permanent post in Vienna) and is currently planning expected to remain in this post only until the end January 2016. The post was originally advertised in January 2013 and a qualified candidate was selected in January 2014, but she subsequently went on Special Leave without Pay in February 2014 before joining. The post was re-advertised, but no suitable candidates were identified. Her leave period will be over in February 2016, and she is expected to take up the position. The rationale for leaving this critical post unfilled for so long before fielding a temporary posting are unclear to the evaluation team.

Despite the long gaps in technical and managerial posts, until the posting of the PM, UNODC/V has not sent any of their managers or experts on a short-term basis to temporarily fill the gaps in the projects. The EUD reports that it has never rejected any request for fielding Vienna-based managers or experts on short-to-medium-term missions, which would be funded by the projects. However, it does reject the idea that UNODC/V could charge staff training missions from Vienna as direct costs.

The CONIG has proposed some structural modifications to facilitate more coherent operations. Key among these will be to shift the project-level Finance Officers under the direct supervision/reporting of the Senior Finance Officer. Likewise, the project level Administrative Assistants will be placed under the Operations Manager, who would take on the added role of Procurement Officer to reduce the number of procurements going through UNDP, by assisting procurement processes through either UNODC/V or through the two CONIG staff holding procurement delegation of authority (one recently obtaining DA clearance is associated with an ECOWAS project). Also, a new position is proposed for an international CONIG Finance Officer. These changes should facilitate more balanced workloads, especially when some projects are engaged in higher activity levels than others, remove the potential conflict of interest when these critical support staff are reporting directly to the PC, rather than to the Country Office, and streamlining the reporting structure that currently has proven to be inefficient.

While many of the CONIG staff have the requisite technical skills, there is a lack of knowledge of the fundamentals of project management and a seeming general lack of attention to detail in administrative matters (see Business Processes). This has led to long delays in the approval of needed plans, procurement requisitions and payments. As a result, the image of the UNODC as a competent project management unit has been seriously compromised in Nigeria.

Part of the problem with staff capacity has been the limited attention paid to ensuring they have undergone requisite orientation and training. This applies both to the tools of project management as well as to broader concepts of sustainable development. This latter is fully covered in the Justice technical review above indicating that the State Judicial Action Plans were prepared in such a manner that the States assumed that the UNODC would fund and implement all of the activities mentioned. Such an approach does give sufficient attention to how such plans are going to be used to build the capacity of the organizations to improve their functionality in carrying out their own work.

### 5.3 Business Processes

Capabilities in key administrative processes, covering planning, finance, and management responsibilities, were rated individually and as components of an overall system. Potentials for human resource development were also assessed.

#### Evidence

##### *Governance:*

The evaluation of the previous anti-corruption project had noted a deficit in beneficiary ownership of the project activities, thereby requiring a higher level of stakeholder engagement in the drugs, justice and anti-corruption projects. Two key governance structures have been established to maintain close coordination and strong working relations between the UNODC, EUD and FGN. A Chief Executives Forum (CEF) composed of the heads of partner FGN agencies, and chaired by the Minister of the NPC serves as a platform for open dialogue across agencies engaged in the three projects. The last meeting of the general CEF was in November 2014, but not a single Justice thematic CEF has ever been held. A Project Management Committee (PMC) exists for each of the three projects separately. These are to meet semi-

annually. However, a review of the available documents provided by the Justice project indicates only one meeting was held in June 2013 and none in 2014. The 2015 meeting was held in April, at which time the 2014 and 2015 workplans were approved.

#### *Headquarters Guidance:*

UNODC/V reports that it has provided substantial advice and assistance of both a technical and managerial nature to the teams in Nigeria. Clearly, the CONIG business processes are guided by the UN Operations Manual, UNDP Manual on Procurement, UN Financial Rules and Regulations, Human Resource guidelines and manuals for local staff recruitment. The newly created Field Operations Management Support Section is in the process of preparing a new quality assurance system for world-wide application, including the establishment of evaluation focal points based in the field.

#### *Planning and Priority Setting:*

The CONIG has required that project teams prepare an annual work plan and procurement plan. All of the teams have had difficulty in accomplishing these planning tasks and obtaining timely approval from their multi-partner Project Management Committees (PMC). All three projects failed to complete a timely 2014 annual project plan. Many of the implementation delays have been attributed to project staff failing to complete documents on time and failing to convene the PMC.

#### *Procurement:*

The procurement processes required to implement the three EU projects are broken into three components. International procurement is undertaken by the UNOV. Most national procurement is carried out under the agreement with UNDP. A (sub-) Delegation of Authority (DA) has been granted to the CONIG by the UNODC/V (the supra DA is granted by UNOV to UNODC/V).

The DA limits were raised to \$40,000 in April 2014 (from \$4000) under the previous CR, but after her departure this could not be much used until recently as, apparently, there was no one in the office with the requisite training in procurement matters. However, most of the annual project procurement plans have not been completed on time, because the annual work plans were never prepared by the project teams on time. Procurement plans are derived from the workplans, leading the CR a. i. to state that he had disallowed the use of the Delegated Authority for direct procurement by the CONIG “to force his staff to plan”<sup>5</sup>. In an email response to the evaluation team, the new PM indicated that he has now been authorized to initiate the use of the Delegated Authority.

#### *Finance Resource Utilization<sup>6</sup>*

The Justice project received an initial tranche payment of EUR 5,099,472 in January 2013. In the budget contained in the CA, the anticipation was that the project would spend approximately EUR 13,904,342 in the two years of operation. However, by the end of December 2014, the project had only spent EUR 4,790,263 or about 34% of the first two year’s planned execution. Although the Justice project was intended to work with FGN national agencies, plus State level agencies located in ten focal states scattered across the country, the project received the smallest travel budget of all three projects. Even so, after two years, it was only able to spend 9% of the expected travel total for that period. The project spent 43% of its available resources on personnel related costs in the first two years of the project, however, according to the CA budget, personnel costs should only have consumed 20% of expenditures over that period. Training and meetings, a major purpose of the project, comprised 31% of the first two years’ expenditures, an increase over the 20% anticipated in the CA budget. However, subcontracts had been allocated 23% of the first two year total, while only a total of 6% of available resources were spent in this manner. With equipment we find a similar pattern with 17% of the first two year budget allocated, while only 10% of total was spent on this

<sup>5</sup> See Annex 6 A Email document evidence

<sup>6</sup> Although the first tranche expenditure report was approved in June 2015 by the EUD, the evaluation team has elected to use the expenditure figures prepared by the Verification missions as this provides a consistent record over two years of operation for all three projects. The Justice project, in particular, had already consumed most of its first tranche resources before end 2014, leading to a serious implementation gap in early 2015.

budget line.

At the end of the first two years, the Justice project had less than 6% of its first tranche resource remaining. Due to the failure of UNODC to gain approval from EUD for their financial reporting on the first tranche, project activities were seriously curtailed during the beginning of 2015.

The budget for the Justice project foresees a co-funding of EUR 1,000,000. The Contribution Agreement stipulates that the Action is a multi-Donor Action, and that the EU undertakes to finance a maximum of EUR 25,000,000 (96.1 % of the estimated total eligible costs or EUR 26,000,000). There was no other donor with EUR 1,000,000 in “cash” for this project. However, UNICEF, as “Implementing Partner Agency” has included a number of national and international staff that contribute to the implementation of the project at no cost to the project. The monetized value of the time worked by the UNICEF staff would account for the 1 million Euro over the nearly four years of implementation of the project, as an in-kind contribution, if the project were being implemented according to plan. As it is not, the UNODC may not fulfil this contributory obligation.

#### *Monitoring and Reporting:*

There does not appear to be any monitoring system used in any of the projects that objectively tracks progress towards the achievement of expected results and outcomes. There was an M&E Officer in place for nine months, but no functional system had ever been produced.

Without a coherent monitoring system in place, the project teams have found it difficult to meet the narrative reporting requirements of the EU. A broad outline of a standard report is contained in the 2003 Fafa. The outline includes both activities and results as components of the report. The 2011 Fafa dialogue between the UNO and the EU clarified that “Reports are expected to focus on results and outcomes, not just on the inputs, activities and outputs that lead up to these.”

Reports must be submitted repeatedly before receiving EUD approval. The 2013 Justice narrative report was submitted February 2014, with a revised version submitted in March 2015 and an approved version in February 2015. The 2014 report moved more smoothly with the first version submitted in February 2014 and approved for dissemination to PMC for comment in April 2015. The Justice 2013 Financial report was submitted in March 2014 with a second version in April 2014. The 2014 Financial report was submitted in March 2015 with a second version in April 2015.

#### *Visibility:*

Visibility requirements for acknowledgement of the EU and the FGN are clarified in the Fafa and the EU-UN Visibility Guidelines to ensure the national stakeholders, the donor community and general public is aware of the EU contribution to the project. A dispute arose over the visibility of the EU contribution to the Police Training Manual that was eventually resolved. The UNODC reported that a draft Visibility Strategy was submitted to the EUD in January 2014, with a second version submitted in November 2014. There remains some confusion whether this has been approved by EUD and NPC, but there seem to have been no steps taken to implement it.

#### *Financial Management:*

The EU funds are kept in three segments: international expenditures kept in Vienna, national expenditures kept with UNDP and local expenditures (a maximum \$60,000 replenishable account) kept by the CONIG.

Forecasting of cash needs is a critical function of the project teams. This should be done in gross terms on an annual and quarterly basis and in detail for the monthly forecast. This process requires a detailed breakdown of the procurement plans.

The local account level to be transferred monthly from Vienna is determined through a consolidation of monthly cash forecasting exercises conducted by each project. Replenishments are allowed when the level gets to \$10,000, however, this can be speeded up if the needed volume is higher than the maximum allowed to be held in the account.

The UNODC financial accounting system is divided into two parts. A Field Office Management Ledger is

maintained by CONIG while the primary accounting system is maintained by Vienna. The only official financial expenditure reports are issued by UNODC/V.

The entire UNO Secretariat will shift to a common financial accounting system in the second half of October 2015 with the system required to be operational by 1 November 2015. This will eliminate the distinction between the Field Office and Headquarters systems. However, all official financial statements will still be issued by UNODC/V.

In the past, financial reports were prepared for submission to EUD by UNODC/V without providing detailed expenditure categories to CONIG. This has been rectified in the most recent report submitted in May 2015.

Further, disagreement between EUD and UNODC on what constituted an appropriate financial reporting format, particularly involving the definition of 'legally committed obligations', coupled with other claims by EUD of inaccurate recording of expenditures, resulted in a substantial delay in the release of the second tranche payment. This seriously undermined the ability of the UNODC to continue project implementation, as it could not substantiate to the satisfaction of the EUD that more than 70% of the initial tranche had actually been utilized on eligible expenditures. The UNODC took a long time before agreeing to modify its reporting templates so as to distinguish between committed and legally committed expenditures to the satisfaction of EUD.

### Major Findings

The lack of rigour among the project staff, combined with the lengthy operational processes of UNDP and UNOV, has led to numerous cases of delayed local procurements and payments. The complicated procurement procedures in Vienna, particularly regarding whether the National Bureau of Statistics could be offered a sole-source contract, played a major role in the failure to conclude any surveys over the past two years. Also, a cash flow problem, noted above, played a role, particularly in the anti-corruption survey. Improvements in the UNOV procurement processes have been reported, which may speed international procurements now that the second tranche funding is available.

The UNODC seems not to be able to press the UNDP business office to speed their processing of UNODC transactions. The utilization of the DA may help by reducing the total number of transactions processed by UNDP. In addition, CONIG, though it's DA, can also directly avail of some of the Long Term Agreements that the UNDP has established for all UNCT agencies with various vendors for hotels, printing, supplies, etc. However, the lack of a signed Service Level Agreement limits CONIG ability to hold UNDP to agreed timelines for the services that it provides directly to UNODC.

Finance Officers associated with the projects have frequently submitted payment requests late and incomplete. Rather than submit each request when it has been processed, the FOs often hold the requests to submit them in batches. This leads to complications with the CONIG cash system because submission of many requisitions at once can throw the Imprest balance into the negative, which is not allowed. This can also put the replenishment requisitions out of sync with demand. This requires a level of rigour that has not been easily obtainable among the project staff, partly because the project finance officers report to the PC rather than the Senior FO. The structural adjustments in personnel reporting responsibilities of the project financial and administrative staff may help to improve this situation. The Finance Officer for the Justice resigned at the end of December 2014, and has not been replaced as of the drafting of this report, although new funds became available at the end of June 2015.

The EUD has repeatedly stated that reports from CONIG are activity based and, thus, not in line with the results-based reporting requirements of the FAFA. The UNODC has stated that an appropriate M&E system is in place with the annual and semi-annual reports of all three projects and documented in its program operations manual, which includes an electronic system for programming results. From the perspective of an evaluator, if the principal continues to state that reports are not substantively complete, then it should be incumbent upon the implementing agent to ascertain what could be done quickly and appropriately to rectify the situation.

The financial reporting system of the UNODC is heavily oriented towards compliance with UN accounting

standards. There is no evidence in the project financial reports prepared by UNODC/V of any analysis of expenditure using basic project management parameters. The approach appears to be a straightforward accounting of expenditure leading to the justification of a subsequent tranche payment from the EUD. The lack of calculations on the work, cost, time parameters versus output ratios at the sub-project level, a mainstay of modern, professional project management, seriously reduces the ability of the project managers, EUD or the evaluators to assess the efficiency of budget utilization for achieving results<sup>7</sup>.

The mismatch between expenditures on personnel versus other budget line items indicates a number of project management issues. One has been the seriously slow international procurement process required to sub-contract firms/agencies to carry out activities, such as CSO grants or large-scale surveys, which UNODC apparently does not have the in-house capability to perform directly. The failure to carry out these surveys and to get civil society activated to work together with government represents a serious flaw in the UNODC capacity to deliver as expected. Closer attention will need to be paid to ensure that all aspects of each of the projects are moving ahead in a synchronized manner.

## 5.4 Institutional Context

The production and delivery of project services are strongly influenced by the political economy framework within which the work is being performed.

### Evidence

One of the earliest case studies in DFID's Drivers of Change political economy analysis series was undertaken in Nigeria. (See Annex 6 B). The document makes the following four arguments:

- Although the transition to civilian governance had been (as of 2003) a significant improvement over military rule, it had not achieved the progress towards pro-poor change that had been anticipated.
- Focusing on 'Champions of Change' had not driven reform, partly because the actions of individuals and organizations are seriously constrained by Nigeria's pre-existing structural environment. The structural environment is heavily reinforced by unearned income from oil, reducing the power that can be wielded by reform oriented actors.
- Thus, the assumption that the inability of individual and organizational actors to achieve reform is a result of weak capacity is not well founded as it is the institutional framework within which these actors must operate that determines their ability to foster change. (A good example in the EU projects is the fact that the anti-corruption policy, created in 2009, was never formalized.)
- The report acknowledges that focusing on key organizations has a value, while recognizing that building internal capacity may not be the most effective approach to doing so.

### Major Findings

- However, this DFID document, produced in 2004, does not appear to have been referenced during the project design process. In fact, the Drugs project document prepared by UNODC for its internal approval process states that: "The resolution of underlying problems that engenders the violence requires a better understanding and awareness of root causes and drivers." In fact, the core arguments in DFID's analysis would appear to suggest that while the training-oriented path taken by these projects may have had some useful aspects, they were not aimed at the root causes of the problems and they have not, on the whole, been well appreciated by the FNG partners.
- In addition, the institutional arrangement for project implementation, described above under Legal Authorities, set up a confusing array of principal/agent relationships that fostered the creation a moral hazard whereby UNODC was incentivized to take on a larger programme management responsibility than it seemingly could handle in Nigeria, whereas the FGN was not sufficiently incentivized to take full ownership of the programme.

<sup>7</sup> See Annex 6 C Project Management Standards

## 6 Lessons Learned<sup>8</sup>

### ***1. The FAFA appears to have had the unintended consequence of intensifying the principal/agent challenge in development projects***

All development suffers from a confusion over what set of incentives will actually influence the behaviour of an agent. In the projects reviewed here, the FAFA appears to have compounded this problem for several reasons. First, the incentives inherent to the EU and its internal agents, its staff and consultants, influence the ways in which a project is designed, with an emphasis placed, first, on committing money (see lessons 2) and, secondly, on spending that money. Second, despite substantial technical resources existing within the EU system, the FAFA is used to transfer EU resources to an external agent, often a UN agency, to implement a project using its own systems. While a private sector agent would be driven primarily by incentives to deliver what the principal is asking for, and profit from that delivery, United Nations agencies, allowed by FAFA to use their own systems, must also contend with their own sets of internal principal/agent dynamics. In the case of UNODC, the organization is responsible to two separate Commissions, each with its own set of incentives, important among which is continuation and growth. The behaviour of the UNODC and its staff is also heavily influenced by the incentives generated by the rules and regulations created by the United Nations Secretariat. In addition, as has been seen in the rapid flow-through of national and international staff, an important incentive for individual agents is to use the EU-funded experience at UNODC as a base for obtaining a better job elsewhere. While aimed at easing the EU's programme management burden, the FAFA is seen by the evaluators as having the potential for creating a moral hazard whereby a UN agency is incentivised to take on more responsibility than it can effectively handle. In its revised 2014 guidance on project implementation modalities, the EU appears to have also recognized this dilemma.

### ***2. Projects that are designed to around international norms are often out of sync with the reality of local problems.***

The design processes of the three EU governance projects reviewed under this assignment were all dominated by external advisors and guidance from EUD (such as the pre-selection of UNODC to be the implementing agent in some cases). The designs concentrate large amounts of money, particularly for a middle income country, to be spent on training, equipment, provision of advice and preparation of plans and strategies aimed at building individual and organizational capacity in a short period of time. Consultations were held with potential beneficiary organizations, but apparently assessment of skill levels, key concerns and absorptive capacity were not carefully conducted. In addition, seemingly no in-depth political economy analysis of the root causes of the corruption, justice or drugs dilemma was carried out. In fact, the project designs actually run counter to several of the findings of a political economy analysis carried out by DFID five years earlier, arguing that working on individual and organizational capacity building would not address the core problems of governance in Nigeria.

Considering the analyses of the technical evaluation teams, particularly those of Justice and Drugs, the establishment of an academy or series of academies may have proven to have been a better focus of an EU capacity building intervention rather than expecting temporary projects to fill that long-term role. In that way, one project could have been set up to build or upgrade internal training capacities while thematic projects could have focused on the utilization of such capacity in the resolution of specific problems identified by the partner organizations themselves, leading ultimately to the drafting and implementation of evidence-based policies that are fully owned by the government.

### ***3. Classifying the FGN as a beneficiary in the FA reduces the government's incentive (and ability) to seriously engage in solving its own problems, and would appear to run counter to Paris and Cotonou principles on aid effectiveness***

Donor/beneficiary relationships assume no conditionalities of performance. Beneficiaries consider themselves lucky to have to been singled out to receive some good that they may want to have. That good

<sup>8</sup> See Annex 6 B Programme design

may not actually be something the beneficiary needs to solve its core problem, but it may be useful for other purposes. However, this relationship reduces the role of the government (or even an NGO) to that of a recipient, not a partner. As a partner, you need to define your own problem and, if necessary, you need to engage with international donors who can act as a catalyst in providing some external knowledge that you need in order to find your own solutions, and you need to use your own budget to implement that solution to the satisfaction of your citizens. Policies are exhortations, plans are menus, neither are solutions.

#### **4. The inclusion of financing for tangible assets undermines a focus on systemic problem solving in governance reform**

This lesson comes from three realizations. First, Nigeria is a middle-income country. In 2014, it passed South Africa as the largest economy in Africa. According to the 2008 EU CSP international assistance amounts to 1% of the national government budget. Nigeria has the resources to purchase its own vehicles, computers and other equipment, if these are national priorities. Paying for such goods reduces the need for the Government to make difficult budget decisions, allowing the international community to fill in any gaps they wish. Second, particularly when there are no conditionalities on progress included in the agreement, the inclusion of tangible goods in a project, in the form of computers, vehicles or other assets, often leads to a dispute over why funds are being spent on advisers and their work (potential long-term benefits) when it could be spent on equipment that has immediate benefits (see lesson 3). Three, the provision of such inputs in connection with a governance reform intervention does nothing to solve the underlying development problem, but it can make the beneficiary look like it is more capable. This is the core of the Samaritan's Dilemma in development that plagues institutional reform efforts by increasing donor dependency without generating performance improvement. Although the Justice project did not budget for large non-expendable equipment, it did stymie progress by branding and marking State Action Plans with UNODC and EU logos, an action built the expectation among the States that international organizations would be funding and implementing the plans for them.

## 7 Recommendations

The evidence and major findings noted above were analysed to produce the following table of Key Issues and Recommendations. The process involved the use the Balanced Scorecard Approach for public sector organizations to synthesize the evaluation team's understanding of the factors that influence the operations of UNODC and the current potentials for improvement. Four key aspects of a Balanced Scorecard Approach for the public sector are used as the major grouping for the issues and recommendations below. These perspectives have been viewed as critical to a public organization's capacity to deliver on its mandate in accordance with the expectations of its principal clients.

**Table 2: Organisational and functional issues and recommendations**

Organizational and Functional Issues and Recommendations	
Key Issues	Recommendations
<b>Mission Perspective</b>	
Do the initiatives undertaken by UNODC bring about the expected results?	
<ul style="list-style-type: none"> <li>▪ The three projects match closely with the mission and vision of UNODC</li> <li>▪ Professional capacity is available in Vienna in all major areas covered by the projects</li> <li>▪ This expertise has been underutilized to date</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNODC HQ needs to play a far more direct role in providing technical advisory services to the project partners</li> <li>▪ Budget for technical consultants should be expanded, however, this may need to be balanced by a reduction in non-expendable asset procurement</li> </ul>
<ul style="list-style-type: none"> <li>▪ The current process for the preparation of project revision riders has been led by UNODC/V and seemingly has not involved</li> </ul>	<ul style="list-style-type: none"> <li>▪ The EUD should work through the NPC to facilitate open dialogue with the new government to determine the best approach to be taken in</li> </ul>

<p>national partners in a meaningful way</p>	<p>modifying these projects to match current political realities</p> <ul style="list-style-type: none"> <li>▪ Following this, the MTE should be viewed as just one of many inputs to the project revision process</li> </ul>
<p><b>Client Perspective</b></p> <p>How is the performance of CONIG perceived by the key stakeholders/beneficiaries associated with the three governance projects?</p>	
<ul style="list-style-type: none"> <li>▪ Relationship with EU reached a low point in late 2014</li> <li>▪ Serious efforts were initiated at the beginning of 2015 by UNODC/V to address key issues, but the EUD has not seen this as a meaningfully sustained effort</li> <li>▪ NPC has not noticed any improvement in communication or engagement</li> <li>▪ States report total confusion on the purpose of the State Action Plans</li> <li>▪ The verification assessment found that UNODC purchased equipment given to project beneficiaries failed to carry the EU logo.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Existing communication, engagement and visibility obligations need to be revisited immediately by EU, NPC and UNODC to remove any confusion regarding the roles and functions of each agency</li> <li>▪ Procedures, compliance standards and templates thus agreed must remain in effect until formally revised and would not be modified following a change of personnel in any of the partner agencies</li> <li>▪ The agreed visibility strategy needs to be implemented</li> <li>▪ Reassess budget lines for non-expendable equipment in order to reduce demand for inputs that should be funded by the host government as a part of its normal budget process</li> </ul>
<ul style="list-style-type: none"> <li>▪ ONAO evaluation indicated EUD needs to improve its administration of CA</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> <li>▪</li> </ul>
<ul style="list-style-type: none"> <li>▪ Many comments from FGN questioning the utility of repeated short trainings that do not appear to have an impact</li> <li>▪ Skills training for in-service capacity development has long been seen as a suboptimal to action orient problem solving scenarios for adults</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNODC needs to move away from a heavy dependence on classroom trainings and develop practical adult learning-oriented capacity building interventions, with strong orientation to problem/solution identification processes undertaken by national entities themselves</li> <li>▪ Focusing on building problem-solving scenarios that are centred on issues identified by participating organizations will facilitate both sides to learn what interventions are really needed to improve organizational effectiveness</li> </ul>
<p><b>Business Processes</b></p> <p>What processes does CONIG need to excel at in order for stakeholders/beneficiaries to fully appreciate their performance?</p>	
<ul style="list-style-type: none"> <li>▪ Project implementation teams have technical capacity, but have limited management capacity to deliver</li> <li>▪ Program support teams have the requisite technical skills to process project transactions, but are burdened by limited delegation of authority, poor project planning and management and inability to manage UNDP services efficiently</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implement office structural changes for existing staff while awaiting EUD approval for adding new staff</li> <li>▪ Sign a standard Service level Agreement with UNDP by 1 October with provision for amendments if gaps in service occur</li> </ul>
<ul style="list-style-type: none"> <li>▪ Work planning has been slow and incomplete</li> </ul>	<ul style="list-style-type: none"> <li>▪ Zero tolerance for incomplete or inaccurate work plans is needed.</li> <li>▪ The 2016 work planning exercise must begin with partners no later than 1 October and be completely costed prior to 15 December</li> </ul>
<ul style="list-style-type: none"> <li>▪ Speed of Procurement has been a major drag on the project, undermining delivery</li> </ul>	<ul style="list-style-type: none"> <li>▪ Use of Delegated Authority by the PM should be improved with the creation of additional LTAs,</li> </ul>

<p>rates, relations with partners and morale of staff</p>	<p>perhaps in association with UNDP and other members of UNCT, for small, repeated procurement with strict compliance with UN rules</p> <ul style="list-style-type: none"> <li>▪ Restructure the country office to eliminate conflicts of interests and create a procurement function within Operations</li> <li>▪ All PC must submit procurement requests that are complete and timely in accord with SOP established by PM—zero tolerance needs to be put into effect to end demand for ‘waivers’</li> <li>▪ Major procurement plans for all projects to be completed not later than 1 February 2016, revisions only allowed with approval of the PM on a quarterly basis</li> </ul>
<ul style="list-style-type: none"> <li>▪ There has been no formal Monitoring of progress towards project outputs or outcomes. Most reports are activity based.</li> <li>▪ There are no monitoring frameworks for the three projects and this makes monitoring impossible</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNODC/V should use Nigeria as an early implementer of its new global M&amp;E and quality assurance systems or work with the EU to deploy the EU ROM system with the Nigerian projects</li> <li>▪ Riders for modification of current project designs should be results based and hence make results based monitoring frameworks an integral part of design and management</li> <li>▪ Project narrative reports should be written using a results perspective and, beginning in 2016, should be required on a quarterly basis<sup>9</sup>. Third party professional should be used to validate findings.</li> <li>▪ The EU, the NPC and UNODC must agree on dates for PMC and CEF meetings at the start of 2016. The next CEF meeting should be held shortly after approval of the MTE report.</li> <li>▪ The M&amp;E resources under the direct control of the EUD should be used to immediately engage a firm to design and implement a continuous training impact evaluation process to provide unambiguous assessments on the utility of the projects’ interventions, particularly training, towards building the effectiveness of the recipient organizations<sup>10</sup></li> </ul>
<ul style="list-style-type: none"> <li>▪ Reporting errors and delays have affected program efficiency and delayed release of subsequent tranche payments</li> </ul>	<ul style="list-style-type: none"> <li>▪ Restructure UNODC so all finance and administrative personnel involved in processing financial transactions come under the supervision of the Programme Support Team rather than the Project Coordinators</li> <li>▪ PM review of combined financial reports from Vienna should reduce errors and delays</li> <li>▪ Deployment of unified FMS on 1 Nov will further help to reduce errors and speed report generation</li> <li>▪ Continued acceptance of legal obligations as a part of the 70% expenditure level will be critical to maintaining an appropriate match between the expenditure of fixed and variable costs</li> <li>▪ Shift the payment of the 7% Programme Support Costs to a quarterly basis to incentivize speedier implementation and better reporting, supported</li> </ul>

<sup>9</sup> See Annex 6 E Reporting as Accountability

<sup>10</sup> See Annex 6 D Training Impact

<ul style="list-style-type: none"> <li>▪ Per diem payments are slow leading participants to refuse invitations to UNODC events</li> <li>▪ Vendor payments are slow leading firms to refuse to work with UNODC</li> </ul>	<p>by FAFA para 2.5 and 4.1</p> <ul style="list-style-type: none"> <li>▪ Enforce strict guidelines on who will be paid to attend workshops. These need to be approved by EUD and NPC.</li> <li>▪ Develop a checklist to be reviewed by Operations Chief to ensure all documents are provided to UNDP in a complete and timely manner</li> <li>▪ The PC must take cognizance of uncleared advances and Immediately clear all backlogged payments</li> </ul>
<ul style="list-style-type: none"> <li>▪ HRM: Staff recruitment and retention, both national and international have been a drag on program quality</li> <li>▪ Hiring international staff as organizational employees facilitates their ease of movement to other organizations</li> </ul>	<ul style="list-style-type: none"> <li>▪ Make greater use of the UN international roster for recruitment</li> <li>▪ Create a local roster for managerial and technical specialities that can be sourced p/t from Nigerian entities</li> <li>▪ The EU needs to recognize the competition for qualified Nigerian and international staff, allowance to upgrade in post levels should be considered</li> <li>▪ UNODC needs to consider the use, or to create, project posts of limited duration to speed recruitment processing and to ensure International staff are treated the same as national staff. Such project posts could possibly be compensated by providing housing costs, as is the case with the J4A project.</li> </ul>
<p><b>Organizational Learning</b> How can CONIG continue to improve its performance and create lasting value for beneficiaries?</p>	
<ul style="list-style-type: none"> <li>▪ No clear orientation towards a sustainable development approach has been observed to date</li> </ul>	<ul style="list-style-type: none"> <li>▪ The UNODC/V needs to place greater attention on the operations in Nigeria by focusing on speeding recruitment and procurement<sup>11</sup>, improving working relations with UNDP, upgrading staff competence in project management fundamentals &amp; enhancing staff morale so their work output improves</li> <li>▪ Project staff should be guided to better understand the UN rules and regulations as well as appreciate the need procedures that govern financial and procurement requirements.</li> <li>▪ Introduce modern project management training to upgrade knowledge of principles and standards. An option is PRINCE2, the standard project management system for UK, Netherlands and other EU member states and for the UNDP. Instruction is offered in Abuja for basic certification. The logframe, when used properly remaining remains a viable tool for project design, but is an outmoded tool for use in project management.</li> <li>▪ UNODC should deliver a professional knowledge practice designed to facilitate the stipulations in the CA for sustainable development</li> </ul>
<ul style="list-style-type: none"> <li>▪ Assessments of Vienna provided management training utility have not been</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal training evaluations need to be carried out immediately at the end of activity and at</li> </ul>

<sup>11</sup> See Annex 6 A Email document evidence

seen	regular intervals to ascertain impact
<ul style="list-style-type: none"> <li>▪ The understanding of the institutional and the political economy context of governance in Nigeria is limited</li> <li>▪ Understanding of effective approaches to institutional reform interventions is weak, with a strong orientation to skills/awareness training</li> </ul>	<ul style="list-style-type: none"> <li>▪ Support mix of Nigerian and international academics to produce an analysis of the political economy of drugs, corruption and justice, best to be done as a follow on to the national A/C survey, unless this will be further delayed</li> <li>▪ Seek advice from knowledgeable development analysts on modern approaches to sustainable institutional reform, examples provided in Annex 6 part B</li> </ul>

## 8 Conclusions

### 8.1 Conclusions with meaning for future programming

**1-** The EU has failed to use due diligence in the design and management of these projects, on four counts. First, the EU did not rigorously apply the Paris and Cotonou principles on aid effectiveness. Second, the EU did not fully take into consideration the deeper root causes of governance constraints in Nigeria. Third, the EU designed these large-scale capacity development projects without, apparently, being fully cognizant of the existing low skill level and limited absorptive capacity in the partner organizations and the governance and financial complexities of the implementing agent. Fourth, the EU allowed the projects to spend money for over two years without having an objective, results-oriented monitoring and evaluation system in place. These gaps have been major contributing factors in the limited progress to date.

**2-** A locally owned design would have required a far higher level of involvement of the FGN, a seemingly difficult proposition. Equally, in any democracy, particularly one involving a maturing political arrangement like Nigeria's, continuous commitment is never a foregone conclusion no matter how committed the government may be at the time of design. Nevertheless, any effort that shifts the role of a government from beneficiary to leading partner creates a greater opportunity for sustainable reforms that enhance the effectiveness of all the partners involved. This is particularly the case when a government is held accountable for progress and is required to finance meaningful aspects of a joint project from its own budget.

### 8.2 Conclusions with direct impact

**3-** Regardless of any design flaws, the UNODC implementation of the three projects has not matched EUD or FGN expectations. One reason for this may be that the UNODC has not been sufficiently incentivised by the FAFA or CA to perform at a professionally acceptable level. As a result, the UNODC has not shown an appropriate sense of urgency in rectifying the shortcomings noted in regular communications over the past two years from the EUD.

**4-** The evaluation team concludes that if the project is extended, beginning in 2016, results-based narrative and financial reports must be provided by UNODC to the EUD on a quarterly basis to facilitate more timely scrutiny of progress and analysis of evidence for decision making purposes by EUD and FGN. UNODC says they already prepare internal quarterly and semi-annual reports, so this would not impose an extra burden on their systems. Combined with this, however, would be the firm requirement that, as per FAFA para 4.1, the UNODC could access the 7% Programme Support Costs fee based only based on approved narrative and expenditure reports.

**5-** From an organizational perspective, a positive decision for an extension beyond the current lifespan of the project should not be taken at this time for three reasons. First, the technical review concluded that "the project will not achieve its objectives regardless of a possible extension of its lifespan". Second, the EU needs more time to have a better sense of the direction and priorities of the new Government. Third, if it takes up the recommendation to introduce a long-term evaluation of capacity building impact, it will have some real data to guide capacity building efforts prior to the launch of a new justice programme.

**6-** However, if other considerations motivate a positive decision for extension, the best option would be for a new FA to be prepared so that the FGN can take greater ownership of the project and its operations, perhaps using UNODC as a technical assistance provider. This conclusion draws from two sources. First, that UNODC has access to global expert technical assistance, but has struggled to provide professional level project management support. Second that the NAO has expressed a strong desire to take greater ownership of the justice capacity building, particularly among the States, to ensure that “its own systems can be built to carry on after any project”. Therefore, the extension should be crafted such that additional resources would be available after the original end date of the project if and only if the FGN has taken its Justice Action Plan to an implementation stage at federal and state levels, with the necessary budget for national implementation. Additional EU resource tranches should only be made available upon recognition of progressive achievement of a mutually agreed sequence of conditionalities.

## **"Support to Anti-Corruption in Nigeria" (FED/2011/022-161)**

### **FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs EuropeAid/132633/C/SER/multi**

#### **1. BACKGROUND**

In 2012, the European Union (EU) and the Federal Government of Nigeria signed three Financing Agreements to implement the projects "Response to Drugs and Related Organized Crime in Nigeria", "European Union Support to the Justice Sector" and "Support to Anti-Corruption in Nigeria", with a total EU contribution of EUR 98,000,000 to be funded under the 10th European Development Fund (10th EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the projects, given its specific mandate and expertise on the subject matters. Contribution Agreements between EU and UNODC were subsequently signed to guide the implementation of the projects.

The projects, while different in focus, aim at assisting the Nigerian government in advancing policy development, building capacity of selected national stakeholders and improving coordination within the respective sectors. Ultimately the projects aim to promote better governance, strengthen rule of law and advance citizen security and public health, responding as such to the objectives of the Focal Sector 1 "Peace and Security" and Focal Sector 2 "Governance and Human Rights" of the European Union's Country Strategy Paper and National Indicative Programme 2008-2013 for Nigeria, which guides the implementation of the 10th EDF. Detailed descriptions on each project can be found in Annex 1 "Specific Terms of Reference".

As provided for by the respective Contribution Agreements, a mid-term evaluation will now be conducted to provide the EU Delegation to Nigeria and ECOWAS, National Authorising Officer (Nigeria), UNODC and other implementing partners and beneficiaries with an assessment of the projects' performance and recommendations on how to improve the interventions to achieve expected goals and outcomes, taking into account problems and opportunities.

A joint mid-term evaluation was deemed as appropriate given, on the one hand, the obvious synergies between three projects which share key overall goals and which are implemented by the same UN agency. On the other hand, the projects are supported by the same organisational structure, with the cost for the programme support team located in UNODC Country Office in Nigeria and UNODC Headquarters in Vienna being equally shared between the three projects.

The mid-term evaluation will be complementary to, and take into account the findings and recommendations of, the Verification Mission which is currently being carried out to assess the systems of financial accountability put in place by UNODC for the three projects.

Beneficiaries of this evaluation are the National Authorising Officer (Nigeria), the UNODC and the EU Delegation to Nigeria and ECOWAS.

#### **2. DESCRIPTION OF THE ASSIGNMENT**

##### **2.1. Global objective**

The mid-term evaluation will provide the EU and other partners with an assessment of the projects' performance and recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account problems and opportunities.

##### **2.2. Specific objective(s)**

(1) To evaluate the relevance, efficiency, effectiveness, sustainability and impact of the projects:

- "Response to Drugs and Related Organized Crime in Nigeria" (FED/2013/023-123);
- "EU Support to the Justice Sector" (FED/2012/308-728)
- "Support to Anti-Corruption in Nigeria" (FED/2012/306-220).

The evaluation will be carried out in accordance with the specific terms of reference for each project (Annex 2), and with a specific focus on providing recommendations on how to improve performance in the final stage of implementation.

(2) To assess the effectiveness of the organisational structures and programme support functions in place to reach the three projects' objectives, and offer recommendations for any improvement.

This should include structures, internal implementation procedures, capacity and skills, internal mechanisms for coordination, and allocation of staffing, reporting relations, tools, and procedures, etc., in the UNODC Country Office in Nigeria and UNODC Headquarters in Vienna.

### 2.3. Requested services

The evaluation of the three projects and of the projects' organisational structures and programme support functions will be carried out simultaneously by a team composed of four sub-teams with two experts each – one team per project and one team for the organisational structures and programme support functions. The tasks will be fully coordinated by the contractor and team leader for the overall assignment, who will also ensure coherence of findings and recommendations in the reports for the different projects.

The entire team will participate in the inception briefing and de-briefing meetings that will be held in the EU Delegation in Abuja, Nigeria, at the start and end of the field mission.

The evaluation team will work in close cooperation with the UNODC, implementing partners (UNDP/UNICEF), the National Authorising Officer (National Planning Commission), national beneficiaries and other stakeholders to address the specific objectives stated above, as well as the challenges experienced and lessons learned in the implementation of the project. Other stakeholders will include Civil Society Organisations and development partners. The consultants are expected to carry out briefings and debriefings with key stakeholders and submit a report to the EU Delegation.

Consultants will familiarise themselves with all relevant documentation from the project, the respective EU Financing Agreements with the Nigerian Government and Contribution Agreements with UNODC, including identification/formulation studies, project reports, workplans, as well as other available reports of stakeholders related to the project. Relevant findings and recommendations of previous evaluations on any of the projects and the currently conducted Verification Mission of the projects will also be taken into account.

Consultants will review all the relevant project documents and arrange individual meetings with stakeholders, including in focal states under any of the projects. **A proposed methodology must be submitted in support of the expression of interest.**

### 2.4. Required outputs

The expected results of the evaluation include the following aspects:

- For each of the three projects: an evaluation report which critically analyses and assesses the relevance, effectiveness, efficiency, means and costs involved, and sustainability so far in the implementation of the project.
- Each report will consist of two parts, the first covering specific objective 1 and the second specific objective 2. The findings and recommendations of the second section are expected to be the same for all three reports, while allowing for any project specific variations.
- An in-depth analysis of the problems & recommendations to improve the implementation of the three projects. Each problem identified will lead to a corresponding recommendation.
- If relevant, propose concrete modifications in the design and log frame for any of the projects, including proposals on expected outcomes, activities and indicators.

### 2.5. Language of the Specific Contract

English.

### 2.6. Subcontracting (to be foreseen or not)

No subcontracting possible.

## 3. EXPERTS PROFILE

### **3.1. Team 1 – UNODC Organisational Structures and Programme Support Functions (and Team Leader)**

#### **Number of requested experts per category and number of days per expert or per category**

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 13 working days in Nigeria and 2 working days in Vienna.

#### **Profile per expert or expertise required:**

##### **1. Expert 1, Organisational Development Specialist; Evaluation Team Leader (Category I)**

#### Minimum required skills:

Candidate should have:

- At least a Master Degree (Academic level) in Management, Business Administration Project and Programme Management, Finance Management, Public Administration, Political Science, Law or relevant, directly related discipline, or equivalent;
- Experience in monitoring and evaluation of large development projects in complex political environments;
- Minimum 12 years of professional experience with organisational and institutional development and efficiency, and project/programme management preferably in a UN environment; and/or implementation of activities at international level (worked in at least two countries) some of which should have been acquired in a developing country.
- Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

#### Preferred required skills for this assignment:

- Experience in leading missions for project evaluations.
- Experience with capacity development projects as per guidance provided by the "EU backbone strategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).
- Familiarity with international standards and methods regarding good governance and rule of law
- Familiarity with contractual and tender procedures in United Nations Environment;
- Minimum of 3 years' experience with EDF programming procedures will be an asset;
- Proven field research and report writing skills;
- Creative ability to identify practical solutions to overcome challenges to time-critical projects;
- Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;
- IT literate, very good data-processing knowledge, and of office automation software;
- Experience in communication, negotiation and dialogue at high level;

##### **2. Expert 2, Organisational Development Specialist (Category II)**

#### Minimum required skills:

Candidate should have:

- A University Degree (Academic level) in Public Administration, Business Administration, Law, Political Science, Development Cooperation or relevant, directly related discipline, or equivalent;
- Professional experience in monitoring and evaluation of development projects in developing countries;
- Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.
- Minimum 6 years of experience with organisational and institutional development and efficiency, preferably in an UN environment;

#### Preferred required skills for this assignment:

- Experience in Sub-Saharan Africa;
- Experience with capacity development projects as per guidance provided by the "EU backbone strategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).
- Proven field research and report writing skills;
- Creative ability to identify practical solutions to overcome challenges to time-critical projects;
- Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;
- IT literate, very good data-processing knowledge, and of office automation software;
- Experience in communication, negotiation and dialogue at high level;

At least two references including phone number and email address shall be supplied for the proposed experts.

### **3.2. Team 2 – Evaluation "Response to Drugs and Related Organized Crime in Nigeria"**

#### **Number of requested experts per category and number of man-days per expert or per category**

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 15 working days in Nigeria.

#### **Profile per expert or expertise required:**

##### **1. Expert 1, Drugs and Organised Crime Team Leader (Category 1)**

#### Minimum required skills:

Candidate should have:

- At least a Master Degree (Academic level) in Public Health, Law, Political Science, Development Cooperation or relevant, directly related discipline, or equivalent;
- Experience in monitoring and evaluation of large development project in complex political environments;
- Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.
- Minimum 12 years of professional experience as programme manager/expert in the fight against drugs and related crime sector, or equivalent; and/or implementation of activities at international level (worked in at least two countries) some of which should have been acquired in a developing country.
- Minimum 7 years of professional experience in leading missions for project evaluations

#### Preferred skills:

- Minimum of 3 years' experience with EDF programming procedures will be an asset;
- Experience with capacity development projects as per guidance provided by the "EU backbone strategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).
- Familiarity with international standards and methods regarding fight against drugs and related crime sector reform, especially with regards to legal aspects and law enforcement;
- Proven field research and report writing skills;
- Creative ability to identify practical solutions to overcome challenges to time-critical projects;
- Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;
- IT literate, very good data-processing knowledge, and of office automation software;
- Experience in communication, negotiation and dialogue at high level;

##### **2. Expert 2 – Drugs/Organised Crime/Public Health Specialist (Category 2)**

#### Minimum required skills:

Candidate should have:

- A University Degree in Public Health, Law, Political Science, Development Cooperation or relevant, directly related discipline, or equivalent;
- Experience in project management and evaluation of development projects in developing countries;
- Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Preferred skills:

- Minimum 6 years of professional experience as programme manager/expert in Drugs and/or Crime Prevention, Health and Social Protection related sectors, or equivalent;
- Experience with capacity development projects as per guidance provided by the "EU backbone strategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).
- Familiarity with international standards and methods regarding drug related health and social sector reforms;
- Highly developed interpersonal skills to relate to counterparts on all levels of hierarchy;
- IT literate, very good data-processing knowledge, and of office automation software;
- Experience in communication, negotiation and dialogue at high level;

At least two references including phone number and email address shall be supplied for the proposed experts.

### **3.3. Team 3 – Evaluation "Support to Anti-Corruption in Nigeria"**

**Number of requested experts per category and number of man-days per expert or per category**

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 15 working days in Nigeria.

