

DRIVERS OF CHANGE:

An Evaluation of the Advocacy and Legal Advice Centers Project

Completed on behalf of Transparency International

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The views and opinions expressed in this evaluation do not necessarily reflect those of the Transparency International Secretariat or any of its National Chapters, but rather solely those of the author. Feedback is welcome to <pmccarthy@wboj.or.id>

EXECUTIVE SUMMARY

Time and again during the course of this evaluation, ordinary citizens and government officials alike remarked how, “Corruption is still a way of life here”. Regardless of the country, this comment was repeated with the same degree of fatalism. The lack of progress in the fight against corruption is indicative of ongoing poor governance and the continued absence of the rule of law in much of South-Eastern Europe. Clearly, this is a factor in preventing the region’s long-awaited economic renaissance in the post-Communist era. Although public expectations related to corruption and good governance are a long way from being met, it is possible to detect small but important signs of progress. And there is evidence that the pressure for reform is beginning to build.

No project intervention can hope to single-handedly empower citizens to the point where corruption in the Balkans will be eradicated. But the Advocacy and Legal Advice Centers (ALAC) – a project funded by the German Foreign Ministry and implemented by Transparency International (TI) - is in the vanguard of an effort to build consciousness among the stakeholders who are critical to the anti-corruption struggle: the state, the media, Civil Society and, most importantly, the citizenry itself.

It is precisely because TI, through the ALACs, has adeptly worked with all of these stakeholders that the project has had a significantly greater impact than even TI would have dared to predict.

The success of the project is predicated on a tripartite effort that goes well beyond the provision of legal advice:

- through targeted publicity campaigns and mechanisms, **raising public awareness** on citizen rights related to corruption issues in a way that is catalyzing civic activism;
- serving as a **public interface** and a direct means of **citizen empowerment** for TI through the provision of independent and impartial advice on corruption-related matters to more than 5,000 individuals; and,
- providing impetus for **policy advocacy and institutional reform** by linking ALAC’s work with media, Civil Society and public pressure for greater public accountability on anti-corruption policies and practices.

By linking these three components, TI National Chapters have adroitly used the ALACs as both bottom-up and top-down drivers of change. This double-edged advocacy underpins the impressive impact of the project. That this has been accomplished in a highly cost effective manner should serve to draw the positive attention of donors and governments alike.

The challenge for the TI movement is figuring out how to reinforce and expand the ALAC concept. Readers of this evaluation – government officials, NGOs and donors alike – may well be convinced of the merit of supporting the ALAC concept and, more critically, of replicating it elsewhere as a key component of an overall anti-corruption strategy. As such, the ALACs should represent the next generation of TI programming.

1. Evaluation Methodology

This evaluation took place over a three-week period beginning on March 29. Activities included a thorough desk review of all project-related documentation, briefing and debriefing at the Transparency International Secretariat (TI-S) in Berlin and field visits of approximately three days duration in each of the ALAC countries (Romania, Macedonia and Bosnia and Herzegovina - BiH) that have been supported via the German Foreign Ministry grant.

Prior to the field visits, a request was made to arrange meetings with the following stakeholders:

- Up to 6 ALAC clients per country, representing a sufficiently broad representation of the types of complaints regularly received by ALAC;
- Officials from government agencies or departments mandated to deal with public complaints related to corruption;
- Representatives from independent media, particularly those known to be interested - in anti-corruption efforts;
- Representatives from NGOs or Civil Society organizations involved - at least indirectly with anti-corruption efforts; and,
- TI staff, ALAC volunteers and legal experts, and, where possible, members of the TI Board of Directors in each country.

In the event, meetings and interviews, using a semi-standardized set of questions (one for ALAC clients, a separate set for government, NGO and media representatives) were conducted with the following external stakeholders (ie. in addition to TI staff, Board members and ALAC volunteers):

- 12 ALAC clients
- 10 officials from central and municipal governments
- 5 national NGOs
- 5 media representatives (three print media and two broadcast media)
- 2 representatives from the German Embassy (in Bucharest and from the Consulate in Banja Luka)

Efforts were made to ensure that the evaluator met with a sufficiently broad cross-section of ALAC clients as well as government and civil society counterparts, not only with the most successful cases or most supportive organizations. Although it would appear that the ALACs set up interviews with some of the more interesting or high profile cases and possibly with government agencies and NGOs more predisposed to appreciating ALAC services, it is unlikely that the meeting schedule unduly biased overall findings. Ultimately, however, the small sample size of clients and stakeholders interviewed during the country visits make it impossible to draw fully empirical conclusions in terms of customer satisfaction¹ and project impact. Nonetheless, respondents appeared to speak freely and frankly (independent translation was