**Profile per expert or expertise required:**

#### **1. Expert 1 – Anti-corruption Team Leader (Category I)**

Minimum Required Skills:

Candidate should have:

- At least a Master's Degree in law, political/social sciences or related field.
- At least 10 years Experience in monitoring and evaluation of large development projects in complex political environments.
- Minimum 12 years professional experience in monitoring anti-corruption related projects and/or implementation of activities at international level (worked in at least two countries) some of which should have been acquired in a developing country.
- Minimum 7 years experience in at least in three of the following anti-corruption areas: law enforcement, prosecution, prevention, reform and procurement and with specific expertise in designing technical assistance, capacity development and training programs.
- Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Preferred skills:

Candidate should have:

- Minimum 7 years of professional experience in leading missions for project evaluations
- Minimum of 3 years experience with EDF programming procedures will be an asset;

- Knowledge of anti-corruption legislation, policies and strategies;
- Expertise in problem analysis, stakeholders' analysis and preparation of Log frames;
- Knowledge/Experience in Nigeria and/or West Africa or similar countries is an advantage
- Full working knowledge of English, as well as excellent field research report writing and communication skills.

## **2. Expert 2 – Anti-Corruption Expert (Category II)**

### Minimum Required Skills:

- University degree in Law, Political Science, or other related social science disciplines.
- Experience in project management and/or evaluation of development project in developing countries.
- Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.
- At least 6 years of anti-corruption professional experience at international level, some of which should have been acquired in a developing country;
- Minimum of 6 years experience in participatory planning and management of large anti-corruption projects in complex political environments, including specific working experience in law enforcement, dealing with anti-corruption cases;

### Preferred skills:

- Minimum of 5 years' experience in project management and/or evaluation of development project in developing countries
- Experience with working with civil society groups is an asset;
- Experience in donors-government co-ordination and strategic understanding to ensure overall coordination of the project;
- Creative ability to identify practical solutions to overcome challenges to time-critical projects;
- Highly developed interpersonal skills to constructively interact with stakeholders at all levels;
- Knowledge/Experience in Nigeria and/or West Africa or similar countries is an advantage.

At least two references including phone number and email address shall be supplied for the proposed experts.

## **3.4. Team 4 – Evaluation "EU Support to Justice Sector"**

### **Number of requested experts per category and number of man-days per expert or per category**

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 15 working days in Nigeria.

### **Profile per expert or expertise required:**

#### **1. Expert 1, Justice Team Leader**

### Minimum required skills:

Candidate should have:

- At least a Master Degree (Academic level) in Law, Political Science or a relevant, directly related discipline, or equivalent;
- Experience in monitoring and evaluation of large development project in complex political environments;
- Professional experience as programme manager/expert in Rule of Law, Justice Sector Reform, or equivalent;
- Minimum 12 years of professional experience as programme manager/expert in the Rule of Law, Justice Sector Reform, Police or Prison reform, or equivalent; at international level (worked in at least two countries) some of which should have been acquired in a developing country.

Preferred required skills for this assignment:

- Minimum 7 years of professional experience in leading missions for project evaluations
- Minimum of 3 years experience with EDF programming procedures will be an asset;
- Experience with capacity development projects as per guidance provided by the "EU backbone strategy"

([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"

([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

- Familiarity with international standards and methods regarding justice delivery and justice sector reform;
- Creative ability to identify practical solutions to overcome challenges to time-critical projects;
- Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;
- IT literate, very good data-processing knowledge, and of office automation software;
- Experience in communication, negotiation and dialogue at high level;

## **2. Expert 2, Justice Reform Expert**

Minimum required skills:

Candidate should have:

- University Degree (Academic level) in Law, Political Science or a relevant, directly related discipline, or equivalent;
- Professional experience as programme manager/expert in the Justice sector, or equivalent;
- Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Preferred skills:

- Experience in Sub-Saharan Africa;
- Minimum of 3 years' experience in project management and evaluation of development project in complex political environments;
- At least 6 years of professional experience as programme manager/expert in the Rule of Law, Justice Sector Reform, Police or Prison reform, or equivalent;
- Experience with capacity development projects as per guidance provided by the "EU backbone strategy"

([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"

([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

- Familiarity with international standards and methods regarding justice delivery and justice sector reform;
- Highly developed interpersonal skills to relate to counterparts on all levels of hierarchy;
- IT literate, very good data-processing knowledge, and of office automation software;
- Experience in communication, negotiation and dialogue at high level;

At least two references including phone number and email address shall be supplied for the proposed experts.

## **4. LOCATION AND DURATION**

- Starting date: 1 July, 2015
- Foreseen finishing date: 19 August, 2015
- Location of assignment: Home base of the experts, Abuja, Vienna (team 1 only) Focal States (Justice Project) Nigeria.

## **5. REPORTING**

## 5.1 Content

The structure, format and level of detail of the three final reports will be agreed with the EU Delegation during the briefing at the beginning of the assignment. As a minimum, the final reports must include the following:

- i. Executive Summary
- ii. Introduction / Background
- iii. Project outline and management
- iv. Objectives
- v. Methodology
- vi. Analysis
- vii. Findings
- viii. Lessons Learned
- ix. Recommendations
- x. Relevant Annexes, e.g.
  - a. List of people interviewed
  - b. List of acronyms
  - c. Evaluation work plan and TORs
  - d. Key reference documents The recommendations must be duly justified.

The final reports have to demonstrate a solid understanding of the context, the sector and the methodology of evaluation. The format and structure of the reports shall follow the European Commission standard evaluation reports and address the points as specified in section 2 of the present Terms of Reference.

The assignment shall be completed in close coordination with the United Nations Office on Drugs and Crime (UNODC), and the Delegation of the European Union in Nigeria.

## 5.2 Language

All reports and correspondences have to be issued in English.

## 5.3 Submission and Timing

### Upon arrival in Nigeria:

- The experts will submit an inception report detailing their methodology and a work- plan with a section addressing specifically each of the three projects (communicated to EU Delegation by email at the latest 24 hours, before the briefing meeting, for further distribution to partners);
- A briefing meeting with the representatives of the NAO (NPC), UNODC, and the EU Delegation, is organised to discuss the inception report, methodology and the work plan.

### At the end of the field mission (before departure of the consultants from Nigeria):

- An end of mission note incorporating the preliminary conclusions and recommendations (communicated to EU Delegation by email at the latest 24 hours before the de-briefing meeting for further distribution to partners);
- A de-briefing meeting is organised with NAO (NPC), UNODC, and EU Delegation for the presentation of the mission note.

### After the field mission:

- Maximum 5 working days after departure from Nigeria: submission of the three draft final reports incorporating the conclusions of the de-briefing meeting held at the end of the field mission;
- A period of 10 working days is granted to the NAO (NPC), UNODC, and the Delegation to submit their comments on the draft final reports. The comments from all stakeholders will be compiled by the EU Delegation and submitted in one document for each of the reports to the contractor within one week of reception of the said comments.

- The final reports, including executive summaries, have to be submitted at the latest 5 days after receiving the consolidated comments on the draft final reports. The final reports should be submitted in a computerized format (electronic version) and once approved and accepted, hard copies at no extra charge. The reports are to be submitted to the EU Delegation for further dissemination to the other parties.

The date of the postal stamp on the envelope of the hard copies evidences the date of submission. The email submitting the electronic version of the final reports has to be dated before this deadline.

#### 5.4 Number of report(s) copies

All reports shall be submitted on the due dates to the following contacts in English, in Word and (if applicable) Excel format (unless otherwise agreed) by email as well as paper (3 copies of each report) to the:

Head of Delegation  
 Delegation of the European Commission to Nigeria 21st Crescent, off Constitution Avenue  
 Central Business District Abuja  
 E-mail [REDACTED]

### 6. INCIDENTAL EXPENDITURE

Unless an agreement between the European Commission and the Beneficiary Country outside the Union partially or fully exonerates local taxes levied by the Beneficiary Country, such local taxes upon reimbursable expenditure incurred under the Specific Contract and approved by the Contracting Authority shall be reimbursed in full.

The Framework Contractor (the Contractor) is in charge of any arrangements as concerns supervision of experts, management, output and report production and delivery. A prospective Contractor must make available an appropriate logistical support for the experts, including their travel, visa and accommodation arrangements and other services such internet connection and photocopies, as well as any other equipment that may be necessary for the completion of the assignment. Please note that equipment is excluded from the authorised reimbursable items.

As for reimbursable expenditure, the rules of Framework contracts apply for local travel. Expenditures for international travel (air travel) have to be incorporated in the price breakdown. No workshops are expected to be organised by the expert. The joint meetings will be organised in the premises of the EU Delegation in Abuja.

The sum of 2,500 EUR will be made available for an expenditure verification.

Annex 1: Indicative time schedule

Annex 2: Specific Terms of Reference for Evaluation of project "Response to Drugs and Related Organized Crime in Nigeria; "EU Support to the Justice Sector"; "Support to Anti-Corruption in Nigeria"

Annex 3: Financing Agreements: Response to Drugs and Related Organized Crime in Nigeria (FED/2011/022-512)"EU Support to the Justice Sector" (FED/2011/021-747); "Support to Anti-Corruption in Nigeria (FED/2011/022- 161)

Annex 4: Contribution agreements (UNODC): Response to Drugs and Related Organized Crime in Nigeria (FED/2012/306-744)"EU Support to the Justice Sector" (FED/2012/308-728); "Support to Anti-Corruption in Nigeria (FED/2012/306- 220)

#### Annex 1

#### INDICATIVE TIME SCHEDULE

##### 1 Number of requested experts per category and number of man-days per expert

	Number	Category	Workdays*
	4	1	25
	4	2	25
<b>Total</b>	<b>8</b>		<b>100+100</b>

\* The workdays are based on a 5 day working week in Nigeria.

<b>Week</b>	<b>Location/Activity</b>	<b>Dates</b>	<b>Number of days</b>
Week 1	<i>Abuja/Lagos/Focal States, Nigeria</i>	01/07/2015 – 07/07/2015	5 days (each)
Weeks 2 & 3	<i>Vienna*/Abuja/Lagos/ Focal States, Nigeria</i>	08/07/2015 -21/07/2015	10 days (each)
Week 4	<i>Home based</i> Finalization of draft report and transmit electronically to the EU Delegation	23/07/2015 – 29/07/2015	5 days (each)
Weeks 5 & 6	Consolidation of comments by stakeholders and transmission to consultants	30/07/2015 – 12/08/2015	
Week 7	<i>Home based</i> Finalisation and submission of the final report	13/08/2015 – 19/08/2015	5 days (each)
	<b>Total Number of days</b>		25 days (each)

\*Team 1 will travel to Vienna for two days within this period

## Annex 2

### SPECIFIC TERMS OF REFERENCE MID-TERM EVALUATION OF THE PROJECT

#### "Response to Drugs and Related Organized Crime in Nigeria" (FED/2011/022-512)

#### FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs

### 1. BACKGROUND

In June 2012, the European Union and the Federal Government of Nigeria signed a Financing Agreement for the amount of EUR 36,000,000 to implement the project "Response to Drugs and Related Organized Crime in Nigeria". Under the agreement, the project is to be implemented from January 1st 2013 until the end of May 2017 with a total EU Contribution of EUR 36,000,000 under the 10th European Development Fund (10th EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the project, given its specific mandate and expertise to guard and protect United Nations standards and norms in the fight against drugs and organized crime.

In December 2012, a Contribution Agreement between EU and UNODC was signed for a total EU contribution of EUR 34,500,000.

The project aims at strengthening the capacity of selected key national stakeholders involved in the fight against drugs and organised crime. The project has been designed to improve the *overall governance of the sector (evidence base tools, legal reform and policy development)* as well as the technical and operational capacities of the main national stakeholders. This will lead to a measurable improvement of their capacity and performance related both to law enforcement and drug demand reduction issues.

Nigerian drug policy is articulated in the National Drug Control Master Plan 2008-2011. Put together under the auspices of the Inter-ministerial Committee on Drug Control (IMCDC), this is the ultimate policy instrument for coordinating drug control measures. Having a committee in place and working with the United Nations Office on Drugs and Crime (UNODC) is a clear strength for the purpose of the project. Besides, there is an urgent need for a revision of the legal framework of the Nigerian Drug Law Enforcement Agency (NDLEA) act to bring it in line with the stipulations of a civilian government, to facilitate international cooperation and to shift the focus from the current rhetoric of 'war on drugs' towards a human security and public health approach.

The project promotes the vision captured in the EU Drug Strategy 2007-2012 to "protect and improve the well-being of society and of the individual, to protect public health, to offer a high level of security for the general public and to take a balanced, integrated approach to the drugs problem' (supply and demand). The project divides into three interlinked components that address (i) the lack of information without which policy cannot become evidence based, and the need for reform of the legal framework; (ii) the lack of technical capacity in key law enforcement agencies through capacity building and; (iii) the need for a balanced approach by supporting drug prevention, treatment and care.

#### Main activities:

- National surveys on cannabis cultivation and on drug use.
- Support the Inter-Ministerial Committee on the formulation and implementation of the new National Drug Control Master Plan (2014-2018).
- Capacity-building activities to develop and implement the institutional strategy for NDLEA.
- Training for law enforcement agencies on investigations and intelligence analysis.
- Direct support to NGO working on drug prevention, treatment and care.
- Provision of equipment for centres and training of drug treatment professionals.

While the project has had some notable achievements – including the re-activation of the Inter-ministerial Committee; the formulation of the National Drug Control Master Plan 2015- 2019 by the inter-ministerial committee on drugs; the NDLEA

Institutional Assessment and Change Management Programme endorsed by NDLEA; the first National Seminar for Nigeria International Standards on Drug Use Prevention; the finalization of the NDLEA Training Needs Assessment and the development of the training matrix; the completion of the Priority Operational Needs Assessment of Partners and the Training on International Prevention Standards – the project has had a backlog of unprocessed payments to contractors and project participants due to UNODC difficulty in processing payments. Moreover, important surveys have been delayed or postponed.

Performance has further been constrained by issues such as UNODC recruitment difficulties and internal challenges including the limited level of delegation of authority to the UNODC Country Office, as well as other factors relating to project management and support functions.

## **2. DESCRIPTION OF THE ASSIGNMENT**

### **2.1. Global objective**

The mid-term evaluation will provide the EU and other partners with an assessment of the project's performance of the support provided to the fight against drugs and drug related organised crime and will provide recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account problems and opportunities.

#### **2.1. Specific objective(s)**

In order to meet the global objective, the evaluators are expected to perform the evaluation of the project "Response to Drugs and Related Organized Crime in Nigeria" using the criteria of the European Commission (relevance, efficiency, effectiveness, sustainability and impact) and with a specific focus on providing recommendations on how to improve performance in the final stage of implementation.

##### **(a) Relevance of the Project**

- The evaluator will analyse if the project has correctly identified the problems and that the means are appropriate and adequate;
- Determine the extent to which the programme's activities are succeeding in achieving a balanced approach of drug issue so far;
- Determine the extent to which the programme's activities have advanced in data collection on cannabis cultivation;

##### **(b) Project Design and Implementation**

- Assess the project design and the logic of the link between the specific objectives and the expected results and indicators;
- Assess the relevance of the project's monitoring and evaluation system and mechanisms to measure performance and results;
- Make specific recommendations on how to enhance the strategic focus of the project and propose possible priority areas and focal states;
- Assess the extent to which the project can support the implementation of the National Drug Control Master Plan and what are the possibilities to finance its implementation at state level. It should also look at the measures the project can take to increase the cost contribution by States to implement the Master Plan.
- Determine the feasibility of outcome 3 within the remaining implementation period in order to meet the expected results;
- On basis of above propose any revisions to the logframe, including expected outcomes, activities and indicators.

##### **(c) Validity of assumptions**

- Determine if the assumptions are still valid and if/how they are affecting the programmes and

determine if other assumptions have emerged;

(d) Efficiency of Programme Implementation

- Assess the subsequent progress in implementation of the programme and its individual components;
- Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, and allocation of staffing, reporting relations, tools, and procedures;
- Assess the number and expertise of project staff in the present Contribution agreement vis-à-vis the technical and administrative project workload and their capacity to implement the project and suggest remedies if needed;

(e) Means and Cost

- Review the utilisation of the programme's funds and the validity of the resource allocations to each component in light of the Logical Frameworks and programme's planned results;

(f) Impact

- The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;

(g) Alternatives and recommendations

- Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f);
- Determine if the same effects/impacts could be achieved through different ways, for the same results. The evaluator will examine the viability of alternative activities and implementation approaches and offer recommendations for future programmes as appropriate.

**SPECIFIC TERMS OF REFERENCE  
MID-TERM EVALUTION OF THE PROJECT**

**EU SUPPORT TO THE JUSTICE SECTOR IN NIGERIA (FED/2011/021-747)**

**FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs  
EuropeAid/132633/C/SER/multi**

**1. BACKGROUND**

In June 2012, the European Union and the Federal Government of Nigeria signed a Financing Agreement for the amount of EUR 28,000,000 to implement the project "Support to the Justice Sector in Nigeria". Under the agreement, the project is to be implemented from June 2012 until June 2015 with a total EU Contribution of EUR 27,000,000 under the 10th European Development Fund (10th EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the project, given its specific mandate and expertise to guard and protect United Nations standards and norms in crime prevention and criminal justice. In December 2012, a Contribution Agreement between EU and UNODC was signed for a total of EUR 26,000,000, with an EU contributing EUR 25,000,000 and UNODC EUR 1,000,000. UNICEF was selected as partner implementing agency, in charge of the outputs concerning child rights and justice administration.

The project supports the efforts of the Government of Nigeria to improve justice delivery and compliance with the rule of

law in Nigeria, and specifically to enhance effectiveness, accessibility, accountability, transparency and fairness of the justice system. The expected outcomes of the project, as defined in the project document are: i) increased coordination and sector policy development within the justice sector; ii) training, research and operational capability of the justice sector developed; and iii) increased access to justice and respect for human rights.

The activities of this project are implemented at the federal level and in 10 focal states, namely Anambra, Bayelsa, Benue, Cross Rivers, FCT, Imo, Katsina, Lagos, Osun and Yobe. Some of the main activities include:

- support for implementation Action Plan for Reform of the Federal Justice Sector (2012-2015) and formulation and implementation of state reform action plans in the focal states;
- strengthen and justice sector coordination structures at federal at state levels;
- support for development of key justice related policies and legislation;
- build capacity of relevant training institutions to deliver quality training;
- build capacity of officials of the judiciary, police and prison service;
- strengthen juvenile justice administration;
- build capacity to reduce pre-trial detention and prison congestion;
- strengthen accountability and integrity regime for the judiciary, Ministry of Justice, police and prisons services;
- support state and non/state actors to promote legal aid activities and advocacy on justice and child protection related issues.

A Project Core Team, consisting of long-term national and international staff, was set up in Abuja and is responsible for the day-to-day management of the project and for coordinating the implementation of project activities. In addition, a Programme Support Team based in the UNODC Office in Abuja, and a Project Support Team in UNODC HQ in Vienna, provide direct programmatic and operational support to the project, as well as to three other EU funded and UNODC implemented project on anti-corruption, drugs and crime and migration.

National ownership of the project is promoted through a Sector Policy Review Committee (SPRC) / Chief Executives Forum and a Project Management Committee (PMC) chaired by the National Authorising Officer (National Planning Commission) and with participation of national beneficiary institutions. The beneficiary institutions have also designated Project Focal Points to foster collaboration, smooth implementation and institutional ownership.

While the project has had some notable achievements – including the development/revision of state action reform plans for all 10 focal states and development of guidelines and development of draft institutional strategies and guidelines for improved justice delivery – overall, project implementation has been relatively slow. In particular, performance has been constrained by issues such as an overly ambitious project design, UNODC recruitment difficulties and high level of staff turn-over, limited level of delegation of authority to the UNODC Country Office, reporting delays, as well as other factors relating to project management and support functions.

An external evaluation of the inception phase of the project was concluded in May 2014, which highlighted some important achievements, but also pointed to the need to enhance the strategic approach, strengthen national ownership, improve project management effectiveness and enhance coordination/synergies with other development partners. The evaluation also pointed to an ambitious project design, and the need to review the logical framework and focus on achieving specific outcomes.

## **2. DESCRIPTION OF THE ASSIGNMENT**

### **2.1. Global objective**

The mid-term evaluation will provide the EU and other partners with an assessment of the project's performance and recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account problems and opportunities.

#### **2.1. Specific objective(s)**

In order to meet the global objective, the evaluators are expected to perform the evaluation of the project "EU Support to the Justice Sector" (FED/2011/021-747) using the criteria of the European Commission (relevance, efficiency, effectiveness, sustainability and impact) and with a specific focus on providing recommendations on how to improve performance in the final stage of implementation.

#### **(a) Relevance of the Project**

- The evaluator will analyse if the project has correctly identified the problems and that the means are appropriate and adequate;
- Assess the relevance of the Action Plan for the Reform of Federal Justice Sector (2012-2015) and State Action Plans for Justice Sector Reform as a basis for project implementation;
- Assess the degree of project ownership, performance and commitment to reform of in the 10 focal states.

(b) Project Design and Implementation

- Assess the project design and the logic of the link between the specific objectives and the expected results and indicators;
- Assess the relevance of the project's monitoring and evaluation system and mechanisms to measure performance and results;
- Make specific recommendations on how to enhance the strategic focus of the project and propose possible priority areas and focal states;
- On basis of above propose any revisions to the log frame, including expected outcomes, activities and indicators.

(c) Validity of assumptions

- Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;

(d) Efficiency of Programme Implementation

- Assess the subsequent progress in implementation of the programme and its individual components and focal states;
- Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, and allocation of staffing, reporting relations, tools, and procedures;

(e) Means and Cost

- Review the utilisation of the programme's funds and the validity of the resource allocations to each component in light of the Logical Frameworks and programme's planned results;

(f) Impact

- The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;

(g) Alternatives and recommendations

- Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f);
- Determine if the same effects/impacts could be achieved through different ways, for the same results. The evaluator will examine the viability of alternative activities and implementation approaches and offer recommendations for future programmes as appropriate.

**SPECIFIC TERMS OF REFERENCE FOR MID-TERM EVALUATION OF THE  
SUPPORT TO ANTI-CORRUPTION IN NIGERIA (FED/2012/022-161) PROJECT**

**FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs  
EuropeAid/127054/C/SER/multi**

## **1. BACKGROUND**

Anti-corruption is a fundamental prerequisite to entrenching good governance. Unfortunately, corruption is endemic and remains a major problem in Nigeria impacting negatively on governance and affecting the development of the country. Despite that anti-corruption legislation is in place, that anti-corruption institutions have been set up and that federal budget allocations to fight corruption exist, corruption is still anchored in the institutions and the society.

Nigeria has a fragmented and uncoordinated anti-corruption institutional setting that reflects the lack of political will and prevents from tackling corruption effectively. The existing legal frameworks do not bear clarity on how institutions link to each other and this leads to duplication and overlapping of mandates and functions between different Ministries, Departments and Agencies (MDAs) and prevents institutions from mutually benefiting from each other's expertise, strengths and statutory mandates, among others.

The capacities of the law enforcement and prevention agencies are still weak. In an environment where corruption has long been tacitly condoned, prosecutions and convictions are still appropriate means to address corruption. Besides, the capacities of other agencies related to public procurement (BPSR) should also be strengthened to ensure transparent processes and mechanisms to award public contracts, within a framework of a more general public reform process.

The implementation of anti-corruption measures in a generally 'hostile' Nigerian environment (weak support institutions like courts, police and legislature), poverty and political patronage, will still require a strong political commitment and public support. Non State Actors are critical to increase the demand side of governance, putting pressure on the political leadership to sustain the anti-corruption drive, encourage changes in practices and attitudes, track the responsiveness of Government and promote passage and implementation of relevant legislation.

A comprehensive national anti-corruption policy, strategy and action plan is being prepared within the framework of the Inter Agency Task Force (IATT).

On the basis of the Nigeria-EU Joint Way Forward, the Country Strategy Paper/National Indicative Programme (CSP/NIP) 10th EDF signed between the EC and Nigeria in November 2009 and building on the previous support to Nigeria's Economic and Financial Crimes Commission (EFCC), the EU Delegation signed a Contribution Agreement with the United Nations Office on Drugs and Crime (UNODC) in the value of 34 million Euros to implement a 5 year project (2012 -2017) to support thirteen key Nigerian anti-corruption agencies and Non state Actors. The project has been designed to fulfil three specific objectives namely;

- i) Anti-corruption policy-making, coordination and monitoring mechanisms are strengthened and legislation is improved;
- ii) Anti-corruption agencies increasingly cooperate to prevent and combat corruption; and iii) Civil Society Organizations are empowered to increase the provision of services and their participation in Anti - corruption activities enhanced (Component implemented by UNDP).

A Project Core Team, consisting of long-term national and international staff, has been put in place in the UNODC office in Abuja and is responsible for the day-to-day management of the project and for coordinating the implementation of project activities. In addition, a Programme Support Team based in the UNODC Office in Abuja, and a Project Support Team in UNODC HQ in Vienna, provide direct programmatic and operational support to the project, as well as to three other EU funded and UNODC implemented project on Support to the Justice Sector, drugs and crime, and migration

## **2. DESCRIPTION OF THE ASSIGNMENT**

### **2.1 Global objective**

The mid-term evaluation will provide the EU and other partners with an assessment of the project's performance in terms of relevance, efficiency, effectiveness and sustainability of the support provided to anti-corruption agencies and key stakeholders and its impact on the fight against corruption in Nigeria.

### **2.2 Specific objectives**

a) Relevance of the Programme

- The evaluator will determine if the programme has correctly identified the problems and that the means are appropriate and adequate;

b) Programme Design and Implementation

- Assess the Programme scope, design and the logic of the link between the specific objectives and the expected results;

c) Validity of assumptions

- Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;

d) Efficiency of Programme Implementation

- Assess the subsequent progress in implementation of the programme and its individual components;
- Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, relationship with key beneficiaries and key stakeholders and development partners with similar mandate. Allocation of staffing, reporting relations, tools, and procedures;

e) Means and Cost

- Review the allocation of funds per component in line with project objectives.

f) Impact

- The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;

g) Alternatives and recommendations

- Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f);
- Determine if the same effects/impacts could be achieved through different ways, for the same results. The evaluator will examine the viability of alternative activities and implementation approaches, and offer recommendations for future programmes as appropriate.

## Annex 4: Key References

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### Section One Technical Assessment

#### **I - EUROPEAN UNION:**

- EU Delegation and UNODC, Minutes of meeting on the Project “Support to the Justice Sector in Nigeria”, 4<sup>th</sup> May 2015.
- EU Delegation and UNODC, Minutes of meeting on the Project “Support to the Justice Sector in Nigeria”, 1<sup>st</sup> June 2015.
- EU Delegation and UNODC, Minutes of meeting on the Project “Support to the Justice Sector in Nigeria”, 1<sup>st</sup> June 2015.
- EU Standalone Project Identification Fiche and its 11 annexes.
- EU, Note to the File: Meeting with government stakeholders to discuss the PIF on the justice project.
- EU Joint Guidelines on Reporting Obligations under the FAFA.
- EU, “Verification Mission of a United Nations managed Action entitled Support to the Justice Sector in Nigeria”, 25 June 2015 (draft report).
- Nigeria-EU, Country Strategy Paper and National Indicative Programme for the period 2008-2013.
- Nigeria-EU, Financing Agreement.
- EU, “Thematic Evaluation of European Commission Support to Justice and Security System Reform” by ADE, Volume I- Main Report, November 2011.
- EU, “Evaluation of the activities at end of inception phase implemented under the Financing Agreement ‘EU Support to the Justice Sector’ ”, 12 May 2014.
- EU, “Final Evaluation of the ‘Support to the Economic and Financial Crimes Commission (EFCC) and the Nigerian Judiciary’, by DU PLESSIS Pieter, IWUAMADI Chijioke, OMOTOSO Bolanle (Consultants), November 2010.
- EU, “Sector project for the 10th EDF” (Formulation report), by MORAN Greg, McKenzie Karen, AZIMAZI Saka, CONNORS Dwane (Consultants), July 2010.

#### **II - EU/UNODC:**

- EU-UNODC, Minutes of meeting on the Project “Support to the Justice Sector in Nigeria”, 4<sup>th</sup> May 2015.
- EU-UNODC, Contribution Agreement.

#### **III - UNODC:**

- UNODC, Concept Note for suggested Rider for the Project “Support to the Justice Sector in Nigeria (FED/2012/308-728) (NGAV18), 22 July 2015.
- UNODC, Minutes of the Second Project Management Committee (PMC) Meeting on the Project “Support to the Justice Sector in Nigeria” (FED/2012/308-728) (NGAV18) of 10<sup>th</sup> European Development Fund (EDF), held at the National Planning Commission (NPC) on 28 April 2015.
- UNODC, Justice Sector Reform Institutional Capacity Assessments of Cross River, Imo and Lagos State.
- Terms of Reference Project Management Committee (revised).
- UNODC, Project Document, “Support to the Justice Sector in Nigeria”.
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## Annex 5: Technical Notes

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### 1. Details of achievements of the Justice Project.

This Annex provides details on the fifth evaluation criteria (list of main activities carried out).

#### **Output 1.1. Information collection, management and sharing in the justice sector improved**

Preparatory work for the conduct of "The State of Justice in Nigeria Survey" initiated in July 2013.

International consultant hired to undertake an assessment of the data collection, management and information systems of the justice sector institutions. Preliminary assessment on information collection, management and sharing was produced but no results were achieved, and the draft was not circulated (draft report reviewed and returned to her for finalization).

A one-day workshop was held on 18th September 2014 in collaboration with the Federal Ministry of Justice (FMOJ) for officials responsible for data collection in federal Ministries on strategies for strengthening data collection and data systems, and the state of development and maintenance of administrative data systems as well as information sharing in the justice sector.

Strategic support to the Data Sub-Committee of the Justice Sector Reform Coordination Committee (supporting two meetings in 2014 of the FJSRCC to strengthen Committee performance and effectiveness).

Support to FJSRCC/Data Sub-Committee (no details provided).

#### **Output 1.2: Justice sector coordination structures at federal and State levels established and functional**

##### At Federal level

The Project supported the implementation of the FJSRCC National Action Plan in the following areas: adoption of the ACJ Bill; National Prosecutors Policy, Guidelines and Code of Conduct; Development of Sentencing Guidelines;

Support to the FJSRCC in the formulation of their annual work plan and review of FJSRCC Action Plan.

### At State level

State Sector Justice Sector Reform Committees were established in Cross River, Imo, Oshun and Yobe States, adding to the six that existed already at project start.

State Action Plans were developed for 9 of the States: Anambra, Bayelsa, Benue, Cross River, Imo, Katsina, Lagos and Osun in 2014, Yobe in 2015.

State Focal points and work plan meetings were organised.

### Child Rights component

From 23-27 June 2014, UNICEF supported a self-assessment, carried out by an inter-sectoral group of justice and welfare agencies of the implementation of the Child Rights Act 2003 (CRA) in Bayelsa, Cross River and Lagos, which identified gaps in the current child justice system and proposed priority areas of focus to bring the system in line with international child rights standards and the CRA. Child Rights Self-Assessment Action Plans were drafted on the basis of the assessments, focusing on capacity-building needs of justice actors to operationalize the CRA and uphold international standards. During the self-assessment meetings, key stakeholders from the Police, the Prisons, the Child Protection Networks, the State Ministries of Women Affairs and Social Development, State Legislators, the Legal Aid Council, the Human Rights Commission, and the Citizen Rights Centres reviewed the extent to which state level institutions were implementing the CRA and related laws in their States. The self-assessment also allows States, yet to adopt the Child Rights Act, to understand the implication of adoption for the justice system. During the self-assessment meeting in Bayelsa, the Chairman of the Judicial Committee of Bayelsa committed to pushing forward the adoption of the Act in his State.

UNICEF supported the FJSRCC Sub-Committee on Child Rights and Juvenile Justice to review the steps each member needed to take to operationalise the Child Rights Act, thereby informing the development of the 2015 work plan.

### **Output 1.3: Legislation and policies on justice developed**

Prosecutors' Policy, Guidelines and Codes of Conduct were developed; Policy presented to prosecutors in all project States.

In collaboration with the Nigeria Law Reform Commission, draft Sentencing Guidelines were developed:

Sentencing Guidelines, particularly for the most prevalent offences in society and offences affecting children or committed by children.

Draft Sentencing Guidelines on rape, sexual offences against children, kidnapping, abduction and stealing. The project provided technical assistance with the presentation of the draft Sentencing Guidelines covering six areas and introducing alternatives to imprisonment.

The project supported the Nigerian Law Reform Commission (NLRC) in convening a National Stakeholders Workshop in December 2013. The objective of the workshop, which was co-financed by another EU-funded project implemented by UNODC – "Support to Anti-Corruption in Nigeria" - was essentially to incorporate targeted inputs from stakeholders into the draft Sentencing Guidelines which had been developed under the leadership of the NLRC. The Guidelines were developed mainly to address widespread concerns about arbitrary patterns of sentencing in criminal offences including for corruption-related offences. At the end of the workshop, it was agreed that additional work needed to be done to ensure wider acceptance and ownership of the Guidelines, and to include more guidelines for certain prevalent offences (stealing, rape, kidnapping) that were not already covered.

In collaboration with the NLRC, develop a draft practice direction for Sentencing Guidelines for adoption and implementation in the States;

Collaborate with the NLRC and NJI in encouraging the heads of the judiciary to issue the developed guidelines as practice directions; and in collaboration with the NJI, develop a training module for the guidelines and facilitate capacity-building in this area for Judges and Magistrates in the focal States.

During the course of 2014, UNICEF supported the Law Reform Commission to develop Adjudication Guidelines for Child Offenders (Diversion Guidelines). The Guidelines reflect international and national standards (Child Rights Act, 2003). The Guidelines, intended primarily for Family Court Magistrates and Judges, explicitly provide that children should only be detained as a last resort and promote the use of non-custodial measures. The Guidelines were reviewed and adopted during an inter-agency workshop held in August 2014, which drew together 20 stakeholders from the Law Reform Commission, the Ministry of Women Affairs and Social Development, the National Human Rights Commission, the Family Court, and the Nigeria Police Force. The Adjudication Guidelines will be submitted by the Law Reform Commission to the Ministry of Justice for adoption into the regulatory framework. In addition, the Adjudication Guidelines will be distributed to State Attorney Generals and Family Courts for adoption at the State level.

Draft Legal Aid Strategy was initiated in partnership with the Legal Aid Council of Nigeria (preliminary workshop). The project supported a three-day workshop to draft the National Legal Aid Plan (30 July-1 August 2014), which was subsequently adopted by the Board of LACON for implementation, including formulation of a draft 5-year National Legal Aid Strategy.

Consultative meeting, retreat with development partners, conference and report on strategy on possible advocacy measures for the enactment of the Violence Against Persons Prohibition Bill. The bill was signed into law in 2015.

#### Other

A media roundtable on the Administration of Criminal Justice Bill was organized on 25 March 2014 to refocus the attention of the Federal legislature on the bill. Members of the House of Representatives attended the event and committed to ensure the passage of the Bill.

The project provided technical support and contributions to the on-going reforms of the Penal and Criminal Codes currently being undertaken by the Law Reform Commission. From 10-11 December 2013, the project co-sponsored a national consultative forum on the harmonization of the criminal and penal codes.

Technical support to the Nigerian Law Reform Commission (NLRC) in the drafting of an Anti-torture Bill.

A “National Workshop on Mental Health and Justice: Strategies for Effective and Humane Management of Prisoners with Mental Health Challenges” was held in Abuja on 29-30 September 2014, organised in partnership with LACON and PRAWA. Over 150 experts including lawyers, judges, psychiatrists, prison officials, law enforcement agents, journalists and civil society organisations participated in the workshop. Workshop participants adopted a communiqué highlighting the need for Nigeria to establish a system, based on international best practices, to deal with mental health in prisons. Participants also recommended the speedy passage of the draft Mental Health Bill. One of the follow-up activities is that UNODC suggests to include the Draft Mental Health Bill in the justice sector bills to be supported under Outcome 1 (Activity 1.3.3). The Draft Mental Health Bill includes a comprehensive section on criminal proceedings and referral between the criminal justice system and mental health services. In partnership with the Legal Aid Council of Nigeria, a Draft National Strategy for dealing with issues of mental health in the justice system was elaborated.

Guidelines on Judicial Appointments and Performance Management supported: An international and two follow-up national workshops to support the development of performance management and evaluation of Judges was held. See also Output 3.5.

#### Planned

Support to the development and adoption of additional Sentencing Guidelines on rape and other sexual offences especially against children, kidnapping, robbery, stealing and related offences.

A diversion model to be piloted to implement the draft Guidelines, in advance of their finalization, and roll out to the other States to be determined with the Sub-Committee on Child Rights.

#### **Output 1.4. Capacity of FMOJ/NPC and lead agencies in the sector strengthened in monitoring and evaluation**

TORs were developed in 2014.

### **OUTCOME 2. TRAINING, RESEARCH AND OPERATIONAL CAPABILITY OF THE JUSTICE SECTOR DEVELOPED**

As regards Outcome 2:

- The institutional capacity assessment foreseen under Output 2.1 was not finalised at the time of the evaluation. It would have been more useful to have an assessment of Nigerian's institutions training plans. In addition, the evaluation team questions the validity of conducting training activities and, more importantly, of planning so many training activities (planned costs for 2015: € 2,775,899.84) if such an assessment is not ready. The execution of the planned activities should be suspended in order for UNODC to define its training approach. Only training that are specific to the justice sector should be implemented: the logic and rationale for having costly IT only training sessions should be discussed; training of modern investigation techniques should be encouraged but only if it takes place within the framework of a more global approach where police investigators, prosecutors and judges are associated in the programme; the training activities should be more anchored in the activities and work plan of the Nigerian training institutions (NJI especially). If the project is awarded an extension, the possibility to have a grant or a partnership/institutional agreement with the NJI could be considered.
- Outputs 2.1 and 2.2 should be merged since they are very similar; activities should concentrate on the rationalisation of planned training exclusively. It is unclear whether the project, given its staffing resources can embark on brand new complex activities such as SOP on crime scene evidence or the development of a forensic strategy.
- There is no time left for 12 procurement to be launched as planned under Output 2.3 and the UN system and the Justice Project have proved not be fitted with procurement (nor recruitment) procedures.
- There is no time and capacity at UNODC level to initiate Output 2.4.
- Under Output 2.5 UNICEF should clearly indicate to the EUD in their expected Management Response what specific training programme they are planning to execute (objective of the training, how the training will be integrated with their general programme, etc.). To allow for deeper ad hoc capacity building, training should take place only in the 2 selected focal states and complement other capacity building.

#### **Output 2.1: Improved quality of training for staff of the justice sector (at federal and state levels)**

- The institutional capacity assessment of the Police, Judiciary, Prosecutors, Ministries of Justice, Legal Aid Council, National Human Rights Commission and the Prison system at Federal and State levels commenced in the first quarter of 2014 with the development of the methodology.

IT

- A total of 98 justice sector personnel participated in 3 training sessions on basic Information Technology skills between 24 and 29 November 2013. The training sessions took place in Abuja and Imo State. Those trained included High Court Judges, Police Prosecutors, and Prosecutors from the Ministry of Justice, Magistrates and Prisons Officials. Computer literacy training was provided in 2014 for 104 Justice Sector Officials (Police, State Ministries of Justice, Prisons and the Judiciary): The training sessions took place in Bayelsa, Cross River and Benue States. □also some judicial officers and staff were included in the IT training session in Bayelsa, Cross River and Benue States.

Other

- As part of its efforts to enhance the capacity of the Legal Aid Council of Nigeria (LACON), the project sponsored the attendance of one member of LACON's staff to the International Conference on Access to Legal Aid in Criminal Justice Systems Conference, which took place in Johannesburg, South Africa on 24-26 June 2014. The conference was hosted by the Government of the Republic of South Africa and Legal Aid South Africa, in conjunction with the International Legal Foundation, UNDP and UNODC. The conference provided a platform for the sharing of international best practices on a range of themes relevant to LACON and legal aid delivery in Nigeria.

#### Planned

- Follow-on actions to consolidate the initial IT training.
- Provide training on the use of modern training methods for adult learning to the staff of training institutions.
- Training of Trainers (TOT) / step down trainings conducted for staff of justice sector.
- The project succeeded in arriving at a consensus with stakeholders of its focal States that have passed the Administration of Criminal Justice Law namely Anambra and Lagos, to provide training for relevant stakeholders on the implementation of the law.
- A concept note and ToR in respect of the development and training on ADR at State level, geared towards development of state level strategies to integrate ADR were developed in 2014 and will be issued upon receipt of a fresh tranche of funding
- Formal communication was established with institutions outside of Nigeria with the aim of establishing partnerships. The possible modalities for engagement such as letters of agreement, grants etc. were explored.

### **Output 2.2: Improved competence and skills of prosecutors and officials of the Judiciary, the Police and judicial officers**

#### Prosecutors

- In partnership with the Nigerian Institute of Advanced Legal Studies (NIALS), 20 Public prosecutors from the Project pilot states were trained in Lagos (10-14 November 2014). The training covered a broad range of topics aimed at enhancing their prosecutorial skills.

#### Police

- In partnership with the Nigeria Police Force (NPF) with the support of the Embassy of Switzerland and the civil society organization PRAWA, UNODC convened a planning meeting dedicated to ensuring that the *Nigeria Police Force Human Rights Training Manual* and the *Trainers' Guide* are adopted into NPF training practice throughout Nigeria. The two day meeting (2-3 December 2014) was attended by 15 NPF representatives and 15 development partner and civil society representatives.
- UNICEF supported the Nigeria Police Force to finalize the Human Rights Training Manual (drafted with UNICEF support in 2013), which includes a specific chapter on handling children's cases. In May 2014, UNICEF supported a workshop of 38 Police Commander, representing the Police Academies in Nigeria, to integrate the Manual into the police training curriculum used for basic recruits and in-service training. UNICEF also supported a consultants' one-day meeting to assist preparation for this workshop. The Manual was then pre- tested in June and July 2014 with Police trainers both to refine the Manual and also to build their capacity to deliver the human rights course.

#### Planned

- Support Violence Against Women and gender training. A terms of reference in support of this activity was developed.

### **Output 2.3 Enhanced operational and research capacities of MoJ, NJI, and the Judiciary**

- In 2013, the project engaged 2 consultants to conduct an assessment of existing Judicial Research Centres (JRCs) which had been established under a previous EU-funded project "Support to the EFCC and the Nigerian Judiciary". The assessment report was finalized in the second quarter of 2014.
- IT-equipment for three new JRCs procured and delivered in 2014 (Osun, Imo, FMOJ), but not yet operational.

#### Planned

- Twelve (12) terms of references were finalised in respect of the installation of electrical infrastructure, construction of raised floors, procurement of furniture and installation of local area networks at the JRCs in Imo and Osun States; and within the Federal Ministry of Justice, Abuja. These terms of reference will be issued when and if related activities are approved in 2015 work plan. Lessons learned from the establishment of JRCs under the previous EU-funded project were taken into account in planning for the establishment of new JRC.

### **Output 2.4 Improved systems for Police and Prison record keeping and court case management**

*See Output 3.2: Improved capacity to decrease pre-trial detention and Prison congestion.*

### **Output 2.5 (UNICEF implementation) - Improved quality of training for the juvenile justice sector personnel (at federal and state levels)**

- An addendum was developed for the Prison Training manual, to include a module on child justice that reflects the provisions of the Child Rights Act 2003.

#### Planned

- An addendum was developed for the Prison Training manual, to include a module on child justice that reflects the provisions of the Child Rights Act 2003.
- New programme under preparation (institutionalized training programme on Child Justice; training on diversion programme at State level).

### **With regards to Outcome 3: Increased access to justice and respect for human rights:**

#### **Output 3.1: Strategic advice and support given to the Police in support of respect for human rights**

Meeting with PRAWA in 2015 on possible cooperation on training on human rights for the police.

#### **Output 3.2: Improved capacity to decrease pre-trial detention and Prison congestion**

Prison Assessment draft report provides data on inmates awaiting trial. In preparation for the study, four (4) consultants were engaged to develop the study methodology and tools for data collection. Consultations were also held with key officials of the Nigerian Prisons Service to facilitate access to data sources. The study commenced in March 2014 with the consultants making monthly visits to 38 prison facilities in each project focal state. The last visit was made in August 2014. The consultants have submitted six monthly reports and a finalized consolidated report is expected. Validation workshop for Prison Assessment Report held in 2015.

#### Planned

A workshop with Prison Officers in Abuja to disseminate the Prison Assessment Report is planned.

#### **Output 3.3: Mapping of NSAs and support for NSAs rights awareness raising and legal aid activities**

Roundtable on Nigeria Bar Association's Pro Bono Policy organised in 2015.

### Planned

Restorative justice scheme in Lagos.

A terms of reference in support of mapping of NSAs was developed to support the establishment and strengthening of the network of legal aid service providers including LACON, OPD, NGOs, NBA, etc. and establish a directory of providers to be available at the LACON.

Consultations with a national institution for the development of strategies to integrate ADR into formal dispute resolution were initiated with the National Human Rights Commission.

Dialogue with LACON and other development partners on the viability of the previous Police Duty Solicitor Scheme (PDSS) were initiated. It is anticipated that the PDSS will be replicated in 2 police stations in 2 focal States.

Two workshops to review and update Court User Guides developed in a previous project took place in Abuja on 18- 19, March 2014 and in Lagos on 14-16 April 2014. The Court Users Guides are intended to improve awareness and understanding among Court Users about their rights and responsibilities. The outcomes of these sessions include seven updated Guides for Court Users on the following topics: (1) Victims and Witnesses, (2) Contacts for Court Users, (3) Basic Criminal Procedure, (4) Alternative Dispute Resolution, (5) Detention and Bail, (6) Basic Civil Procedure, (7) Court User Organogram. The Court User Guides are undergoing final review and will be translated into some major Nigerian languages, launched and disseminated to all legal aid providers, and at Police stations, prisons, communities and courts.

### **Output 3.4: Increased access to HIV, TB and mental health services, vocational, educational, recreational and rehabilitation facilities for Prisoners, including vulnerable prisoners**

The project concentrated on mental health.

A "National Workshop on Mental Health and Justice: Strategies for Effective and Humane Management of Prisoners with Mental Health Challenges" was held in Abuja on 29-30 September 2014, organised in partnership with LACON and PRAWA.

### **Output 3.5: Accountability and integrity regime for the Judiciary, MoJ, Police and the Prison service strengthened**

The project concentrated on the accountability and integrity regime for the judiciary.

An International Conference on Judicial Reform, co-organised with the NBA Judiciary Committee, the European Union, Access to Justice (with support from Open Society Initiative for West Africa (OSIWA)), and in collaboration with the Performance Evaluation Committee of the National Judicial Council (NJC) was held in Abuja from 7-9 July 2014. The Conference had in attendance the Chief Justice of Nigeria, the Chief Justice of South Africa, Supreme Court Justices, Members of the National Judicial Council, the President of the Court of Appeal, Heads of Courts, Judges, the President of the NBA, Academics, members of the Bar and other stakeholders. The conference was organised to review the existing evaluation, complaints, appointments and monitoring systems as well as to share best practices on judicial appointments and judicial performance evaluation in order to support the development of the Nigerian Judiciary through the introduction of measures to reform the current performance evaluation and recruitment processes in order to ensure speedy and qualitative justice delivery.

As a follow up to the agreements at the workshop, a round table was held on 12 August 2014 in Abuja to articulate how to best leverage on the opportunity offered by the NJC to draw up a strategic plan for reform of judicial performance evaluation. The round table articulated ideas about the next steps towards implementing

recommendations from the Conference, what goals to achieve, what specific interventions will be needed to accomplish these goals, and how the case for these can be built before the NJC Performance Evaluation Committee. A Strategic Policy Dialogue was held with the NJC Performance Evaluation Committee on 15 September 2014 to draw up a plan of action for implementing the agreed actions to improve performance management and judicial appointments, which would be considered in new guidelines on judicial appointments to be issued by the NJC.

### **Output 3.6 - (UNICEF Implementation) Competence of Specialized Children's Units improved**

Preparatory consultations with development partners and NPF were held on the improved competence of Specialized Children's Units. In December 2014, a meeting was held between UNICEF and the Justice for All programme (DFID) to discuss a joint approach on police reform as it pertains to the establishment of specialist desks to ensure a harmonised approach to the establishment of these units. A mapping of existing desks and units is due.

### **Output 3.7 - (UNICEF Implementation) Improved systems for Prison/Remand home/Police record keeping and court case management in juvenile cases | Output 3.8 - (UNICEF Implementation) Improved capacity to decrease pre-trial detention of children | Output 3.9 - (UNICEF Implementation) Support State and Non-State Actors' rights awareness, legal aid activities an advocacy on justice for children**

From 23-27 June 2014, UNICEF supported a self-assessment, carried out by an inter-sectoral group of justice and welfare agencies of the implementation of the Child Rights Act 2003 (CRA) in Bayelsa, Cross River and Lagos, which identified gaps in the current child justice system and proposed priority areas of focus to bring the system in line with international child rights standards and the CRA. Child Rights Self-Assessment Action Plans were drafted on the basis of the assessments, focusing on capacity-building needs of justice actors to operationalize the CRA and uphold international standards. During the self-assessment meetings, key stakeholders from the Police, the Prisons, the Child Protection Networks, the State Ministries of Women Affairs and Social Development, State Legislators, the Legal Aid Council, the Human Rights Commission, and the Citizen Rights Centres reviewed the extent to which state level institutions were implementing the CRA and related laws in their States. The self-assessment also allows States, yet to adopt the Child Rights Act, to understand the implication of adoption for the justice system. During the self-assessment meeting in Bayelsa, the Chairman of the Judicial Committee of Bayelsa committed to pushing forward the adoption of the Act in his State.

UNICEF supported the FJSRCC Sub-Committee on Child Rights and Juvenile Justice to review the steps each member needed to take to operationalise the Child Rights Act, thereby informing the development of the 2015 work plan.

Bottleneck assessment of cases of children in conflict with the law (Baseline study on the status of children in prisons and borstals) carried out in the pilot states of Lagos and Cross River. The baseline study on children in detention includes a review of the complaints systems for children in prisons, remand homes and borstals.

During the course of 2014, UNICEF supported the Law Reform Commission to develop Adjudication Guidelines for Child Offenders (*see Outcome 1 and Output 3.6*). The Adjudication Guidelines will be distributed to State Attorney Generals and Family Courts for adoption at the State level.

Given the importance of the Child Protection Networks (CPNs) in strengthening access to justice for children, UNICEF supported the establishment of a CPN in Yobe, in July 2014, as well as a coordination meeting and Justice for Children work planning meeting in October 2014. UNICEF also supported a CPN meeting in Katsina in June 2014 to discuss child justice issues and enhance understanding of and coordination by members.

Under the leadership of UNICEF, the project supported in 2013 the initial implementation stages of the national Violence Against Children Study (VACS) that is being conducted by the National Population Commission (NpopC). This comprehensive national survey is designed to provide very useful information on

how the criminal justice system responds to violence against children as well as a profile of the kind of violence experienced by children in Nigeria.

UNICEF supported LACON in the improvement of delivery of legal aid to children. UNICEF provided technical support for the national planning meeting of the Legal Aid Council of Nigeria (LACON) in July/August 2014, during which the new Legal Aid Law was reviewed and, in particular, the need to develop specialised legal aid for vulnerable groups, including children in conflict with the law. The meeting also reviewed modalities of delivering legal assistance to children. UNICEF will continue to support LACON in the development of a strategy for increasing access to legal aid by children and a training manual for children, for which examples from other countries have been shared. A member of the Child Protection Team also provided technical advice during the Roundtable on Legal Aid held in Katsina in October 2014. During this meeting the important role of the Child Protection Network (CPN) in delivering legal aid was recognised and it was resolved that all actors providing legal aid to children should become a member of the CPN, as well as the Police and the Ministry of Rural and Social Development, to enable enhanced coordination of legal aid services for children. Given the importance of the Child Protection Networks (CPNs) in strengthening access to justice for children, UNICEF supported the establishment of a CPN in Yobe, in July 2014, as well as a coordination meeting and Justice for Children work planning meeting in October 2014. UNICEF also supported a CPN meeting in Katsina in June 2014 to discuss child justice issues and enhance understanding of and coordination by members.

An awareness-raising publication entitled “Justice for Children in Nigeria” has been finalised. UNICEF contracted a consultant in early 2014 to develop a series of publications on juvenile justice and sexual violence to enhancing understanding of key child justice issues, to highlight the specific mandate of key agencies and to support advocacy efforts by non-state actors. Only one publication entitled Justice for Children in Nigeria was finalised due to challenges with the consultant. This will be reviewed with a view to dissemination.

## 2. Table of recommendations for action until project’s end

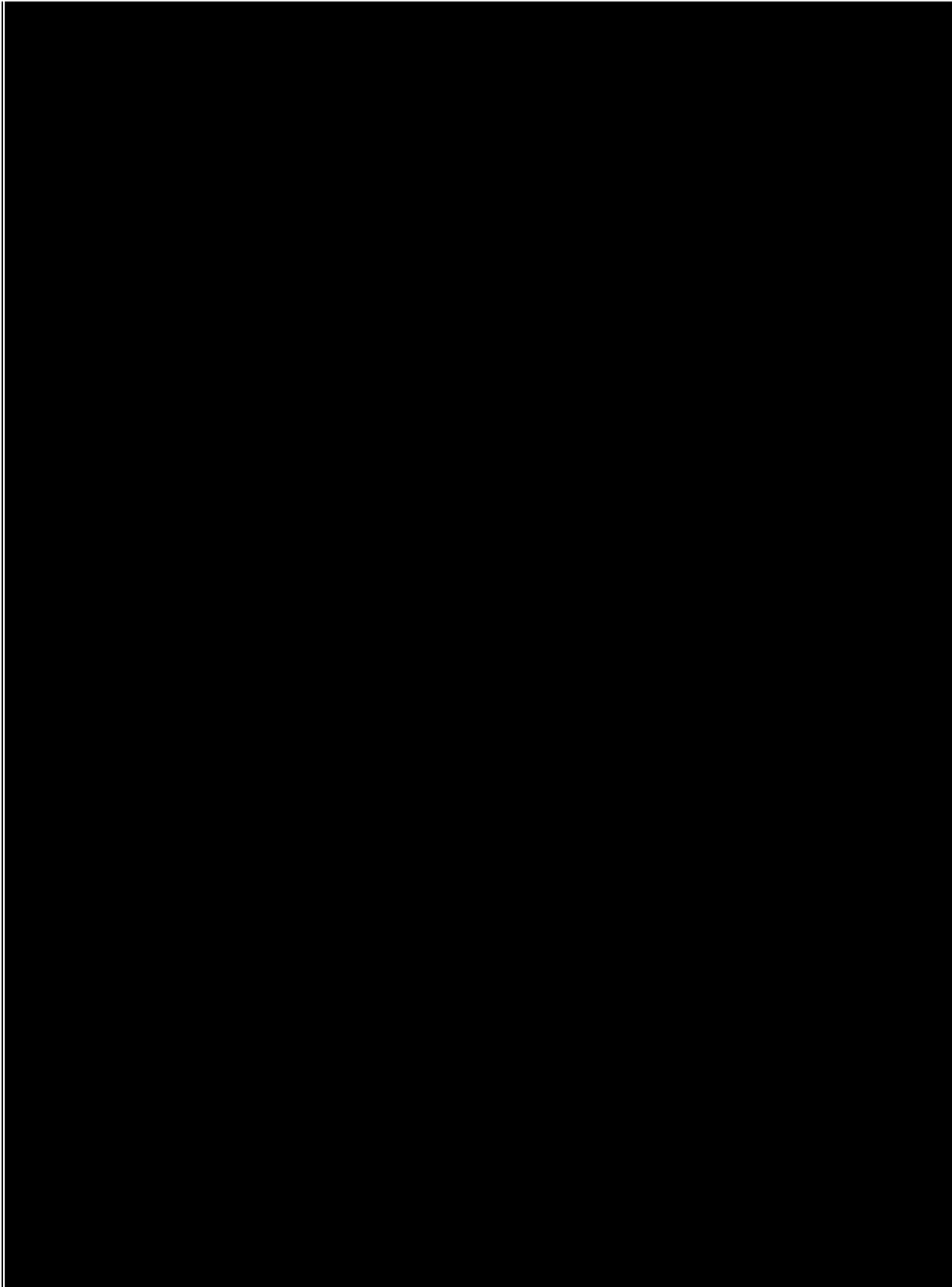
<b>OUTCOME 1: INCREASED COORDINATION AND SECTOR POLICY DEVELOPMENT WITHIN THE JUSTICE SECTOR</b>
<b>Output 1.2: Justice sector coordination structures at federal and State levels established and functional</b>
Support to the State Sector Justice Sector Reform Committees and the institutions which are part of it to implement the Action Plan.  Rolled-out State Action Plans and priorities defined.
<b>Output 1.3: Legislation and policies on justice developed</b>
Support at State level towards the implementation of the Prosecutors’ Policy, Guidelines and Codes of Conduct developed.  Support at State level towards the implementation of the Draft Sentencing Guidelines and Prosecutors’ Policy.
<b>OUTCOME 2. TRAINING, RESEARCH AND OPERATIONAL CAPABILITY OF THE JUSTICE SECTOR DEVELOPED</b>

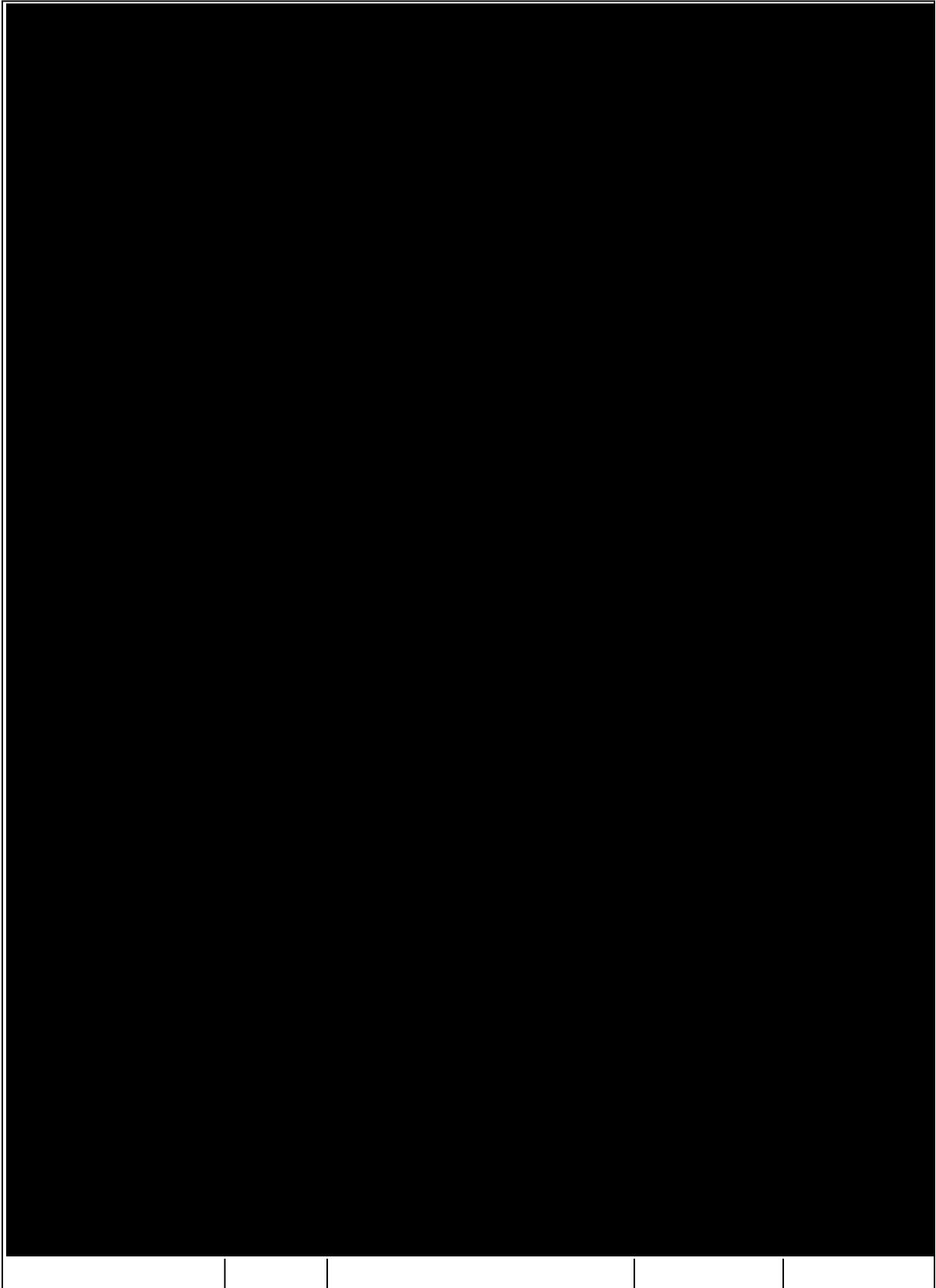
<p><b>Output 2.1: Improved quality of training for staff of the justice sector/federal and state levels</b></p>
<p>Development of trainings with better anchorage within the partners' training institutions (NJI, police, prisons) and a linkage with a specific institutional change.</p> <p>Basic Information Technology skills for Police, State Ministries of Justice, Prisons and the Judiciary: training continued if a linkage with a specific institutional change is specified.</p>
<p><b>Output 2.2 Improved competence and skills of prosecutors and officials of the Judiciary, the Police and judicial officers</b></p>
<p>Continuation of training for the police on human rights. Other trainings to be defined according to recommendations under Outcome 2.</p>
<p><b>Output 2.3 Enhanced operational and research capacities of MoJ, NJI, and the Judiciary</b></p>
<p>IT-equipment for JRCs procured and delivered (number to be reduced).</p>
<p><b>Output 2.5 (UNICEF implementation) - Improved quality of training for the juvenile justice sector personnel (at federal and state levels)</b></p>
<p>Rolling out of Prison Training manual/Module on child justice.</p>
<p><b>Outcome 3: increased access to justice and respect for human rights</b></p>
<p><b>Output 3.3: Mapping of NSAs and support/rights awareness raising and legal aid activities</b></p>
<p>Little time left for call for proposals and monitoring of the projects (2/3 grants in prioritised focal states (Lagos, Cross River, FCT). Could be manageable if monitoring is done during the closing period).</p> <p>Court User Guides printed and dispatched: (1) Victims and Witnesses, (2) Contacts for Court Users, (3) Basic Criminal Procedure, (4) Alternative Dispute Resolution, (5) Detention and Bail, (6) Basic Civil Procedure, (7) Court User Organogram.</p>
<p><b>Output 3.6 - (UNICEF Implementation) Improved Competence of Specialized Children's Units</b>  <b>Output 3.7 - (UNICEF) Improved systems for Prison/Remand home/Police record keeping and court case management in juvenile cases   Output 3.8 - Improved capacity to decrease pre-trial detention of children   Output 3.9 -Support State and Non-State Actors' rights awareness, legal aid activities an advocacy on justice for children</b></p>
<p>Implementation of activities regarding the Self-assessment of the implementation of the Child Rights Act 2003 and Bottleneck assessment of cases of children in conflict with the law (Baseline study on the status of children in prisons and borstals) continued.</p> <p>Adjudication Guidelines on Child Offenders implemented at State level.</p> <p>2/3 grants further to the Support for the national planning meeting of the Legal Aid Council of Nigeria (LACON).</p>

## Annex 6: Organizational Notes

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### A Email Documentary Evidence





## **B Fundamental of Modern Programme Design**

### **9.1.1 Analyses of Development Design and Implementation**

Martens, Bertin with Uwe Mummert, Peter Murrell and Paul Seabright. The Institutional Economics of Foreign Aid. Cambridge University Press, 2002.

*Bertin Martens is an economist at the European Commission in Brussels. He has worked for various foreign aid organizations, including United Nations agencies and the EC and he is a member of the International Society of New Institutional Economics. He currently works for the EC in its Institute of Prospective Technological Studies, Joint Research Centre.*

The book is about the institutions, incentives and constraints that guide the behaviour of people and organizations involved in the implementation of foreign aid programmes. While traditional performance studies tend to focus almost exclusively on policies and institutions in recipient countries, this book looks at incentives in the entire chain of organizations involved in the delivery of foreign aid, from donor governments and agencies to consultants, experts and other intermediaries. Four aspects of foreign aid delivery are examined in detail: incentives inside donor agencies, the interaction of subcontractors with recipient organizations, incentives inside recipient country institutions and biases in aid performance monitoring systems. The four studies in the book use a common methodological approach, namely principal-agent or agency theory. This approach fits well with the donor-contractor-recipient model of development projects wherein the donor needs to delegate at least part of the work and the contractor/agent receives a reward for carrying out the assigned tasks.

A standard economics concept explained in the context of international development is that of a 'moral hazard'. A moral hazard defines a situation wherein an agent may, knowingly or otherwise, undertake greater risk than it is capable of handling due to lack of incentive to guard against risk when advancing its own interests rather than those of the principal. Martens notes that a project based approach to reform may be more susceptible to moral hazard problems than a conditionally based one. In addition, several examples illustrate that moral hazard can occur on both the donor and implementer side.

Ostrom, Elinor, Clark Gibson, Sujai Shivakumar, Krister Andersson. Aid, Incentives, and Sustainability: An Institutional Analysis of Development Cooperation. SIDA Studies in Evaluation 02/01, December 2001.

*Elinor Ostrom was the 2009 co-recipient of the Nobel Prize in Economics. She worked for over 50 years on institutional approaches to understanding problems in public administration, public service delivery and environmental management. She died in 2011.*

From the Forward by Eva Lithman Director, Department for Evaluation and Internal Audit Sida, Stockholm.

–Does 'aid' itself create incentives that undermine sustainability? This is the provoking question underlying the present study, which explores how the incentives that arise in the system of development co-operation affect sustainable outcomes.

The point of departure (of this study) is the view that many development problems in countries where foreign 'donors' operate are caused by weak or so-called perverse incentives for local actors to engage in collective action for their common good. In turn, these perverse incentives are to a large extent rooted in unfavourable institutional circumstances. Sustainable solutions to development problems require institutional conditions that shape incentives for collective action, and development co-operation may promote the creation of such favourable institutions. However, it may also create or reinforce perverse incentives that prevent sustainable outcomes. In order to better understand any such 'donor'-imposed constraints to development, Sida's Department for Evaluation and Internal Audit, which is an independent department reporting directly to Sida's Board of Directors, commissioned the present study. It was conducted by a research team from the Workshop in Political Theory and Policy Analysis at Indiana University, headed by the internationally acknowledged (n. b. later 2009 Nobel Prize winner in Economics) Professor Elinor Ostrom.

The contribution of the study is manifold: First of all, it introduces an institutional perspective on development and development co-operation that is partly novel to Sida and the rest of the 'aid' community. This perspective highlights the importance of incentives and increases our understanding of incentive problems

within developing-country contexts as well as within the system of 'aid' itself. Secondly, the study provides a method and tools for institutional analysis and evaluation of the relationship between 'aid', incentives and sustainability. It illustrates theoretically how these tools can be used to analyse incentives within the complex system of 'aid', associated e.g. with 'donor-recipient' negotiations and with different 'aid' modalities. Finally, the study applies the method empirically, by initiating an analysis and evaluation of the incentive structure and its causes within Sida and five Sida-supported projects in India and Zambia. The analysis is based on interviews of more than 175 persons within Sida and Sida-supported activities and a thorough literature survey. The study concludes by drawing lessons and recommending Sida an agenda for action.

A central argument of the study is that Sida can contribute to more sustainable outcomes, through 1) a more explicit and systematic understanding of incentive problems and their institutional causes in the local development contexts as well as those created by the very system of development co-operation; 2) the creation of incentives within Sida that encourage individual and organisational learning about sustainability; and 3) the devolution of ownership to the actual target population.

Pritchett, Lant, Salimah Samji and Jeffrey Hammer. Using Structured Experiential Learning to Crawl the Design Space. UN University WIDER Working Paper No 2012/104, December 2012.

*Lant Pritchett is a development economist. He is currently Professor of the Practice of International Development at the Kennedy School of Government at Harvard University.*

Ministries of Finance, Planning, Budgeting allocate budget resources across ministries and projects/programmes within ministries. Implementing organizations typically try to do the best they can with the funds they have while executive organizations have to decide what and who to fund. Monitoring and Evaluation has always been an element of the accountability of implementing organizations to their funders. There has been a recent trend towards much greater rigor in evaluations to isolate causal impacts of projects and programmes and more 'evidence base' approaches to accountability and budget allocations.

The techniques of impact evaluation can be directly useful to implementing organizations by designing structured experiential learning which allows implementing agencies to actively and rigorously search across alternative project designs using monitoring data that provides real time performance information. The argument is that within-project variations in design can serve as their own counter-factual and this dramatically reduces the incremental cost of evaluation and increases the direct usefulness of evaluation to implementing agencies. The right combination provides the right space for innovation and organizational capability building while at the same time providing accountability and an evidence base for funding agencies.

Andrews, Matt and Lant Pritchett and Michael Woolcock. "Escaping Capability Traps Through Problem Driven Iterative Adaptation (PDIA)". World Development, vol 51, pp 234-244, 2013.

*Matt Andrews (Australian) is Associate Professor of Public Policy at the Kennedy School of Government at Harvard University. His research focuses on public sector reform, particularly budgeting and financial management reform, and participatory governance in developing and transitional governments.*

Many development initiatives fail to improve performance because they promote isomorphic mimicry—governments change what they look like, not what they do. This article proposes a new approach to doing development, Problem-Driven Iterative Adaptation (PDIA), which contrasts with standard approaches. PDIA focuses on solving locally nominated and prioritized performance problems (instead of transplanting 'best practice' solutions). PDIA encourages positive deviance and experimentation (instead of requiring that agents implement policies as designed). PDIA creates feedback loops that facilitate rapid learning (instead of lagged learning from ex post evaluation). PDIA engages many agents to create viable, relevant interventions (instead of depending on external experts).

Booth, David and Sue Unsworth. Politically smart, locally led development. ODI Discussion Paper, September 2014.

*Sue Unsworth served for 30 years with the UK's Department for International Development (DFID), ending as Chief Governance Adviser (2003-2004). She was one of the main initiators of DFID's "Drivers of Change" programme. Since 2004 she has been a Research Associate at the Institute of Development Studies, where she has worked with the Centre for the Future State.*

This paper is a contribution to ongoing debate about the need for donor agencies to think and work more politically. It presents seven cases of aid-funded interventions that show how donors have been able to facilitate developmental change 'despite the odds'. The central message is that donor staff were successful because they adopted politically smart, locally led approaches, adapting the way they worked in order to support iterative problem-solving and brokering of interests by politically astute local actors.

The call for politically smart, locally led approaches highlights the changes that donors need to make to their own thinking and practices in order to act as effective facilitators of development change. They need to be politically informed and astute to assess the scope for change, and to make good choices regarding issues to work on and partners to work with; and they need to allow local actors to take the lead in finding solutions to problems that matter to them. But donors would need to abandon practices that assume development progress to be simple, predictable and deliverable from the outside.

Booth, David and Victoria Chambers. The SAVI programme in Nigeria: Towards Politically Smart, Locally Led Development, ODI Discussion Paper, October 2014.

*David Booth leads the ODI research on Developmental Regimes in Africa. He has worked on aid, innovations in development policy and practice, and the political economy of governance and service delivery in Africa and Latin America.*

Development assistance programmes that start from careful analysis of what works and what does not in country contexts are still remarkably rare. This is mainly because aid programming is heavily constrained by what politicians in donor countries believe, often on limited evidence, about recipient country needs and possibilities. To a lesser extent, it is because we lack well documented examples of programming that achieves a 'good fit' with country context, or is 'politically smart', problem-driven, adaptive, locally led, etc. This paper is a contribution to an expanding set of studies that is helping to correct this evidence gap. It examines the experience of SAVI, one of a suite of state-level DFID programmes in Nigeria.

SAVI belongs to the formal category of 'demand side' governance programmes; the acronym stands for State Accountability and Voice Initiative. It provides support to State Houses of Assembly, mass media organisations and civil society organisations (CSOs), while another state-level programme, SPARC, provides public management assistance to the executive branch of government. The paper asks to what extent SAVI differs from previous programmes in Nigeria and elsewhere that are similarly labelled, and whether it may be accurately described as politically smart and locally led.

DFID's SAVI programme has revealed a hitherto untapped potential for change leading to better development results at state level in Nigeria. SAVI provides low-profile support to state-level organisations and partnerships, building their capacity to engage constructively with government. It avoids the pitfalls of a donor-driven approach by 'taking the money off the table'. This illustrates the power of facilitated multi-stakeholder engagement and the disadvantages of seeing this in terms of 'supply side' and 'demand side' governance. The set-up of the DFID suite of state-level programmes, with separately managed sector support and 'governance' initiatives, has limited realisation of the potential. Key enabling conditions were that DFID provided space for an experience-based design process and permitted tangible results to be judged retrospectively, not pre-programmed.

### **9.1.2 Political Economy Analyses**

Heymans, Chris (GHK International, London) Chris Pycroft (DFID-Nigeria, Abuja). Drivers of Change in Nigeria: A Preliminary Overview, DFID, July 2003.

#### Introduction

The Drivers of Change initiative (DoC) is an attempt to develop better understanding of Nigeria's political economy, and to use this new information to reassess DFID and the international community's engagement with Nigeria. Initial findings show a need for new assumptions about how pro-poor change will be achieved, and for new approaches to supporting change.

### Key concepts

The Drivers of Change Analysis turns on a distinction between agents, institutions and structures. Drawing on work done under Component 1 of the DoC initiative, The report defines structural features as 'natural and human resources, economic and social structure, and other non-institutional facts'; institutions as 'frameworks of rules structuring the behaviour of agents'; and agents as 'individuals and organisations pursuing particular interests'. Systemic change involves the relationships between these drivers, but there is no clear causality in these relationships. Agents often offer entry points for change and structures fundamentally define the scope for change, but institutions mediate between structural features and agents. This makes it particularly important to understand how institutions have evolved, how they interact with political agents and structures, and how agents contest the terrain of institutions. As the discussion below indicates, structure-like traits of Nigerian institutions have influenced the scope for change considerably.

**Assumption One -- 'Democracy' Creates Political Space for Pro-Poor Change:** In Nigeria, the DoC analysis indicates that, although transition to civilian governance has been a significant improvement on military rule, it has not achieved the progress towards pro-poor change initially anticipated. Rigidities within Nigeria's institutional framework that operate as structural constraints fundamentally hamper the room for change.

**Assumption Two – 'Champions of Change' will Drive Reform:** The government and civil society do not lack rhetorical commitment to achieving pro-poor outcomes. Furthermore, Nigerian civil society has survived military rule to emerge as a potentially significant force. The pre-conditions for the fulfilment of this assumption therefore appeared to be present in 1999. This led the international community to focus support on pro-poor reform agendas of key 'champions of change', particularly within the Executive, but also within civil society. However, the DoC analysis indicates that the actions of individuals and organisations – including the Executive – however well intentioned, genuine and important in raising political consciousness, are critically constrained by Nigeria's structural environment.

These structural features overlay a status quo that appears immovable and rigid. In reality this status quo is both incredibly flexible and responsive. It is able to respond to, and absorb, both internal and external shocks, as well as to manage and balance diverse interests and cleavages based on ethnicity, religion, regionalism and economic interest. It is apt at using a continually changing combination of coercion (including the political manipulation of conflict) and consent (built upon patronage politics and the misallocation of oil revenue).

Within this structural environment - reinforced by the unearned income from oil - individuals and organisations (including the international community) are relatively powerless. The DoC analysis indicates that a strategy built upon support to individuals and organisations alone will have limited impact, unless it begins to address the underlying institutional problems and structural constraints.

**Assumption Three – Lack of Capacity is the Problem:** A focus on individuals and organisations as champions of change leads to the next assumption – the inability of individuals and organisations to achieve pro-poor reform is a result of weak capacity within government, civil society and organisations responsible for service delivery. The solution, therefore, would be to build capacity within key organisations – in civil society to demand change, in government to respond appropriately to the demands, and in the public service and private sector to deliver services.

There is little doubt that many organisations within government, civil society and those responsible for service delivery lack the appropriate capacity. This has been confirmed by the DoC research. Furthermore, Nigeria has reasonable or even good capacity within some areas of government, as well as in parts of the Executive, the Supreme Court within the judiciary, and within the media, human rights organisations, faith based groups, and components of the private sector. Closer scrutiny therefore appears to indicate that capacity per se is not necessarily the key constraint to achieving pro-poor development in Nigeria. Rather,

the institutional framework within which these organisations operate, created by the structural features of Nigeria's political economy, prevent even organisations with capacity from achieving pro-poor change. Therefore, whilst building capacity is necessary, it is insufficient to achieve the transformational change necessary for Nigeria to eradicate poverty, without addressing constraints.

Assumption Four – 'Gate-Keeper' Organisations Drive Change: The fourth assumption is that it is important to focus capacity building on organisations that operate as gatekeepers to reform. In Nigeria, this approach focuses attention on organisations such as the Bureau of Debt Management; the Independent Corrupt Practices Commission; the Federal Ministry of Justice; or the Bureau of Public Enterprise. The Drivers analysis confirms the importance of supporting gate-keeper organisations and acknowledges the key role they play in driving change, but sees longer-term impact as contingent upon transforming the institutional environment in which they operate.

North, Douglass C. John Joseph Wallis, Steven B Webb, Barry R Weingast. In the Shadow of Violence: Politics, Economics and the Problems of Development. Cambridge University Press, 2013.

*Douglass North is an economist and was the 1993 co-recipient of the Nobel Prize in Economics. He has spent the past 60 years applying economic theory and quantitative methods in order to explain economic and institutional change.*

This book shows, through nine case studies (including three from Africa: Congo, Zambia and Mozambique) how political control of economic privileges is used to limit violence and coordinate coalitions of powerful organizations. Rather than castigating politicians and elites as simply corrupt, the case studies illustrate why development is so difficult to achieve in societies where the role of economic organizations is manipulated to provide political balance and stability. The volume develops the idea of a Limited Access Social Order as a dynamic social system in which violence is constantly a threat and political and economic outcomes result from the need to control violence rather than promoting economic growth or political rights.

## C Project Management Standards

The evaluators were surprised that both UNODC and EU questioned whether there are any standards in project management. This actually has never been the case, but now, with the plethora of methods and training courses available on-line, it is quite easy to professionalize project management skills, and concomitant outcomes. The use of a logframe as the sole project management tool, as advocated by UNODC, is, as we have seen, a highly ineffective method. The following technical section in the OD annex is designed to introduce readers to some resources they can use while learning about these standards.

"Projects are a means of organizing activities that cannot be addressed within the organization's normal operational limits. Projects are, therefore, often utilized as a means of achieving an organization's strategic plan." A Guide to the Project Management Body of Knowledge Project Management Institute; 4th edition, 2009.

Unfortunately, the evaluation of these three projects shows that EUD has not been able to achieve its strategic plan through these projects. The primary cause of this is that the UNODC is incapable of applying project management standards and principles to overcome its normal operational limits. It is stuck in a UNO rule-based environment that, while it may potentially be useful in a conference or study environment, has proven to be antithetical to effective project management.

An unacceptably high level of project inefficiency and ineffectiveness continues to persist in the UNODC implemented EU projects. Despite the claims of increased use of sophisticated methods, tools and techniques employed to manage project work and related activities, these projects have not delivered the benefits anticipated in the first place. The benefits and outcomes that have been achieved have been realized at the expense of higher unintended costs, lower delivery quality outcomes, therefore, it is now proposed that extended project timeframes will be necessary because project achievement to date has come in well below expectations.

Despite having project teams that appear to exhibit the necessary experience and competencies to execute and complete the projects successfully, the results reported by UNODC and observed by the evaluation teams have been rather poor, calling into question whether UNODC uses adequate internal measures of project management performance beyond tracking total expenditure and distinguishing between gross budget line categories.

The prevailing view of project management is that it has “developed into a professional discipline based on careful planning, organizing, motivating and controlling resources to achieve specific goals and meet specific success criteria”. A project is a temporary activity designed to produce a unique product, service or result within a specified period of time and undertaken to meet clearly articulated goals and objectives.

The temporary nature of projects distinguishes them from typical bureaucratic operations, which are permanent, or semi-permanent functional activities to produce recurring products or services. In practice, projects were created as a means of getting around normal bureaucratic constraints. However, under UNODC, this has proven to be impossible as they are mandated to operate only within the strictly defined rules of the UNO. This is the core problem facing EUD, and seemingly of UNODC as it struggles internationally to retain its core resource levels.

There are a number of well-established private sector project management methodologies that have been tested and found to be appropriate for achieving project objectives within an implementation environment controlled by limits of time and resources. Two will be mentioned below. The primary purpose of this annex section, however, is to introduce the premier International Project Management Standard: ISO 21500:2012.

### **9.1.3 ISO 21500:2012**

This set of standards provides guidance for project management and can be used by any type of organization, including public, private or community organizations, and for any type of project, irrespective of complexity, size or duration.

ISO 21500:2012 provides a high-level description of concepts and processes that are considered to form good practice in project management. Projects are placed in the context of programmes and project portfolios, however, ISO 21500:2012 does not provide detailed guidance on the management of programmes and project portfolios. Topics pertaining to general management are addressed only within the context of project management.

ISO 21500:2012, Guidance on Project Management, is an international standard developed by the International Organization for Standardization, starting in 2007 and released in 2012. It is intended to provide generic guidance, explain core principles and what constitutes good practice in project management. The ISO technical committee dealing with project management, ISO/PC 236, was led by the American National Standards Institute (ANSI) which had approved four standards that used materials from the Project Management Institute (PMI). One of which was ANSI/PMI 99-001-2008, A Guide to the Project Management Body of Knowledge - 4th Edition (PMI BoK Guide).

ISO plans for this standard (21500) to be the first in a family of project management standards. ISO also designed this standard to align with other, related standards such as ISO 10006:2003, Quality management systems – Guidelines for quality management in projects, ISO 10007:2003, Quality management systems – Guidelines for configuration management, ISO 31000:2009, Risk management – Principles and guidelines. Since ISO 21500:2012 is a guidance document, it is not intended to be used for certification/registration purposes.

In June 2013, a summary of ISO 21500, Guidance on project management - A Pocket Guide, was published. The Pocket Guide was reviewed on LinkedIn project management discussion boards, among others. In essence the view was that “this 'Pocket Guide' provides an excellent introduction and justification for project management. Moreover, it charts a careful path between the excesses of professional pontification and the reality of real-world projects.

"The intention of this pocket guide is to provide you with a quick introduction to one of the latest developments in the project management profession: ISO 21500 'Guidance on project management' being the first really global accepted standard in project management. This guide contains a brief and straightforward introduction and high-level summary of ISO 21500, with tips for its practical application. It is therefore key knowledge for a project manager who is ready for the future."

Many private bodies have developed systems of project management standards that have become widely accepted. Two of these are PRINCE2 and PMI-PMBOK. As the PMI system underpins the ISO 21500, PRINCE2 will be described briefly here.

#### **9.1.4 PRINCE2**

Projects IN Controlled Environments (PRINCE2) is the most widely practiced project management methodology, used in over 150 countries, including many EU member country and several UN agencies, including UNDP.

PRINCE2 is a process-based approach that focuses on the organization and control over the entire project, from start to finish. That means projects are thoroughly planned before kickoff, each stage of the process is clearly structured, and all loose ends are neatly tied up after the project ends.

There are three principle roles for PRINCE2: the project board, the project manager, and the project team. But there are many supplemental roles that help ensure requirements and standards are met, and that work runs smoothly.

The PRINCE2 process is broken up into 7 phases:

1. Starting-up a project
2. Directing a project
3. Initiating a project
4. Controlling a Stage
5. Managing Product Delivery
6. Managing Stage Boundaries
7. Closing the Project

These phases indicate that project management is a responsibility shared by the principle, the agent and the recipient. Of critical importance, PRINCE2 system provides guidance for the development of both Stage and Team plans so that individuals understand their roles within the larger whole.

Throughout these 7 stages, a variety of specified records are kept so the project stays organized and on track. These records are also used to report to the project board, check deliverables against quality requirements, and improve future work processes. Such a record system would be invaluable to the establishment of a more rigorous approach to EUD project reporting on a quarterly basis as recommended.

## **D Training Impact Evaluation**

A comment was made on the draft indicating that it had been assumed that a training impact evaluation would be undertaken by this team. The TOR for this evaluation did not mention conducting training impact evaluations. That was not unusual as such work is an entirely different task that needs to be done by specialists over a period of time using numerous tools on a large number of respondents of various types. The EU has a combined 3 million euros under its direct management for M&E of the three projects. A portion of those funds could be allocated usefully to such an assessment in order to improve training outcomes in both these and future projects.

This short technical section is designed to introduce the readers to a conceptual approach that could be used to structure this additional task evaluative task.

Trainings to induce capacity enhancement of an existing worker (as opposed to a new inductee) are typically designed using a theory of change chain that assumes participants will attend, training increases their skills and knowledge, this is sufficient to improve job performance, performance enhancement will have positive outcomes, and those outcomes will generate the desired results.

A well acknowledge method for testing whether or not this chain represents reality in any given case is called the Kirkpatrick Four-level training evaluation model designed help objectively analyse the effectiveness and impact of any training, so that it can be improved in the future. Donald Kirkpatrick, past president of the American Society for Training and Development (ASTD), first published his Four-Level Training Evaluation Model in 1959 and it was updated repeatedly through 1994 as "Evaluating Training Programs." The model assumes that each level's importance is greater than the last level, and that all levels are linked. Of course, organizations change in many ways, and behaviours and results change depending on these, as well as on training.

This model includes:

**REACTION:** Satisfaction with the training event, participant engagement, receptivity to learning

Typically, this is the only level that is covered in most training assessments. Questions at this level might include:

How many trainees enrolled?  
How many completed the course?  
Were they satisfied with the instructor?  
Were the location and facilities satisfactory?  
Would trainees recommend the course to a colleague?

**LEARNING:** New knowledge and skills gained, plus confidence and commitment

A training evaluation would typically measure gains in knowledge and skills using techniques like a pre-test and a post-test.

**BEHAVIOUR:** Changed behaviour on the job, plus 'drivers of change' in place

This is the 'behaviour change level'. A person may have all the knowledge and skills needed, but conditions on the job may not support a new practice. The term "drivers of change" recognizes that there are facilitators and barriers to change, but even stronger are incentives, or drivers that promote change.

Questions might involve:

Did the trainees put any of their learning to use?  
Are trainees able to teach their new knowledge, skills, or attitudes to other people?  
Are trainees aware that they've changed their behaviour?

**RESULTS:** Were expected improvements achieved?

Training results can mean different things to different people. It is important to be clear about what the training sponsors hoped the training would achieve. Having clarity about expectations helps the evaluator determine what to measure.

Further modification in Kirkpatrick's model, known as the New World Model, incorporated a fifth element designed to enable the training delivery agent to make adjustments in real-time rather than only waiting for a training impact assessment to come along.

**MONITOR AND ADJUST:** Adjust approach if expectations are not being met

If the problem still exists after a successful training is conducted, it's time to ask what else might be needed. Data on all four levels can be collected by the implementing agent and incorporated into their periodic reports to the donor/principle.

## **E Reporting as an Accountability Mechanism**

A concern was raised regarding the practicality of quarterly reporting. This annex section will address that issue.

Internal monitoring of project progress involves the gathering of evidence to show what progress has been made in the implementation of programs. The focus is usually on inputs and, sometimes, outputs. This has been the fundamental orientation of the UNODC annual reports to date.

Midterm and final evaluations attempt to measure changes in outcomes and evaluate impact of specific interventions on those outcomes. This happens very infrequently and is usually done by people who typically are technically competent, but have limited background in the projects, and perhaps the country context as well. These evaluations can only explore a tiny part of the project design space, given the time allowed and the typically wide array of design parameters addressed.

In between these two should be a process of ongoing evaluation that works within the existing project design to identify differentials in the efficacy of the project's input and outputs to make advances towards outcomes. This process is proposed as a fundamental conclusion of this joint evaluation and can be done in two steps.

First, would be a quarterly (preferably) or semi-annual report from the implementing agent, UNODC, that is written in a manner that directly relates inputs delivered and outputs achieved with indicators of progress towards outcomes. In the case of UNODC, a Program Support Team is already in place that can be called upon to prepare these quarterly reports. A new M&E specialist is expected to arrive in September who could be tasked with establishing the indicators (perhaps in collaboration with an external expert) necessary to establish valid output/outcome relationships before the end of 2015 so that the data collection & reporting system could be established for the first quarter of 2016.

Second, would be a brief (say one week) assessment conducted by a third party (which could be a technical working group composed of national and international experts, including the relevant officers of the ONAO) to validate the reports. The small costs for this team could be borne by the separate M&E funds controlled directly by EUD. The use of third party validation would be valuable, again for two reasons. First, the UNODC has had difficulty in preparing reports that are results oriented. The establishment of a permanent TWG would serve as an incentive to report correctly and completely. Second, the EUD would have access to feedback on a regular basis, from both the implementing agent and an independent party, ensuring that project progress is seen from different perspectives. Specifically, the inclusion of the ONAO in the TWG would significantly enhance its role in, and understanding of, the project operations.

This process would have the potential for significantly enhancing the quality of dialogue in the various project governance forums, particularly providing the ONAO and national associated agencies with independent

information as a basis for dialogue with the EUD and the implementing agent. If a project reporting system doesn't provide timely decision making information – what is the point of doing any reporting at all?

The underlying purpose of the increased frequency in reporting would be to enhance the involvement of the national partners, update information on baseline conditions, draw intermediate lessons, and serve as a feedback loop into the project design. Not all aspects of a project can be designed perfectly at the beginning. Basing design modification on a midterm evaluation is inefficient as it often comes too late and does not have the advantage of watching the progression of the project over time. Using monitoring data for regular intermediary reporting enhances the value of having a monitoring system and helps to keep the data real and relevant.

A concern raised is that project teams already have great difficulty in completing project activities and additional reporting would only get in the way. This concern points to the serious issue noted by the evaluations that the project teams are overly focused on carrying out events and other activities without adequate concern for the long-term impact of those activities. Requiring regular reporting on the value of those activities for advancing towards project objectives would help to shift the mindset of the implementing agent away from activities, and gross expenditures, towards results. Being too busy to analyse what you are doing is a clear indication that you may not know why you are doing it in the first place. The shift, then moves project focus away from expenditure towards impact, keeping design parameters fully in mind.