¹ From the project's outset, ALAC staff were intended to provide clients with a "Customer Satisfaction" form. In the event, BiH and Macedonia have declined to use these forms (on the grounds that clients would not complete them in a serious manner or because it was too early to tell if ALAC services had been useful) while Romania used them in only a sampling of cases. Such insubstantive data does not enable any real conclusions to be drawn.

provided) about the relative value of and need for ALAC services. The evaluator is, therefore, satisfied that the findings of this report portray an accurate overview of the project's activities and impact.

2. Who Uses the ALACs: A Client Overview

Prior to drawing conclusions with respect to project impact, it is useful to take a closer look at the usership patterns in each of the ALAC countries. The following Table provides a statistical snapshot of the client base:

Table I: A Statistical Summary

	Romania	Macedonia	BiH	TOTAL
Total Number of Contacts (by phone/mail/email/in person)	1,283	251	3,519*	5,053
First Refusal Rate (initial contacts not pursued)	690 (54%)	26 (10%)	1782(51%)	2498 (49%)
Cases Pursued/Referred (number of complaints investigated and referred by ALAC to relevant authority)	184 (14%)	193 (77%)	402 (22%)*	779 (23%)
Cases Completed (cases concluded, successfully or otherwise, in accordance with formal complaint resolution procedures)	20 (11%)**	11 (6%)	76 (19%)	107 (14%)

* BiH has two ALACs – one in Banja Luka (covering Republica Srpska) and the second – supported under a separate EU funding window – in Sarajevo (covering the Federation). This evaluation covers only the Banja Luka ALAC. However, there is only one telephone hotline for the entire country, located in the Banja Luka office, receiving all contacts/complaints. The decision on which cases will be pursued rests with the ALAC in Banja Luka. Those cases that are pursued – and which occurred in the Federation's territory – are referred to the Sarajevo office for follow up. This Table shows the total number of contacts and "First Refusals" from the entire country (Rows 1 & 2) but only the Cases Pursued and Cases Completed (Rows 3 & 4) for the Banja Luka office. In order to draw a legitimate comparison with the other countries, the percentage figure in Row 3 is based on total referrals from both the Banja Luka and Sarajevo ALACs (ie. the total of 22% of Cases Pursued includes 402 from Banja Luka and 369 from Sarajevo).

** The percentage figure in the "Cases Completed" row indicates the percentage of cases completed in comparison to the number of Cases Pursued (from Row 3).

2.1 The ALAC Tool Set

Each of the three ALACs developed a quasi-standardized set of instruments and strategies with which to elicit and deal with complaints. These included:

- A telephone hotline – usually toll free (except in Macedonia where the cost was prohibitive) and accessible nationwide;

- A website – explaining the role and purpose of the ALAC and providing some practical information on pursuing corruption cases;
- Citizen’s Guide – essentially a “How To” manual to assist ordinary people in understanding and defining corruption as well as practical information, intended to be user friendly and non-legalistic, describing the various avenues that could be used by citizens to seek redress for alleged instances of corruption. Each of the ALAC’s produced a generic Guide with Romania subsequently publishing three additional guides on the specific areas of corruption (public procurement, land and property rights and judicial integrity) that had generated a high volume of ALAC complaints.
- Library – In each ALAC, publications related to corruption and certain legal texts were assembled in the form of a small library, primarily for the use of ALAC legal experts and volunteers but also available for client use.
- Database – As public complaints were received, the ALACs compiled them into a consolidated database from which statistics could be drawn and trends identified.

2.1.1 Evaluating the Toolset

Based on information and an informal ranking from ALAC staff, as well as direct observation, it became clear that some of these tools were more valuable than others. The most prominent and widely publicized tool – the telephone hotline – is an invaluable tool, if an imperfect one. As both the Romanian and the Macedonian ALACs pointed out, the phone line has limited value in determining whether there is a real basis for pursuing complaints – thus necessitating (occasionally frequent) face-to-face meetings to present evidence of alleged corruption. Nevertheless, as the first point of contact for citizens – and as a *de facto* means of publicizing ALAC services, the hotline should be seen as an indispensable tool.