This enhanced reporting orientation would also potentially help to transform these projects into more innovative policy advocacy practices rather than the linear (and faulty) delivery mechanisms they have become. However, a linked recommendation is that the payment of the 7% Programme Support Costs (indirect costs) be tied to the production of these quarterly reports. An accounting system that has no consequences is not accountable.

# Evaluation Report

## Mid-term Evaluation of EU Support to Anti-Corruption in Nigeria (FED/2011/022-161) Nigeria July – August 2015

Framework Contract EuropeAid/132633/C/SER/Multi  
Lot 7: Governance and Home Affairs  
Letter of Contract N° 2015/361052  
Mid-term Evaluation of 3 UNODC Implemented Projects –  
Justice, Anti-corruption and Drugs

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*Particip consortium comprising: Particip GmbH in association with ADE, Cardno, Deutsche Welle, DIHR, ECDPM, Epes Mandala, EPRD, Euradia, EuroPlus, GOPA, JCP*

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## List of Acronyms and Abbreviations

ACA	Anti-Corruption Agency
ACTUs	Anti-Corruption Transparency Units
BSA	Balanced Scorecard Approach
CA	Contribution Agreement
CCPCJ	UN Commission on Crime Prevention and Criminal Justice
CCT	Code of Conduct Tribunal
CEF	Chief Executive's Forum
CND	UN Commission on Narcotic Drugs
CONIG	UNODC Country office in Nigeria
CSO	Civil Society Organisations
CR	Country Representative
CSP	Country Strategy Paper
DA	Delegation of Authority
DFID	Department for International Development (UK)
ECOSOC	UN Economic and Social Council
ECOWAS	Economic Community of West African States
EDF	European Development Fund
EFCC	Economic and Financial Crimes Commission
EU	European Union
EUD	European Union Delegation to Nigeria and ECOWAS
EUR	Euros
DA	Delegation of Authority
DFID	Department for International Development of the United Kingdom
DRUGS	Drugs and Related Organized Crime
FA	Financing Agreement
FAFA	Financial and Administrative Framework Agreement
FGN	Federal Government of Nigeria
FO	Finance Officer
FRMS	Financial Resources Management System
IATT	Inter-Agency Task Team
ICPC	Independent Corrupt Practices and Other related Offences Commission
IFAD	International Fund for Agricultural Development

M&E	Monitoring and Evaluation
MTE	Mid-term Evaluation
NACS	Nigeria's National Anti-Corruption Strategy
NAO	National Authorising Officer
NEITI	Nigeria Extractive Industries Transparency Initiative
NFIU	Nigerian Financial Intelligence Unit
NPC	National Planning Commission
OIC	Officer in Charge
ONAO	Office of the National Authorizing Officer
PC	Project Coordinator
PCC	Public Complaints Commission
PMC	Project Management Committee
ORINCE2	Projects In Controlled Environments
ROM	Results Oriented Monitoring
SC	Service Contract
SCUML	Special Control Unit against Money Laundering
SLA	Service Level Agreement
TAPS	Technical and Administrative Provisions
TOR	Terms of Reference
TRI	Training and Research Institute
TUGAR	Technical Unit on Governance and Anti-Corruption Reforms
UNCAC	United Nations Convention Against Corruption
UNDAF	UN Development Assistance Framework
UNDP	United Nations Development Programme
UNICEF	UN Childrens Emergency Fund
UNO	UN Headquarters Secretariat
UNODC	United Nations Office on Drugs and Crime
UNOCD/V	UN Office of Drugs and Crime Vienna Headquarters
UNOV	UN Secretariat Office in Vienna

# EXECUTIVE SUMMARY

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## Introduction to the Joint Evaluation Process

This Mid-Term Evaluation on the “Support to Anti-Corruption in Nigeria” project is one part of a joint evaluation of three European Union (EU) funded governance projects (Drugs, Anti-Corruption and Justice) projects operated for the benefit of the Federal Government of Nigeria (FGN) and implemented by the United National Office of Drugs and Crime (UNODC). In order to recommend changes that can catalyse improvements going forward, these evaluations paid particular attention to the progress of the projects against their objectives, identifying enabling and constraining factors that have affected realization of results, particularly the governance and implementation capacity of the UNODC .

In 2012, the European Union (EU) and the Federal Government of Nigeria signed three Financing Agreements to implement the projects "Response to Drugs and Related Organized Crime in Nigeria", "European Union Support to the Justice Sector" and "Support to Anti-Corruption in Nigeria", with a total EU contribution of EUR 98,000,000 to be funded under the 10th European Development Fund (10th EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the projects, given its specific mandate and expertise on these subject matters. Contribution Agreements between EU and UNODC were subsequently signed to guide the implementation of the projects. In addition, UNDP came on board as implementing partner of the Anti-Corruption project.

The approach undertaken in this, and the other two project evaluations, has been to conduct both a technical assessment of the project results as well as an organizational assessment of the UNODC, and the institutional environment within which it operates. As all three projects are being implemented by the same organization, the recommendations, lessons learned and conclusions of Section 2, the organizational and functions assessment, reflect the joint analysis of the three projects and do not necessarily pertain to one project alone.

The mid-term evaluation reflects the situation as at 29 July 2015.

## SECTION ONE: TECHNICAL ASSESSMENT

### Methodological approach

The technical aspect of the “Support to Anti-Corruption in Nigeria” evaluation has used a combination of tools and techniques for primary and secondary data collection, such as analysis of Strategy Papers and other literature review. The EU Delegation provided the relevant documentation and beneficiary contact details via drop box. In addition, the UNODC project team in Abuja provided the opportunity to collect further documentation, such as project background and stakeholder information. The list of documentation provided by the project includes annual and progress reports and other internal information, and country-specific documentation.

The evaluators met with the beneficiaries and stakeholders participating in the project in order to gather relevant and additional information needed for the evaluation. These meetings allowed for a general discussion about the project and a review of specific project interventions on a case-by-case basis. Meetings were also held with the EU Delegation, UNODC in Vienna<sup>1</sup>. These meetings have also been used for interviews to crosscheck and validate findings. The interviews have been instrumental in informing the positions of the Evaluation Team on issues such as relevance, design, efficiency, effectiveness, means and costs, impact and the integration in EU development strategies.

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<sup>1</sup> A video conference with UNODC in Vienna was held on 28 July 2015.

## Evaluation Findings

Currently the EU is the major driving force of anti-corruption efforts in Nigeria and successive governments of Nigeria have made efforts to curb corruption. While some progress has been made in the institutional frameworks for fighting corruption: improved legislation, establishment of strategies of Anti-Corruption Agencies, improved cooperation between the Agencies, these efforts have not yet led to the desired results.

Most of the EU project assistance to anti-corruption in Nigeria, is provided for strengthening of the organisations involved in the prevention and repression of corruption; development of capacities by training and tools to strengthen their technical and operational capacities and of the CSOs involved in anti-corruption, as well.

## Performance Judgement

Despite significant governance reforms at federal and state level since 1999, Nigeria fares badly on most governance dimensions, be it transparency, accountability, corruption, investment climate and personal safety. While the corruption ratings have improved a bit, corruption in Nigeria is still deeply entrenched in many segments of society, from petty to high-level corruption. Citizens' trust in public officials is at a low ebb: according to Afrobarometer, at the end of 2014 more than half of them believe that elected officials are corrupt and although two thirds of the population prefer democracy to any other forms of government, the exact same proportion is dissatisfied about it. The support to the fight against corruption will therefore have to be based on the mobilization of a broader range of stakeholders who may have different interests in the issue.

Unfortunately, the EU support to the fight against corruption provided unsatisfactory results. The evaluators rate the projects as with "deficiencies"<sup>2</sup>. The implementation of the project has faced a number of difficulties in delivering satisfactory outputs, caused by internal and external factors that led to a majority of which have not been raised to the planned activities. Weakness in the conditionality, expected outputs where the feasibility of implementation were not thoroughly thought through, have been other obstacles.

Nevertheless, the Project up to the time of the evaluation has supported improvements in the institutional frameworks for fighting corruption: improved legislation, establishment of strategies of Anti-Corruption Agencies, improved cooperation between the Agencies and some equipment.

Therefore, extension of the project duration of two years is recommended, but extension is only recommended if the new government determines the project design is supportive of its anti-corruption orientation, the intervention logic has been adequately upgraded, UNODC management has been seen to be significantly improved, all international staff are in place and the government systems are more directly involved in implementation and oversight.

## Relevance

Overall, the project has correctly identified the problems and relevance of the stated project objectives is "good", i.e. the three outcomes are relevant and correctly identify the problems". However, relevance for the direct beneficiaries has suffered from many "deficiencies". The ACA's, the National Planning Commission and CSO representatives complained about the very slow level of implementation of the project due largely to unavailability of funds. Deficiencies in the implementation have negatively influenced the achievement of tangible results and puts the sustainability of the Project at risk.

## Programme design and implementation

Programming at the project level could and should have been strengthened by paying more attention to conditionality. UNODC had set an ambitious workplan for year 1 activities, but the implementation of the workplan to the full extent would have required a sufficient number of project staff on board. The First Year Narrative report (24 November 2012 -23 November 2013) indicates that only one international staff was on

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<sup>2</sup> There are issues, which need to be addressed; otherwise the global performance of the operation may be negatively affected. Necessary improvements, however do not require major revisions of the operations' strategy. See Table 1 Description of ratings.

board by the end of that reporting period. The evaluators endorse the conclusion in the Second Year Narrative Report (24th November-23rd November 2014) that indicates “project implementation suffered some setback as a result of challenges encountered with recruitment of staff, particularly international staff”.

The implementation was further hampered by the lack of sufficient delegation of authority for the UNODC Office in Nigeria. This Office could only conduct procurement where the value did not exceed USD 4,000. This has only been increased since April 2014 to \$40,000..

At the technical level of programming, effectiveness of the project is weakened by the intervention logic not being robust regarding the use of outcome indicators. The output indicators should be re-formulated in a better way and the logframe is mixing up Objectives and Outcomes and lacks an overview on assumptions related to the expected outputs.

Support to the implementation of the Nigerian National Anti-Corruption Strategy (NACS) was included in the project design, under the assumption that this Strategy would have been adopted by the Nigerian Government, which has not happened to date. This had undoubtedly negative implications for the relevance of the project for the direct beneficiaries, since activities are related to the NACS.

Due to the above observed obstacles, the large majority of projected activities could not be implemented in the first year of the project. This demonstrates inadequate/inappropriate planning of the project (unrealistic framework) and inadequate attention to conditionality and sequencing in the project design. As a result, the project did not deliver upon its set mission and showed weakness in terms of performance and powers to get things done.

### **Effectiveness and Efficiency of programme implementation**

The assessed project components largely did not produce their planned outputs within the original foreseen timeframe for the reasons set out above. Apart from the deliverance of a revised logframe, the Institutional Capacity Assessment, the Training Needs Assessment, the CSO mapping and the establishment of the CSO Advisory Committee and training for the National Assembly, the majority of activities are ongoing or are expected to start. An overview on the achieved outputs to date is presented in Table 3. The majority of the assistance under review is either in its ongoing stage or has still to start. Therefore, the performance of the efficiency and effectiveness of the project is rated: “deficiencies”.

### **Means and costs**

A significant proportion of key staff was not in place or left the UNODC Office in Abuja in the early stage of the assistance. Hopefully UNODC in Vienna is receptive to fill the vacancies as soon as possible, as it has not been expeditious in the administration of the process over a too long period. Some recent positive developments could be observed since the proposal to strengthen procurement functions and establish the post of a CONIG Finance Officer. This, and the filling of other vacancies, will improve efficiency as it prevents further waste of resources and (hopefully) resolves the current serious management issues.

The scale of funding has generally been sufficient, but the extensive delays indicate that timelines are unrealistic when faced with the realities of implementation.

### **Progress towards impact**

Overall, it is difficult to measure progress towards impact due to the lack of outcome indicators in the logframe, as noted above. The focus of these activities has been on capacity building through training and (the preparation of) study tours, since it was not possible to implement activities related to the National Anti-Corruption Strategy. It is doubtful whether those ongoing activities will actually lead to some tangible results and impact. The evaluators recommend to focus more on well-targeted areas, such as the development/implementation of integrity plans and risks analysis, which has the potential to have a strong positive impact, particularly in the area of prevention of corruption. Low impact is expected due to the continuation of horizontal trainings on general issues on anti-corruption, ethics/integrity (applicable to all). Mentorship and on-the-job-training will get far more results and impact, as indicated by the project beneficiaries who recommend that the trainings be embedded in practical tasks performed by partners.

The National Anti-Corruption Strategy is in draft form and the key ministry is the Ministry of Justice. It is unclear whether there will be sufficient political support for the implementation of this Strategy and the prospects for project support on this.

### Summary of Recommendations

The main recommendations suggest the need to :

- Support the Inter-Agency Task Team and its secretariat the Technical Unit on Governance and Anti-Corruption Reforms (TUGAR) to enhance the capacity to monitor and evaluate Nigeria's National Anti-Corruption Strategy (NACS) and Action Plan, provided that the NACS has been approved;
- Put more emphasis on prevention of corruption, as too much attention has been or tends to be given to repression (investigations, prosecution);
- Focus capacity building (trainings) on implementation of practical on-the-job-training, so that actual tasks are performed. Mentorship should be advocated to be stationed within individual Agencies;
- Integrate the draft Project Visibility Strategy in a National Anti-Corruption Communication Strategy and develop in-house capacities for strategic communication and Public Relations Management on anti-corruption;
- Develop a plan of action for empowering CSO's in anti-corruption advocacy activities, public lobbying, empowerment of citizens and use of public media and social networks.
- EUD should use its directly managed M&E resources to undertake a long-term, empirical evaluation of the efficacy of the capacity building efforts of these three projects (see Organizational Technical Annex 5 D for an approach to training impact evaluation).

### Summary of Conclusions

- Overall, the Project up to the time of the evaluation has supported improvements in the institutional frameworks for fighting corruption: improved legislation, establishment of strategies of Anti-Corruption Agencies, improved cooperation between the Agencies (MoUs, Monthly coordination Focal Points meetings ), capacity building on meeting UNODC requirements, equipment deployed. The biggest challenge across Nigeria is genuine implementation and results.
- Virtually all visited beneficiary Agencies have laid down a foundation for their strategies and policies, but that is not enough. Comprehensive and coherent plans of action should be developed setting clear goals, timelines and the sequences in which specific goals are accomplished, within an overall anti-corruption strategy. Clear plans of action can and should be made public, ensuring overall transparency and helping to mobilize popular support and pressure to achieve the expected goals. The development of a national plan serves as a framework against which more specific and detailed action plans of specific ACA's and regions can be developed.
- The National Anti-Corruption Strategy and multi-annual Action Plan needs to be adopted, setting priorities, budgets and a framework for donor support. The project may give support to the development of the National Anti-Corruption Strategy and multi-annual Action Plan, allowing Nigeria to profit from the experience of the UNODC in developing and implementing nation-wide anti-corruption strategies.
- Relevance of the implemented anti-corruption interventions is good, as far as the identified problems are concerned. Relevance of the results of the project implementation for the beneficiaries has suffered from many deficiencies. Conditionalities agreed to by the beneficiaries in the first year of the project were not met. The technical aspects of programming at the project level should have been strengthened by paying more attention to conditionality and sequencing. Technical matters in programming the assistance for the remaining period will have a crucial role on impact and sustainability.
- Overall, in this phase it is difficult to measure the impact of the Project due to the lack of outcome indicators, and many activities are ongoing. Deficiencies in the implementation have negatively influenced the achievement of (more) tangible results and puts the sustainability of the Project at risk.

- Key problem is adequate staffing and retention of skilled staff in the UNODC Office in Abuja, since this Office has experienced an outflow of qualified staff. This concern should normally be reflected by conditionalities in the project document, which indicate what needs to be in place before the project starts and how the various parts of the project will flow into each other. Especially when it comes to staffing and management issues, the answers found so far have not been sufficient for addressing this sustainable challenge. A separate section on conditionalities and sequencing in the project document is needed, also with a view on a possible extension of the project.
- To fight corruption effectively the UNODC could do more at the political level, but this goes beyond the scope of this evaluation. But as long as this cornerstone in the fight against corruption is not adequately addressed, no significant progress is expected.

## SECTION TWO: ORGANIZATIONAL ASSESSMENT

Section 2 of the Anti-Corruption project evaluation focuses on the existing organizational structures, functions and processes of the UN Office of Drugs and Crime (UNODC) country office in Nigeria (CONIG) and at its Vienna Headquarters in relation to its implementation of these three European Union (EU) funded projects, with particular reference to this Anti-Corruption project.

### Overall program assessment

Implementation of the Anti-corruption project has suffered for reasons of both technical design and implementing agent capacity. The design was limited in its utility as it was structured almost entirely around the implementation of a national anti-corruption strategy that never came into existence. Organizationally, over the past two and one half years, the UNODC has shown a limited capacity to actually implement the project in a manner that effectively and efficiently facilitates progress towards stated objectives. The implementing agent needs to be incentivised to pay greater attention to results-based, rather than events-based, project delivery. The role of the national government has been limited to that of a beneficiary rather than a full partner. From an organizational assessment perspective, if this project is to be continued past its current end date, it should be re-designed to facilitate greater national ownership in order to increase its value for money. If, on the other hand, the decision is made to extend the project under the current implementing arrangement, the assessment is that the objectives of the project will doubtfully be achieved.

### Key Lessons

With regards to design and management, the key lessons learned from the evaluation of the three projects indicate that:

1. Based on the evaluation of these three projects, the EU FAFA delivery modality through UN agencies has shown a propensity to intensify the divergence of interests between the donor and implementing agent that often exist in development projects. In the case of UNODC, its highly centralized and bureaucratic systems limit the agent's ability to add value to the EU system.
2. Classifying the FGN as a beneficiary reduced its incentive to seriously engage in solving its own problems.

The **conclusions** derived from the three evaluations indicate that

1. The EUD failed to undertake due diligence in the design and management of these three projects by neglecting to fully consider the root causes of governance limitations in Nigeria, by not being fully cognizant of the low skill level and limited absorptive capacity of partner organizations or the governance/financial complexities of the chosen implementing agency, by not properly preparing a results-based project design and by allowing the projects to run for the past two years without being guided by an agreed results-oriented monitoring system.
2. Future designs need to require a far higher level of involvement of the FGN so that reform-oriented projects are structured to address locally defined problems, rather than responding to perceived needs.
3. The UNODC has not based its operational modalities on modern, professional project management standards (such as ISO 21500). These are meant to effectively and efficiently foster the generation of results in time- and resource-bound projects. However, the evaluators conclude that the UNODC may be

incentivised to evince a sense of urgency in improving its performance by requiring quarterly results-based narratives and financial reports designed to give the EUD timely information needed for decision making. As accountability requires consequences, this reporting would need to be coupled with the strict interpretation of FAFA para 4.1 so that the 7% Programme Support Costs could only be accessed in relation to eligible direct costs.

4. Extension should only be considered if 1) the project re-designed to be in line with the current FGN anti-corruption objectives and 2) clear conditionalities of performance are established for continued release of funds.

### Key Recommendations

Mission Perspective: The EUD should work through the NPC to facilitate open dialogue with the new government to determine the best approach to be taken in modifying these projects to match current political realities (see Annex 5B)

Client Perspective: The UNODC/V needs to focus its attention on improving performance in Nigeria by upgrading staff competence in project management fundamentals and enhancing their morale so their work output improves.

- UNODC should move away from a heavy dependence on classroom trainings and develop practical adult learning-oriented capacity building interventions, with a strong orientation to problem/solution identification processes undertaken by national entities themselves

Business Processes: Restructure CONIG so all finance and administrative personnel involved in processing financial and procurement transactions come under the supervision of the Programme Support Team rather than the Project Coordinators

- The 2016 work planning exercise must begin with partners no later than 1 October and be completely costed prior to 15 December and major procurement plans for all projects must be completed not later than 1 February 2016, with revisions only allowed with approval of the PM on a quarterly basis
- Project narrative reports should be written using a results perspective and, beginning in 2016, should be required on a quarterly basis. Annual reporting and monthly meetings have not sufficed to enable EUD to properly guide project direction. Third Party professionals should be employed to validate findings. (see Annex 5E)
- Shift the payment of the 7% Programme Support Costs to a quarterly basis to incentivize speedier implementation and better reporting, in line with FAFA paras 2.5 and 4.1.

Organizational Learning: EU should finance, from its separate M&E budget, formal training impact evaluations by third party professionals (see Annex 5 D)

- UNODC must instil sound understanding of modern project management principles and standards in their staff (see Annex 5C)

### Key Findings

#### Legal Context:

The evaluation of all three projects indicated a substantial divergence between planned and actual implementation. Much of the problem seemed to stem from the project design weaknesses and the agent's highly centralized and bureaucratized approach to project management. A review of UN and other documents led the evaluators to an understanding that UNODC has been struggling, for many years, certainly before it was selected to be the implementing agent for these projects, with serious internal governance and financial issues. In February 2011, the UN Office of Internal Oversight Services/Internal Audit Division found that: "governance arrangements and funding mechanisms do not fully support the programme of work at UNODC." Two intergovernmental working groups authorized by the UNO have laboured for several years to identify means of mitigating these core problems.

The three EU projects implemented in Nigeria are operated as an integral part of the overall UNODC structure. This is in keeping with the stipulations under the FAFA, however, the UNODC was not originally designed to be a project management service centre. Indeed, the 2010 evaluation of EU funded anti-corruption and justice project noted at that time that the UNODC procurement and financial management systems were not compatible with the needs of modern project management.

A reconsideration of the role of the NPC/ONAO in oversight of project implementation is called for in order to bring the implementation of these projects more in line with the stated objectives for aid effectiveness contained in the Paris, Busan and Cotonou agreements.

#### Organizational structure and Staffing:

The difficulty in identifying, recruiting and retaining both national and international staff for the Anti-corruption project exists, but has been somewhat less problematic than the Justice project, but two of the three international posts are currently vacant. However of fourteen international posts in CONIG, nine fell vacant in the past year, with only one being re-filled. The project manager post, critical for facilitating implementation, integration and oversight of the three projects, was first filled in May 2015, 30 months after the Contribution Agreements were signed. The Country Representative resigned in December 2014 and a permanent replacement has not been posted.

The EUD placed strict organizational size and structural limitations on these projects. The experience of the past two years of operation has revealed some difficulties caused by the initial strictures.

#### Business Processes:

By the end of December 2014, the Anti-corruption project had only spent about 28% of the budgeted resources for its first two years of operation. However, 52% of all expenditures went for personnel services. UNODC says this was because the anti-corruption project was the first to be tapped to cover the costs of Vienna-based and Abjua-based program support personnel.

The lack of rigour among the project staff, combined with the lengthy operational processes of UNDP and UNOV, has led to numerous cases of delayed recruitments, procurements and payments. A reorganization of the CONIG office has been proposed to bring the project finance and administrative officers directly under the supervision of the CONIG operations team. This has the potential to improve workload balance and to ensure that their performance is objectively supervised.

The EUD has repeatedly stated that reports from CONIG are activity based and, thus, not in line with the results-based reporting requirements of the FAFA or the desires of the ONAO. The mismatch between expenditures on personnel versus other budget line items indicates a number of project management issues. One is the lengthy procurement process required to sub-contract firms/agencies to carry out activities, such as CSO grants or large-scale surveys, that UNODC apparently does not have the in-house capability to perform directly. The other, seemingly overcome, was UNODC's difficulty in matching its accounting of committed expenses to EU requirements.

Closer attention will need to be paid to ensure that all aspects of each of the projects are moving ahead in a synchronized manner. However, despite being activity-focused the lack of calculations on work, cost & time versus results ratios at the output level, a mainstay of modern, professional project management, seriously limits the ability of the project managers, EUD or the evaluators to assess the efficiency of budget utilization.

# INTRODUCTION TO THE JOINT EVALUATION

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A major portion of governance assistance provided to the Government of Nigeria by the European Union is intended to strengthen the capacity of national partners to deal with the collective action problems associated with drug trafficking, corruption and justice. The EU has elected to assist in building national capacity to institutionalize reform in the Federal Government of Nigeria's approach to addressing these critical issues through a collaborative implementation arrangement with the UNODC.

This Mid-Term Evaluation on the "Support to Anti-Corruption in Nigeria" project is one part of a larger evaluation of three European Union (EU) funded governance projects (Drugs, Anti-Corruption and Justice) projects operated for the benefit of the Federal Government of Nigeria (FGN) and implemented by the United National Office of Drugs and Crime (UNODC). These evaluations pay particular attention to the progress of the projects towards their objectives, identifying enabling and constraining factors that have affected realization of results, particularly the governance and implementation capacity of the UNODC. The purpose of the joint evaluation has been to draw out both common and project specific lessons and practical recommendations for follow-up action by the EU, FGN and UNODC. It is based on the study of project documentation, field visits and interviews with a wide range of stakeholders. As all three projects are being implemented by the same organization, the recommendations, lessons learned and conclusions of Section 2, the organizational and functions assessment, reflect the unified analysis of the three projects and do not necessarily pertain to one project alone.

The approach undertaken in this, and the other two project evaluations, has been to conduct both a technical assessment of the project results as well as an organizational assessment of the UNODC, and the institutional environment within which it operates.

The technical aspect of the "Support to Anti-Corruption in Nigeria" evaluation has used a combination of tools and techniques for primary and secondary data collection, such as analysis of Strategy Papers and other literature review. The EU Delegation provided the relevant documentation and beneficiary contact details via drop box. In addition, the UNODC project team in Abuja provided the opportunity to collect further documentation, such as project background and stakeholder information.

The organizational aspect of the evaluation (documented in Section 2 below) consisted of data collection using a series of tools to understand the legal setting, service outputs, organizational structure, staffing patterns, business processes, financial management and institutional environment. These data were then analysed to produce a synthesis using the Balanced Scorecard Approach (BSA) for public sector organizations. The four perspectives of a BSA used here are Mission, Customer, Business Processes, Organizational Learning.

International development cooperation sometimes produces contradictory results. For this reason, one approach taken in these evaluations was to assess whether the lack of appropriate incentives may be an important factor hindering progress towards development outcomes.

Sometimes, however, the key constraints to sustainable development often lie not in identifying the best technical approach to solving a problem, but rather in implementing locally identified solutions. The TOR for the joint evaluation of the three specific projects under review indicates that the very institutional arrangements put into place to assist the Nigerian government to address these problems may be limiting the generation of positive outcomes.

For this reason, the Particip-led consortium approach to these three evaluations was designed so that the Organization and Functions team could closely ally itself with each of the three technical evaluation teams to ensure that a symbiotic approach of technical and organizational analysis was carried out on each of the three projects, resulting in the generation of a robust assessment that is generally valid across all three projects.

# SECTION 1 Project Technical Analysis

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## 1 Background

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### 1.1 Evaluation Purpose

On the basis of the Nigeria-EU Joint Way Forward, the Country Strategy Paper/National Indicative Programme 10th EDF signed between the EC and Nigeria in 2009 and building on the previous 9th EDF support to Nigeria's Economic and Financial Crimes Commission (EFCC)<sup>3</sup>, the EU Delegation signed in 2012 a Contribution Agreement<sup>4</sup> with the UNODC to implement a 5 year project (2012-2017) to support key Nigerian anti-corruption agencies and non-state actors. The total cost is estimated at EUR 34.000.000, fully funded by the EU.

As provided by the Contribution Agreement, a mid-term evaluation has to be conducted to provide the EU Delegation to Nigeria and ECOWAS, the National Authorizing Officer (Nigeria), the UNODC and other implementing partners and beneficiaries with an assessment of:

- a) the project's performance and
- b) recommendations on how to improve the interventions to achieve expected goals and outcomes, taking into account problems and opportunities.

The aim of this mid-term evaluation is to provide the EU and other partners with an assessment of the project's performance in terms of relevance of the programme, project design and implementation, validity of assumptions, efficiency of programme implementation, means and costs and impact of the support provided to anti-corruption agencies and key stakeholders and its impact on the fight against corruption in Nigeria.

The evaluation was performed by John Heck (Team leader) assisted by Celine Bardet (Member) in July 2015. The field mission took place in Abuja solely. The first meeting with the EUD was on 9 July to get acquainted with the background of the evaluation and the history of the project implementation. Interviews with the UNODC Office in Abuja and the Anti-Corruption Agencies were conducted in the period 13-29 July 2015. An exit meeting for the three teams, headed by the EUD was held on 24 July. The local stakeholders had an indispensable share in the evaluation, not only during the interviews but also in providing information such as the role of the stakeholders in the fight against corruption.

### 1.2 Evaluation Scope

The scope of the mid-term evaluation is the Support to Anti-corruption in Nigeria project implementation period during the period 24 November 2012 to 30 July 2015.

The **target groups** of the project include those involved in anti-corruption practices, who are also partially those involved in decision-making at the economical and financial level in Nigeria.

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<sup>3</sup> Formulation mission doc, p. 83

<sup>4</sup> European Union Contribution Agreement with an International Organisation, contract No. FED/2012/306-220, November 2012. This Agreement was preceded by a Study (Identification) on potential support for anti-corruption activities in Nigeria in 2009 and Formulation of the project in 2011. The Financing Agreement was signed in March 2012.

The **direct beneficiaries** of the project support include anti-corruption agencies (ACAs) such as BPP, BPSR, CCB/CCT, EFCC/NFIU, ICPC, PCC, SCUML, and TUGAR/IATT as well as research institutes and civil society organizations at federal and state level. Public institutions/CSOs, universities, business associations, private sector organisations and professional groups dealing with anti-corruption issues will benefit from capacity building, grants and trainings.

The **final beneficiaries** include Nigerians citizens who will benefit directly from public awareness and dissemination campaigns and indirectly from better delivery of services through improved management of public resources and reduced corruption

### 1.3 Methodology

Technically, the pillar of the evaluation methodology applied is based on the evaluation criteria as summarized above. The methodology is consistent with common practices of evaluation and reflects the elements and concepts of intervention logic that analyses a project along its inputs, outputs and effects. Regarding relevance the team has taken into account relevance vis-à-vis the problems perceived and the beneficiaries. On programme design, conditionality and sequencing has been reviewed, in particular to what extent the beneficiaries have been involved in the project design, reflecting ownership and prospects for sustainability of the project results.

As regards Component 3 of the project implemented by UNDP; the team will assess to what extent Civil Society Organizations have been empowered to increase the provision of services and their participation in anti-corruption activities enhanced. The evaluators also addressed activities related to the visibility of the project, in terms of information and communication activities designed to raise the awareness of the general public or specific target groups in the country on the EU support on anti-corruption, as to maximize its impact.

At the project's impact level the contribution of the project to observe changes will be analysed, using defined indicators in the logframe and subsequent Work Plans;

Recommendations, with a cross-reference to the findings, focus on how anti-corruption issues in Nigeria can be most effectively addressed by the EUD and UNODC; emphasizing their implementation challenges.

In line with the overall Global and Specific objectives of the mid-term evaluation of the other two projects<sup>5</sup>, as per ToR, this draft final evaluation report of Team 3 on anti-corruption consists of two parts, covering:

- **Objective 1:** to evaluate the relevance of the programme, project design and implementation, validity of assumptions, efficiency of programme implementation, means and costs and impact of the support
- **Objective 2:** to assess the effectiveness of the organizational structures and programme support functions in place to reach the project's objectives and recommendations for any improvement.

### 1.4 The Evaluation Criteria expressed in the TOR included the following:

The evaluation methodology was based on the following criteria:

a) Relevance of the Programme

- The evaluator will determine if the programme has correctly identified the problems and that the means are appropriate and adequate;

b) Programme Design and Implementation

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<sup>5</sup> Response to Drugs and Related Organised Crime in Nigeria (FED/2011/022-512) and EU support to the Justice Sector (FED/2011/021-747)

- Assess the Programme scope, design and the logic of the link between the specific objectives and the expected results;
- c) Validity of assumptions
- Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;
- d) Effectiveness and Efficiency of Programme Implementation
- Assess the subsequent progress in implementation of the programme and its individual components;
  - Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, and relationship with key beneficiaries and key stakeholders and development partners with similar mandate. Allocation of staffing, reporting relations, tools, and procedures;
- e) Means and Cost
- Review the allocation of funds per component in line with project objectives.
- f) Progress towards Impact
- The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;
- g) Alternatives and recommendations
- Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f).

## 2 Project Outline and management

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### 2.1 Subject of the evaluation

The aim of this mid-term evaluation is to generate comprehensive and updated knowledge about the performance of the 10th EDF support to anti-corruption in Nigeria, thereby contributing to fostering effective anti-corruption initiatives in the remaining implementation period of the project.

### 2.2 Project Strategic Plan and Theory of Change

Despite significant governance reforms at federal and state level since 1999, Nigeria fares badly on most governance dimensions, be it transparency, accountability, corruption, investment climate and personal safety. While the corruption ratings<sup>6</sup> have improved a bit, corruption in Nigeria is still deeply entrenched in many segments of society, from petty to high-level corruption. Citizens' trust in public officials is at a low ebb: according to Afrobarometer, at the end of 2014 more than half of them believed that elected officials are corrupt and although two thirds of the population prefer democracy to any other forms of government, the exact same proportion is dissatisfied about it.<sup>7</sup>

This reflects the urgent need to improve the country's governance and anti-corruption framework in order to enhance growth and strengthen government legitimacy. It also reflects the wide array of reform opportunities offered to the new government. Creating the necessary vertical and horizontal intergovernmental

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<sup>6</sup> Based on Transparency's International Corruption Index 2014 Nigeria ranks 136, in 2013 144 out of 175 countries.

<sup>7</sup> Reforming Nigeria's Governance Framework, in Re-engagement notes for the incoming government, Development Partners, Mau 2015, p. 57.

coordination and policy alignment with United Nations Convention Against Corruption (UNCAC) is paramount and indispensable to the enhancement of the effectiveness of anti-corruption efforts. However, effectiveness does not only depend on legislation, institutional structures and capacity building. In the end the demonstration of clear political will to implement the reforms, is decisive.

The big challenge across the country is genuine implementation and results. Anti-corruption interventions will therefore have to be based on the mobilization of a broad range of stakeholders who may have somewhat different interests in the issue.

The fight against corruption targets also Civil Society Organisations as agents of change, to build pressure for change, hold the state accountable, and to promote anti-corruption awareness raising. There is a potential for such roles, but it is not yet an obviously powerful agent of change. This project also aims to enhance public participation through awareness raising activities and by implementing a grant scheme to strengthen the capacity, the expertise and the outreach of civil society in this area.

The overall objective of the project is to give further support to the Nigerian Government in its efforts in preventing and fighting corruption. The formulated expected outcomes of the project are as follows;

- Outcome 1: Anti-corruption policy making, coordination and monitoring mechanisms are strengthened and legislation is improved;
- Outcome 2: Institutional and operational capacities of anti-corruption agencies enhanced and inter-agency cooperation improved;
- Outcome 3: Civil Society Organisations empowered to increase the provision of services and their participation in AC activities enhanced.

The expected results:

#### **Component 1: Strengthening anti-corruption policy-making, coordination, research, monitoring, and legislation**

- Result 1.1: A coordination mechanism for the implementation of the National Strategy to Combat Corruption (NStCC) is established, in line with UNCAC.
- Result 1.2: A monitoring and evaluation (M&E) system for the NStCC is set up and running, including supporting the conducting of and follow up to the UNCAC review.
- Result 1.3: Research capacities and efforts are enhanced, to facilitate an evidence-based approach to anti-corruption policy.
- Result 1.4: Legislative drafting capacity and anti-corruption laws strengthened in line with relevant regional and international standards, including UNCAC.

#### **Component 2: Institution building for anti-corruption**

- Result 2.1: Institutional development strategies, based on management reviews, are designed and implemented in key ACAs, including standard operating procedures, case management, codes of conduct etc.
- Result 2.2: Corruption prevention capacity of relevant ACAs is bolstered, based on improved specialised skill sets, and tools and procedures
- Result 2.3: Anti-corruption law enforcement capacities are developed, with a special focus on intelligence, investigations, prosecution and adjudication.
- Result 2.4: ACAs work together more effectively in preventing and combating corruption, through joint operations and based on shared data and analysis.
- Result 2.5: ACAs effectively cooperate with regional and international partners

### Component 3: Empowered participation of society

- Result 3.1: Civil society organisations' capacities for project planning, implementation, and reporting, as well as expertise on anti-corruption are strengthened.
- Result 3.2: Grant scheme implemented to strengthen civil society to more effectively contribute to preventing and combating corruption and to promote integrity, accountability and the proper management of public affairs and property. General public is more aware of its capacity to fight corruption.

The project management structure is made up by a

- Project Core Team for the day-to-day implementation, based in the UNODC Country Office in Abuja;
- Programme Management Committee, also based in Abuja; Project Support Team, based in UNODC Vienna and a Project Support Team in Abuja, who provide direct support in relation to the project implementation to the project.

A Chief Executives' Forum serves as a platform for policy dialogue on anti-corruption. The Forum is chaired by the National Planning Commission, and include as participants the Head of Delegation of the European Union in Nigeria, the UN Resident Coordinator, the UNODC Representative, and the Chief Executives of the beneficiary agencies.

The Project Management Committee, which is required to meet at least twice a year, is responsible for overseeing and validating the overall direction and policy of the project; to monitor, supervise and coordinate the overall progress and implementation of project activities and provide guidance for the different components.

Each beneficiary Anti-Corruption Agency has designated a Project Focal Point within that Agency. The Focal Points meet every month.

With respect to Outcome 3 of the project on the empowerment of CSO's to increase their participation in anti-corruption activities, this segment was sub-contracted to the United Nations development Programme (UNDP), because of that agency's experience and long track record in working with CSO's in Nigeria.

## 2.3 Linkages to EU and other donor support to the sector

Donor agencies that have provided relevant support to the anti-corruption sector include: United States Agency for International Development (USAID) on support to the Office of the Accountant-General's on auditing of financial management); World Bank (support for Human Resource Management Database and elimination of pay roll fraud; public procurement; support to the Economic and Financial Crimes Commission (EFCC), the Nigerian Extractive Industries Transparency Initiative (NEITI); the Department for International Development of the United Kingdom (DFID) with support through the State and Local Government Programme to eliminate ghost workers and pay roll fraud in States; Coalitions for Change programme which aims to minimise corruption in key ministries and related agencies through advocacy and work with CSOs; Netherlands Embassy (private sector and corruption).<sup>8</sup>

- Under the 9th EDF the EC supported the 24,9 Million Euro project, implemented by UNODC, : "Support to the EFCC and the Nigerian Judiciary" with the following aims:
  - To enhance the operational capacity of the EFCC including the NFIU and Training Centre;
  - To upgrade the knowledge and substantive capacity of the EFCC including the NFIU and Training and Research Institute (TRI) of the EFCC;
  - To increase public awareness about the EFCC, NFIU and their efforts to reduce corruption through the prevention of economic and financial crimes; and

<sup>8</sup> Study on potential support for anti-corruption activities in Nigeria under the 10<sup>th</sup> EDF, Final Report, Transtec, May 2009, p. 27.

- To develop and pilot the implementation of a comprehensive framework to strengthen judicial integrity and capacity in Nigeria and (selected) state levels.
- The United Kingdoms' Department for International Development (DFID) through the British Council has an ongoing project "Justice for All", which started in 2002. Concerning anti-corruption, this project is aimed at improving national and international co-operation and coordination among the anti-corruption and law enforcement agencies. Support is being given to legislative drafters of the Federal Ministry of Justice, on ten anti-corruption related laws, the involvement of CSO's in legislative advocacy, the Anti-Corruption Transparency Units (ACTUs), the ICPC, the PCC, and the EFCC. Also the National Police Force (NPF) is benefitting from this support (development of model police stations).

Besides the Justice for All project, no other donors are currently active in the field, according to information from the NPC and UNODC Office in Abuja. There is now a structure for donor coordination in Abuja in the area of anti-corruption support, to discuss planned and implemented activities. The NPF is represented in the monthly Focal Points meetings with the ACAs. J4All provides (complementary) support to legislation on whistle-blowers, assets recovery.

There has been no evidence of overlap between different donors in the sectors under review. The UNODC Office in Abuja has been effective in communicating with other donors, although evidence of real collaboration is harder to come by. Without strong nationally led sectoral co-ordination to develop an assistance strategy, allocate donors and – most importantly – maintain institutional knowledge, some duplication is probably unavoidable. The need for donor coordination applies particularly to the DFID-funded project "Justice for All", which has similar objectives and target beneficiaries.

## 3 Methodology

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### 3.1 Analytical Tools Used in the Evaluation

The evaluation exercise included three phases: inception, evaluation of the project's performance and provision of operational recommendations.

Each of the phases was conducted to ensure full independence, impartiality and confidentiality of the evaluators.

The evaluation methodology was based on the evaluation criteria: relevance, effectiveness, efficiency and impact and therefore consistent with common practices of evaluation and reflect the elements and concept of intervention logic that analyse a project along its inputs, outputs and outcomes. In addition the evaluation covered programme design and implementation, validity of assumptions, as well as means and costs.

### 3.2 Primary Data and Secondary Data Collection

The successful evaluation of any project/programme is closely linked with the availability of data on its implementation. A number of issues have been considered when identifying the data source for this exercise:

- Can the data source be accessed in a practical fashion?
- Can the data source provide quantitative/qualitative data?
- Can the data source be accessed on a regular and timely basis?
- Is primary data collection from the information source feasible and cost effective?

The evaluation relied on data gathered through primary and secondary sources. The efficient implementation of the evaluation required the use of secondary sources such as narrative reports, institutional capacity assessment, etc.

A (non-exhaustive) list of the main sources is presented in ANNEX 4.

The first stage in gathering information was made by meetings with the EUD and the UNODC Office, in Abuja. The second stage was done by interviews with the relevant representatives of the Anti-Corruption Agencies and other stakeholders. ANNEX 1 shows the list of key informants.

The function of data analysis is to determine whether the effects of an intervention are, or are expected to be, proportionate to the objectives initially stated and the financial resource allocated. As the evaluation was undertaken for interventions, which included on-going activities or in the preparatory phase, it was not possible to make definitive and comprehensive assessments of the impact of those activities. The analysis, therefore focused on using objective data to make judgments on whether the initial intervention logic was valid and, therefore, whether the expected outcomes are likely to be achieved.

The evaluators gained access to the vast majority of the 14 Anti-Corruption Agencies and conducted face-to-face interviews using semi-structured interview techniques on an individual or group basis proved most effective. In cooperation with the EUD Abuja, a timetable was designed for the interviews with the beneficiary organisations and the interviews took place in the period 9-27 July 2015.

Another important part of the data analysis is the rating of the results of the evaluation. The team developed a rating system for assessing the result of the 10th EDF interventions on the project Support to Anti-Corruption in Nigeria. The terminological definition of the ratings of the evaluation findings presented in the report is provided below.

**Table 1: Description of ratings**

Rating Grade	Explanation for the grade
Very good	The situation is considered highly satisfactory, largely above average and potentially a reference for good practice. Recommendations focus on the need to adopt these good practices in other operations.
Good	The situation is considered satisfactory, but there is room for improvements. Recommendations are useful, but not vital for the operation
Adequate	The project achieved acceptable progress towards the majority of the intended objectives, but faced major constraints/delays; improvements would have been necessary
Deficiencies	There are issues, which need to be addressed; otherwise the global performance of the operation may be negatively affected. Necessary improvements, however do not require major revisions of the operations' strategy.
Serious deficiencies	There are deficiencies, which are so serious that, if not addressed, they can lead to failure of the operation. Major adjustments and revision of the strategy are necessary.

Overall, the evaluation took account of the European Commission's current evaluation guidelines and applies the following **evaluation criteria** to underpin the evaluation's objectives, regarding relevance, efficiency, effectiveness and impact:

Relevance concerns the extent to which a development initiative and its intended outputs or outcomes are consistent with national and local policies and priorities and the needs of the intended beneficiaries. Relevance also considers the extent to which the initiative is responsive to strategic plans and priorities. It also incorporates the concept of responsiveness – the extent to which the intervention was able to adapt to changing and emerging development needs and priorities in a responsive manner.

Efficiency measures how economically resources or inputs are converted into results. An initiative is efficient when it uses resources appropriately and economically to produce the desired outputs.

Effectiveness is a measure of the extent to which the initiative's intended results have been achieved or the extent to which progress toward outputs and outcomes has been achieved.

Impact measures the changes in political, social, economic and human development and the wellbeing of people, brought about by development initiatives, directly or indirectly, intended or unintended.

### 3.3 Key Questions

The evaluation questions derived from the content and guidance contained in the ToR, are presented in the table below and the following section describes the approach to answering them.

**Table 2: Judgement on the performance of the project Support to Anti-Corruption in Nigeria**

<p><b>Relevance</b></p> <p>Has the programme correctly identified the problems and are the means appropriate and adequate?</p> <p><b>Programme design and implementation</b></p> <p>Has adequate attention been paid to the precise definition of the programme objectives and the logic of the link between the specific objectives and the expected results?</p> <p><b>Validity of assumptions</b></p> <p>Are the assumptions still valid and if/how are they affecting the programme and have other assumptions emerged?</p> <p><b>Efficiency of Programme Implementation</b></p> <p>Were the planned outputs delivered within the foreseen time-span? Is the organisational structure in place effective to reach the programme's objectives?</p> <p><b>Means and Cost</b></p> <p>Is the allocation of staffing positions and funds per component in line with project objectives?</p> <p><b>Impact</b></p> <p>Is the relevance adequate of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact?</p>
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### 3.4 Limitations

A successful evaluation is closely linked to the availability of data and availability of stakeholders. No limitations have been experienced regarding the accessibility of the data sources. Appointments for meetings with individual stakeholders could easily be made, after the EUD had provided the team with contact details.

The evaluators were not able to attend the kick-off meeting on 6 July at the EUD in Abuja. The team leader and the other team member arrived in Abuja respectively on 8 and 10 July, due to unforeseen problems with the visa procedure.

According to the Terms of Reference this evaluation was limited to the capital of Abuja, where the 14 Anti-Corruption Agencies are based. A few of them have representative offices in the States. It would have been appropriate to visit these offices in selected States, in order to obtain an impression on how the anti-corruption efforts are being implemented nation-wide and how zonal agencies are involved in the activities of the UNODC project<sup>9</sup>.

<sup>9</sup> E.g., the EFCC second important office in Lagos; SCUML has zonal units in the country; ICPC has 15 regional agencies; PCC and NPF have offices in all States; and others.

## 4 Analysis and Major Findings

Successive Governments of Nigeria have committed themselves to fighting corruption and key steps have been taken to address the issue and to improve the performance of government (anti-corruption) agencies, as well as the distribution of oil wealth. The country is party to the United Nations Convention against Corruption (UNCAC). The newly elected President of Nigeria pledged to take a firm stance against corruption. While some progress has been made in adopting anti-corruption laws and establishing/strengthening the institutional framework, these efforts have not yet led to the desired results and impact.

The EU EDF assistance in Nigeria aims at:

- **Strengthening of institutions** involved in the prevention and repression of corruption through the improvement of the legal and institutional framework for efficient and systematic combating corruption, the support to the drafting and implementation of the national anti-corruption strategy, or introducing new processes and procedures with regard to the detection and prosecution of corruption;
- **Development of capacities** by training and the creation of training methodologies and tools to strengthen technical and operational capacities; this includes CSOs to improve their capacities for project planning, implementation and reporting on corruption;
- **Systems and tools** including, integrity plans, codes of conduct, risk analysis.

### 4.1 Relevance

Overall, the project has correctly identified the problems and the relevance of the stated project objectives is “good”, i.e. the three outcomes are relevant and correctly identify the problems”. However, the relevance for the direct beneficiaries has suffered from many “deficiencies”. The ACA’s and the National Planning Commission complained about the very slow level of implementation of the project due largely to unavailability of funds. The Work Plan 2014 was not approved yet after a year and the majority of the project activities were not implemented. Without improvement of the efficiency and effectiveness of the project, the sustainability of the results is at risk. Some of the CSO’s representatives also complain about the very slow level of implementation and the necessity to address it. Besides, CSOs questioned the relevance of the project not addressing needs where they actually were. For instance, CSO’s grass root are not engaged in the national fight against corruption while there are the most influential at local level. The programme missed to adequately target institutions and community-based organisations to engage governments at the local level. That would also enhance the capacities of the most marginalised organisations, especially in the northern states of Nigeria. Other deficiencies appeared when not using local content in communication document and media, or preferring holding media shows and radio talks rather than local level town meetings.

Programming at the project level could and should have been strengthened by paying more attention to conditionality. UNODC had set an ambitious work plan for year 1 activities, but the implementation of the work plan to the fullest extent would have required a sufficient number of project staff on board. The First Year Narrative report (24 November 2012 -23 November 2013) indicates that only one international staff was on board by the end of the reporting period. During the Inception Phase (first six months of 2013) UNODC had planned to conduct a number of baseline studies and needs assessments that would give an understanding of the anti-corruption environment, actors and issues. This was not achieved. The evaluators endorse the conclusion in the Second Year Narrative Report (24th November-23rd November 2014) that indicates “project implementation suffered some setback as a result of the challenges encountered with recruitment of staff, particularly international staff”. Major staff vacancies were filled in the first half of 2014.

The implementation was further hampered by the lack of sufficient delegation of authority for the UNODC Office in Nigeria. This Office could only conduct procurement where the value did not exceed USD 4,000.

This has been increased to \$40,000 since April 2014. Any procurement in excess of that amount had to be done through either the UNDP or UNODC Headquarters in Vienna<sup>10</sup>, which took considerable time.

Furthermore, the project was designed when no clearly defined anti-corruption strategy for the FGN was in place. The failure to adopt the National Anti-Corruption Strategy has hampered the full implementation of the project, i.e. Outcome (1): “Anti-corruption policy-making, coordination and monitoring mechanisms are strengthened and legislation is improved”, since activities related to the outputs 1.2 and 1.3 were originally designed to depend on it. During the project formulation phase this was assessed by UNODC as a possible high risk and that adoption of the strategy is a national one. The evaluators come to the conclusion that the activities of Outcome 1, as far as directly related to the National Anti-Corruption Strategy, should not have been included in the project design.

Overall, establishing the passage of legislation or adoption of sector policy documents as an indicator or condition for designing a programme constitutes too high a risk that should not be taken at any design phase. Passage of legislation or adoption of policies is strongly linked up to the political willingness and also dependent sometimes on very long processes that are difficult to anticipate and measure. Hence resting the entire Outcome (1) of the programme on the adoption of a national policy document is a clear indicator for potential blockage at the implementation stage.

## 4.2 Programme Design and Implementation

Due to the above observed obstacles, the large majority of projected activities could not be implemented in the first year of the project. This demonstrates inadequate/inappropriate planning of the project (unrealistic framework) and inadequate attention to conditionality and sequencing in the project design. As a result the project did not deliver upon its set mission and showed weakness in terms of performance and powers to get things done. The project delivered 23.69% of the budget for year 1.<sup>11</sup>

At the technical level of programming, effectiveness of the project is weakened by the intervention logic not being robust regarding the use of outcome indicators. Outcome indicators per output are useful to assess progress towards the desired objectives of the project. The logframe indicators are limited to output indicators, such as Output 3.2 “Number of CSOs benefitting from AC capacity strengthened activities” or Output 3.3 “Number of anti-corruption CSO networking meetings facilitated”. Outputs cover the products resulting from the interventions. But to measure tangible results it is recommended to select (realistic) outcome indicators, e.g. 10% increase in the number of policy research documents drafted (papers, etc.) by the beneficiaries in the project implementation period, in comparison to the baseline data for the period 2016-2017), or a 10% increase in the number of networking and cooperation mechanisms over the project implementation period, in comparison to the period 2012-2013.

The output indicators should be re-formulated in a better way, e. g. The indicator for the Project Output: “Legislative amendments adopted to bring the legal framework fully in line with UNCAC” should better read: legislative amendments adopted to bring the legal framework fully in line with UNCAC and the coherence with the Nigerian legislation and international (UNCAC) legislation on anti-corruption is increased.

Overall the logframe is mixing up Objectives and Outcomes. The Outcomes 1, 2 and 3 are actually Specific Objectives of the General Objective to support the Nigerian government in its efforts in preventing and fighting corruption. E.g. Outcome 1 should have been indicated a Specific Objective: To strengthen the anti-

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<sup>10</sup> The EC Verification mission report (May 2015) notes that significant delays, due to high processing time, were encountered in the procurement cycle relating to procurement done by UNDP on behalf of UNODC. One of the contributing factors for these delays is due to the annual procurement plan which is not systematically prepared/reviewed on a timely basis for the Action and is not shared on a timely basis with the UNDP Procurement department. The absence of a procurement function within the Action and CONIG partly explained that no procurement plan was prepared during 2013 and 2014. As a result, the UNDP Procurement department was not able to plan ahead for procurement to be done on behalf of the Action.

<sup>11</sup> Support to Anti-corruption in Nigeria, Inception Phase and First Year Narrative Report 24 November 2012 to 23 November 2013.

corruption policymaking, coordination and monitoring mechanisms and legislation, with the Result: Anti-corruption legal and institutional frameworks are improved; coordination between the Anti-Corruption Agencies and other institutions is enhanced.

It is recommended to reformulate the logframe in terms of general and specific objectives, results and activities and include outcome indicators and assumptions.

### 4.3 Validity of Assumptions

The logframe does not include assumptions, only risks while not indicating how to mitigate the risks. Assumptions need to be included in terms of conditionalities, e. g., Output 1.3 on setting-up an M&E system indicates the risk of "reluctance among ACA's to share data and confidential information". To mitigate this risk, indicate: legal framework to report on the implementation of the NACS in place, or the scope of the monitoring has been defined. Although assumptions have been concluded in the Project Document, it is recommended to include assumptions in the logframe.

The positions of Project Coordinator, International Project Expert on Coordination and Partnerships, and Civil Society Expert are still vacant. It is assumed that these vacancies will be filled, being a pre-condition for the smooth implementation of the remaining part of the project. Adequate staffing also includes the follow-up of the recommendations made by the Verification Mission in May 2015 on procurement reporting and monitoring.

Another assumption relates to the National Anti-Corruption Strategy, which is still not adopted. The lack of a nationwide agreed strategy and action plan on anti-corruption makes it difficult to set priorities and to further elaborate or to link to the Project's areas of support and this is considered a main weakness. Adoption of a national strategy is strongly linked up to the political willingness and also dependent sometimes on very long processes that are difficult to anticipate (as apparently has been the case to date).

The evaluators recommend to start with drafting the Output 1.2 "A coordination mechanism for the implementation of the National Strategy to Combat Corruption (NACS) is established, in line with UNCAC" and Output 1.3 "Manual for ACA's to engage in the monitoring & evaluation system developed", provided that the NACS has been approved. Proposed activities related to these outputs are elaborated in Chapter 6 (Recommendations).

### 4.4 Effectiveness and Efficiency of Programme Implementation

The assessed project components largely did not produce their planned outputs within the original foreseen timeframe for the reasons set out above. Apart from the deliverance of a revised logframe, the Institutional Capacity Assessment, the Training Needs Assessment, the CSO mapping and the establishment of the CSO Advisory Committee and training for the National Assembly, the majority of activities are ongoing or are expected to start. The following outputs have been delivered to date, based on the logframe and the work plans 2014 and 2015:

**Table 3: Level of output achievement**

Outcome 1: Anti-corruption policy-making, coordination and monitoring mechanisms are strengthened and legislation improved	
Outputs	Status
1.1 Initial project implementation plan developed incorporating baseline studies and analysis, as well as finalized log frames and work plan	<ul style="list-style-type: none"> <li>Achieved for all 14 beneficiary Anti-Corruption Agencies</li> </ul>

<p>1.2 A coordination mechanism for the implementation of the National Strategy to Combat Corruption (NACS) is established in line with UNCAC</p>	<ul style="list-style-type: none"> <li>• Five interagency Working Groups established in thematic areas of             <ul style="list-style-type: none"> <li>- Investigation and Prosecution;</li> <li>- Asset Recovery and Management</li> <li>- Research and Policy;</li> <li>- Prevention;</li> <li>- Safe Reporting,</li> </ul> </li> </ul> <p>Aimed at more cooperation and collaboration of the anti-corruption agencies.</p> <ul style="list-style-type: none"> <li>• Support to the IATT (Interagency Task Team) - the ACA coordinating platform-, through TUGAR, its secretariat.</li> </ul>
<p>1.3 Assist in the setting up and running of an M&amp;E system for the NACS and support the conducting of and follow up to the UNCAC review.</p>	<ul style="list-style-type: none"> <li>• The NACS whose implementation is to be measured by the M&amp;E system is yet to be formally adopted by the Government of Nigeria.</li> <li>• IATT /TUGAR supported technically and with logistics before, during and after the UNCAC Peer Review.</li> </ul>
<p>1.4 Assist in enhancing research capacities and efforts to facilitate an evidence-based approach to anti-corruption policy.</p>	<ul style="list-style-type: none"> <li>• Conduct of the “Nigeria Corruption Survey” started in 2014. All 14 ACA’s have been participating in the design and implementation of the survey.</li> <li>• A questionnaire has been developed.</li> <li>• Cognitive testing of the questionnaire has been conducted in two States: Lagos and Kaduna.</li> <li>• Bibliography of Corruption in Nigeria compiled with the aim of identifying stakeholders involved in corruption research</li> </ul>
<p>1.5 Assist in strengthening legislative drafting capacity aimed at the development of anti-corruption laws that are in line with relevant regional and international standards, including UNCAC.</p>	<ul style="list-style-type: none"> <li>• A review of existing legislation vis-à-vis UNCAC requirements has been conducted. This review covered the mandates of all the 14 ACA’s</li> <li>• Support has been given to the process of developing of Proceeds of Crime Bill. All the ACA’s were involved.</li> <li>• Technical support was given to the development of the Extradition Proceedings Rules 2015 and the Sentencing Guideline for Corruption and Related Offences (EFCC, FHC, FMOJ, HC FCT, ICPC and NPF have been involved in this).</li> </ul>
<p><b>Outcome 2: Institutional and operational capacity of anti-corruption agencies enhanced and inter-agency cooperation improved</b></p>	
<p><b>Outputs</b></p>	<p><b>Status</b></p>
<p>2.1 Initial project outcome implementation plan developed incorporating baseline studies and analyses, as well as finalized log frames and work plans</p>	<ul style="list-style-type: none"> <li>• Institutional capacity assessments were concluded on all 14 ACA’s.</li> </ul>

<p>2.2 Key ACAs supported to develop institutional strategies, based on management reviews, including standard operating procedures, codes of conduct etc.</p>	<ul style="list-style-type: none"> <li>• Strategies developed for BPP, CCB, EFCC, ICPC, NEITI, NFIU, SCUML and TUGAR. For PCC and CCT ongoing.</li> <li>• Technical support to BPP for developing “Contractors’ Barring Policy”.</li> <li>• Technical support to CCB for developing two Sensitive Information Sharing Standard Operating Procedures.</li> <li>• Technical support for CCT for developing a Medium Term Strategic Plan.</li> </ul>
<p>2.3 Strengthened corruption prevention capacity of relevant ACAs, based on improved specialized skills, tools and procedures</p>	<ul style="list-style-type: none"> <li>• Training of secretariat of judges in Basic Computer Skills and Introduction to e-filing (CCT, FHC and HC FCT)</li> <li>• CCT: E-law library units deployed and one vehicle.</li> <li>• FHC: Basic computer training of the secretariat</li> <li>• FMOJ: 10 e-law library units deployed.</li> <li>• HC FCT: Basic Computer Training of the secretariat.</li> <li>• ICPC: Servers, computers and accessories.</li> <li>• NFIU: 2 G8 servers deployed</li> <li>• NPF: GoCIS (case management system)</li> </ul>
<p>2.4 A-C law enforcement capacities developed, with a focus on intelligence, investigations, prosecution &amp; adjudication.</p>	<ul style="list-style-type: none"> <li>• 5 Joint training on intelligence gathering, AML/CFT and forensics conducted for all ACA’s</li> </ul>
<p>2.5 Assist in strengthening the cooperation among ACAs in preventing and combating corruption, through joint operations and sharing of data and analysis</p>	<ul style="list-style-type: none"> <li>• One International Anti-Corruption Day Commemoration supported (2013).</li> <li>• ICPC: GoCIS (case management system) designed</li> <li>• NEITI: support to publishing 2 Audit Reports.</li> <li>• NFIU: GoAML upgraded</li> <li>• NPF: GoCIS (case management system) designed.</li> </ul>
<p>2.6 Assist in strengthening of ACAs capacities to effectively cooperate with regional and international partners.</p>	<ul style="list-style-type: none"> <li>• Support provided to IATT/TUGAR, EFCC and ICPC to participate in UNCAC working group meetings.</li> </ul>
<p>2.7 Capacity of the National Assembly and the Senate with regard to their oversight responsibilities in the use of public resources enhanced</p>	<ul style="list-style-type: none"> <li>• National Assembly support provided for Chapter of African Parliamentarians Network against Corruption (APNAC).</li> </ul>
<p><b>Outcome 3: Civil Society Organizations empowered to increase the provision of services and their participation in AC activities enhanced (UNDP Implementation)</b></p>	
<p><b>Outputs</b></p>	<p><b>Status</b></p>
<p>3.1: Initial project outcome implementation plan developed incorporating baseline studies and analyses, as well as finalized log frames and work plans</p>	<ul style="list-style-type: none"> <li>• CSO mapping and assessment completed. The purpose was to assess the capacity, operations and scope of CSOs at the national level and in 18 States. A CSO Advisory Group has been established.</li> </ul>

3.2 Strengthen CSOs' capacities for project planning, implementation and reporting, as well as their expertise on A-C	<ul style="list-style-type: none"> <li>• A 3-day Budget Tracking and Monitoring Training workshop for CSOs was held aimed at enhancing the technical engagement skills of CSOs in the budget process, was attended by 28 participants from across the six geopolitical zones of the country.</li> </ul>
3.3 Grant scheme for CSOs to contribute more effectively to the prevention and combating of corruption and to promote integrity, accountability and the proper management of public affairs and property.	<ul style="list-style-type: none"> <li>• The Grant Scheme has not yet been launched but it is planned to take place this year. The only activities in this area are preparatory. A draft Call for Proposals for Small Grants was prepared by UNDP.</li> </ul>
3.4 Assist in the expansion and strengthening of civil society anti-corruption networks	<ul style="list-style-type: none"> <li>• 2 CSO network meetings have been facilitated</li> </ul>
3.5 Support to enhance public participation through awareness raising and citizen engagement	<ul style="list-style-type: none"> <li>• AC outreach materials produced and disseminated.</li> </ul>

Based on the UN Office of Drugs and Crime Nigeria office (CONIG) workplans the majority of the assistance under review is either in its ongoing stage or has still to start. The ongoing activities have received, or are likely to receive, budget neutral extensions due to delays caused by the above indicated problems (staffing, procurement, etc.), or to make use of resources saved during implementation.

A significant proportion of key staff was not in place or left the UNODC Office in Abuja in the early stage of the assistance. Hopefully, UNODC in Vienna is able to fill the vacancies as soon as possible, as it has not been expeditious in the administration of the recruitment process over a very long period. Some recent positive developments could be observed since the proposal to strengthen procurement functions and establish the post of a Finance Officer. This, and the filling of other vacancies, will improve efficiency as it prevents further waste of resources and (hopefully) resolves the current serious management issues. There is an urgent need for filling the vacancy of the position of Project Coordinator. The candidate for this position should have clear Project Management skills, with sufficient affinity and experience in the area of anticorruption (prevention and repression).

Whilst delays can be compensated for with budget neutral extensions to ensure outputs are delivered, implementation is likely to be rushed and there may be insufficient time to embed results in beneficiaries. Therefore, extension of the project duration of two years is recommended, but extension is only recommended if the new government determines the project design is supportive of its anti-corruption orientation, the intervention logic has been adequately upgraded, UNODC management has been seen to be significantly improved, all international staff are in place and the government systems are more directly involved in implementation and oversight.

Some of the efficiency problems stem from design deficiencies. The activities related to the NACS did not start because the logframe provided for the use of an adopted NACS, which was obviously not suitable.

Due to the above indicated staffing and management problems and slow decision-making to resolve them, the overall project implementation in terms of efficiency and effectiveness is rated "deficiencies".

## 4.5 Means and Cost

Based on the most recent organisation chart the UNODC Project Core Team in Abuja is composed of a

- Project Coordinator (vacant), assisted by an Officer Policy/Institutions/Legislation (national)
- International Project Expert Capacity building (acting Project Coordinator), assisted by an Officer Capacity building (national)

- International Project Expert ACA Coordination/partnerships (vacant), assisted by coordinated by an Officer Coordination and Partnerships (national)
- National Finance Officer, assisted by a Finance/Administrative Assistant.
- Civil Society Expert (national) for UNDP component
- Outreach and Communication Officer (Half time)
- Project Assistant
- Drivers

The recruitment of the Civil Society Expert has been started. According to obtained information the person is supposed to work 3 days at the CONIG and 2 days at the UNDP Office in Abuja. The evaluators express doubts on the rationale of this placement at the respective locations. A permanent placement at the UNODC Office to carry out the Outcome 3 activities is recommended, taking into account inter-related activities with the other two project components and the existing position of Coordination and Partnerships in the UNODC Office (CONIG). The evaluators did not find grounds for the part-time placements in this case.

Apart from this location issue, it is questionable to what extent UNDP could do more than what CONIG is supposed to carry out in Component 3. The main outputs to date (CSO mapping and establishment of a CSO Advisory Group) do not give a clear indication on added value yet, compared to what CONIG itself or another organisation could have done.

Another issue relates to the grades of staff positions, e.g., the Officers for Capacity building, Coordination and Partnerships, Civil Society Expert and Policy/Institutions/Legislation are at the same level, but their grades are different. The drafting and/or revisions of job descriptions and the weighing of functions is a specialized activity and goes beyond the scope of this evaluation. It is recommended to review the organizational structure with more detailed descriptions in this respect.

As indicated above, the CONIG urgently needs to fill the vacancies of the positions of Project Coordinator, the Project Officer ACA Coordination and Partnership, and Civil Society Expert being a prerequisite for the successful implementation of the remaining project activities.

The scale of funding has generally been sufficient, but the extensive delays indicate that timelines are unrealistic when faced with the realities of implementation.

## 4.6 Progress towards Impact

Among the key results achieved indicating impact are the signing of a Cooperation Agreement by Heads of the ACA's and the establishment of five Inter-Agency working Groups aimed at promoting joint operations resulting in MOU's between Agencies. The large majority of interviewees indicated positive results in terms of learning from each other's mandate, operations and areas for cooperation. Overall, it is difficult to measure the impact due to the lack of outcome indicators, as indicated above and many activities are ongoing. Deficiencies in the implementation have negatively influenced the achievement of (more) tangible results. Only limited impact can be expected from the more horizontal elements of the anti-corruption project. Shifting the focus to well targeted areas, such as integrity plans, risk analysis, has the potential to have a strong positive impact. Whilst the delivery of outputs has been affected by many deficiencies (including numerous staff turnovers), low expected impact is due to the continuation of horizontal trainings. The National Anti-Corruption Strategy is in draft form and the key ministry is the Ministry of Justice. It is unclear whether there will be sufficient political support for the implementation of this Strategy.

## 5 Challenges to the Evaluation Plan

The evaluators did not meet substantial difficulties in carrying out the evaluation. On the contrary, the CONIG, the ACA's and the NPC could easily be accessed and discussions were open and frank.

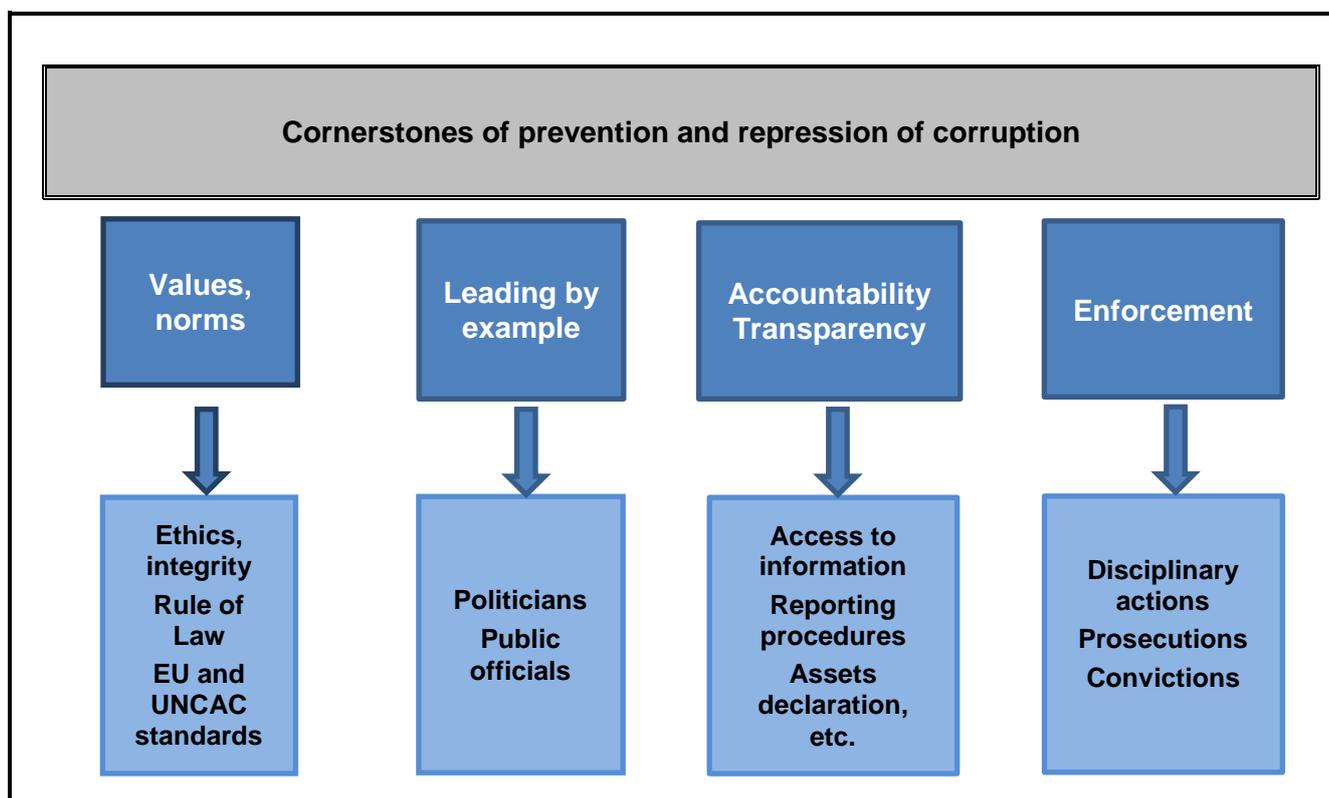
A constraint was the unexpected designation by the Government of two public holidays on Friday 17 and Monday 20 July. As a result, no interviews with the ACA's could be organized and originally planned meetings on these days had to be postponed to other dates in the evaluation period. The evaluation workplan is shown in ANNEX 2.

The evaluators were not able to attend the kick-off meeting in Abuja on the 6th of July, due to delays in the visa procedures. The team leader arrived on the 8th of July and the other evaluator on the 10th of July.

## 6 Lessons Learned

To address corruption effectively it is necessary to pay attention to the following cornerstones for the prevention and repression of corruption:

Figure 1: Cornerstones of prevention and repression of corruption



The EDF support has contributed to improvements to the fundamental institutional and organisational frameworks for the fight against corruption. The relevant laws and formal structures that have been put in place are increasingly in line with UNCAC standards and practices. Anti-corruption trainings (capacity building) have been conducted to train staff of the ACA's on forensics, intelligence gathering, integrity or ethics within the public administration. NGO's have been trained as well.

Development partners in Nigeria conclude that Nigeria's legal and institutional anti-corruption framework is "robust enough", even though in demand of strengthening on critical dimensions such as data collection, criminal immunities, protection of witnesses and the independence of ACA's from the executive.<sup>12</sup>

However, the evaluators' main concern is about "leading by example". In Nigeria, corruption is pervasive and touches on core interests of important parts of the political elite, which are detrimental in supporting the effects of the above-mentioned cornerstones. The political and administrative management needs to set a good example by stressing that ethics is an important issue, both in word and deed; in word by regularly emphasizing the importance of ethics; indeed by developing, formally adopting and implementing the National anti-Corruption Strategy and related Action Plan.

Most of the EDF interventions are relevant to the stated project objectives, but that does not necessarily mean that projects are relevant to influence the level of corruption in a country. Successive corruption monitoring reports do not indicate substantial progress, despite donor support. To fight corruption effectively the UNODC should do more at the political level, but this goes beyond the scope of the evaluation. But as long as this cornerstone is not adequately addressed, no significant progress is expected. The project can contribute further to fostering policy dialogue with the Nigerian Government and provide expertise and guidance in the finalisation of the NACS and its related Action Plan.

## 7 Key issues and Recommendations

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The meetings with the beneficiaries (ACA's, NPC) and CONIG and UNODC Vienna<sup>13</sup> led to a list of issues being raised by stakeholders. While different stakeholders were concerned with different matters, overall there were issues that frequently came up and which could be considered horizontal issues to be addressed.

- UNODC Vienna states in its Concept Note<sup>14</sup> that the current number of project beneficiaries (14) is high, which may carry the risk that a high number of beneficiary agencies leads to the project spreading too wide and too thinly hence lacking in proper depth. UNODC further states that reducing the number of direct beneficiaries to 8 would allow the project to provide more in-depth assistance so as to achieve a more effective, long lasting and enduring impact and that the needs of some of the beneficiary agencies can be addressed through support to the core ACAs.
- The project needs to focus more attention on corruption prevention, especially of public service ethics, conflicts of interest, assets declaration, in the area of procurement and corruption risk assessment.
- The NFIU, BPP, CCB and PPC indicated that trainings should be more thematic, targeted and focused on implementation, so that actual tasks are performed.
- There is a need for on-the-job training and mentorship; mentors should be recruited to be stationed within individual ACA's.
- Staff who perform support functions within the ACA's, e.g. on human resource management, financial administration, IT support, should be involved in the anti-corruption trainings
- No need to send participants abroad for training on equipment, whilst this equipment is not available in Nigeria (example forensic equipment);
- Provided IT equipment was supposed to operate on a 24-hrs basis, but could not function properly due to frequent power cuts (example processing asset declarations), indicating the lack of a holistic approach.

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<sup>12</sup> Development Partners, Re-engagement notes for the incoming Government, May 2015, p. 60.

<sup>13</sup> As well as phone and emails exchange with CSO representatives (MULAC and Zero Corruption) that could not meet in person with the evaluators

<sup>14</sup> Concept Note Rationale for Proposed Addendum to FED/2012/306-220: Support to Anti-corruption in Nigeria Project.

- The visibility of the project needs to be enhanced. Need for an inter-Agency anti-corruption communication strategy.
- Review and better structure involvement of CSO in the communication and visibility strategy as well as in coordination and cooperation with AC agencies and deployment of activities at local and grass roots level for impact.

### Inter-agency coordination

The evaluators do not agree with the suggestion to reduce the number of project beneficiaries as long as no functional analysis has been conducted to map main anti-corruption functions of the Anti-Corruption stakeholders, such as strategy development, policy making, monitoring and evaluation, risk assessment and to conclude on possible overlaps, mergers (reductions), or opportunities for synergies. Moreover, to exclude some ACA's from the project implementation is considered counterproductive as expectations have been raised.

Nevertheless, the number of Anti-Corruption Agencies is high compared to the anti-corruption infrastructure in many other countries, which often have established one overarching Anti-corruption Agency implementing preventive and/or repressive tasks. But to recommend the establishment of a new Anti-Corruption Agency in Nigeria is deemed to be one step too far, at least not feasible at this moment.

Instead, the evaluators recommend focusing on the IATT and its Secretariat TUGAR who work to ensure collaboration and cooperation amongst the various agencies with the mandates to fight diverse manifestations of corruption and ensure transparency and accountability in Nigeria. With regard to TUGAR, this Agency (4 staff) has an important coordination role to play as it forms the Secretariat of the Inter-Agency Task Team (IATT). It is also the repository of anti-corruption records in Nigeria and it coordinates the UNCAC review mechanism in the country. Presently, it is performing the function of coordinating the five inter-agency Working Groups and also the finalisation of the National Anti-corruption Strategy. Its functions in full are within the scope of the project funding.

What is missing, however, is a more comprehensive, "big picture" view of corruption and national anti-corruption efforts. While administrative divisions are necessary to manage development programmes (not to mention a country), the inevitable compartmentalisation of competencies risks missing important cross-sectoral links needed to effectively fight corruption. Corruption in Nigeria involves a broad set of manifestations in a number of sectors, and arises from weaknesses of a wide range of institutions and regulatory processes. The fight against corruption consequently requires both institution-specific and also cross-sectoral responses, and both preventive and law enforcement interventions. Managing such a broad set of measures is a formidable challenge in any country.

It is for this very reason that a comprehensive national anti-corruption strategy and a relevant coordination and monitoring body are advocated. The idea is to bring together in a comprehensive policy document the set of measures required across the public sector, tackle the many interrelated processes strategically and in a coordinated fashion, manage the required resources more effectively, and provide a platform around which governments, civil society, and development partners can engage in dialogue, establish benchmarks, and monitor progress. This would be the instrument in which to incorporate the various analyses and quantitative data to provide a comprehensive picture of progress, and evaluate the tempo of progress.

This recommendation concerns support for the establishment of a comprehensive instrument to manage not only the totality of the data relating to corruption, but also the totality of the national anti-corruption efforts. The evaluators recommend to start with drafting the Outputs 1.2 "A coordination mechanism for the implementation of the National Strategy to Combat Corruption (NACS) is established, in line with UNCAC" and Output 1.3 "Manual for ACA's to engage in the monitoring & evaluation system developed" assuming this can be implemented as soon as the NACS has been adopted. The focus on the Monitoring and Evaluation structure will allow the project to provide more in-depth assistance so as to achieve a more effective, long lasting and enduring impact, which is beneficial for all the ACAs.

**Table 4: Monitoring and evaluation of anti-corruption policy**

Monitoring and evaluation of anti-corruption policy	
Process indicators / law	Performance indicators / practice
<ul style="list-style-type: none"> <li>▪ Anti-corruption (integrity) monitoring and evaluation system established and operational;</li> <li>▪ Legal framework to report on the implementation of the anti-corruption policies;</li> <li>▪ Scope of anti-corruption monitoring defined;</li> <li>▪ Scope of anti-corruption monitoring of civil servants defined ;</li> <li>▪ Public oversight on the anticorruption policy and its implementation is ensured.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Number of monitoring reports;</li> <li>▪ Number of monitoring reports from State/local authorities;</li> <li>▪ Number of corruption/integrity breaches<sup>15</sup>;</li> <li>▪ Number of managerial initiatives implemented and/or prevention activities initiated on the basis of data from enforcement departments;</li> <li>▪ Number of corruption cases that are reported<sup>16</sup> and forwarded to the prosecutor;</li> <li>▪ Results of an expert survey on the transparency of the assessments and reports, participation of the relevant stakeholders and the civil society in the assessment</li> </ul>

### Prevention of corruption

The project needs to focus more attention on corruption prevention, especially of public service ethics, conflicts of interest, assets declaration, in the area of procurement, corruption risk assessment.

The project should reflect a fair balance between law enforcement on the one hand and prevention on the other hand. In a country where corruption is endemic, it is useful to run law enforcement mechanisms simultaneously with prevention mechanisms.

The evaluators observed that the existing design of the project has prioritized support for capacity building activities on investigation and enforcement over anti-corruption preventive functions. Although enforcement (investigations and prosecution) could have a preventive function, the importance of the other three above indicated cornerstones should not be underestimated. Therefore, it is recommended to pay more attention to the prevention of corruption or integrity breaches and to focus on a few concrete targets, applicable to all ACA's.

The EFCC (including NFIU and SCUML), ICPC, CCB, CCT, PCC and BBP: These agencies are primarily either in law enforcement or prevention, or a combination of the two. Their mandates are clearly within the matters covered in the various provisions of UNCAC. Their functions could be regarded as falling fully within the scope of funding of the project.

NEITI, NPF, FHC and FCT have wide functions, some of which are anti-corruption. The anti-corruption functions, whether law enforcement or prevention, are within the scope of funding under the project.

It is recommended that specific horizontal preventive areas, applicable to all ACA's, such as the development of integrity plans and a system to analyse corruption risks (integrity audits), become a part of the project design. Focus on their implementation. Training should be related to what is necessary to develop integrity plans and a tool for conduct corruption risk assessments.

**Table 5: Corruption risk audits**

Corruption risk audits and/or public integrity	
Process indicator	Performance indicators / practice
<ul style="list-style-type: none"> <li>▪ Measures in place to conduct corruption risk</li> </ul>	<ul style="list-style-type: none"> <li>▪ Number of integrity plans and corruption risk</li> </ul>

<sup>15</sup> Integrity breaches will comprise: Bribing, nepotism, cronyism, patronage; Fraud and theft; Embezzlement, Conflict of (private and public) interest; Improper use of authority; Misuse and manipulation of information; Discrimination and sexual harassment; Waste and abuse of resources; Private time misconduct.

<sup>16</sup> Number of corruption reports can be disaggregated by: type of corruption (petty/grand), location in country, method of reporting, etc.

audits and/or integrity plans.	manual <sup>17</sup> developed and implemented; <ul style="list-style-type: none"> <li>▪ Number/percentage of public institutions that have implemented the majority of recommended measures proposed by risk audits/integrity plans within suggested time frame.</li> </ul>
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### Anti-corruption communication strategy

The visibility of the project needs to be enhanced. Need for an inter-Agency anti-corruption communication strategy.

It was sometimes noted that the project is regarded as an UNODC project rather than an EU funded project in support of the Federal Government of Nigeria. A draft Project Visibility Strategy has been submitted to the EUD, with the aim to:

- Give visibility to the aims, objectives, achievements and impact of the project;
- Highlight the status and contribution of the EU as the funder of the project;
- Highlight the support rendered by this project to Nigeria’s anti-corruption agencies in executing their mandates;
- Ensure that the communication outputs of beneficiary agencies under the project correctly and adequately represent the support given by the project and the EU;
- Create a visual identity for the project using the logos of the EU, UNODC and the Coat of Arms of Nigeria.

The evaluators recommend to integrate project visibility activities with anti-corruption awareness raising, based on the development of an anti-corruption communication strategy. To the extent possible the UNODC should identify potential areas where broader and more strategic communication could be sought using the various EC-UN Strategic Partnership Agreements as a guiding reference.

Proposed activity to be included in the project design: develop capacities for strategic communication and PR management. The suggested approach for designing the awareness raising focuses on:

- Informing the public and key stakeholders about the danger of corruption, build their intolerance towards corruption and encourage their active participation;
- Change attitudes and behavioural patterns – both among citizens and within the public administration;
- Enable important actors in key Nigerian administrative sectors to create on marketing campaigns themselves.

It is important to identify and involve “change agents” within the current structures who are willing and able to change the present concealed and possibly corruptive activities. Additionally, the impact of campaigns will be measured by public opinion surveys.

**Table 6: Public information and awareness raising**

Public information and awareness raising	
Process indicators / law	Performance indicators / practice
<ul style="list-style-type: none"> <li>▪ Anti-corruption communication strategy and action plan exists;</li> </ul>	<ul style="list-style-type: none"> <li>▪ Number of awareness raising campaigns to combat corruption;</li> </ul>

<sup>17</sup> Risk assessments are aimed at identification of corruption prone activities (e.g. issuing permits, handling confidential info, procurement), processes, related positions in the *organisation*, resulting in recommendations to enhance the resistance capability (instructions, regulations) of the *organisation* against corruption. These assessments should be conducted at a regular basis and not to be confused with financial audits.

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|---|---|
| <ul style="list-style-type: none"> <li>▪ Existence of proactive and continuous education, awareness raising to increase public support in the fight against corruption</li> </ul> | <ul style="list-style-type: none"> <li>▪ Number of publications, polls, opinions, public debates;</li> <li>▪ Number of monitoring reports by civil society;</li> <li>▪ Awareness level among population of negative consequences of corruption is shown in public opinion surveys.</li> </ul> |
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## Project outline

Based on the above, a redesigned project outline and purpose could read as follows.

### Overall objective:

The overall objective of the project is to actively contribute to reducing the level of corruption in Nigeria with the purpose of strengthening the IATT and TUGAR in terms of personnel and institutional capacities. The development and support of an efficient institutional architecture is key for implementing effective anti-corruption work. This support will be the main driver to change corruptive practices in public and private sectors, and also deepen awareness of the overall problem.

Results to be achieved:

**Result 1:** The IATT/TUGAR works as an effective and fully operational organization with trained staff at all levels with UNODC's best practice in the anti-corruption area.

Specifically (not limited):

- Increase the number of employees (now 4), determine their most effective allocations and coordination to different sectors and units, as well as their job duties and the skill required;
- Develop a comprehensive strategy for strengthening the Agency's organizational infrastructure, including a manual for the definition of the internal processes, competences and accountability;
- Reassess the training needs and adopt a new strategy for training needs analysis among the Agency's staff, in accordance with the Agency's role;

**Result 2:** Anti-corruption institutional and legislative frameworks improved and sustained; coordination between the Anti-Corruption Agencies and other institutions is enhanced.

Specifically (not limited):

- Conduct a comprehensive review of the status of implementation of the National Anti-Corruption Strategy and its Action Plan;
- Analyse the existing institutional framework for the formulation, implementation, monitoring and evaluation of anti-corruption policy in Nigeria and how it functions in practice.
- Taking into account the findings and recommendations from the above analyses, develop a manual that clearly outlines the responsibilities and tasks of IATT/TUGAR vis-à-vis the tasks of the other institutions relevant to the fight against corruption.
- Provide regular (at least 6-monthly) workshops with the purpose of evaluating the progress in implementing the National Anti-Corruption Strategy.

**Result 3:** Public awareness (including citizens and CSO's) is raised with a better understanding of corruption and mechanisms for its prevention are implemented.

Specifically (not limited):

- Make proposals in close cooperation with the ACA's to strengthen the legal ground for reporting corruption;
- Initiate a visible dialogue with all relevant stakeholders in the fight against corruption, including representatives of the Government, ACA's Justice system, the private sector, journalists and NGO's.

- Distribute and disseminate information via different media, etc.

Other services the project may provide:

- Review 'integrity issues' with supporting staff of the ACA's (e.g. on human resources).
- Technical assistance in the area of corruption risk management based on UNODC best practices, by drafting an integrity audit manual. Try-out the manual in a ministry or agency.

**Result 4;** Training programmes on the development of integrity plans<sup>18</sup> for the ACAs developed.

Specifically (not limited)

- Review requirements of stakeholders on the areas of civil service ethics, civil service laws, and existing ethics management system;
- Assistance to the ACAs in the preparation of integrity plans which can be applied to the Federal and State administration
- Develop a training delivery programme on integrity plans for the ACA's management and staff.

**Result 5:** Elaborated strategic tools for implementation of integrity audits at all levels with the Government and State structures of the Executive Power and Judiciary;

Specifically (not limited)

- To elaborate a methodology for conducting of anti-corruption audits<sup>19</sup> in all administrative structures in the executive power and judiciary, which to include a training program, proposal for proper and effective organization of day-to-day work and recommendations for proper and prompt reporting cases of corruption.
- Based on the methodology prepared, to elaborate an action plan for conduct of anticorruption audits within the central and territorial structures of the executive power.
- To elaborate a methodology for evaluation of corruption risk at all levels of the structures of the executive power and judiciary with an emphasis on assessment of corruption risk in a selected ministry.

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<sup>18</sup> The main goal of an integrity plan is to strengthen integrity and anti-corruption culture in a **public sector** by identifying risks, planning and implementing adequate measures. With putting in place an overall integrity plan system, causes of corruption will be eliminated, which will result in strengthening the rule of law and people's confidence in the institution

<sup>19</sup> Anticorruption audit – An anticorruption or integrity audit identifies corruption prone, vulnerable spots, activities, positions in the organization and checks where regulations controlling these corruption risks are sufficiently covered by existing administrative regulations, instructions, if necessary, resulting in recommendation for improvements. An integrity audit should not be confused with a financial audit.