The Citizen’s Guides received mixed reviews. Very few of the ALAC clients interviewed mentioned them, and opinion was divided among the ALACs themselves. Macedonia felt their guide was of limited use since cultural norms strongly favor personal contact more than written handouts; BiH thought it was of some value but only in a relatively small percentage of cases where clients were especially proactive; Romania believed their Guides were of considerable value and routinely distributed them to clients. In fact, the relative value of the Citizen’s Guides likely correlates to effort the ALAC has put into it and the degree to which it is genuinely practical and user friendly.

The ALAC websites were not seen as especially useful, in large part because internet access is still not common in the countries where ALACs have been established. Similarly, libraries are not highly utilized as materials are limited and often too legally specialized in nature. None of the clients interviewed mentioned accessing information from either the library or the website. Nearly all first heard of the ALACs via radio or television. Nonetheless, while the potential for ALAC libraries is limited, websites should not be discontinued as internet usage will no doubt increase. An effort to focus on interactive use of the websites could well turn the website into a much more valuable tool.

Although they have not always been exploited as such, the ALAC databases have served as a valuable analytical tool. Except in Macedonia (where analytical efforts have not been strongly pursued), they have provided sound evidence on corruption trends. BiH, in particular, proved adept at using their database as a basis for what could be termed “empirical advocacy”. Statistics backed up by the database have been used in press releases and to launch public advocacy campaigns. Romania, with the most technologically sophisticated database, also used this information as a means of targeting new areas of research and developing specific advocacy initiatives.

2.2 User Demographics

A brief analysis of demographic data did not reveal any significant anomalies. Gender, age and locational aggregations² show the following:

<u>Gender</u>	<u>Age</u>	<u>Location</u>
Male - 59%	Young (>35 yrs) - 23%	Urban - 77%
Female - 41%	Middle (36-64 yrs) - 57%	Rural - 23%
	Older (65+ yrs) - 20%	

As might be expected, urban users far outnumber rural ones. This is likely due to a number of socio-economic factors. ALAC staff felt there was a strong correlation between level of education and willingness to use ALAC services. Rural residents are generally less well-educated, have less access to information and, in some regions, to means of communications such as telephones. The cost of travel to the capital city (where the ALACs are usually located) may also be beyond the means of some. ALAC staff also speculated that the lack of anonymity in rural communities may inhibit community members from pursuing corruption-related complaints especially when the person they are complaining about lives in the same community.

The age breakdown indicates that the older generation represents a disproportionately high percentage of clients. This could well be because older people simply have more time to pursue their complaints or because younger people have been exposed to less corruption. It could also be due to higher degree of cynicism among the younger generation meaning that the ALACs may need to undertake special efforts to be accessible to young people as well as more visible in rural areas.

2.3 A Typology of Complaints

Evidence drawn from the databases indicate a wide range of complaints with the majority falling into administrative and judicial sectors, mostly relating to rent-seeking

² ALACs were also intended to track economic means of clients in order to develop a so-called vulnerability profile. Available data, however, is unreliable since income levels were not recorded for most clients. The ALACs estimated that upwards of 75% of their client base were economically disadvantaged, noting that there was a particularly high level of unemployment among clients whose cases were accepted.

and the solicitation of bribes. A breakdown of complaints received (based on a total number of 2,734 cases) can be categorized as follows:

Administrative (including inspections, licenses, public procurement)	-	34.1%
Judicial	-	19.7%
Police & Customs	-	12.4%
Financial (including tax and privatization)	-	10.6%
Social services (health and education)	-	10.0%
Political Parties	-	7.1%
Labour disputes	-	6.0%

Although there were anomalies among the three ALAC countries (Romania and Macedonia, for example, recorded no labour cases while BiH indicated fully 12% of their caseload related to labour issues),³ there is nothing remarkable in the overall breakdown. At best, it can probably be concluded that the majority of complaints are related to petty corruption since they come mainly from ordinary citizens seeking redress for primarily financial reasons. This appears to back up estimates from two of the ALACs that upwards of 90% of the client base represent victims of corruption rather than people who have witnessed acts of corruption and have decided to report them. This is not to imply, however, that larger-scale cases cannot use ALAC services (indeed, the BiH ALAC has provided advice in at least two cases where corruption allegations envelop millions of Euros) but rather that the majority of users are likely to focus on small-scale cases.

2.4 ALAC's Advisory Services

The ALACs use a three-tier approach to advising clients on how to pursue complaints. Volunteers, usually law students or recent law graduates, are the first point of contact and are tasked with the role of screening out cases that have no apparent connection to corruption-related issues. Nearly half (49%) of the initial contacts involved complaints that were more related to bureaucracy or incompetence than corruption and, as such, were not accepted for further investigation. In most of these cases, however, individuals contacting the ALACs were provided with information on relevant complaint resolution mechanisms (either within government or by NGOs or civil society bodies). In so doing, the ALACs went beyond their initial mandate by serving as a valuable source of information even when there was no actual indication of corruption.

As the second tier, ALAC legal experts – usually trained lawyers, some of whom have prior experience in the offices of the state prosecutor – conduct face-to-face interviews with persons whose complaints were deemed (by the ALAC volunteers) to have a high likelihood of legitimacy. At this stage, another 26% of the overall caseload was dropped when these preliminary interviews failed to turn up adequate evidence of corruption or a strong suspicion of corruption. It should also be noted that a considerable portion of this “drop out” rate were self-selected insofar as the clients themselves, after receiving ALAC advice, decided not to pursue the case further. Once again, referral advice was usually offered if the complaint could be better handled by another body.

³ It is likely that many of these mostly minor anomalies are a result of the categories used to classify complaints on ALAC monitoring forms.

Constituting the third tier of ALAC support were the nearly 800 cases (23% of the total contacts) that were accepted following direct interviews - or, in many cases, a series of sometimes time-consuming interviews and document reviews. In these cases, the citizen filing the complaint was given specific advice on how to pursue the complaint often with direct support from ALAC in the form of a covering letter or phone contact from TI. ALAC staff generally followed up on such cases either by contacting the relevant authority at the time of filing or by seeking clarification when there was no response to the citizen's complaints after a reasonable amount of time had elapsed.

That only 107 of the investigated complaints (14% of those "third tier" cases) have been concluded reflects the general inefficiency of state-run legal and investigative procedures, particularly those involving the judicial system, rather than any lack of diligence on the part of the ALACs. Although this statistic demonstrates the legal limitations that exist in Eastern Europe, it should by no means be construed as a failure by the ALACs to achieve their mandate. On the contrary, these represent small but important steps forward in what will assuredly be a long term battle against corruption.

2.5 Patterns of Usership

In examining Table I, a series of statistical anomalies emerge: Why is the caseload from Macedonia so small compared to the other two ALAC countries? Why has the BiH ALAC received more than twice as many contacts as Romania? And why has the rate of referral in Macedonia (77% of the contacts were pursued) been so much higher than BiH (22%) or Romania (14%).

These anomalies can be explained in relation to three factors: the level and intensity of ALAC-related publicity and media coverage; the degree of strictness with which ALAC staff has interpreted corruption; and, the population base of each country.

With a total population of only 2.1 million – only half that of BiH (4.2 million) and a tenth of Romania (22 million) – it should not be surprising that Macedonia's caseload is so small. Moreover, there are three other ALAC offices⁴ operating in other parts of the country meaning that the original ALAC (ie. the one funded by the German Foreign Ministry) draws its clientele primarily from the capital city of Skopje.

Over the course of the evaluation, it became clear that the single biggest factor determining the overall level of contacts and usership was the quality and intensity of media coverage related to the ALAC (and, by extension, to the TI National Chapters as well). The broadcast media (including radio phone-in and talk shows), far more than print media, proved the most effective. In all three countries, contacts increased sharply in the immediate aftermath of television or radio coverage. In both Romania and BiH, considerable efforts to obtain such coverage (in Romania this included, for several months, weekly coverage as part of a nationwide phone-in show) were backed by publicity campaigns that considerably raised the profile of the ALACs during the project's early stages. In turn, public response in terms of ALAC usership was strong – to the

⁴ As with the case of the Sarajevo office, these are also funded by the EU via the CARDS initiative. In contrast to the Sarajevo ALAC, the three outlying Macedonian ALACs are run by local NGOs with the technical support and legal advice from the German-funded ALAC in the capital of Skopje.

point where the ALAC staff in Romania were virtually overwhelmed by the volume of complaints during its initial months of operation. This led Romania to curtail some of its publicity efforts so as to bring the ALAC contact rate to a more manageable level. The BiH team – in part because it has two ALACs (in Banja Luka and Sarajevo) – maintained a comparatively high level of publicity and media coverage resulting in by far the highest volume of contacts. In contrast, the Macedonian ALAC started slowly – it was not fully operational until June 2004⁵, nearly four months after the other ALACs – and never quite attained the same level of publicity or media coverage as its counterparts in Romania and BiH.