**Table 7: Findings and Recommendations**

Findings	Recommendations	Addressee
<b>Relevance</b>		
<p>Relevance of the anti-corruption interventions is good as far as they met the stated objectives and components. However, relevance in terms of results of the project implementation for the beneficiaries has suffered from many deficiencies, due to internal and external problems on staffing and procurement problems and the absence of an adopted NACS.</p>	<p>Discuss as soon as possible within the framework of a decision on an extension of the project, the prerequisites for a successful implementation of the remaining project period, based on the recommendations of the mid-term evaluation and the verification mission.</p>	<p>UNODC, EUD, NPC</p>
<p>Conditionality agreed to by the beneficiaries (e.g. an adopted NACS) in the formulation of the project were not met, or gradually became void as implementation faltered.</p>	<p>The presence of conditionalities in programming documents, in terms of political support and goals to be fulfilled, staffing and other resources that are to be guaranteed throughout the life of the project, can be seen as a useful way of applying appropriate pressure on EUD, UNODC, NPC to ensure that it proceeds to plan.</p> <p>If conditions are not right at the time of (further) programming, it is better to not programme the actions being proposed.</p>	<p>UNODC, EUD, NPC</p>
<b>Project design and implementation</b>		
<p>The assessed project suffered from inadequate attention to absorption capacity and sequencing. The CONIG (UNODC Country Office) should have been adequately staffed prior to the implementation of the project activities. Funds for the project were available, but the release of funds was stuck due to a lack of proper management of it (e.g. on procurement).</p>	<p>The UNODC Vienna should take into consideration the quantity and quality of staff available to participate in project implementation and to consider ways of enhancing staff retention, to reduce the probability of their turnover when planning (further) project activity</p>	<p>UNODC</p>

<p>The level of effectiveness of the project is weakened by the intervention logic not being robust regarding the use of outcome indicators. Logframe indicators are limited to output indicators.</p>	<p>Indicators (and logframe) should be carefully reviewed on a regular basis and they should be open to change. The lower the level, the greater is the need for flexibility and adjustment based on continuous monitoring.</p>	<p>UNODC</p>
<p>Some of the efficiency problems stem from design deficiencies. The design provided the use of an adopted NACS, which was obviously not suitable.</p>	<p>Take into account conditionalities in terms of political support and goals to be fulfilled, staffing and other resources that are to be guaranteed throughout the life of the project.</p>	
<p>What is missing, is a more comprehensive, “big picture” view of corruption and national anti-corruption efforts.</p>	<ul style="list-style-type: none"> <li>▪ Support IATT and TUGAR to establish a comprehensive instrument to manage not only the totality of the data relating to corruption, but also the totality of the national anti-corruption efforts.</li> <li>▪ Start with drafting the Outputs 1.2 “A coordination mechanism for the implementation of the National Strategy to Combat Corruption (NACS) is established, in line with UNCAC” and Output 1.3 “Manual for ACA’s to engage in the monitoring &amp; evaluation system developed” as soon as the NACS has been approved. Focus on developing concretely Output 3.3 Grant Scheme for CSO’s to contribute more effectively to the prevention and combating of corruption and to promote integrity, accountability and the proper management of public affairs and property and output 3.4 assist in the expansion and strengthening of civil society anti-corruption networks for setting up tools enhancing capacities of CSOs at national and local level.</li> </ul>	<p>UNODC, NPC, UNDP</p>
<p>The existing design of the project has prioritized support for capacity building activities on investigation and enforcement over anti-corruption preventive functions.</p>	<p>Pay more attention to prevention of corruption and focus on a few concrete targets, applicable to all ACA’s:</p> <ul style="list-style-type: none"> <li>▪ Integrity plans.</li> <li>▪ Risk analysis (integrity audit) tool.</li> <li>▪ Conduct trainings (capacity building to draft and implement integrity plans and integrity audits.</li> <li>▪ Select institutions for a pilot in a ministry or other State agency.</li> </ul>	<p>UNODC</p>
<p>There is a need for on-the-job training and mentorship. Study tours on with the aim to strengthen operational capacities do not make sense as long as the related equipment is not available in the Agencies.</p>	<ul style="list-style-type: none"> <li>▪ Recruit suitable mentors within individual agencies, or to serve groups of agencies, to mentor them on specialized areas and to assist with actual practical tasks within the agencies.</li> <li>▪ Involve supporting staff of the ACA’s and other stakeholders in the training.</li> <li>▪ Trainings should be more thematic, targeted and focus on implementation, so that actual tasks are performed</li> </ul>	<p>UNODC</p>
<p>Provided IT Equipment is/cannot not properly used due to the absence of a holistic approach.</p>	<ul style="list-style-type: none"> <li>▪ Include lessons learned in an operational/equipment needs review.</li> </ul>	<p>UNODC</p>

The project is regarded as an UNODC project rather than a EU funded project.	<ul style="list-style-type: none"> <li>▪ Adopt the Project Visibility Study and integrate project visibility activities with anti-corruption awareness raising.</li> <li>▪ Develop an anti-corruption strategy.</li> <li>▪ Develop capacities for strategic communication and PR management.</li> </ul>	EUD, UNODC
<b>Efficiency of Programme Implementation</b>		
The assessed project largely did not produce its planned outputs within the foreseen timeframe.	Review the existing organigrams of the Project Core Team and internal procedures to ensure deliverance of outputs in the remaining period. Fill all outstanding vacancies, in particular the position of Project coordinator.	UNODC
The length of the interval between programming and the actual start of the implementation of project was inefficient and resulted in the relevance for the beneficiaries being “dated” and affected the effectiveness of the project.	<ul style="list-style-type: none"> <li>• EC should build-in the maximum amount of delay allowed in programming documents, in order to avoid making an implementation a rush job as the project reaches its final phase.</li> <li>• Measures have to be put in place for improved timeliness and workplan discipline.</li> </ul>	EUD
To ensure outputs are delivered, implementation is likely to be rushed and there may be insufficient time to embed results in beneficiaries.	<ul style="list-style-type: none"> <li>• Extend the project for another 2 years.</li> </ul>	EUD, NPC
<b>Means and costs</b>		
The rationale for the part-time placement of the Civil Society Expert in CONIG and UNDP Office is not clear.	Review the position of the Civil Society Expert and ensure efficient and effective work processes.	UNODC
UNDP has not yet demonstrated what it could do more than CONIG to carry out Component 3.	Indicate clearly UNDP’s added value compared to what CONIG or any other organisation could have done, in terms of division of responsibilities and tasks.	UNODC
There is a need to enable short-term international experts for trainings and mentorship	The need for short-term expert support to allow for more support from the UNODC HQ should be considered.	

Impact		
<p>The absence of a National Anti-Corruption Strategy is detrimental to the credibility of the Anti-Corruption Project and its results.</p>	<p>In order to influence the political commitment of the Nigerian Governments, the project contractors should take every opportunity to link policy dialogue with the effectiveness</p>	<p>EUD, UNODC, NPC</p>
<p>The established five inter-agency Working Groups aimed at more cooperation and collaboration of the anti-corruption agencies created impact.</p>	<p>The project should identify further areas for support build on the outcomes in the working groups.</p>	<p>UNODC</p>

## 8 Conclusions

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- Overall, the Project up to the time of the evaluation has supported improvements in the institutional frameworks for fighting corruption: improved legislation, establishment of strategies of Anti-Corruption Agencies, improved cooperation between the Agencies (MoUs, Monthly coordination Focal Points meetings<sup>20</sup>), capacity building on meeting UNODC requirements, equipment deployed. The biggest challenge across Nigeria is genuine implementation and results.
- Virtually all visited beneficiary Agencies have laid down a foundation for their strategies and policies, but that is not enough. Comprehensive and coherent plans of action should be developed setting clear goals, timelines and the sequences in which specific goals are accomplished, within an overall anti-corruption strategy. Clear plans of action can and should be made public, ensuring overall transparency and helping to mobilize popular support and pressure to achieve the expected goals. The development of a national plan serves as a framework against which more specific and detailed action plans of specific ACA's and regions can be developed.
- The National Anti-Corruption Strategy and multi-annual Action Plan needs to be adopted, setting priorities, budgets and a framework for donor support. The project may give support to the development of the National Anti-Corruption Strategy and multi-annual Action Plan, allowing Nigeria to profit from the experience of the UNODC in developing and implementing nation-wide anti-corruption strategies.
- There is no inter-agency and ministerial monitoring of compliance with integrity plans and in-depth corruption risk analysis covering all corruption prone sectors were not found. I
- In the current project design prevention of corruption has lesser attention than repression: there is a need to rebalance prevention and repression.
- Relevance of the implemented anti-corruption interventions is good, as far as the identified problems are concerned. Relevance of the results of the project implementation for the beneficiaries has suffered from many deficiencies. Conditionalities agreed to by the beneficiaries in the first year of the project were not met. The technical aspects of programming at the project level should have been strengthened by paying more attention to conditionality and sequencing. Technical matters in programming the assistance for the remaining period will have a crucial role on impact and sustainability.
- The delays in the implementation had a negative impact on the efficiency and effectiveness of the assistance and too many planned outputs were not delivered or not within the foreseen time span. Due to this, it is questionable how effective the project activities have been and what changes (impact) they will have in the long term.
- Better attention could be paid to the selection of activities during the remaining period of the project, with a focus on tangible results, directly related to implementation issues.
- The key problem is adequate staffing and retention of skilled staff in the UNODC Office in Abuja, since this Office has experienced an outflow of qualified staff. This concern should normally be reflected by conditionalities in the project document, which indicate what needs to be in place before the project starts and how the various parts of the project will flow into each other. Especially when it comes to staffing and management issues, the answers found so far have not been sufficient for addressing this sustainable challenge. A separate section on conditionalities and sequencing in the project document is needed, also with a view on a possible extension of the project.

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<sup>20</sup> The Focal Points meetings are held every months, regularly and are attended by almost all representatives of ACA as well as EUD representative and NPC. There are forums where representatives can exchange, express themselves and coordinate activities. The Evaluators attended one meeting where they could witness high level of attendance and active participation. Minutes of meetings are drafted and approved by all interlocutors.

## SECTION 2: Organizational and Functions Assessment

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### 1 Introduction

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Section 2 of the Anti-Corruption project evaluation focuses on the existing organizational structures, functions and processes of UN Office of Drugs and Crime (UNODC) country office in Nigeria (CONIG) in relation to its implementation of European Union (EU) funded projects, with particular reference to this particular project. The Analysis and Findings component of this Section focuses on the legal authorities that guide UNODC in its implementation of EU-funded projects in Nigeria, the key business processes necessary to implement those projects and the organizational structure and staffing arrangements that are in place to activate those processes. In addition, the assessment provides a cursory overview of the institutional context that affects the capability of both the EUD and the UNODC to foster governance reform in Nigeria. Recommendations are provided which are linked to key issues identified during the evidence gathering stage that may provide options for the EU and UNODC to improve the currently low quality of project implementation. Lessons and Conclusions have been drawn from the three projects as a whole.

### 2 Purpose of the Assessment

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The assistance provided to the Federal Government of Nigeria (FGN) by the European Union in the area of improved governance is intended to strengthen the capacity of national partners to deal with the collective action problems associated with drug trafficking, corruption and organized crime. The EU has elected to assist in building national capacity to institute institutional change in the Nigerian Government's approach to addressing these critical issues through a collaborative arrangement with the UNODC.

The Terms of Reference (TOR) for the joint evaluation of the three specific projects under review indicate that the very institutional arrangements put into place to assist the Nigerian government to address these problems may be limiting the generation of positive outcomes. The TOR guided the structure of the organizational assessment primarily through the following two points:

p 1 "A joint mid-term evaluation was deemed as appropriate given, on the one hand, the obvious synergies between three projects which share key overall goals and which are implemented by the same UN agency. On the other hand, the projects are supported by the same organisational structure, with the cost for the programme support team located in UNODC Country Office in Nigeria and UNODC Headquarters in Vienna being equally shared between the three projects."

p 3 "The findings and recommendations of the second section are expected to be the same for all three reports, while allowing for any project specific variations."

For this reason, the Organization and Functions team has been assigned to closely ally itself with each of the three technical evaluation teams to ensure that a symbiotic approach of technical and institutional analysis is carried out in each of the three areas, resulting in the generation of a robust assessment that is valid across all three projects.

As a result of this approach, this reports will provides the EU, Nigerian Government and UNODC with a coherent set of technical and institutional recommendations for the Anti-Corruption project as well as an overall assessment of the appropriateness of the current implementation modality together with suggestions for future modifications designed to improve the potential for achieving results at the outcome level.

### 3 Review of Prior Assessments

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Two prior assessments of UNODC operations funded by the European Union in Nigeria were used to corroborate the findings of this evaluation team.

**2010 Anti-Corruption Evaluation:** The evaluation of the “Support to the EFCC and the Nigerian Judiciary” project, completed in 2010, provides some salient points that remain applicable to the organization’s project management capacity today. The evaluation concluded that the project management system of the UNODC had “a long response time” and was “not conducive to project implementation”. In addition, the “financial reporting structure followed by UNODC is also not conducive for project management”. Further, “reporting to the EU also proved to be a challenge.”

Nevertheless, the “total expenditure against the project budget was very good and all indications were that the available budget (would) be spent by end of implementation (30 November 2010) and the procurement of IT through established system contacts of UNODC was very effective and efficient.

The EU project design also came in for criticism as the “logical framework did not provide a solid frame for M&E”. In order to improve upon this, the evaluators proposed that “it (would) be advisable for development partners to assist beneficiary institutions with the development of their own strategy and development plans as a first step if no policy, strategy or plan is in place.”

**2015 EU Verification Assessments:** Earlier in 2015, the EUD authorized standard verification assessment of each of the three projects. The draft reports of these assessments were being received by the EUD while this evaluation was underway. The following is a summary of the key operational issues and constraints identified with specific regard for the Anti-Corruption project:

- Limited Delegated Authority: Delegation of Authority could not be utilized.
- Staff Complement and Staff Capacities: Delays were noted in the recruitment of staff and current organization structure of CONIG not effective to meet its requirement.
- Procurement and Payments: The procurement plan for the Anti-Corruption project was not prepared by UNODC and communicated to UNDP on a timely basis, a selected bidder submitted bid after the deadline, absence of formal guidelines from UNDP and limited regular communications with UNDP, re-processing of transactions due to insufficient funds.
- Internal Control Procedures: Many internal control procedures are in place in UNODC but appropriate information and/or documents are not collected and transmitted on a timely basis, insufficient follow up on year-end financial controls, absence of cash flow reconciliation statement.
- Delays in the Submission of Narrative and Financial Reports. Many narrative and financial reports are submitted late to the EU, leading to late funds disbursements which impact the entire programme implementation and delivery of services.
- Governance structure meetings not held as prescribed in project document.

### 4 Methodology

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The evaluation team gathered data on current operational systems and structures with the intent to assess their potential for achieving expected results. This orientation required the team to maintain close liaison with the other three teams in order to clarify the current program theories and their potential for achievement.

The team used a mix of assessment methods for data collection and synthesis. Critical among these was the use of an assessment of organizational structure and functions during the data collection and the incorporation of Institutional Analysis and the Balanced Scorecard Approach during the Synthesis phase.

## 5 Analysis and Major Findings

Data was collected through review of reports, emails, and interviews with staff. The data was collected according to a structured organizational assessment method provided in detail in the Organization and Functions Team Evaluation Matrix that was an integral component of the Inception Report.

### 5.1 Legal Context

The legal framework sets the stage for the evaluation by providing an understanding of the level of discretion afforded to the implementing agent.

#### Evidence

##### UNODC Governance and Financing Context

The UNODC operates as an office of the UN Headquarters Secretariat (UNO), based in Vienna. As such, UNODC has limited flexibility in setting its internal operational rules, being required, in the main, to operate under UN Secretariat-wide rules governing recruitment, procurement and financial management. The UN Office in Vienna (UNOV) oversees many of the rules that UNODC is obligated to follow, including those governing the process of procurement.

The Commission on Crime Prevention and Criminal Justice (CCPCJ) has been under the Economic and Social Council (ECOSOC) of the UN since 1992. It is the principal policymaking body of the UN on crime prevention and criminal justice. Since 2006, the CCPCJ has operated as a governing body of the UNODC, and to approve the UN Crime Prevention and Criminal Justice Fund, which constituted 44% of the UNODC consolidated budget in 2014.

The Commission on Narcotic Drugs (CND) was established by ECOSOC in 1946. The CND was mandated to function as a governing body of the UNODC and approve the budget of the Fund of the UN International Drug Control Programme, which accounts for over 56% of UNODC resources in 2014. In 1999, the ECOSOC authorized the CND to form an operational segment, through which CND exercises its role as the governing body of UNODC.

In 2001, the UNODC faced a serious crisis when its Executive Director resigned under allegations of misuse of funds and abuse of authority at the highest levels of the organization. A significant restructuring of the organization and realignment of systems was undertaken thereafter.

Prior to the initiation of the EU governance project in Nigeria, in February 2011, the UN Office of Internal Oversight Services/Internal Audit Division prepared an audit of UNODC governance arrangements and funding mechanisms. The key finding of the report indicated that “governance arrangements and funding mechanisms do not fully support the programme of work at UNODC.” The audit further suggested that the services provided by UNODC to CND and CCPCJ “would benefit from a joint governance by these commissions”. The report further stated that “plans are required to demonstrate how and when the UNODC strategy and Results Based Management will be implemented” and that a ‘fund raising strategy is needed to identify the total amount of resources required to fund the strategy, mandates and resolutions and ensure sufficient core capacity to support earmarked activities.”

In July 2012, the ECOSOC approved the 2012-2015 strategy for the UNODC and requested the Executive Director to present this to the relevant intergovernmental bodies, for the consideration and approval.

The 2012-2015 UNODC consolidated budget is US \$ 760.1 million, including \$88.9 million (11.7% from the UN regular budget. Donor contributions are of two types: general purpose funds (2%) and special purpose funds (98%). The EU was among the larger donors in 2014 and the project allocations in Nigeria fall into the special purpose category. EU did not contribute to the General Purpose funds.

Over the past several years, UNODC has faced a significant decline in funding from major donors. As of 2009, two open-ended intergovernmental working groups, chaired separately by the CND and CCPCJ, were working on improving the governance and financial situation of the UNODC. As of May 2015, the CND

working group met 58 times and the CCPCJ met 24 times to address critical issues, including “promoting measures to improve the funding situation of the UNODC” and “supporting measures to promote a culture of evaluation throughout the UNODC at all stages of programme planning, development and implementation”. In May 2015, the CPPCJ recommended to the ECOSOC to adopt a decision to review the outputs of its working group and to extend its mandate. The note also included its wish to “express once again continued concern about the governance and financial situation of the UNODC” and of the “continued need to address these issues in a pragmatic, results-oriented, efficient and cooperative manner”.

### UNODC Legal Setting In Nigeria

The framework for European Union (EU) assistance to the Federal Government of Nigeria (FGN) in place at the time these three projects were initiated was defined under the 10th European Development Fund (EDF). The 10th EDF allocates a substantial proportion of its funding to the improvement of governance and the protection of human rights. Under the authorization Country Strategy Paper 2008-2013, and with the full consent of the EU Member States, the EU Delegation to Nigeria and ECOWAS (EUD) engaged the Federal Government of Nigeria (FGN) in substantial consultations that resulted in the design of the three projects under evaluation at this time (justice, drugs and Anti-corruption).

A Financing Agreement (FA) was prepared with the FGN formally authorizing the EU contribution (valued at EUR 35,000,000) to the implementation of the Supporting Anti-Corruption in Nigeria project. Agreeing with the terms of the FA, the National Planning Commission (NPC) signed the FA as the National Authorizing Officer (NAO) on 19 March 2012.

The UNODC has maintained an office in Nigeria for over 23 years. It has operated in Nigeria under the legal cover of the latest UN Development Programme (UNDP) basic agreement with the FGN signed in 1988. Under the leadership of the United Nations (UN) Resident Coordinator, the head of UN Country Team, the UNODC has committed \$78 million to advancing UN objectives on Good Governance under the UN Development Assistance Framework (UNDAF) 2014-2017. All of these resources are anticipated to be contributed by the EU.

A Financial and Administrative Framework Agreement (FAFA) was signed between the EU and the UN on 29 April 2003. The FAFA lays out the operational terms and conditions for the EU when using the Joint Implementation Management (with international organizations) modality to engage an office, programme or agency of the UN to act as an implementing agent for an EU project. The terms of the FAFA were further discussed jointly between the EU and UN on 21 January 2011, clarifying the operational arrangements between the EU and UN, particularly the requirements for high quality results-oriented narrative and financial reporting. A new EU implementation modality was announced in 2014 that may have significant ramifications for future programme implementation assignments for UN agencies.

Guided by the Anti-Corruption project FA and the global FAFA, the EUD undertook a review of UNODC’s capacity to implement the Anti-Corruption, plus justice and anti-corruption, projects. Following the review, which noted high quality performance, the EU prepared and signed a Contribution Agreement (CA) for the Anti-Corruption project implementation with UNODC on 21 November 2012. UNODC/V described how their experts were involved in the stakeholder consultations prior to the signing of the FA.

The FA was signed with the NPC as NAO, but the CA is signed only with the UNODC and does not mention a direct role for the NPC beyond being the Chair and convenor of governance committees, which meet exceedingly rarely. This has led to a confusion of roles for the NPC. The NPC also stated to the evaluators that they are concerned that the capacity of the UNODC is lower than expected and it is uncertain as to the value of the capacity building efforts. They are anxious that these efforts be focused on practical organizational capacities so that the partner agencies can improve their ability to carry on their own work. They believe that UNODC has access to regional and global experts in these fields, but these have rarely been seen.

The UNODC is a small office in the UNO, noted for its technical knowledge, but with limited operational resources. Although it has many deconcentrated regional and country offices, it operates under a global working agreement with UNDP, signed on 1 January 2004, to handle its local recruitment, and most of its local procurement and financial expenditures. In addition, under the Anti-Corruption project, an interagency

agreement was signed authorizing UNDP to act as the agency to manage the civil society component of the project including grants to qualified CSOs. A similar agreement was reached with UNICEF, although requiring considerably greater time and effort, to support justice for children through technical assistance and civil society grants on the Justice project.

### Major Findings

The UNODC has a complex governance and financial structure that detracts from its ability to serve as a value added implementation agent for EUD in Nigeria. The complex governance and financial structure of UNODC makes it difficult for it to operate a project in the modern sense of a semi-autonomous entity focused on the achievement of time bound results. The three EU projects implemented in Nigeria are operated as an integral part of the overall UNODC structure. This is in keeping with the stipulations under the FAFA, however, these rules were not originally designed to be used by a project management service centre.

The FAFA provides the EU with access to professional bodies with high technical capabilities, without the need for a lengthy procurement process. A limitation is that it apparently superimposes the bureaucratic rules and regulations of other international bureaucracies on top of the EU processes. As noted above, the 2010 evaluation of the previous “Support to the EFCC and Nigerian Judiciary” project, focused on anti-corruption, clearly noted that the UNODC procurement and financial management systems were not compatible with the needs of modern project management. The significant increase in budgetary resources under UNODC management since 2013 has brought out limitations in the UN system (UNDP included) in Nigeria to manage large-scale projects involving multiple partners engaged in numerous activities being conducted simultaneously in different parts of the country. (see evidence sections of Structure and Business below). In this regard, the Anti-Corruption project is being implemented simultaneously by UNODC along with two other governance projects in Nigeria on justice and drugs, each of comparable size, having, thus, immediately trebling the size of its previous project management obligations.

A potential constraining factor in the structure of the FA is the mention of UNODC as the implementing agent in the TAPS. If improvements in project management are not forthcoming, a change of implementing agents, as might be a normally expected consequence in an openly procured contract with a private sector (or quasi-private) agent that did not perform well, would apparently require a new TAPS and FA, possibly leading to a lengthy review and approval process at many levels.

The NPC has reported that the EU keeps it informed of its activities more completely than other major donors. Nevertheless, a reconsideration of the role of the NPC does appear to be a necessity to foster more complete programme ownership by the FGN. The NPC, itself, is the subject of a large EU capacity building programme which underwent a mid-term review in September 2014. Indeed, the review stated that “EUD needs to re-think the content of Contribution and Administration Agreements to enable NPC/NAO perform its monitoring role actively without any hindrance”.

While the global UNDP/UNODC working agreement is in place, the failure of CONIG to agree on the terms of a standard Service Level Agreement (SLA) with UNDP/N has limited its ability to hold the UNDP/N business unit to meaningful time and quality commitments.

## 5.2 Organizational Structure and Staffing

The internal structure of the UNODC/V and CONIG the adequacy of staffing levels, to include issues related to recruitment, training and retention was reviewed. Proposals for restructuring were also assessed.

### Evidence

The UNODC is based in Vienna with Regional, Sub-regional, Country and Project Offices in over 50 countries around the globe. The Vienna office consists of four divisions: Operations, Treaty, Policy and Management. The Regional Section for Africa and the Middle East assumed direct supervision of the Country Representative for CONIG in October 2014. Nominally, the gross value of the three EU-funded projects in Nigeria is equal to approximately 38% of the potential operational budget for the region. The Drug Reduction and Health unit and a small Justice team is under the Operations Division. The anti-corruption and organized crime branch is under the Treaty Division. The Statistics and Survey unit, engaged in designing all

of the surveys planned for all of the projects in Nigeria, under the Policy Division. Human Resources, IT and Finance are under the Management Division, while Procurement comes under the purview of the UNOV.

The UNODC in Nigeria (CONIG) is headed by a Country Representative (CR). This post was most recently held by a person who had worked for the UNODC from 1995-2003, and other UN agencies thereafter until her appointment. The incumbent was not, at the time of hire, a career staff person of UNODC, but someone hired specifically to manage the Nigeria Country Office on an annually renewable contract. The incumbent departed Nigeria in December 2014 after rejecting a second three-month contract extension. The process of seeking her replacement has also been conducted through open recruitment.

The CA for the Anti-Corruption project was signed in November 2012, with an expected start-up in January 2013. The first tranche of funding to cover expected project initiation costs for 2013 was released to UNODC shortly after signing. The release of the 2013 funding was necessary for UNODC to complete its formal recruitment process, although the CR and UNODC/V had initiated preliminary recruitment measures prior to signing the CA. This follows from the rule obligating all offices of the UNO to deposit the full amount of an incumbent's salary and benefits for the duration of contract with the UNO once recruitment is finalized.

UNODC agreed with the EUD on a staffing pattern involving approximately 60 staff members in Nigeria (10 in Lagos and the remainder in Abuja). The evaluation team was also provided with a set of six TOR for staff based in Vienna that were to be paid by the EU funding. During video interviews with Vienna, it became apparent that only two of these posts, the Project Officer and Assistant, are assigned full-time to one individual. The others reflect TOR that are shared by a number of UNODC/V staff who work part-time for the EU-projects. As an example, the HR Associate interviewed stated he calculated that less than 20% of his time was billed to the EU projects.

The staff in Abuja are divided into six groups: the office of the Country Representative (2 staff), the Programme Support Team (Technical) (5 staff) and the Programme Support Team (Operations) (9 staff) both headed by a Programme Manager, the two project units for the justice and anti-corruption projects and a liaison office for the Drugs project.

All Nigerian national staff must be recruited by UNDP under their rules, not even a cleaner can be hired by CONIG. UNDP rules call for project staff to be recruited under a Service Contract, which has limited health insurance coverage or pension benefits attached.

Each project is headed by a Project Coordinator (PC), operating together with a small team of technical, managerial and administrative staff. Each project unit has an embedded finance officer reporting directly to the Project Coordinator. The PC reports directly to the Country Representative and has no direct reporting relationship with the EUD.

Both the technical and operational Programme support teams in Abuja reported that they had experienced considerable push back from the PCs on a number of issues. On the technical side, it was reported that several PCs were reluctant to accept advice from the technical Programme Support teams on the quality of their plans and reports while the operations team reported that they had a difficult time in holding project teams to the requisite timelines and documentary completeness required for timely procurement and disbursement.

The Anti-Corruption project has had a comparably bad record in recruitment and retention. The first staff was recruited in late 2013, with the major staff obtained in 2014. However, a significant number have already left. The PC resigned in June 2015, the Agency Coordination Officer resigned, as did the CSO expert. None of these have been replaced. Nevertheless, according to data compiled by the EU Verification Mission of the Anti-Corruption project, by the end of December 2014, of the resources spent from its first tranche to finance 2013 and 2014 activities, 52% were on personnel costs. Apparently, this heavy cost was incurred due to an agreement with the EUD to charge all extra-project personnel costs, in Abuja and Vienna, to one project at a time, rather than the seemingly more logical approach of dividing the costs equally among all projects.

## Major Findings

It appears that UNODC does not have a large enough set of permanent staff who are qualified to serve as Country Representatives, even in a country where the office has existed for over 23 years and with a EU-

funded budget that amounts to nearly 40% of the Africa-Middle East Section. Direct oversight of the CONIG by the Regional Office, initiated in October 2014, may again lapse with the arrival of the new CR. As currently structured, the Regional Directors can only supervise CR of P5 grade. The new CR post for Nigeria has been advertised as a D-1 posting, requiring direct supervision by the UNODC Director of Operations.

The UNODC has experienced considerable difficulty in recruiting and retaining both qualified national and international staff for its Nigeria office and the three projects. At present, there are fourteen international posts with nine falling vacant within the past year. The UNODC points to a number of factors that make international recruitment in Nigeria difficult. One, particularly critical at start up, was the massive bombing of the joint UN building in Abuja in 2011 and smaller bombings in 2014. Another is the international reputation of Nigeria as being a difficult place to accomplish project objectives. Third, is the high cost of rental space, and the requirement to pay full rent at least one year in advance. Comparison interviews with other agencies, in and outside of the UN, indicated a mixed situation. The non-UN agencies had the easiest recruitment and retention as they did not have the UN building bombing hangover and were able to pay housing costs as a part of the international benefits package. A final factor given by departing staff is the increasing uncertainty that their contracts will be extended, plus the inordinate level of bureaucratic processing needed to complete any personnel transaction. Others have articulated that their capacity had been 'crippled' by the UNODC organizational culture.

None of the international posts that became vacant in the three projects during the past year has been filled with employees hired directly for the projects. A junior staff in Vienna applied and was recruited for a P3 post in Nigeria under the Justice project. Then when the two P4 posts came vacant under the Justice Project, she was appointed OIC for the project. During the evaluation she said she was about to depart on maternity leave until December 2015, the PC post remains vacant still, with no immediate fulltime replacement identified. The new PM (this post had never been filled previously) is expected to play the role of PC Justice on a part time basis, but this is not in his TOR. The CR post was filled in January 2015 by a retired UNODC officer whose tenure has already been extended until October 2015 awaiting assignment of a permanent CR.

Typically, SC holders, in all projects in all countries, use their time in a project to build the experience necessary to obtain a fixed-term appointment elsewhere. This has led to difficulties in both recruitment and retention of national staff by the UNODC. As of August 2015, nine national posts were under recruitment, with three announcing their departure during the course of the evaluation.

The UNODC is currently negotiating with the EU to obtain 'full cost recovery' of its operations in Nigeria. This would entail enabling the UNODC to recoup the full costs of all its office staff, including the costs of the Office of the Representative and several other posts only partially funded by the EU. At the time of the evaluation, the EU had not agreed to this request.

The PM post was first filled in April 2015 by a UNODC/V staff who is on temporary assignment (retaining his permanent post in Vienna) and is currently planning expected to remain in this post only until the end January 2016. The post was originally advertised in January 2013 and a qualified candidate was selected in January 2014, but she subsequently went on Special Leave without Pay in February 2014 before joining. The post was re-advertised, but no suitable candidates were identified. Her leave period will be over in February 2016, and she is expected to take up the position.. The reasons for waiting so long with this critical post unfilled before fielding a temporary posting are unclear to the evaluation team.

Despite the long gaps in technical and managerial posts, until the posting of the PM, UNODC/V has not sent any of their managers or experts on a short-term basis to temporarily fill the gaps in the projects. The EUD reports that it has never rejected any request for fielding Vienna-based managers or experts on short-to-medium-term missions, which would be funded by the projects. However, it does reject the idea that UNODC/V could charge staff training missions from Vienna as direct costs.

The CONIG has proposed some structural modifications to facilitate more coherent operations. Key among these will be to shift the project-level Finance Officers under the direct supervision/reporting of the Senior Finance Officer. Likewise, the project level Administrative Assistants will be placed under the Operations Manager, who would take on the added role of Procurement Officer to reduce the number of procurements

going through UNDP, by assisting procurement processes through either UNODC/V or through the two CONIG staff holding procurement delegation of authority (one recently obtaining DA clearance is associated with an ECOWAS project). Also, a new position is proposed for an international CONIG Finance Officer. These changes should facilitate more balanced workloads, especially when some projects are engaged in higher activity levels than others, remove the potential conflict of interest when these critical support staff are reporting directly to the PC, rather than to the Country Office, and streamline the reporting structure that currently has proven to be inefficient.

While many of the CONIG staff have requisite technical skills, there is a lack of knowledge of the fundamentals of project management and a seeming general lack of attention to detail in administrative matters (see Business Processes). This has led to long delays in the approval of needed plans, procurement requisitions and payments. As a result, the image of the UNODC as a competent project management unit has been seriously compromised in Nigeria.

Part of the problem with staff capacity has been the limited attention paid to ensuring they have undergone requisite orientation and training. This applies both to the tools of project management as well as to broader concepts of sustainable development. This latter is fully covered in the Anti-Corruption technical review above indicating that the project concentration has been on delivery of technical assessments, agency coordination and communication dialogues without giving sufficient attention to how these are being used to build the capacity of the organizations to improve their functionality in carrying out their own work.

The joint decision to place all of the Programme Support Team and Vienna staff costs into the Anti-Corruption project led to serious underperformance because of the protracted disagreement between EUD and UNODC on the definition of legally obligated expenditures. An alternative approach would have been to balance the costs of these extra-project staff costs across all projects from the very beginning.

### 5.3 Business Processes

Capabilities in key administrative processes, covering planning, finance, and management responsibilities, were rated individually and as components of an overall system. Potentials for human resource development were also to be assessed.

#### Evidence

##### *Governance:*

The evaluation of the previous anti-corruption project had noted a deficit in beneficiary ownership of the project activities, thereby requiring a higher level of stakeholder engagement in the drugs, justice and anti-corruption projects. Two key governance structures have been established to maintain close coordination and strong working relations between the UNODC, EUD and FGN. A Chief Executives Forum (CEF) composed of the heads of partner FGN agencies, and chaired by the Minister of the NPC serves as a platform for open dialog across agencies engaged in the three projects. The last meeting of the CEF was in November 2014. A Project Management Committee (PMC) exists for each of the three projects separately. However, a review of the available documents provided by the Anti-Corruption project indicates only one meeting was held in 2014. A 2015 meeting was held in February.

##### *Headquarters Guidance:*

UNODC/V reports that it has provided substantial advice and assistance of both a technical and managerial nature to the teams in Nigeria. Clearly, the CONIG business processes are guided by the UN Operations Manual, UNDP Manual on Procurement, UN Financial Rules and Regulations, Human Resource guidelines and manuals for local staff recruitment. The newly created Field Operations Management Support Section is in the process of preparing a new quality assurance system for world-wide application, including the establishment of evaluation focal points based in the field.

##### *Planning and Priority Setting:*

The CONIG has required that project teams prepare an annual workplan and procurement plan. All of the teams have had difficulty in accomplishing these planning tasks and obtaining timely approval from their

multi-partner Project Management Committees (PMC). All three projects failed to complete a timely 2014 annual project plan. Many of the implementation delays have been attributed to project staff failing to complete documents on time and failing to convene the PMC.

#### *Procurement:*

The procurement processes required to implement the three EU projects are broken into three components. International procurement is undertaken by the UNOV. Most national procurement is carried out under the agreement with UNDP. A (sub-) Delegation of Authority (DA) has been granted to the CONIG by the UNODC/V (the supra DA is granted by UNOV to UNODC/V).

The DA limits were raised to \$40,000 in April 2014 (from \$4000) under the previous CR, but after her departure this could not be much used until recently as, apparently, there was no one in the office with the requisite authority. However, most of the annual project procurement plans have not been completed on time, because the annual work plans were never prepared by the project teams on time. Procurement plans are derived from the workplans, leading the CR a. i. to state that he had disallowed the use of the Delegated Authority for direct procurement by the CONIG “to force his staff to plan<sup>21</sup>”. In an email response with the evaluation team, the new PM indicated that he has now been authorized to initiate the use of the Delegated Authority.

#### *Finance Resource Utilization<sup>22</sup>*

The Anti-Corruption project received an initial tranche payment of EUR 4,897,342 in January 2013, the smallest of the three projects. In the budget contained in the CA, the anticipation was that the project would spend approximately EUR 12, 902, 794 in the first two years of operation. However, by the end of December 2014, the project had only spent EUR 3,664,603 or about 28% of the first two year’s expectation. Although the Anti-corruption project, according the EUD, was intended to work only with FGN agencies located inside Abuja, it received the largest travel budget of all three projects. Even so, after two years, it was only able to spend 25% of the expected travel total for that period. The project spent 52% of its available resources on personnel related costs in the first two years of the project, however, according to the CA budget, personnel costs should only have consumed 21% of expenditures over that period. Although training and meetings, a major purpose of the project, was to comprise 20% of the first two years expenditures, only 12% of total spent was accounted for under training. Likewise, subcontracts had been allocated 13% of the two year total, on 4% was spent in this manner. With equipment we find a slightly better pattern with 21% of the first two year budget allocated while only 19% of total was spent on this budget line.

At the end of the first two years, the Anti-Corruption project still had more than 25% of the first tranche resource remaining. This enabled the project to continue during the beginning of 2015 while the EUD and UNODC came to an agreement on the acceptable contents of a financial report. However, it was reported that the planned national corruption survey could not be conducted because of a lack of funds.

#### *Monitoring and Reporting:*

There does not appear to be any monitoring system used in any of the projects that objectively tracks progress towards the achievement of expected results and outcomes. There was an M&E Officer in place for nine months, but he never produced a system that could be used.

Without a coherent monitoring system in place, the project teams have found it difficult to meet the narrative reporting requirements of the EU. A broad outline of a standard report is contained in the 2003 Fafa. The outline includes both activities and results as components of the report. The 2011 Fafa dialogue between the UNO and the EU clarified that “Reports are expected to focus on results and outcomes, not just on the inputs, activities and outputs that lead up to these.”

<sup>21</sup> See Annex 5 A Email Document Evidence

<sup>22</sup> Although the first tranche expenditure report was approved in June 2015 by the EUD, the evaluation team has elected to use the expenditure figures prepared by the Verification missions as this provides a consistent record over two years of operation for all three projects. The Justice project, in particular, had already consumed most of its first tranche resources before end 2014, leading to a serious implementation gap in early 2015.

Reports must be submitted repeatedly before receiving EUD approval. The 2013 Anti-Corruption narrative report was submitted in January 2014, with a revised version submitted in April and a third version in October. The 2014 report moved more smoothly with the first version submitted in December 2014 and the second in February 2015. The Anti-Corruption 2013 Financial report was submitted in January 2014 with a second version in October 2014. The 2014 Financial report was submitted in December 2014 with a second version in February 2015 with partial clearance requiring that an expenditure breakdown be attached to the financial report.

#### *Visibility:*

Visibility requirements for acknowledgement of the EU and the FGN are clarified in the FAFA and the EU-UN Visibility Guidelines to ensure the national stakeholders, donor community and general public is aware of the EU contribution to the project. The UNODC reported that a draft Visibility Strategy was submitted to the EUD in January 2014, with a second version submitted in November 2014. There remains some confusion whether this has been approved by EUD and NPC, but there seem to have been no steps taken to implement it.

#### *Financial Management:*

The EU funds are kept in three segments: international expenditures kept in Vienna, national expenditures kept with UNDP and local expenditures (a maximum \$60,000 replenishable account) kept by the CONIG.

Forecasting of cash needs is a critical function of the project teams. This should be done in gross terms on an annual and quarterly basis and in detail for the monthly forecast. This process requires a detailed breakdown of the procurement plans.

The local account level to be transferred monthly from Vienna is determined through a consolidation of monthly cash forecasting exercises conducted by each project. Replenishments are allowed when the level gets to \$10,000, however this can be speeded up if the needed volume is higher than the maximum allowed to be held in the account.

The UNODC financial accounting system is divided into two parts. A Field Office Management Ledger is maintained by CONIG while the primary accounting system is maintained by Vienna. The only official financial expenditure reports are issued by UNODC/V.

The entire UNO Secretariat will shift to a common financial accounting system in the second half of October 2015 with the system required to be operational by 1 November 2015. This will eliminate the distinction between the Field Office and Headquarters systems. However, all official financial statement will still be issued by UNODC/V.

In the past, financial reports were prepared for submission to EUD by UNODC/V without providing detailed expenditure categories to CONIG. This has been rectified in the most recent report submitted in May 2015.

Further, disagreement between EUD and UNODC on what constituted an appropriate financial reporting format, particularly involving the definition of ‘legally committed obligations’, coupled with claims by EUD of inaccurate recording of expenditures, resulted in a substantial delay in the release of the second tranche payment. This seriously undermined the ability of the UNODC to continue project implementation, as it could not substantiate to the satisfaction of the EUD that more than 70% of the initial tranche had actually been utilized. The UNODC took a long time before agreeing to modify its reporting templates to distinguish between committed and legally committed expenditures.

Regardless of the cash flow problem, the Anti-Corruption project had only been able to spend about 10% of its total project budget as of December 2014.

#### **Major Findings**

The lack of rigor among the project staff, combined with the lengthy operational processes of UNDP and UNOV, has led to numerous cases of delayed local procurements and payments. The complicated procurement procedures in Vienna, particularly regarding whether the National Bureau of Statistics could be offered a sole-source contract, played a major role in the failure to conclude any surveys over the past two years. Also, the cash flow problem resulting from the disagreement with EUD over what constituted legal

obligations allegedly played a role, particularly in the anti-corruption survey. Improvements in the UNOV procurement processes have been reported, which may speed international procurements now that the second tranche funding is available.

The UNODC seems not to be able to press the UNDP business office to speed their processing of UNODC transactions. The utilization of the DA may help by reducing the total number of transactions processed by UNDP. In addition, CONIG, through its DA, can also directly avail of some of the Long Term Agreements that the UNCT has established for all UN agencies with various vendors for hotels, printing, supplies etc. However, the lack of a signed Service Level Agreement limits CONIG ability to hold UNDP to agreed timelines for the services that it provides directly to UNODC.

Finance Officers associated with the projects have frequently submitted payment requests late and incomplete. Rather than submit each request when it has been processed, the FO holds the requests and submits them in batches. This leads to complications with the CONIG cash system because submission of many requisitions at once can throw the imprest balance into a negative state, which is not allowed. This can also make the replenishment requisitions out of sync with demand. This requires a level of rigor that has not been easily obtainable among the project staff, partly because the project finance officers report to the PC rather than the Senior FO. The structural adjustments in personnel reporting responsibilities of the project financial and administrative staff may help to improve this situation.

The EUD has repeatedly stated that reports from CONIG are activity based and, thus, not in line with the results-based reporting requirements of the FAFA. The UNODC has stated that an appropriate M&E system is in place with the annual and semi-annual reports of all three projects and documented in its program operations manual, which includes an electronic system for programming results. From the perspective of an evaluator, if the principal continues to state that reports are not substantively complete, then it should be incumbent upon the implementing agent to ascertain what could be done to quickly and appropriately to rectify the situation.

The financial reporting system of the UNODC is heavily oriented towards compliance with UN accounting standards. There is no evidence in the project financial reports prepared by UNODC/V of any analysis of expenditure using basic project management parameters. The approach appears to be a straight forward accounting of expenditure leading to a justification of a subsequent tranche payment from the EUD. The lack of calculations on the work, cost, time versus output ratios at the sub-project level, a mainstay of modern, professional project management, seriously reduces the ability of the project managers, EUD or the evaluators to assess the efficiency of budget utilization for achieving results<sup>23</sup>.

The mismatch between expenditures on personnel versus other budget line items indicates a number of project management issues. One has been the seriously slow international procurement process required to sub-contract firms/agencies to carry out activities, such as CSO grants or large-scale surveys, that UNODC apparently does not have the in-house capability to perform directly. The failure to carry out these surveys and to get civil society activated to work together with government represents a serious flaw in the UNODC capacity to deliver as expected. Closer attention will need to be paid to ensure that all aspects of each of the projects are moving ahead in a synchronized manner.

## 5.4 Institutional Context

The production and delivery of project services is strongly influenced by the political economy framework within which the work is being performed.

### Evidence

One of the earliest case studies in DFID's Drivers of Change political economy analysis series was undertaken in Nigeria. The document<sup>24</sup> makes the following four arguments:

<sup>23</sup> See Annex 5 C Project Management Standards

<sup>24</sup> See Annex 5 B Programme Design

- Although the transition to civilian governance had been (as of 2003) a significant improvement over military rule, it had not achieved the progress towards pro-poor change that had been anticipated.
- Focusing on 'Champions of Change' had not driven reform partly because the actions of individuals and organizations are seriously constrained by Nigeria's pre-existing structural environment. The structural environment is heavily reinforced by unearned income from oil, reducing the power that can be wielded by reform oriented actors.
- Thus, the assumption that the inability of individual and organizational actors to achieve reform is a result of weak capacity is not well founded as it is the institutional framework within which these actors must operate that determines their ability to foster change. (A good example in the EU projects is the fact that the anti-corruption policy, created in 2009, was never formalized.)
- The report acknowledges that focusing key organizations has a value, while recognizing that building internal capacity may not be the most effective approach to doing so. The ICPC is among those mentioned as an example.

### Major Findings

- However, this DFID document, produced in 2004, does not appear to have been referenced during the project design process. In fact, the Drugs project document prepared by UNODC for its internal approval process states that: "The resolution of underlying problems that engenders the violence requires a better understanding and awareness of root causes and drivers." In fact, the core arguments in DFID's analysis would appear to suggest that while the capacity building path taken by these projects may have had some useful aspects, they were not aimed at the root causes of the problems.
- In addition, the institutional arrangement for project implementation, described above under Legal Authorities, set up a confusing array of principal/agent relationships that fostered the creation a moral hazard whereby UNODC was incentivized to take on a larger programme management responsibility than it seemingly could handle in Nigeria, whereas the FGN was not sufficiently incentivized to take full ownership of the programme.