Nevertheless, Macedonia has a startlingly higher “Referral Rate” than the other ALACs. The explanation lies in the relatively broad interpretation of corruption applied by the ALAC in Macedonia and is directly correlated to the caseload volume in each of the three countries. Whereas, in the face of a high volume of complaints, the Romanian ALAC only agreed to take on cases where there was a clear likelihood of uncovering evidence of public sector corruption, Macedonia’s relatively light caseload afforded them the “luxury” of investigating a wider range of complaints even when they did not appear to be directly related to corruption.⁶ Taking a more “centralist” approach, the BiH ALAC did not apply an overly narrow definition of corruption, but also developed a wider range of state authorities (a total of 11 MOUs were signed with both central and local government bodies) to which cases could be referred. This enabled a relatively high percentage (22%) of complaints to be pursued, although it did not mean that such referrals necessarily resulted in a high level of successful resolutions.⁷ In fact, very few cases (less than 1%) in all three countries actually led to criminal charges being laid against alleged corruptors.

3. Impact of the ALAC Project

Three major factors underpin the impressive impact of the project:

- It is providing a much needed public service in an exceedingly cost-effective manner;
- It is slowly but surely catalyzing elements of civic activism that stimulates the consolidation of an increasingly strong civil society; and,
- It is going beyond the original mandate of assisting citizens to make official corruption complaints by serving as a forum for public awareness about

⁵ This was due to two factors. Firstly, there was a gap in the contracts signed with the German Foreign Ministry between the start up phase (June-December 2003) and the operational phase which was not signed until February 2004. Unlike BiH and Romania, TI in Macedonia did not wish to risk the outlay of ALAC expenses until the second contract was duly confirmed. Secondly, TI Macedonia was slow to form the ALAC team and clarify internal staff responsibilities, preferring to wait almost until the ALAC-III contract (funded by the EU) was confirmed in mid-2004.

⁶ ALAC staff in Macedonia estimated that a full 80% of the complaints pursued were related more to malfeasance or inefficiency than to actual corruption (as defined by TI as “the abuse of entrusted power for private gain”).

⁷ Indeed, it should be noted that statistics for “Cases Completed” in Table I refer to the closure of cases whether or not they were successfully concluded in favour of the complainant. BiH, for instance, indicated that some 40% of these completed cases did not satisfactorily resolve the original complaint.

corruption and instigating the kind of legal and institutional reform that are key to preventing corruption.

3.1 The Ideal ALAC

The impact of anti-corruption projects needs to be measured against three sets of factors that form an interlinked continuum:

1. **Educative** – the provision of information and the building of public awareness so that citizens not only become aware of their rights with regard to corruption, but feel empowered to demand their rights;
2. **Curative** – the exercising of citizen rights in terms of the competent investigation and resolution, by public authorities or state-sanctioned anti-corruption mechanisms, of cases where citizen rights have been violated;
3. **Preventative** – legal and institutional reform designed to prevent or minimize corruption chiefly through the passage of new laws, regulations or mechanisms and/or modifications to or improved compliance with existing legislation.

To fulfill this tripartite role, the ideal ALAC must go beyond the more narrowly conceived mandate of advising citizens of their rights and advocating on their behalf. By successfully linking the advisory and advocacy efforts for individual citizens to wider civic education and legal reform initiatives, the three ALACs funded under this project have had a substantive impact on all three aspects of this anti-corruption spectrum – the educative and the preventative, as well as the curative.

To be sure, for any ALAC-type initiative to be successful, certain conditions need to be ripe. These include internal factors within the sponsoring organization that operates the ALAC (in this case, designated National Chapters of Transparency International) and external conditions that can create an enabling environment for governance reform. What follows in Table II (below) is a still rather preliminary analytical framework describing the major internal and external conditions that will influence the relative impact of ALAC-type initiatives. It also includes an informal ranking for each condition against each of the three aspects of the aforementioned anti-corruption continuum.

Table II: An Enabling Environment - Conditions for ALAC Success

	<u>Ideal Condition</u>	<u>Educative</u>	<u>Curative</u>	<u>Preventative</u>
Internal Factors (Under TI control)		Level of Importance		
Quality of Human Resources	Highly competent personnel (ALAC coordinator, legal expert and volunteers) identified, deployed and working as a team.	Very High	Very High	Very High
Support of TI National Chapter	Appropriate management/ professional support and oversight from TI staff, executive and Board of Directors	High	Moderate	High