## 6 Lessons Learned<sup>25</sup>

### ***1 The FAFA has had the unintended consequence of intensifying the principal/agent challenge in development projects***

All development suffers from a confusion over what set of incentives will actually influence the behaviour of an agent. In the projects reviewed here, the FAFA appears to have compounded this problem for several reasons. First, the incentives inherent to the EU and its internal agents, its staff and consultants, influence the ways in which a project is designed, with an emphasis placed, first, on committing money (see lessons 2) and, secondly, on spending that money. Second, despite substantial technical resources existing within the EU system, the FAFA is used to transfer EU resources to an external agent, often a UN agency, to implement a project using its own systems. While a private sector agent would be driven primarily by incentives to deliver what the principal is asking for, and profit from that delivery, United Nations agencies have their own set of internal principal/agent dynamics. With the case of UNODC, the organization is responsible to two separate Commissions, with their own sets of incentives, important among which is preservation and growth. The behaviour of the UNODC and its staff is also heavily influenced by the incentives generated by the rules and regulations created by the United Nations Secretariat. In addition, as has been seen in the rapid flow-through of national and international staff, an important incentive for individual agents is to use the EU-funded experience at UNODC as a base for obtaining a better job in elsewhere. While aimed at easing the EU's programme management burden, the FAFA is seen by the evaluators as having the potential for creating a moral hazard whereby a UN agency is incentivised to take

<sup>25</sup> See Annex 5 B Programme Design

on more responsibility than it can effectively handle. In its revised 2014 guidance on project implementation modalities, the EU appears to have also recognized this dilemma.

## ***2 Projects that are designed to around international norms are often out of sync with the reality of local problems.***

The design processes of the three EU governance projects reviewed under this assignment were all dominated by external advisors and guidance from EUD (such as the pre-selection of UNODC to be the implementing agent in some cases). The designs concentrate large amounts of money, particularly for a middle income country, to be spent on training, equipment, provision of advice and preparation of plans and strategies aimed at building individual and organizational capacity in a short period of time. Consultations were held with potential beneficiary organizations, but apparently assessment of skill levels and absorptive capacity were not carefully conducted. In addition, seemingly no in-depth political economy analysis of the root causes of the corruption, justice or drugs dilemma were carried out. In fact, the project designs actually run counter to several of the findings of a political economy analysis carried out by DFID five years earlier, arguing that working on individual and organizational capacity building would not address the core problems of governance in Nigeria.

Considering the analyses of the technical evaluation teams, particularly those of Justice and Drugs, the establishment of an academy or series of academies may have proven to have been a better focus of an EU capacity building intervention rather than expecting temporary projects to fill that long-term role. In that way, one project could have been set up to build or upgrade internal training capacities while thematic projects could have focused on the utilization of such capacity in the resolution of specific problems identified by the partner organizations themselves, leading ultimately to the drafting and implementation of evidence-based policies that are fully owned by the government.

## ***3 Classifying the FGN as a beneficiary in the FA reduces the government's incentive (and ability) to seriously engage in solving its own problems, and would appear to run counter to Paris and Cotonou principles on aid effectiveness***

Donor/beneficiary relationships assume no conditionalities of performance. Beneficiaries consider themselves lucky to have to been singled out to receive some good that they may want to have. That good may not actually be something the beneficiary needs to solve its core problem, but it may be useful for other purposes. However, this relationship reduces the role of the government (or even an NGO) to that of a recipient, not a partner. As a partner, you need to define your own problem and, if necessary, you need to engage with international donors who can act as a catalyst in providing some external knowledge that you need in order to find your own solutions, and you need to use your own budget to implement that solution to the satisfaction of your citizens. Policies are exhortations, plans are menus, neither are solutions.

## ***4 The inclusion of financing for tangible assets undermines a focus on systemic problem solving in governance reform***

This lesson comes from three realizations. First, Nigeria is a middle-income country. In 2014, it passed South Africa as the largest economy in Africa. According to the 2008 EU CSP international assistance amounts to 1% of the national government budget. Nigeria has the resources to purchase its own vehicles, computers and other equipment, if these are national priorities. Paying for such goods reduces the need for the Government to make difficult budget decisions, allowing the international community to fill in any gaps they wish. Second, particularly when there are no conditionalities on progress included in the agreement, the inclusion of tangible goods in a project, in the form of computers, vehicles or other assets, often leads to a dispute over why funds are being spent on advisers and their work (potential long-term benefits) when it could be spent on equipment that has immediate benefits (see lesson 3). Three, the provision of such inputs in connection with a governance reform intervention does nothing to solve the underlying development problem, but it can make the beneficiary look like it is more capable. This is the core of the Samaritan's Dilemma in development that increasingly plagues institutional reform efforts by increasing donor dependency without generating performance improvement.

## 7 Recommendations

The evidence and major findings noted above were analysed to produce the following table of Key Issues and Recommendations. The process involved the use of the Balanced Scorecard Approach for public sector organizations to synthesize the evaluation team's understanding of the factors that influence the operations of UNODC and the current potentials for improvement. Four key aspects of a Balanced Scorecard Approach for public sector are used as the major grouping for the issues and recommendations below. These perspectives have been viewed as critical to a public organization's capacity to deliver on its mandate in accordance with the expectations of its principal clients.

**Table 8: Organisational and functional issues and recommendations**

Organizational and Functional Issues and Recommendations	
Key Issues	Recommendations
<b>Mission Perspective</b>	
Do the initiatives undertaken by UNODC bring about the expected results?	
<ul style="list-style-type: none"> <li>▪ The three projects match closely with the mission and vision of UNODC</li> <li>▪ Professional capacity is available in Vienna in all major areas covered by the projects</li> <li>▪ This expertise has been underutilized to date</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNODC HQ needs to play a far more direct role in providing technical advisory services to the project partners</li> <li>▪ Budget for technical consultants should be expanded, however this may need to be balanced with a reduction in non-expendable assets procurement</li> </ul>
<ul style="list-style-type: none"> <li>▪ The current process for the preparation of project revision riders has been led by UNODC/V and seemingly has not involved national partners in a meaningful way</li> </ul>	<ul style="list-style-type: none"> <li>▪ The EUD should work through the NPC to facilitate open dialogue with the new government to determine the best approach to be taken in modifying these projects to match current political realities</li> <li>▪ Following this, the MTE should be viewed as just one of many inputs to the project revision process</li> </ul>
<b>Client Perspective</b>	
How is the performance of CONIG perceived by the key stakeholders/beneficiaries associated with the three governance projects?	
<ul style="list-style-type: none"> <li>▪ Relationship with EU reached a low point in late 2014</li> <li>▪ Serious efforts were initiated at the beginning of 2015 by UNODC/V to address key issues, but the EUD has not seen this as a meaningfully sustained effort</li> <li>▪ NPC has not noticed any improvement in communication or engagement</li> <li>▪ The validation assessment found that UNODC purchased equipment given to project beneficiaries failed to carry the EU logo.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Existing communication, engagement and visibility obligations need to be revisited immediately by EU, NPC and UNODC to remove any confusion regarding the roles and functions of each agency</li> <li>▪ Procedures, compliance standards and templates thus agreed must remain in effect until formally revised and would not be modified following a change of personnel in any of the partner agencies</li> <li>▪ The UNODC visibility strategy needs to be implemented</li> <li>▪ Re-assess budget lines for non-expendable equipment in order to reduce demand for inputs that should be funded by the host government as a part of its normal budget process</li> </ul>
<ul style="list-style-type: none"> <li>• ONAO evaluation indicated EUD needs to improve its administration of CA</li> </ul>	<ul style="list-style-type: none"> <li>▪ Any decision on an extension of the Anti-Corruption project should be held until the end of 2015 with clear conditionalities of performance required for continued release of funds.</li> </ul>

<ul style="list-style-type: none"> <li>▪ Many comments from FGN questioning the utility of repeated short trainings that do not appear to have a sustainable impact</li> <li>▪ Skills training for in-service capacity development has long been seen as a suboptimal to action orient problem solving scenarios for adults</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNODC needs to move away from a heavy dependence on classroom trainings and develop practical adult learning-oriented capacity building interventions, with strong orientation to problem/solution identification processes undertaken by national entities themselves</li> <li>▪ Focusing on building problem-solving scenarios that are centred on issues identified by participating organizations will facilitate both sides to learn what interventions are really needed to improve organizational effectiveness</li> </ul>
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**Business Processes**  
 What processes does CONIG need to excel at in order for stakeholders/beneficiaries to fully appreciate their performance?

<ul style="list-style-type: none"> <li>▪ Project implementation teams have technical capacity but have limited management capacity to deliver</li> <li>▪ Program support teams have the requisite technical skills to process project transactions, but are burdened by limited delegation of authority, poor project planning and management and inability to manage UNDP services efficiently</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implement office structural changes for existing staff while awaiting EUD approval for adding new staff</li> <li>▪ Sign a standard Service level Agreement with UNDP by 1 October with provision for amendments if gaps in service occur</li> </ul>
<ul style="list-style-type: none"> <li>▪ Work planning has been slow and incomplete</li> </ul>	<ul style="list-style-type: none"> <li>▪ Zero tolerance for incomplete or inaccurate work plans is needed.</li> <li>▪ The 2016 work planning exercise must begin with partners no later than 1 October and be completely costed prior to 15 December</li> </ul>
<ul style="list-style-type: none"> <li>▪ Speed of Procurement has been a major drag on the project, undermining delivery rates, relations with partners and morale of staff</li> </ul>	<ul style="list-style-type: none"> <li>▪ Use of Delegated Authority by the PM should be improved with the creation of additional LTAs, perhaps in association with UNDP and other members of UNCT, for small, repeated procurement with strict compliance with UN rules</li> <li>▪ Restructure the country office to eliminate conflicts of interests and create a procurement function within operations</li> <li>▪ All PC must submit procurement requests that are complete and timely in accord with SOP established by PM—zero tolerance needs to be put into effect to end demand for ‘waivers’</li> <li>▪ Major procurement plans for all projects to be completed not later than 1 February 2016, revisions only allowed with approval of PM on a quarterly basis</li> </ul>
<ul style="list-style-type: none"> <li>▪ There has been no formal Monitoring of progress towards project outputs or outcomes. Most reports are activity based.</li> <li>▪ There are no monitoring frameworks for the three projects and this makes monitoring impossible</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNODC/V should use Nigeria as an early implementer of its new global M&amp;E and quality assurance systems or work with EU to deploy the EU ROM system with the Nigerian projects</li> <li>▪ Riders for modification of current project designs should be results based and hence make results based monitoring frameworks an integral part of design and management</li> <li>▪ Project narrative reports should be written using a results perspective and, beginning in 2016, should be required</li> </ul>

	<p>on a quarterly basis. Third party professional should be used to validate findings<sup>26</sup>.</p> <ul style="list-style-type: none"> <li>▪ EU, NPC and UNODC must agree on dates for PMC and CEF meetings at start of 2016. The next CEF meeting should be held shortly after approval of the MTE report.</li> <li>▪ The M&amp;E resources under the direct control of the EUD should be used to immediately engage a firm to design and implement a continuous impact evaluation process to provide unambiguous assessments on the utility of the projects' interventions, particularly training, towards building the effectiveness of the recipient organizations<sup>27</sup></li> </ul>
<ul style="list-style-type: none"> <li>▪ Reporting errors and delays have affected program efficiency and delayed release of subsequent tranche payments</li> </ul>	<ul style="list-style-type: none"> <li>▪ Restructure UNODC so all finance and administrative personnel involved in processing financial transactions come under the supervision of the Programme Support Team rather than the Project Coordinators</li> <li>▪ PM review of combined financial reports from Vienna should reduce errors and delays</li> <li>▪ Deployment of unified FMS on 1 Nov will further help to reduce errors and speed report generation</li> <li>▪ Continued acceptance of legal obligations as a part of the 70% expenditure level will be critical to maintaining an appropriate match between expenditure of fixed and variable costs</li> <li>▪ Shift the payment of the 7% Programme Support Costs to a quarterly basis to incentivize speedier implementation and better reporting, supported by FAFA para 2.5 and 4.1</li> </ul>
<p>Per diem payments are slow leading participants to refuse invitations to UNODC events</p> <ul style="list-style-type: none"> <li>▪ Vendor payments are slow leading firms to refuse to work with UNODC</li> </ul>	<ul style="list-style-type: none"> <li>▪ Enforce strict guidelines on who will be paid to attend workshops. These need to be approved by EUD and NPC.</li> <li>▪ Waiver for exemption from FGN 'cashless' rule needs to be sought by NPC to facilitate speedy workshop per diem payments</li> <li>▪ Develop a checklist to be reviewed by Operations Chief to ensure all documents are provided to UNDP in a complete and timely manner</li> <li>▪ PC must take cognizance of uncleared advances and immediately clear all backlogged payments</li> </ul>
<ul style="list-style-type: none"> <li>▪ HRM: Staff recruitment and retention, both national and international have been a drag on program quality</li> <li>▪ Hiring international staff as organizational employees facilitates their ease of movement to other organizations</li> </ul>	<ul style="list-style-type: none"> <li>▪ Make greater use of UN international roster for recruitment</li> <li>▪ Create a local roster for managerial and technical specialities that can be sourced p/t from Nigerian entities</li> <li>▪ EU needs to recognize the competition for qualified Nigerian and international staff, allowance for upgrade in post levels should be considered</li> <li>▪ UNODC needs to consider the use, or to create, project posts of limited duration to speed recruitment processing and to ensure International staff are treated the same as national staff. Such project posts could possibly be compensated by providing housing costs, as is the case with the J4A project.</li> </ul>
<p><b>Organizational Learning</b></p> <p>How can CONIG continue to improve its performance and create lasting value for beneficiaries?</p>	
<ul style="list-style-type: none"> <li>▪ No clear orientation towards sustainable</li> </ul>	<ul style="list-style-type: none"> <li>▪ The UNODC/V needs to place greater attention on the</li> </ul>

<sup>26</sup> See Annex 5 E Reporting as Accountability

<sup>27</sup> See Annex 5 D Training Impact

<p>development approach has been observed to date</p>	<p>operations in Nigeria by focusing on speeding recruitment, and procurement<sup>28</sup> improving working relations with UNDP, upgrading staff competence in project management fundamentals &amp; enhancing staff morale so their work output improves</p> <ul style="list-style-type: none"> <li>▪ Project staff should be guided to better understand the UN rules and regulations as well as appreciate the need procedures that govern financial and procurement requirements.</li> <li>▪ Introduce modern project management training to upgrade knowledge of principles and standards. An option is PRINCE2, the standard project management system for UK, Netherlands and other EU member states and for the UNDP. Instruction is offered in Abuja for basic certification. The logframe, when used properly remaining remains a viable tool for project design, but is an outmoded tool for use in project management.</li> <li>▪ UNODC should deliver a professional knowledge practice designed to facilitate the stipulations in the CA for sustainable development</li> </ul>
<ul style="list-style-type: none"> <li>▪ Assessments of Vienna provided management training utility have not been seen</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal training evaluations need to be carried out immediately at the end of activity and at regular intervals to ascertain impact</li> </ul>
<ul style="list-style-type: none"> <li>▪ The understanding of the institutional and political economy context of governance in Nigeria is limited</li> <li>▪ Understanding of effective approaches to institutional reform interventions is weak...strong orientation to skills/awareness training</li> </ul>	<ul style="list-style-type: none"> <li>▪ Support mix of Nigerian and international academics to produce an analysis of the political economy of drugs, corruption and justice, best to be done as a follow on to the national A/C survey, unless this will be further delayed</li> <li>▪ Seek advice from knowledgeable development analysts on modern approaches to sustainable institutional reform, examples provided in Annex 6 Organizational Notes</li> </ul>

<sup>28</sup> See Annex 6 A Email document evidence

## 8 Conclusions

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### 8.1 Conclusions with meaning for future programming

1- The EU did not undertake due diligence in the design and management of these projects, on four counts. First, the EU did not rigorously apply the Paris and Cotonou principles on aid effectiveness. Second, the EU did not fully take into consideration the deeper root causes of governance constraints in Nigeria. Third, the EU designed these large-scale capacity development projects without, apparently, being fully cognizant of the existing low skill level and limited absorptive capacity in the partner organizations and the governance and financial complexities of the implementing agent. Fourth, the EU allowed the projects to move ahead to spend money for over two years without having an objective, results-oriented monitoring and evaluation system in place. These gaps have been major contributing factors in the limited progress to date.

2- A locally owned design would have required a far higher level of involvement of the FGN, a seemingly difficult proposition. Equally, in any democracy, particularly one involving a maturing political arrangement like Nigeria's, continuous commitment is never a foregone conclusion no matter how committed the government may be at the time of design. Nevertheless, any effort that shifts the role of a government from beneficiary to leading partner creates a greater opportunity for sustainable reforms that enhance the effectiveness of all the partners involved. This is particularly the case when a government is held accountable for progress and is required to finance meaningful aspects of a joint project from its own budget.

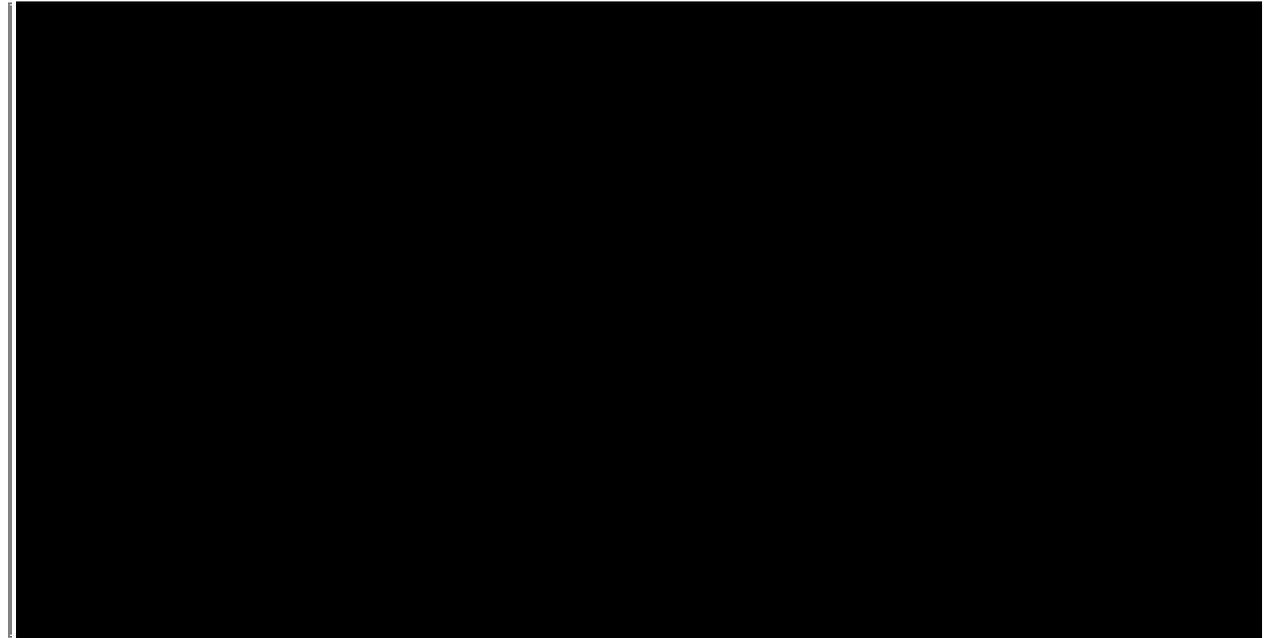
### 8.2 Conclusions with direct impact

3- Regardless of any design flaws, the UNODC implementation of the three projects has not matched EUD or FGN expectations. One reason for this may be that the UNODC has not been sufficiently incentivised by the FAFA or CA to perform at a professionally acceptable level. As a result, the UNODC has not shown an appropriate sense of urgency in rectifying the short-comings noted in regular communications over the past two years from the EUD.

4- The evaluation team concludes that, beginning in 2016, results-based narrative and financial reports are provided by UNODC to the EUD on a quarterly basis to facilitate more timely scrutiny of progress and analysis of evidence for decision making purposes. UNODC says they already prepare internal quarterly and semi-annual reports, so this would not impose an extra burden on their systems. If progress proves sufficient, the reporting requirement could be relaxed to a semi-annual reporting after the first year. Combined with this, however, would be the firm requirement that, beginning with the third tranche payment, as per FAFA para 4.1 the UNODC would access the 7% Programme Support Costs fee based on approved quarterly narrative and expenditure reports.

5- A decision for an extension beyond the current lifespan of the project should not be taken until late 2015 at the very earliest for three reasons. First, by that time, EU will have a better sense of the direction and priorities of the new Government. Second, it will also need an opportunity to assess the ability of UNODC to improve its management capacity. Third, if it takes up the recommendation to introduce a long-term evaluation of capacity building impact immediately, it will have some real data to use when finalizing the extension to ensure improvement in organizational functionality results from future capacity building efforts.

**6-** However, if at all possible, the best option would be for a new FA to be prepared so that the FGN can take greater ownership of the project and its operations, perhaps using UNODC as a technical assistance provider. This conclusion draws from two sources. First, that UNODC has access to global expert technical assistance, but has struggled to provide professional level project management support. Second, that the NAO has expressed a strong desire to take greater ownership of the programme to ensure “its own systems can be built to carry on after any project”. Therefore, the extension should be crafted such that resources would be available after the original end date of the project if and only if the FGN has an approved national anti-corruption policy that has been taken to an implementation stage, with the necessary budget for nation-wide implementation. Subsequent resource tranches would only be released upon the progressive achievement of a mutually agreed sequence of conditionalities.



### Annex 3: Terms of Reference

#### SPECIFIC TERMS OF REFERENCE MID-TERM EVALUTION OF THE PROJECTS:

"Response to Drugs and Related Organized Crime in Nigeria" (FED/2011/022-512) "European Union Support to the Justice Sector" (FED/2011/021-747)  
"Support to Anti-Corruption in Nigeria" (FED/2011/022-161)

FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs EuropeAid/132633/C/SER/multi

#### BACKGROUND

In 2012, the European Union (EU) and the Federal Government of Nigeria signed three Financing Agreements to implement the projects "Response to Drugs and Related Organized Crime in Nigeria", "European Union Support to the Justice Sector" and "Support to Anti- Corruption in Nigeria", with a total EU contribution of EUR 98,000,000 to be funded under the 10<sup>th</sup> European Development Fund (10<sup>th</sup> EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the projects, given its specific mandate and expertise on the subject matters. Contribution Agreements between EU and UNODC were subsequently signed to guide the implementation of the projects.

The projects, while different in focus, aim at assisting the Nigerian government in advancing policy development, building capacity of selected national stakeholders and improving coordination within the respective sectors. Ultimately the projects aim to promote better governance, strengthen rule of law and advance citizen security and public health, responding as such to the objectives of the Focal Sector 1 "Peace and Security" and Focal Sector 2 "Governance and Human Rights" of the European Union's Country Strategy Paper and National Indicative Programme 2008-2013 for Nigeria, which guides the implementation of the 10<sup>th</sup> EDF. Detailed descriptions on each project can be found in Annex 1 "Specific Terms of Reference".

As provided for by the respective Contribution Agreements, a mid-term evaluation will now be conducted to provide the EU Delegation to Nigeria and ECOWAS, National Authorising Officer (Nigeria), UNODC and other implementing partners and beneficiaries with an assessment of the projects' performance and recommendations on how to improve the interventions to achieve expected goals and outcomes, taking into account problems and opportunities.

A joint mid-term evaluation was deemed as appropriate given, on the one hand, the obvious synergies between three projects which share key overall goals and which are implemented by the same UN agency. On the other hand, the projects are supported by the same organisational structure, with the cost for the programme support team located in UNODC Country Office in Nigeria and UNODC Headquarters in Vienna being equally shared between the three projects.

The mid-term evaluation will be complementary to, and take into account the findings and recommendations of, the Verification Mission which is currently being carried out to assess the systems of financial accountability put in place by UNODC for the three projects.

Beneficiaries of this evaluation are the National Authorising Officer (Nigeria), the UNODC and the EU Delegation to Nigeria and ECOWAS.

## DESCRIPTION OF THE ASSIGNMENT

### Global objective

The mid-term evaluation will provide the EU and other partners with an assessment of the projects' performance and recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account problems and opportunities.

### Specific objective(s)

To evaluate the relevance, efficiency, effectiveness, sustainability and impact of the projects:

"Response to Drugs and Related Organized Crime in Nigeria" (FED/2013/023-123);

"EU Support to the Justice Sector" (FED/2012/308-728)

"Support to Anti-Corruption in Nigeria" (FED/2012/306-220).

The evaluation will be carried out in accordance with the specific terms of reference for each project (Annex 2), and with a specific focus on providing recommendations on how to improve performance in the final stage of implementation.

To assess the effectiveness of the organisational structures and programme support functions in place to reach the three projects' objectives, and offer recommendations for any improvement.

This should include structures, internal implementation procedures, capacity and skills, internal mechanisms for coordination, and allocation of staffing, reporting relations, tools, and procedures, etc., in the UNODC Country Office in Nigeria and UNODC Headquarters in Vienna.

### Requested services

The evaluation of the three projects and of the projects' organisational structures and programme support functions will be carried out simultaneously by a team composed of four sub-teams with two experts each – one team per project and one team for the organisational structures and programme support functions. The tasks will be fully coordinated by the contractor and team leader for the overall assignment, who will also ensure coherence of findings and recommendations in the reports for the different projects.

The entire team will participate in the inception briefing and de-briefing meetings that will be held in the EU Delegation in Abuja, Nigeria, at the start and end of the field mission.

The evaluation team will work in close cooperation with the UNODC, implementing partners (UNDP/UNICEF), the National Authorising Officer (National Planning Commission), national beneficiaries and other stakeholders to address the specific objectives stated above, as well as the challenges experienced and lessons learned in the implementation of the project. Other stakeholders will include Civil Society Organisations and development partners. The consultants are expected to carry out briefings and debriefings with key stakeholders and submit a report to the EU Delegation.

Consultants will familiarise themselves with all relevant documentation from the project, the respective EU Financing Agreements with the Nigerian Government and Contribution Agreements with UNODC, including identification/formulation studies, project reports, workplans, as well as other available reports of stakeholders related to the project. Relevant findings and recommendations of previous evaluations on any of the projects and the currently conducted Verification Mission of the projects will also be taken into account.

Consultants will review all the relevant project documents and arrange individual meetings with stakeholders, including in focal states under any of the projects. A proposed methodology must be submitted in support of the expression of interest.

#### Required outputs

The expected results of the evaluation include the following aspects:

For each of the three projects: an evaluation report which critically analyses and assesses the relevance, effectiveness, efficiency, means and costs involved, and sustainability so far in the implementation of the project.

Each report will consist of two parts, the first covering specific objective 1 and the second specific objective 2. The findings and recommendations of the second section are expected to be the same for all three reports, while allowing for any project specific variations.

An in-depth analysis of the problems & recommendations to improve the implementation of the three projects. Each problem identified will lead to a corresponding recommendation.

If relevant, propose concrete modifications in the design and log frame for any of the projects, including proposals on expected outcomes, activities and indicators.

#### Language of the Specific Contract

English.

Subcontracting (to be foreseen or not)

No subcontracting possible.

#### EXPERTS PROFILE

##### Team 1 – UNODC Organisational Structures and Programme Support Functions (and Team Leader)

Number of requested experts per category and number of days per expert or per category

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 13 working days in Nigeria and 2 working days in Vienna.

Profile per expert or expertise required:

Expert 1, Organisational Development Specialist; Evaluation Team Leader (Category I)

Minimum required skills:

Candidate should have:

At least a Master Degree (Academic level) in Management, Business Administration Project and Programme Management, Finance Management, Public Administration, Political Science, Law or relevant, directly related discipline, or equivalent;

Experience in monitoring and evaluation of large development projects in complex political environments;

Minimum 12 years of professional experience with organisational and institutional development and efficiency, and project/programme management preferably in a UN environment; and/or implementation of activities at international level (worked in at least two countries) some of which should have been acquired in a developing country.

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Preferred required skills for this assignment:

Experience in leading missions for project evaluations.

Experience with capacity development projects as per guidance provided by the "EU backbone strategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"

([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding good governance and rule of law

Familiarity with contractual and tender procedures in United Nations Environment;

Minimum of 3 years' experience with EDF programming procedures will be an asset;

Proven field research and report writing skills;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;

Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

Expert 2, Organisational Development Specialist (Category II)

Minimum required skills:

Candidate should have:

A University Degree (Academic level) in Public Administration, Business Administration, Law, Political Science, Development Cooperation or relevant, directly related discipline, or equivalent;

Professional experience in monitoring and evaluation of development projects in developing countries;

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Minimum 6 years of experience with organisational and institutional development and efficiency, preferably in an UN environment;

Preferred required skills for this assignment:

Experience in Sub-Saharan Africa;

Experience with capacity development projects as per guidance provided by the "EU backbone strategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"

([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Proven field research and report writing skills;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;

Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;  
IT literate, very good data-processing knowledge, and of office automation software;  
Experience in communication, negotiation and dialogue at high level;

At least two references including phone number and email address shall be supplied for the proposed experts.

### Team 2 – Evaluation "Response to Drugs and Related Organized Crime in Nigeria"

Number of requested experts per category and number of man-days per expert or per category

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 15 working days in Nigeria.

Profile per expert or expertise required:

Expert 1, Drugs and Organised Crime Team Leader (Category 1)

#### Minimum required skills:

Candidate should have:

At least a Master Degree (Academic level) in Public Health, Law, Political Science, Development Cooperation or relevant, directly related discipline, or equivalent;

Experience in monitoring and evaluation of large development project in complex political environments;

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Minimum 12 years of professional experience as programme manager/expert in the fight against drugs and related crime sector, or equivalent; and/or implementation of activities at international level (worked in at least two countries) some of which should have been acquired in a developing country.

Minimum 7 years of professional experience in leading missions for project evaluations

#### Preferred skills:

Minimum of 3 years' experience with EDF programming procedures will be an asset;

Experience with capacity development projects as per guidance provided by the "EU backbone strategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"

([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding fight against drugs and related crime sector reform, especially with regards to legal aspects and law enforcement;

Proven field research and report writing skills;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;

Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

Expert 2 – Drugs/Organised Crime/Public Health Specialist (Category 2)

#### Minimum required skills:

Candidate should have:

A University Degree in Public Health, Law, Political Science, Development Cooperation or relevant, directly related discipline, or equivalent;

Experience in project management and evaluation of development projects in developing countries;

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Preferred skills:

Minimum 6 years of professional experience as programme manager/expert in Drugs and/or Crime Prevention, Health and Social Protection related sectors, or equivalent;

Experience with capacity development projects as per guidance provided by the "EU backbone strategy"

([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective"

([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding drug related health and social sector reforms;

Highly developed interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

At least two references including phone number and email address shall be supplied for the proposed experts.

Team 3 – Evaluation "Support to Anti-Corruption in Nigeria"

Number of requested experts per category and number of man-days per expert or per category

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 15 working days in Nigeria.

Profile per expert or expertise required:

Expert 1 – Anti-corruption Team Leader (Category I)

Minimum Required Skills:

Candidate should have:

At least a Master's Degree in law, political/social sciences or related field.

At least 10 years Experience in monitoring and evaluation of large development projects in complex political environments.

Minimum 12 years professional experience in monitoring anti-corruption related projects and/or implementation of activities at international level (worked in at least two countries) some of which should have been acquired in a developing country.

Minimum 7 years experience in at least in three of the following anti-corruption areas: law enforcement, prosecution, prevention, reform and procurement and with specific expertise in designing technical assistance, capacity development and training programs.

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

Preferred skills:

Candidate should have:

Minimum 7 years of professional experience in leading missions for project evaluations

Minimum of 3 years experience with EDF programming procedures will be an asset;

Knowledge of anti-corruption legislation, policies and strategies;

Expertise in problem analysis, stakeholders' analysis and preparation of Log frames;

Knowledge/Experience in Nigeria and/or West Africa or similar countries is an advantage

Full working knowledge of English, as well as excellent field research report writing and communication skills.

## Expert 2 – Anti-Corruption Expert (Category II)

### Minimum Required Skills:

University degree in Law, Political Science, or other related social science disciplines.

Experience in project management and/or evaluation of development project in developing countries.

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

At least 6 years of anti-corruption professional experience at international level, some of which should have been acquired in a developing country;

Minimum of 6 years experience in participatory planning and management of large anti-corruption projects in complex political environments, including specific working experience in law enforcement, dealing with anti-corruption cases;

### Preferred skills:

Minimum of 5 years' experience in project management and/or evaluation of development project in developing countries

Experience with working with civil society groups is an asset;

Experience in donors-government co-ordination and strategic understanding to ensure overall coordination of the project;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;

Highly developed interpersonal skills to constructively interact with stakeholders at all levels;

Knowledge/Experience in Nigeria and/or West Africa or similar countries is an advantage.

At least two references including phone number and email address shall be supplied for the proposed experts.

## Team 4 – Evaluation "EU Support to Justice Sector"

Number of requested experts per category and number of man-days per expert or per category

One (1) category I expert and one (1) category II expert for a total of 25 working days respectively, inclusive of 15 working days in Nigeria.

Profile per expert or expertise required:

Expert 1, Justice Team Leader

### Minimum required skills:

Candidate should have:

At least a Master Degree (Academic level) in Law, Political Science or a relevant, directly related discipline, or equivalent;

Experience in monitoring and evaluation of large development project in complex political environments;

Professional experience as programme manager/expert in Rule of Law, Justice Sector Reform, or equivalent;

Minimum 12 years of professional experience as programme manager/expert in the Rule of Law, Justice Sector Reform, Police or Prison reform, or equivalent; at international level (worked in at least two countries) some of which should have been acquired in a developing country.

### Preferred required skills for this assignment:

Minimum 7 years of professional experience in leading missions for project evaluations

Minimum of 3 years experience with EDF programming procedures will be an asset;  
Experience with capacity development projects as per guidance provided by the "EU backbonestrategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding justice delivery and justice sector reform;

Creative ability to identify practical solutions to overcome challenges to time-critical projects;

Excellent interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

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Expert 2, Justice Reform Expert

#### Minimum required skills:

Candidate should have:

University Degree (Academic level) in Law, Political Science or a relevant, directly related discipline, or equivalent;

Professional experience as programme manager/expert in the Justice sector, or equivalent;

Effective verbal and written communication skills and ability to write reports in a clear and concise manner in English.

#### Preferred skills:

Experience in Sub-Saharan Africa;

Minimum of 3 years' experience in project management and evaluation of development project in complex political environments;

At least 6 years of professional experience as programme manager/expert in the Rule of Law, Justice Sector Reform, Police or Prison reform, or equivalent;

Experience with capacity development projects as per guidance provided by the "EU backbonestrategy" ([http://ec.europa.eu/development/icenter/repository/backbone\\_strategy\\_technical\\_cooperation\\_en.pdf](http://ec.europa.eu/development/icenter/repository/backbone_strategy_technical_cooperation_en.pdf)) and the "Guidelines on "Making technical cooperation more effective" ([http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines\\_on\\_tc\\_finale\\_en.pdf](http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/documents/guidelines_on_tc_finale_en.pdf)).

Familiarity with international standards and methods regarding justice delivery and justice sector reform;

Highly developed interpersonal skills to relate to counterparts on all levels of hierarchy;

IT literate, very good data-processing knowledge, and of office automation software;

Experience in communication, negotiation and dialogue at high level;

At least two references including phone number and email address shall be supplied for the proposed experts.

#### LOCATION AND DURATION

Starting date: 1 July, 2015

Foreseen finishing date: 19 August, 2015

Location of assignment: Home base of the experts, Abuja, Vienna (team 1 only) Focal States (Justice Project) Nigeria.

#### REPORTING

Content

The structure, format and level of detail of the three final reports will be agreed with the EU Delegation during the briefing at the beginning of the assignment. As a minimum, the final reports must include the following:

- Executive Summary
- Introduction / Background
- Project outline and management
- Objectives
- Methodology
- Analysis
- Findings
- Lessons Learned
- Recommendations
- Relevant Annexes, e.g.
  - List of people interviewed
  - List of acronyms
- Evaluation work plan and TORs
- Key reference documents

The recommendations must be duly justified.

The final reports have to demonstrate a solid understanding of the context, the sector and the methodology of evaluation. The format and structure of the reports shall follow the European Commission standard evaluation reports and address the points as specified in section 2 of the present Terms of Reference.

The assignment shall be completed in close coordination with the United Nations Office on Drugs and Crime (UNODC), and the Delegation of the European Union in Nigeria.

Language

All reports and correspondences have to be issued in English.

Submission and Timing

Upon arrival in Nigeria:

The experts will submit an inception report detailing their methodology and a work- plan with a section addressing specifically each of the three projects (communicated to EU Delegation by email at the latest 24 hours, before the briefing meeting, for further distribution to partners);  
A briefing meeting with the representatives of the NAO (NPC), UNODC, and the EU Delegation, is organised to discuss the inception report, methodology and the work plan.

At the end of the field mission (before departure of the consultants from Nigeria):

An end of mission note incorporating the preliminary conclusions and recommendations (communicated to EU Delegation by email at the latest 24 hours before the de-briefing meeting for further distribution to partners);  
A de-briefing meeting is organised with NAO (NPC), UNODC, and EU Delegation for the presentation of the mission note.

After the field mission:

Maximum 5 working days after departure from Nigeria: submission of the three draft final reports incorporating the conclusions of the de-briefing meeting held at the end of the field mission;

A period of 10 working days is granted to the NAO (NPC), UNODC, and the Delegation to submit their comments on the draft final reports. The comments from all stakeholders will be compiled by the EU

Delegation and submitted in one document for each of the reports to the contractor within one week of reception of the said comments.

The final reports, including executive summaries, have to be submitted at the latest 5 days after receiving the consolidated comments on the draft final reports. The final reports should be submitted in a computerized format (electronic version) and once approved and accepted, hard copies at no extra charge. The reports are to be submitted to the EU Delegation for further dissemination to the other parties.

The date of the postal stamp on the envelope of the hard copies evidences the date of submission. The email submitting the electronic version of the final reports has to be dated before this deadline.

Number of report(s) copies

All reports shall be submitted on the due dates to the following contacts in English, in Word and (if applicable) Excel format (unless otherwise agreed) by email as well as paper (3 copies of each report) to the:

Head of Delegation

Delegation of the European Commission to Nigeria 21<sup>st</sup> Crescent, off Constitution Avenue  
Central Business District Abuja  
E-mail: [REDACTED]

#### INCIDENTALEXPENDITURE

Unless an agreement between the European Commission and the Beneficiary Country outside the Union partially or fully exonerates local taxes levied by the Beneficiary Country, such local taxes upon reimbursable expenditure incurred under the Specific Contract and approved by the Contracting Authority shall be reimbursed in full.

The Framework Contractor (the Contractor) is in charge of any arrangements as concerns supervision of experts, management, output and report production and delivery. A prospective Contractor must make available an appropriate logistical support for the experts, including their travel, visa and accommodation arrangements and other services such internet connection and photocopies, as well as any other equipment that may be necessary for the completion of the assignment. Please note that equipment is excluded from the authorised reimbursable items.

As for reimbursable expenditure, the rules of Framework contracts apply for local travel. Expenditures for international travel (air travel) have to be incorporated in the price breakdown. No workshops are expected to be organised by the expert. The joint meetings will be organised in the premises of the EU Delegation in Abuja.

The sum of 2,500 EUR will be made available for an expenditure verification.

Annex 1: Indicative time schedule

Annex 2: Specific Terms of Reference for Evaluation of project "Response to Drugs and Related Organized Crime in Nigeria; "EU Support to the Justice Sector"; "Support to Anti-Corruption in Nigeria"

Annex 3: Financing Agreements: Response to Drugs and Related Organized Crime in Nigeria (FED/2011/022-512)"EU Support to the Justice Sector" (FED/2011/021-747); "Support to Anti-Corruption in Nigeria (FED/2011/022- 161)

Annex 4: Contribution agreements (UNODC): Response to Drugs and Related Organized Crime in Nigeria (FED/2012/306-744)"EU Support to the Justice Sector" (FED/2012/308-728); "Support to Anti-Corruption in Nigeria (FED/2012/306- 220)

## Annex 1

## INDICATIVE TIME SCHEDULE

1 Number of requested experts per category and number of man-days per expert

	Number	Category	Workdays*
	4	1	25
	4	2	25
Total	8		100+100

\* The workdays are based on a 5 day working week in Nigeria.

Week	Location/Activity	Dates	Number of days
Week 1	Abuja/Lagos/Focal States, Nigeria	01/07/2015 – 07/07/2015	5 days (each)
Weeks 2 & 3	Vienna*/Abuja/Lagos/Focal States, Nigeria	08/07/2015 -21/07/2015	10 days (each)
Week 4	Home based Finalization of draft report and transmit electronically to the EU Delegation	23/07/2015 – 29/07/2015	5 days (each)
Weeks 5 & 6	Consolidation of comments by stakeholders and transmission to consultants	30/07/2015 – 12/08/2015	
Week 7	Home based Finalisation and submission of the final report	13/08/2015 – 19/08/2015	5 days (each)
	Total Number of days		25 days (each)

\*Team 1 will travel to Vienna for two days within this period

Annex 2

**SPECIFIC TERMS OF REFERENCE MID-TERM EVALUTION OF THE PROJECT**

**"Response to Drugs and Related Organized Crime in Nigeria" (FED/2011/022-512)**

**FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs**

**BACKGROUND**

In June 2012, the European Union and the Federal Government of Nigeria signed a Financing Agreement for the amount of EUR 36,000,000 to implement the project "Response to Drugs and Related Organized Crime in Nigeria". Under the agreement, the project is to be implemented from January 1st 2013 until the end of May 2017 with a total EU Contribution of EUR 36,000,000 under the 10<sup>th</sup> European Development Fund (10<sup>th</sup> EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the project, given its specific mandate and expertise to guard and protect United Nations standards and norms in the fight against drugs and organized crime. In December 2012, a Contribution Agreement between EU and UNODC was signed for a total EU contribution of EUR 34,500,000.

The project aims at strengthening the capacity of selected key national stakeholders involved in the fight against drugs and organised crime. The project has been designed to improve the *overall governance of the sector (evidence base tools, legal reform and policy development)* as well as the technical and operational capacities of the main national stakeholders. This will lead to a measurable improvement of their capacity and performance related both to law enforcement and drug demand reduction issues.

Nigerian drug policy is articulated in the National Drug Control Master Plan 2008-2011. Put together under the auspices of the Inter-ministerial Committee on Drug Control (IMCDC), this is the ultimate policy instrument for coordinating drug control measures. Having a committee in place and working with the United Nations Office on Drugs and Crime (UNODC) is a clear strength for the purpose of the project. Besides, there is an urgent need for a revision of the legal framework of the Nigerian Drug Law Enforcement Agency (NDLEA) act to bring it in line with the stipulations of a civilian government, to facilitate international cooperation and to shift the focus from the current rhetoric of 'war on drugs' towards a human security and public health approach.

The project promotes the vision captured in the EU Drug Strategy 2007-2012 to "protect and improve the well-being of society and of the individual, to protect public health, to offer a high level of security for the general public and to take a balanced, integrated approach to the drugs problem' (supply and demand). The project divides into three interlinked components that address (i) the lack of information without which policy cannot become evidence based, and the need for reform of the legal framework; (ii) the lack of technical capacity in key law enforcement agencies through capacity building and; iii) the need for a balanced approach by supporting drug prevention, treatment and care.

**Main activities:**

- National surveys on cannabis cultivation and on drug use.
- Support the Inter-Ministerial Committee on the formulation and implementation of the new National Drug Control Master Plan (2014-2018).
- Capacity-building activities to develop and implement the institutional strategy for NDLEA.
- Training for law enforcement agencies on investigations and intelligence analysis.
- Direct support to NGO working on drug prevention, treatment and care.
- Provision of equipment for centres and training of drug treatment professionals.

While the project has had some notable achievements – including the re-activation of the Inter-ministerial Committee; the formulation of the National Drug Control Master Plan 2015- 2019 by the inter-ministerial committee on drugs; the NDLEA Institutional Assessment and Change Management Programme endorsed by NDLEA; the first National Seminar for Nigeria International Standards on Drug Use Prevention; the finalization of the NDLEA Training Needs Assessment and the development of the training matrix; the completion of the Priority Operational Needs Assessment of Partners and the Training on International Prevention Standards – the project has had a backlog of unprocessed payments to contractors and project participants due to UNODC difficulty in processing payments. Moreover, important surveys have been delayed or postponed.

Performance has further been constrained by issues such as UNODC recruitment difficulties and internal challenges including the limited level of delegation of authority to the UNODC Country Office, as well as other factors relating to project management and support functions.

## DESCRIPTION OF THE ASSIGNMENT

### 2.1. Global objective

The mid-term evaluation will provide the EU and other partners with an assessment of the project's performance of the support provided to the fight against drugs and drug related organised crime and will provide recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account problems and opportunities.

#### Specific objective(s)

In order to meet the global objective, the evaluators are expected to perform the evaluation of the project "Response to Drugs and Related Organized Crime in Nigeria "using the criteria of the European Commission (relevance, efficiency, effectiveness, sustainability and impact) and with a specific focus on providing recommendations on how to improve performance in the final stage of implementation.

#### Relevance of the Project

The evaluator will analyse if the project has correctly identified the problems and that the means are appropriate and adequate;

Determine the extent to which the programme's activities are succeeding in achieving a balanced approach of drug issue so far;

Determine the extent to which the programme's activities have advanced in data collection on cannabis cultivation;

#### Project Design and Implementation

Assess the project design and the logic of the link between the specific objectives and the expected results and indicators;

Assess the relevance of the project's monitoring and evaluation system and mechanisms to measure performance and results;

Make specific recommendations on how to enhance the strategic focus of the project and propose possible priority areas and focal states;

Assess the extent to which the project can support the implementation of the National Drug Control Master Plan and what are the possibilities to finance its implementation at state level. It should also look at the measures the project can take to increase the cost contribution by States to implement the Master Plan.

Determine the feasibility of outcome 3 within the remaining implementation period in order to meet the expected results;

On basis of above propose any revisions to the logframe, including expected outcomes, activities and indicators.

#### Validity of assumptions

Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;

#### Efficiency of Programme Implementation

Assess the subsequent progress in implementation of the programme and its individual components; assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, and allocation of staffing, reporting relations, tools, and procedures;

Assess the number and expertise of project staff in the present Contribution agreement vis-à-vis the technical and administrative project workload and their capacity to implement the project and suggest remedies if needed;

#### Means and Cost

Review the utilisation of the programme's funds and the validity of the resource allocations to each component in light of the Logical Frameworks and programme's planned results;

#### Impact

The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;

#### Alternatives and recommendations

Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f);

Determine if the same effects/impacts could be achieved through different ways, for the same results. The evaluator will examine the viability of alternative activities and implementation approaches and offer recommendations for future programmes as appropriate.

### **SPECIFIC TERMS OF REFERENCE MID-TERM EVALUTION OF THE PROJECT**

**EU SUPPORT TO THE JUSTICE SECTOR IN NIGERIA (FED/2011/021-747)**

**FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs  
EuropeAid/132633/C/SER/multi**

#### **BACKGROUND**

In June 2012, the European Union and the Federal Government of Nigeria signed a Financing Agreement for the amount of EUR 28,000,000 to implement the project "Support to the Justice Sector in Nigeria". Under the agreement, the project is to be implemented from June 2012 until June 2015 with a total EU Contribution of EUR 27,000,000 under the 10<sup>th</sup> European Development Fund (10<sup>th</sup> EDF). The EU and the Government of Nigeria entrusted United Nations Office on Drugs and Crime (UNODC) with the implementation of the project, given its specific mandate and expertise to guard and protect United Nations standards and norms in crime prevention and criminal justice. In December 2012, a Contribution Agreement between EU and UNODC was signed for a total of EUR 26,000,000, with an EU contributing EUR 25,000,000 and UNODC EUR 1,000,000. UNICEF was selected as partner implementing agency, in charge of the outputs concerning child rights and justice administration.

The project supports the efforts of the Government of Nigeria to improve justice delivery and compliance with the rule of law in Nigeria, and specifically to enhance effectiveness, accessibility,

accountability, transparency and fairness of the justice system. The expected outcomes of the project, as defined in the project document are: i) increased coordination and sector policy development within the justice sector; ii) training, research and operational capability of the justice sector developed; and iii) increased access to justice and respect for human rights.

The activities of this project are implemented at the federal level and in 10 focal states, namely Anambra, Bayelsa, Benue, Cross Rivers, FCT, Imo, Katsina, Lagos, Osun and Yobe. Some of the main activities include:

- support for implementation Action Plan for Reform of the Federal Justice Sector (2012-2015) and formulation and implementation of state reform action plans in the focal states;
- strengthen and justice sector coordination structures at federal at state levels;
- support for development of key justice related policies and legislation;
- build capacity of relevant training institutions to deliver quality training;
- build capacity of officials of the judiciary, police and prison service;
- strengthen juvenile justice administration;
- build capacity to reduce pre-trial detention and prison congestion;
- strengthen accountability and integrity regime for the judiciary, Ministry of Justice, police and prisons services;
- support state and non/state actors to promote legal aid activities and advocacy on justice and child protection related issues.

A Project Core Team, consisting of long-term national and international staff, was set up in Abuja and is responsible for the day-to-day management of the project and for coordinating the implementation of project activities. In addition, a Programme Support Team based in the UNODC Office in Abuja, and a Project Support Team in UNODC HQ in Vienna, provide direct programmatic and operational support to the project, as well as to three other EU funded and UNODC implemented project on anti-corruption, drugs and crime and migration.

National ownership of the project is promoted through a Sector Policy Review Committee (SPRC) / Chief Executives Forum and a Project Management Committee (PMC) chaired by the National Authorising Officer (National Planning Commission) and with participation of national beneficiary institutions. The beneficiary institutions have also designated Project Focal Points to foster collaboration, smooth implementation and institutional ownership.

While the project has had some notable achievements – including the development/revision of state action reform plans for all 10 focal states and development of guidelines and development of draft institutional strategies and guidelines for improved justice delivery – overall, project implementation has been relatively slow. In particular, performance has been constrained by issues such as an overly ambitious project design, UNODC recruitment difficulties and high level of staff turn-over, limited level of delegation of authority to the UNODC Country Office, reporting delays, as well as other factors relating to project management and support functions.

An external evaluation of the inception phase of the project was concluded in May 2014, which highlighted some important achievements, but also pointed to the need to enhance the strategic approach, strengthen national ownership, improve project management effectiveness and enhance coordination/synergies with other development partners. The evaluation also pointed to an ambitious project design, and the need to review the logical framework and focus on achieving specific outcomes.

## DESCRIPTION OF THE ASSIGNMENT

### 2.1. Global objective

The mid-tem evaluation will provide the EU and other partners with an assessment of the project's performance and recommendations on how to improve the intervention to achieve expected goals and outcomes taking into account problems and opportunities.

#### Specific objective(s)

In order to meet the global objective, the evaluators are expected to perform the evaluation of the project "EU Support to the Justice Sector" (FED/2011/021-747) using the criteria of the European Commission (relevance, efficiency, effectiveness, sustainability and impact) and with a specific focus on providing recommendations on how to improve performance in the final stage of implementation.

### Relevance of the Project

The evaluator will analyse if the project has correctly identified the problems and that the means are appropriate and adequate;

Assess the relevance of the Action Plan for the Reform of Federal Justice Sector (2012-2015) and State Action Plans for Justice Sector Reform as a basis for project implementation;

Assess the degree of project ownership, performance and commitment to reform of in the 10 focal states.

### Project Design and Implementation

Assess the project design and the logic of the link between the specific objectives and the expected results and indicators;

Assess the relevance of the project's monitoring and evaluation system and mechanisms to measure performance and results;

Make specific recommendations on how to enhance the strategic focus of the project and propose possible priority areas and focal states;

On basis of above propose any revisions to the log frame, including expected outcomes, activities and indicators.

### Validity of assumptions

Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;

### Efficiency of Programme Implementation

Assess the subsequent progress in implementation of the programme and its individual components and focal states;

Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, and allocation of staffing, reporting relations, tools, and procedures;

### Means and Cost

Review the utilisation of the programme's funds and the validity of the resource allocations to each component in light of the Logical Frameworks and programme's planned results;

### Impact

The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;

### Alternatives and recommendations

Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f);

Determine if the same effects/impacts could be achieved through different ways, for the same results. The evaluator will examine the viability of alternative activities and implementation approaches and offer recommendations for future programmes as appropriate.

**SPECIFIC TERMS OF REFERENCE FOR MID-TERM EVALUATION OF THE SUPPORT**

**TO ANTI-CORRUPTION IN NIGERIA (FED/2012/022-161) PROJECT**

**FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs  
EuropeAid/127054/C/SER/multi**

**BACKGROUND**

Anti-corruption is a fundamental prerequisite to entrenching good governance. Unfortunately, corruption is endemic and remains a major problem in Nigeria impacting negatively on governance and affecting the development of the country. Despite that anti-corruption legislation is in place, that anti-corruption institutions have been set up and that federal budget allocations to fight corruption exist, corruption is still anchored in the institutions and the society.

Nigeria has a fragmented and uncoordinated anti-corruption institutional setting that reflects the lack of political will and prevents from tackling corruption effectively. The existing legal frameworks do not bear clarity on how institutions link to each other and this leads to duplication and overlapping of mandates and functions between different Ministries, Departments and Agencies (MDAs) and prevents institutions from mutually benefiting from each other's expertise, strengths and statutory mandates, among others.

The capacities of the law enforcement and prevention agencies are still weak. In an environment where corruption has long been tacitly condoned, prosecutions and convictions are still appropriate means to address corruption. Besides, the capacities of other agencies related to public procurement (BPSR) should also be strengthened to ensure transparent processes and mechanisms to award public contracts, within a framework of a more general public reform process.

The implementation of anti-corruption measures in a generally 'hostile' Nigerian environment (weak support institutions like courts, police and legislature), poverty and political patronage, will still require a strong political commitment and public support. Non State Actors are critical to increase the demand side of governance, putting pressure on the political leadership to sustain the anti-corruption drive, encourage changes in practices and attitudes, track the responsiveness of Government and promote passage and implementation of relevant legislation.

A comprehensive national anti-corruption policy, strategy and action plan is being prepared within the framework of the Inter Agency Task Force (IATT).

On the basis of the Nigeria-EU Joint Way Forward, the Country Strategy Paper/National Indicative Programme (CSP/NIP) 10<sup>th</sup> EDF signed between the EC and Nigeria in November 2009 and building on the previous support to Nigeria's Economic and Financial Crime Commission (EFCC), the EU Delegation signed a Contribution Agreement with the United Nations Office on Drugs and Crime (UNODC) in the value of 34 million Euros to implement a 5 year project (2012 -2017) to support thirteen key Nigerian anti-corruption agencies and Non state Actors. The project has been designed to fulfil three specific objectives namely;

- i) Anti-corruption policy-making, coordination and monitoring mechanisms are strengthened and legislation is improved;
- ii) Anti-corruption agencies increasingly cooperate to prevent and combat corruption;
- iii) Civil Society Organizations are empowered to increase the provision of services and their participation in Anti - corruption activities enhanced (Component implemented by UNDP).

A Project Core Team, consisting of long-term national and international staff, has been put in place in the UNODC office in Abuja and is responsible for the day-to-day management of the project and for coordinating the implementation of project activities. In addition, a Programme Support Team based in the UNODC Office in Abuja, and a Project Support Team in UNODC HQ in Vienna, provide direct programmatic and operational support to the project, as well as to three other EU funded and UNODC implemented project on Support to the Justice Sector, drugs and crime, and migration

**DESCRIPTION OF THE ASSIGNMENT**

Global objective

The mid-term evaluation will provide the EU and other partners with an assessment of the project's performance in terms of relevance, efficiency, effectiveness and sustainability of the support provided to anti-corruption agencies and key stakeholders and its impact on the fight against corruption in Nigeria.

Specific objectives

Relevance of the Programme

The evaluator will determine if the programme has correctly identified the problems and that the means are appropriate and adequate;

*b) Programme Design and Implementation*

Assess the Programme scope, design and the logic of the link between the specific objectives and the expected results;

*c) Validity of assumptions*

Determine if the assumptions are still valid and if/how they are affecting the programmes and determine if other assumptions have emerged;

Efficiency of Programme Implementation

Assess the subsequent progress in implementation of the programme and its individual components;

Assess the effectiveness of the organisational structures in place to reach the programme's objectives. This should include structures, internal implementation procedures, relationship with key beneficiaries and key stakeholders and development partners with similar mandate. Allocation of staffing, reporting relations, tools, and procedures;

Means and Cost

Review the allocation of funds per component in line with project objectives.

*f) Impact*

The evaluator will assess the relevance of any existing set of indicators (process, result and impact) and mechanisms that have been defined to measure benefits and impact;

*g) Alternatives and recommendations*

Provide recommendations for the improvement of the overall implementation of the programme as per criteria listed above (a to f);

Determine if the same effects/impacts could be achieved through different ways, for the same results. The evaluator will examine the viability of alternative activities and implementation approaches, and offer recommendations for future programmes as appropriate.

## Annex 4: Key References

### Section One Technical References

#### EU Documents

- EU Country Strategy Paper for Nigeria 2008-2013.
- Nigeria 11<sup>th</sup> EDF National Indicative Programme 2014-2020.
- Financial and Administrative Framework Agreement (FAFA).
- EU Joint Guidelines on reporting under FAFA.

#### Project documents

- Final Evaluation EFFC EU funded project; (November 2010 FINAL EVALUATION NGA S08: “Support to the Economic and Financial Crimes Commission (EFCC) and the Nigerian Judiciary).
- Identification Report Final report, Study on potential area of support for Anti Corruption activities in Nigeria under the 10<sup>th</sup> EDF (May 2009).
- Formulation of the anti-corruption support project in Nigeria 10<sup>th</sup> EDF (Final Report April 2011).
- Financing Agreement (FA) between the European Union and the Federal Republic of Nigeria, support to anti-corruption in Nigeria
  - Annex II Technical and Administrative Provisions for implementation
- Contribution Agreement with an International Organisation: Between the EUD and the UNODC, Contract N0: FED/2012/306-220
  - Annex 1 Description of the action
  - Annex 2 General conditions
  - Annex 3 Budget of the action
- Agreement between UNDP and UNODC for the implementation of the outcome 3.
- Call for Proposals for small grants (draft paper).
- Final CSO s Capacities Assessments (Mapping and Capacity Assessment of Civil Society Organizations (CSOs) involved).
- ToRs of Civil Society Expert.
- Minutes of meetings for the creation of the CSO Advisory Committee Meeting, two documents corresponding to the two meetings of February 11<sup>th</sup>, 2014 and of July 3<sup>rd</sup>, 2014.
- ToRs of the CSO Advisory Committee.
- Working Arrangement Between The UNDP and the UNODC.
- Support to Anti-corruption in Nigeria (FED/2012/306-220) (NGAX60), Inception Phase and First Year Narrative Report 24 November 2012 to 23 November 2013.
- Support to Anti-corruption in Nigeria (FED/2012/306-220) (NGAX60, Second Year Narrative Report, 24<sup>th</sup> November 2013-23<sup>rd</sup> November 2014.
- Justice for All, Impact Report: Anti-corruption agencies: delivering corruption prevention strategies, Issue 5, October 2014.

- Justice for All, Impact Report: Improving co-operation and co-ordination among anti-corruption agencies, Issue 5, October 2014.
- Justice for All: Building the capacity of anti-corruption agencies, Issue 5, October 2014.
- Minutes of meeting of the CSO Advisory Committee.
- Meetings:
  - Ad hoc Meeting of Focal Points, February 2013
  - 6<sup>th</sup> Meeting Minutes of Focal Points
  - 8<sup>th</sup> meeting minutes of Focal Points
  - 12<sup>th</sup> Meeting minutes of Focal Points
  - 16<sup>th</sup> Meeting Minutes of Focal Points
  - 17<sup>th</sup> Meetings minutes of Focal Points
  - 18<sup>th</sup> Meeting Minutes of Focal Points
  - 19<sup>th</sup> Meeting Minutes of Focal Points
  - 20<sup>th</sup> January 2014 Meetings minutes of Focal Points
  - Agenda 21<sup>st</sup> Meetings of Focal Points
  - 20<sup>th</sup> Meeting Minutes of Focal Points
- Power Point presentation of UNODC Anti-Corruption Project.
- Revised Anti Corruption Visibility and Strategy (UNODC).
- 2014 Anti Corruption Project Work-plan.
- 2015 Anti Corruption Project Work-plan.
- LOGFRAME.
- Revised LOGFRAME.
- UNODC Concept Note.
- Names and Contact List of stakeholders (updated by the Evaluators Team in the interlocutors list in the annexes).

### **Stakeholders' documents**

- Draft National Strategy to combat Corruption, Inter-Agency Task Team
- EFCC Annual reports 2010, 2011 and 2012
- EFCC landmark Achievements in the fight against economic and financial crimes (2012-2015)
- NEITI consolidated audit report (printed and published by the UNODC project)
- NEITI information Guide
- 2009-2011 Oil and Gas Industry Audit report simplified.
- ICPC Annual reports.
- TUGAR Annual activities reports and Information Handbook
- Federal Republic of Nigeria, The corrupt practices and other related offences act 2000.
- Inter-Agency Task Team, Fact sheet.
- Code of Conduct Bureau, Vision.

### **General and Anti Corruption review**

- Transparency international <http://www.transparency.org/country#NGA>.
- [Strengthening of Anti-Corruption Commissions and Laws in Nigeria, by Fatima Waziri, University of Pittsburgh, 2011.](#)
- DFID's approach to the anti corruption and its impact on the poor <http://icai.independent.gov.uk/wp-content/uploads/2014/10/DFIDs-Approach-to-Anti-Corruption-and-its-Impact-on-the-Poor-FINAL.pdf>. Reforming corruption out of Nigerian oil? Part one: Mapping corruption risks in oil sector governance (2009), <http://www.cmi.no/publications/publication/?3295=reforming-corruption-out-of-nigerian-oil-part-one>.
- Nigeria war on corruption hangs in the balance, Human Rights Watch, 2011 <https://www.hrw.org/news/2011/08/25/nigeria-war-corruption-hangs-balance>.
- Re-engagement notes for the incoming government, Development Partners, May 2015
- Drivers of Change in Nigeria: A preliminary overview, DFID, July 2003.
- EC/DEVCO Verification Mission of UN managed Action entitled Support to Anti-corruption in Nigeria, draft report, 17 June 2015.

## Section Two: Organizational Assessment

### List of Documents Reviewed.

1. Verification Mission of UN Managed Action Entitled Support to the Justice Sector in Nigeria (Draft 25<sup>th</sup> June 2015).
2. Verification Mission of UN Managed Action Entitled Support to the Drug Sector in Nigeria (Draft 25<sup>th</sup> June 2015)
3. Verification Mission of UN Managed Action Entitled Support to the Anti-Corruption Sector in Nigeria (Draft 25<sup>th</sup> June 2015)
4. NGA V18 Support to Justice Sector in Nigeria Project Financial Report 27/12/2012 – 31/12/2014
5. NGA V16 (ADK 4407) Drugs Project Financial Report 01/01/2013 – 31/12/2014
6. NGA X60 Support to Anti-Corruption in Nigeria 24/11/2012 – 23/11/2014
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## Analyses of Development Design and Implementation

Martens, Bertin with Uwe Mummert, Peter Murrell and Paul Seabright. The Institutional Economics of Foreign Aid. Cambridge University Press, 2002.

*Bertin Martens is an economist at the European Commission in Brussels. He has worked for various foreign aid organizations, including United Nations agencies and the EC and he is a member of the International Society of New Institutional Economics. He currently works for the EC in its Institute of Prospective Technological Studies, Joint Research Centre.*

The book is about the institutions, incentives and constraints that guide the behaviour of people and organizations involved in the implementation of foreign aid programmes. While traditional performance studies tend to focus almost exclusively on policies and institutions in recipient countries, this book looks at incentives in the entire chain of organizations involved in the delivery of foreign aid, from donor governments and agencies to consultants, experts and other intermediaries. Four aspects of foreign aid delivery are examined in detail: incentives inside donor agencies, the interaction of subcontractors with recipient organizations, incentives inside recipient country institutions and biases in aid performance monitoring systems. The four studies in the book use a common methodological approach, namely principal-agent or agency theory. This approach fits well with the donor-contractor-recipient model of development projects wherein the donor needs to delegate at least part of the work and the contractor/agent receives a reward for carrying out the assigned tasks.

A standard economics concept explained in the context of international development is that of a 'moral hazard'. A moral hazard defines a situation wherein an agent may, knowingly or otherwise, undertake greater risk than it is capable of handling due to lack of incentive to guard against risk when advancing its own interests rather than those of the principal. Martens notes that a project based approach to reform may be more susceptible to moral hazard problems than a conditionally based one. In addition, several examples illustrate that moral hazard can occur on both the donor and implementer side.

Ostrom, Elinor, Clark Gibson, Sujai Shivakumar, Krister Andersson. Aid, Incentives, and Sustainability: An Institutional Analysis of Development Cooperation. SIDA Studies in Evaluation 02/01, December 2001.

*Elinor Ostrom was the 2009 co-recipient of the Nobel Prize in Economics. She worked for over 50 years on institutional approaches to understanding problems in public administration, public service delivery and environmental management. She died in 2011.*

From the Forward by Eva Lithman Director, Department for Evaluation and Internal Audit Sida, Stockholm.

–Does 'aid' itself create incentives that undermine sustainability? This is the provoking question underlying the present study, which explores how the incentives that arise in the system of development co-operation affect sustainable outcomes.

The point of departure (of this study) is the view that many development problems in countries where foreign 'donors' operate are caused by weak or so-called perverse incentives for local actors to engage in collective action for their common good. In turn, these perverse incentives are to a large extent rooted in unfavourable institutional circumstances. Sustainable solutions to development problems require institutional conditions that shape incentives for collective action, and development co-operation may promote the creation of such favourable institutions. However, it may also create or reinforce perverse incentives that prevent sustainable outcomes. In order to better understand any such 'donor'-imposed constraints to development, Sida's Department for Evaluation and Internal Audit, which is an independent department reporting directly to Sida's Board of Directors, commissioned the present study. It was conducted by a research team from the Workshop in Political Theory and Policy Analysis at Indiana University, headed by the internationally acknowledged (n. b. later 2009 Nobel Prize winner in Economics) Professor Elinor Ostrom.

The contribution of the study is manifold: First of all, it introduces an institutional perspective on development and development co-operation that is partly novel to Sida and the rest of the 'aid' community. This perspective highlights the importance of incentives and increases our understanding of incentive problems within developing-country contexts as well as within the system of 'aid' itself. Secondly, the study provides a method and tools for institutional analysis and evaluation of the relationship between 'aid', incentives and

sustainability. It illustrates theoretically how these tools can be used to analyse incentives within the complex system of 'aid', associated e.g. with 'donor-recipient' negotiations and with different 'aid' modalities. Finally, the study applies the method empirically, by initiating an analysis and evaluation of the incentive structure and its causes within Sida and five Sida-supported projects in India and Zambia. The analysis is based on interviews of more than 175 persons within Sida and Sida-supported activities and a thorough literature survey. The study concludes by drawing lessons and recommending Sida an agenda for action.

A central argument of the study is that Sida can contribute to more sustainable outcomes, through 1) a more explicit and systematic understanding of incentive problems and their institutional causes in the local development contexts as well as those created by the very system of development co-operation; 2) the creation of incentives within Sida that encourage individual and organisational learning about sustainability; and 3) the devolution of ownership to the actual target population.

Pritchett, Lant, Salimah Samji and Jeffrey Hammer. Using Structured Experiential Learning to Crawl the Design Space, UN University WIDER Working Paper No 2012/104, December 2012.

*Lant Pritchett is a development economist. He is currently Professor of the Practice of International Development at the Kennedy School of Government at Harvard University.*

Ministries of Finance, Planning, Budgeting allocate budget resources across ministries and projects/programmes within ministries. Implementing organizations typically try to do the best they can with the funds they have while executive organizations have to decide what and who to fund. Monitoring and Evaluation has always been an element of the accountability of implementing organizations to their funders. There has been a recent trend towards much greater rigor in evaluations to isolate causal impacts of projects and programmes and more 'evidence base' approaches to accountability and budget allocations.

The techniques of impact evaluation can be directly useful to implementing organizations by designing structured experiential learning which allows implementing agencies to actively and rigorously search across alternative project designs using monitoring data that provides real time performance information. The argument is that within-project variations in design can serve as their own counter-factual and this dramatically reduces the incremental cost of evaluation and increases the direct usefulness of evaluation to implementing agencies. The right combination provides the right space for innovation and organizational capability building while at the same time providing accountability and an evidence base for funding agencies.

Andrews, Matt and Lant Pritchett and Michael Woolcock. "Escaping Capability Traps Through Problem Driven Iterative Adaptation (PDIA)". World Development, vol 51, pp 234-244, 2013.

*Matt Andrews (Australian) is Associate Professor of Public Policy at the Kennedy School of Government at Harvard University. His research focuses on public sector reform, particularly budgeting and financial management reform, and participatory governance in developing and transitional governments.*

Many development initiatives fail to improve performance because they promote isomorphic mimicry—governments change what they look like, not what they do. This article proposes a new approach to doing development, Problem-Driven Iterative Adaptation (PDIA), which contrasts with standard approaches. PDIA focuses on solving locally nominated and prioritized performance problems (instead of transplanting 'best practice' solutions). PDIA encourages positive deviance and experimentation (instead of requiring that agents implement policies as designed). PDIA creates feedback loops that facilitate rapid learning (instead of lagged learning from ex post evaluation). PDIA engages many agents to create viable, relevant interventions (instead of depending on external experts).

Booth, David and Sue Unsworth. Politically smart, locally led development. ODI Discussion Paper, September 2014.

*Sue Unsworth served for 30 years with the UK's Department for International Development (DFID), ending as Chief Governance Adviser (2003-2004). She was one of the main initiators of DFID's "Drivers of Change" programme. Since 2004 she has been a Research Associate at the Institute of Development Studies, where she has worked with the Centre for the Future State.*

This paper is a contribution to ongoing debate about the need for donor agencies to think and work more politically. It presents seven cases of aid-funded interventions that show how donors have been able to facilitate developmental change 'despite the odds'. The central message is that donor staff were successful because they adopted politically smart, locally led approaches, adapting the way they worked in order to support iterative problem-solving and brokering of interests by politically astute local actors.

The call for politically smart, locally led approaches highlights the changes that donors need to make to their own thinking and practices in order to act as effective facilitators of development change. They need to be politically informed and astute to assess the scope for change, and to make good choices regarding issues to work on and partners to work with; and they need to allow local actors to take the lead in finding solutions to problems that matter to them. But donors would need to abandon practices that assume development progress to be simple, predictable and deliverable from the outside.

Booth, David and Victoria Chambers. The SAVI programme in Nigeria: Towards Politically Smart, Locally Led Development, ODI Discussion Paper, October 2014.

*David Booth leads the ODI research on Developmental Regimes in Africa. He has worked on aid, innovations in development policy and practice, and the political economy of governance and service delivery in Africa and Latin America.*

Development assistance programmes that start from careful analysis of what works and what does not in country contexts are still remarkably rare. This is mainly because aid programming is heavily constrained by what politicians in donor countries believe, often on limited evidence, about recipient country needs and possibilities. To a lesser extent, it is because we lack well documented examples of programming that achieves a 'good fit' with country context, or is 'politically smart', problem-driven, adaptive, locally led, etc. This paper is a contribution to an expanding set of studies that is helping to correct this evidence gap. It examines the experience of SAVI, one of a suite of state-level DFID programmes in Nigeria.

SAVI belongs to the formal category of 'demand side' governance programmes; the acronym stands for State Accountability and Voice Initiative. It provides support to State Houses of Assembly, mass media organisations and civil society organisations (CSOs), while another state-level programme, SPARC, provides public management assistance to the executive branch of government. The paper asks to what extent SAVI differs from previous programmes in Nigeria and elsewhere that are similarly labelled, and whether it may be accurately described as politically smart and locally led.

DFID's SAVI programme has revealed a hitherto untapped potential for change leading to better development results at state level in Nigeria. SAVI provides low-profile support to state-level organisations and partnerships, building their capacity to engage constructively with government. It avoids the pitfalls of a donor-driven approach by 'taking the money off the table'. This illustrates the power of facilitated multi-stakeholder engagement and the disadvantages of seeing this in terms of 'supply side' and 'demand side' governance. The set-up of the DFID suite of state-level programmes, with separately managed sector support and 'governance' initiatives, has limited realisation of the potential. Key enabling conditions were that DFID provided space for an experience-based design process and permitted tangible results to be judged retrospectively, not pre-programmed.

## Political Economy Analyses

Heymans, Chris (GHK International, London) Chris Pycroft (DFID-Nigeria, Abuja). Drivers of Change in Nigeria: A Preliminary Overview, DFID, July 2003.

### Introduction

The Drivers of Change initiative (DoC) is an attempt to develop better understanding of Nigeria's political economy, and to use this new information to reassess DFID and the international community's engagement with Nigeria. Initial findings show a need for new assumptions about how pro-poor change will be achieved, and for new approaches to supporting change.

### Key concepts

The Drivers of Change Analysis turns on a distinction between agents, institutions and structures. Drawing on work done under Component 1 of the DoC initiative, The report defines structural features as ‘natural and human resources, economic and social structure, and other non-institutional facts’; institutions as ‘frameworks of rules structuring the behaviour of agents’; and agents as ‘individuals and organisations pursuing particular interests’. Systemic change involves the relationships between these drivers, but there is no clear causality in these relationships. Agents often offer entry points for change and structures fundamentally define the scope for change, but institutions mediate between structural features and agents. This makes it particularly important to understand how institutions have evolved, how they interact with political agents and structures, and how agents contest the terrain of institutions. As the discussion below indicates, structure-like traits of Nigerian institutions have influenced the scope for change considerably.

**Assumption One -- ‘Democracy’ Creates Political Space for Pro-Poor Change:** In Nigeria, the DoC analysis indicates that, although transition to civilian governance has been a significant improvement on military rule, it has not achieved the progress towards pro-poor change initially anticipated. Rigidities within Nigeria’s institutional framework that operate as structural constraints fundamentally hamper the room for change.

**Assumption Two – ‘Champions of Change’ will Drive Reform:** The government and civil society do not lack rhetorical commitment to achieving pro-poor outcomes. Furthermore, Nigerian civil society has survived military rule to emerge as a potentially significant force. The pre-conditions for the fulfilment of this assumption therefore appeared to be present in 1999. This led the international community to focus support on pro-poor reform agendas of key ‘champions of change’, particularly within the Executive, but also within civil society. However, the DoC analysis indicates that the actions of individuals and organisations – including the Executive – however well intentioned, genuine and important in raising political consciousness, are critically constrained by Nigeria’s structural environment.

These structural features overlay a status quo that appears immovable and rigid. In reality this status quo is both incredibly flexible and responsive. It is able to respond to, and absorb, both internal and external shocks, as well as to manage and balance diverse interests and cleavages based on ethnicity, religion, regionalism and economic interest. It is apt at using a continually changing combination of coercion (including the political manipulation of conflict) and consent (built upon patronage politics and the misallocation of oil revenue).

Within this structural environment - reinforced by the unearned income from oil - individuals and organisations (including the international community) are relatively powerless. The DoC analysis indicates that a strategy built upon support to individuals and organisations alone will have limited impact, unless it begins to address the underlying institutional problems and structural constraints.

**Assumption Three – Lack of Capacity is the Problem:** A focus on individuals and organisations as champions of change leads to the next assumption – the inability of individuals and organisations to achieve pro-poor reform is a result of weak capacity within government, civil society and organisations responsible for service delivery. The solution, therefore, would be to build capacity within key organisations – in civil society to demand change, in government to respond appropriately to the demands, and in the public service and private sector to deliver services.

There is little doubt that many organisations within government, civil society and those responsible for service delivery lack the appropriate capacity. This has been confirmed by the DoC research. Furthermore, Nigeria has reasonable or even good capacity within some areas of government, as well as in parts of the Executive, the Supreme Court within the judiciary, and within the media, human rights organisations, faith based groups, and components of the private sector. Closer scrutiny therefore appears to indicate that capacity per se is not necessarily the key constraint to achieving pro-poor development in Nigeria. Rather, the institutional framework within which these organisations operate, created by the structural features of Nigeria’s political economy, prevent even organisations with capacity from achieving pro-poor change. Therefore, whilst building capacity is necessary, it is insufficient to achieve the transformational change necessary for Nigeria to eradicate poverty, without addressing constraints.

**Assumption Four – ‘Gate-Keeper’ Organisations Drive Change:** The fourth assumption is that it is important to focus capacity building on organisations that operate as gatekeepers to reform. In Nigeria, this approach focuses attention on organisations such as the Bureau of Debt Management; the Independent Corrupt Practices Commission; the Federal Ministry of Justice; or the Bureau of Public Enterprise. The Drivers

analysis confirms the importance of supporting gate-keeper organisations and acknowledges the key role they play in driving change, but sees longer-term impact as contingent upon transforming the institutional environment in which they operate.

North, Douglass C. John Joseph Wallis, Steven B Webb, Barry R Weingast. In the Shadow of Violence: Politics, Economics and the Problems of Development. Cambridge University Press, 2013.

*Douglass North is an economist and was the 1993 co-recipient of the Nobel Prize in Economics. He has spent the past 60 years applying economic theory and quantitative methods in order to explain economic and institutional change.*

This book shows, through nine case studies (including three from Africa: Congo, Zambia and Mozambique) how political control of economic privileges is used to limit violence and coordinate coalitions of powerful organizations. Rather than castigating politicians and elites as simply corrupt, the case studies illustrate why development is so difficult to achieve in societies where the role of economic organizations is manipulated to provide political balance and stability. The volume develops the idea of a Limited Access Social Order as a dynamic social system in which violence is constantly a threat and political and economic outcomes result from the need to control violence rather than promoting economic growth or political rights.

### **C Project Management Standards**

The evaluators were surprised that both UNODC and EU questioned whether there are any standards in project management. This actually has never been the case, but now, with the plethora of methods and training courses available on-line, it is quite easy to professionalize project management skills, and concomitant outcomes. The use of a logframe as the sole project management tool, as advocated by UNODC, is, as we have seen, a highly ineffective method. The following technical section in the OD annex is designed to introduce readers to some resources they can use while learning about these standards.

"Projects are a means of organizing activities that cannot be addressed within the organization's normal operational limits. Projects are, therefore, often utilized as a means of achieving an organization's strategic plan." A Guide to the Project Management Body of Knowledge Project Management Institute; 4th edition, 2009.

Unfortunately, the evaluation of these three projects shows that EUD has not been able to achieve its strategic plan through these projects. The primary cause of this is that the UNODC is incapable of applying project management standards and principles to overcome its normal operational limits. It is stuck in a UNO rule-based environment that, while it may potentially be useful in a conference or study environment, has proven to be antithetical to effective project management.

An unacceptably high level of project inefficiency and ineffectiveness continues to persist in the UNODC implemented EU projects. Despite the claims of increased use of sophisticated methods, tools and techniques employed to manage project work and related activities, these projects have not delivered the benefits anticipated in the first place. The benefits and outcomes that have been achieved have been realized at the expense of higher unintended costs, lower delivery quality outcomes, therefore, it is now proposed that extended project timeframes will be necessary because project achievement to date has come in well below expectations.

Despite having project teams that appear to exhibit the necessary experience and competencies to execute and complete the projects successfully, the results reported by UNODC and observed by the evaluation teams have been rather poor, calling into question whether UNODC uses adequate internal measures of project management performance beyond tracking total expenditure and distinguishing between gross budget line categories.

The prevailing view of project management is that it has "developed into a professional discipline based on careful planning, organizing, motivating and controlling resources to achieve specific goals and meet specific success criteria". A project is a temporary activity designed to produce a unique product, service or result within a specified period of time and undertaken to meet clearly articulated goals and objectives.

The temporary nature of projects distinguishes them from typical bureaucratic operations, which are permanent, or semi-permanent functional activities to produce recurring products or services. In practice, projects were created as a means of getting around normal bureaucratic constraints. However, under UNODC, this has proven to be impossible as they are mandated to operate only within the strictly defined rules of the UNO. This is the core problem facing EUD, and seemingly of UNODC as it struggles internationally to retain its core resource levels.

There are a number of well-established private sector project management methodologies that have been tested and found to be appropriate for achieving project objectives within an implementation environment controlled by limits of time and resources. Two will be mentioned below. The primary purpose of this annex section, however, is to introduce the premier International Project Management Standard: ISO 21500:2012.

**ISO 21500:2012** provides guidance for project management and can be used by any type of organization, including public, private or community organizations, and for any type of project, irrespective of complexity, size or duration.

ISO 21500:2012 provides a high-level description of concepts and processes that are considered to form good practice in project management. Projects are placed in the context of programmes and project portfolios, however, ISO 21500:2012 does not provide detailed guidance on the management of programmes and project portfolios. Topics pertaining to general management are addressed only within the context of project management.

ISO 21500:2012, *Guidance on Project Management*, is an international standard developed by the International Organization for Standardization, starting in 2007 and released in 2012. It is intended to provide generic guidance, explain core principles and what constitutes good practice in project management. The ISO technical committee dealing with project management, ISO/PC 236, was led by the American National Standards Institute (ANSI) which had approved four standards that used materials from the Project Management Institute (PMI). One of which was ANSI/PMI 99-001-2008, A Guide to the Project Management Body of Knowledge - 4th Edition (PMI BoK Guide).

ISO plans for this standard (21500) to be the first in a family of project management standards. ISO also designed this standard to align with other, related standards such as ISO 10006:2003, Quality management systems – Guidelines for quality management in projects, ISO 10007:2003, Quality management systems – Guidelines for configuration management, ISO 31000:2009, Risk management – Principles and guidelines. Since ISO 21500:2012 is a guidance document, it is not intended to be used for certification/registration purposes.

In June 2013, a summary of ISO 21500, *Guidance on project management - A Pocket Guide*, was published. The Pocket Guide was reviewed on LinkedIn project management discussion boards, among others. In essence the view was that "this 'Pocket Guide' provides an excellent introduction and justification for project management. Moreover, it charts a careful path between the excesses of professional pontification and the reality of real-world projects.

"The intention of this pocket guide is to provide you with a quick introduction to one of the latest developments in the project management profession: ISO 21500 'Guidance on project management' being the first really global accepted standard in project management. This guide contains a brief and straightforward introduction and high-level summary of ISO 21500, with tips for its practical application. It is therefore key knowledge for a project manager who is ready for the future."

Many private bodies have developed systems of project management standards that have become widely accepted. Two of these are PRINCE2 and PMI-PMBOK. As the PMI system underpins the ISO 21500, PRINCE2 will be described briefly here.

## **PRINCE2**

PRojects IN Controlled Environments (PRINCE2) is the most widely practiced project management methodology, used in over 150 countries, including many EU member country and several UN agencies, including UNDP.

PRINCE2 is a process-based approach that focuses on the organization and control over the entire project, from start to finish. That means projects are thoroughly planned before kickoff, each stage of the process is clearly structured, and all loose ends are neatly tied up after the project ends.

There are three principle roles for PRINCE2: the project board, the project manager, and the project team. But there are many supplemental roles that help ensure requirements and standards are met, and that work runs smoothly.

The PRINCE2 process is broken up into 7 phases:

1. Starting-up a project
2. Directing a project
3. Initiating a project
4. Controlling a Stage
5. Managing Product Delivery
6. Managing Stage Boundaries
7. Closing the Project

These phases indicate that project management is a responsibility shared by the principle, the agent and the recipient. Of critical importance, PRINCE2 system provides guidance for the development of both Stage and Team plans so that individuals understand their roles within the larger whole.

Throughout these 7 stages, a variety of specified records are kept so the project stays organized and on track. These records are also used to report to the project board, check deliverables against quality requirements, and improve future work processes. Such a record system would be invaluable to the establishment of a more rigorous approach to EUD project reporting on a quarterly basis as recommended.

## **D Training Impact Evaluation**

A comment was made on the draft indicating that it had been assumed that a training impact evaluation would be undertaken by this team. The TOR for this evaluation did not mention conducting training impact evaluations. That was not unusual as such work is an entirely different task that needs to be done by specialists over a period of time using numerous tools on a large number of respondents of various types. The EU has a combined 3 million euros under its direct management for M&E of the three projects. A portion of those funds could be allocated usefully to such an assessment in order to improve training outcomes in both these and future projects.

This short technical section is designed to introduce the readers to a conceptual approach that could be used to structure this additional task evaluative task.

Trainings to induce capacity enhancement of an existing worker (as opposed to a new inductee) are typically designed using a theory of change chain that assumes participants will attend, training increases their skills and knowledge, this is sufficient to improve job performance, performance enhancement will have positive outcomes, and those outcomes will generate the desired results.

A well acknowledge method for testing whether or not this chain represents reality in any given case is called the Kirkpatrick Four-level training evaluation model designed help objectively analyse the effectiveness and impact of any training, so that it can be improved in the future. Donald Kirkpatrick, past president of the American Society for Training and Development (ASTD), first published his Four-Level Training Evaluation Model in 1959 and it was updated repeatedly through 1994 as "Evaluating Training Programs." The model assumes that each level's importance is greater than the last level, and that all levels are linked. Of course, organizations change in many ways, and behaviours and results change depending on these, as well as on training.

This model includes:

**REACTION:** Satisfaction with the training event, participant engagement, receptivity to learning

Typically, this is the only level that is covered in most training assessments. Questions at this level might include:

How many trainees enrolled?

How many completed the course?

Were they satisfied with the instructor?

Were the location and facilities satisfactory?

Would trainees recommend the course to a colleague?

LEARNING: New knowledge and skills gained, plus confidence and commitment

A training evaluation would typically measure gains in knowledge and skills using techniques like a pre-test and a post-test.

BEHAVIOUR: Changed behaviour on the job, plus 'drivers of change' in place

This is the 'behaviour change level". A person may have all the knowledge and skills needed, but conditions on the job may not support a new practice. The term "drivers of change" recognizes that there are facilitators and barriers to change, but even stronger are incentives, or drivers that promote change.

Questions might involve:

Did the trainees put any of their learning to use?

Are trainees able to teach their new knowledge, skills, or attitudes to other people?

Are trainees aware that they've changed their behaviour?

RESULTS: Were expected improvements achieved?

Training results can mean different things to different people. It is important to be clear about what the training sponsors hoped the training would achieve. Having clarity about expectations helps the evaluator determine what to measure.

Further modification in Kirkpatrick's model, known as the New World Model, incorporated a fifth element designed to enable the training delivery agent to make adjustments in real-time rather than only waiting for a training impact assessment to come along.

MONITOR AND ADJUST: Adjust approach if expectations are not being met

If the problem still exists after a successful training is conducted, it's time to ask what else might be needed. Data on all four levels can be collected by the implementing agent and incorporated into their periodic reports to the donor/principle.

## **E Reporting as an Accountability Mechanism**

A concern was raised regarding the practicality of quarterly reporting. This annex section will address that issue.

Internal monitoring of project progress involves the gathering of evidence to show what progress has been made in the implementation of programs. The focus is usually on inputs and, sometimes, outputs. This has been the fundamental orientation of the UNODC annual reports to date.

Midterm and final evaluations attempt to measure changes in outcomes and evaluate impact of specific interventions on those outcomes. This happens very infrequently and is usually done by people who typically are technically competent, but have limited background in the projects, and perhaps the country context as well. These evaluations can only explore a tiny part of the project design space, given the time allowed and the typically wide array of design parameters addressed.

In between these two should be a process of ongoing evaluation that works within the existing project design to identify differentials in the efficacy of the project's input and outputs to make advances towards outcomes. This process is proposed as a fundamental conclusion of this joint evaluation and can be done in two steps.

First, would be a quarterly (preferably) or semi-annual report from the implementing agent, UNODC, that is written in a manner that directly relates inputs delivered and outputs achieved with indicators of progress towards outcomes. In the case of UNODC, a Program Support Team is already in place that can be called upon to prepare these quarterly reports. A new M&E specialist is expected to arrive in September who could be tasked with establishing the indicators (perhaps in collaboration with an external expert) necessary to establish valid output/outcome relationships before the end of 2015 so that the data collection & reporting system could be established for the first quarter of 2016.

Second, would be a brief (say one week) assessment conducted by a third party (which could be a technical working group composed of national and international experts, including the relevant officers of the ONAO) to validate the reports. The small costs for this team could be borne by the separate M&E funds controlled directly by EUD. The use of third party validation would be valuable, again for two reasons. First, the UNODC has had difficulty in preparing reports that are results oriented. The establishment of a permanent TWG would serve as an incentive to report correctly and completely. Second, the EUD would have access to feedback on a regular basis, from both the implementing agent and an independent party, ensuring that project progress is seen from different perspectives. Specifically, the inclusion of the ONAO in the TWG would significantly enhance its role in, and understanding of, the project operations.

This process would have the potential for significantly enhancing the quality of dialogue in the various project governance forums, particularly providing the ONAO and national associated agencies with independent information as a basis for dialogue with the EUD and the implementing agent. If a project reporting system doesn't provide timely decision making information – what is the point of doing any reporting at all?

The underlying purpose of the increased frequency in reporting would be to enhance the involvement of the national partners, update information on baseline conditions, draw intermediate lessons, and serve as a feedback loop into the project design. Not all aspects of a project can be designed perfectly at the beginning. Basing design modification on a midterm evaluation is inefficient as it often comes too late and does not have the advantage of watching the progression of the project over time. Using monitoring data for regular intermediary reporting enhances the value of having a monitoring system and helps to keep the data real and relevant.

A concern raised is that project teams already have great difficulty in completing project activities and additional reporting would only get in the way. This concern points to the serious issue noted by the evaluations that the project teams are overly focused on carrying out events and other activities without adequate concern for the long-term impact of those activities. Requiring regular reporting on the value of those activities for advancing towards project objectives would help to shift the mindset of the implementing agent away from activities, and gross expenditures, towards results. Being too busy to analyse what you are doing is a clear indication that you may not know why you are doing it in the first place. The shift, then moves project focus away from expenditure towards impact, keeping design parameters fully in mind.

This enhanced reporting orientation would also potentially help to transform these projects into more innovative policy advocacy practices rather than the linear (and faulty) delivery mechanisms they have become. However, a linked recommendation is that the payment of the 7% Programme Support Costs (indirect costs) be tied to the production of these quarterly reports. An accounting system that has no consequences is not accountable.