Reputation/Influence of TI Chapter	Strong reputation and public profile enhances support from public as well as media, civil society and pro-reform public sector stakeholders	Moderate	High	Very High
Relationship with Key State Authorities	Building trust and respect enhances prospects of leveraging support for complaint resolution and anti-corruption reforms.	Moderate	Very High	Very High
Relationship with the Media	Strong links and mutual trust with credible media outlets	High	High	Moderate
External Factors (outside TI control)				
Pro-reform political climate	The extent to which the government and political parties are favorably predisposed to governance reform.	High	High	Very High
Engaged and Active Citizenry	The degree to which people are aware of – and willing to demand and fulfill - their rights and responsibilities as citizens.	Very High	Very High	High
Dynamic Civil Society	The existence of effective organizations and associations through which citizens can collectively organize demands for reform.	High	High	High
Rule of Law Established & Respected	The existence of an independent judiciary and related state institutions that are prepared to design, establish and uphold laws, regulations and mechanisms that support good governance.	Moderate	Very High	Very High
Independent Media	The existence of a free and professional media able to serve as an impartial watchdog with respect to governance legislation, policies and activities.	High	Moderate	High
Healthy Government-Civil Society Dynamics	The degree to which state authorities (executive, legislative and civil service) and constituency-based civil society organizations are prepared to engage constructively with one another.	Moderate	Moderate	High
International Pressure (including possible EU accession)	The extent to which donors and other international bodies are prepared to try to press for improved governance (including leveraging reforms in order to join the EU).	Moderate	Moderate	High

By analyzing the “Enabling Environment” factors outlined above, it is possible, to some extent, to predict the likelihood of success the ALACs may have in each of the three key areas and to target activities accordingly. Indeed, this could prove a useful exercise in deciding whether or not to expand the ALAC initiative and, if so, which countries would most profit from the establishment of an ALAC. What must be borne in mind, however, is that, ultimately, the success – or lack thereof – will rest with internal factors (within the jurisdiction of the TI Chapters), most importantly the human resource factor. No single aspect is as critical to an ALAC’s success as the human resources component that encompasses the recruitment, organization and deployment of the team as well as the knowledge and dedication of the individual ALAC staff and volunteers.

3.2 A Comparative Analysis of the ALACs

Table III provides an overlay of the Conditions for Success for each of the three ALAC countries included in this evaluation, providing a brief description of how each ALAC has dealt with internal and external factors. Once again, the Table is provided for illustrative purposes and as a model for potential self-evaluation.

Table III: Comparative Analysis of the ALACs

	<u>BiH</u>	<u>Macedonia</u>	<u>Romania</u>
Internal Factors (Under TI control)	Ranking System* VS = Very Strong MS = Moderate VW = Very Weak		S = Strong W = Weak N/A = Not available
Quality of Human Resources	S	S	VS
Support of TI National Chapter	VS	M	S
Reputation/Influence of TI Chapter	S→VS	S	VS→M? May have been jeopardized by recent change of government.
Relationship with Key State Authorities	M→S Has improved substantially, mainly due to ALAC’s efforts.	M	S
Relationship with the Media	M→S	N/A Unable to meet with Macedonian media, but anecdotal information suggests relations are Moderate.	S
External Factors (outside TI control)	<i>Applicable to Republica Srpska only</i>		
Pro-reform political climate	M? Difficult to assess as the constitutional situation is so complex	W→M? Forthcoming elections appear to boost reform prospects, but effect may be only temporary.	M→S? New government is ostensibly pro-reform, but too early to tell.

Engaged and Active Citizenry	W→M	W	W
Dynamic Civil Society	W	W	W
Rule of Law Established & Respected	W	VW→W	W→M
Independent Media	W→M	W	M
Healthy Government-Civil Society Dynamics	VW→W The post-conflict proliferation of mostly unprofessional NGOs has tarnished relations, though not irrevocably.	W	M→S? Many former Civil Society activists now within Govt, but long term impact remains to be seen.
International Pressure (including possible EU accession)	W	W→M	M→S

* **Disclaimer:** The Ranking System used in this Table is not (and is not meant to be) empirical. It is based primarily on the impressions of the evaluator and is intended to provide a basis of comparison for the ALACs. It should not be interpreted in isolation from Table II as some of the Enabling Conditions directly affect the “rankings” in Table III. While not meant to provoke controversy, TI may well benefit from further constructive debate about these so-called Enabling Conditions as well as on qualitative measurement.

In summarizing the findings described above, it is fair to say that the ALACs in BiH and Romania have been highly successful – certainly surpassing expectations of even TI itself (both the Secretariat and the National Chapters) – while the ALAC in Macedonia has been moderately successful, in part because of the gap between the preparation and operational phases and the consequent slow start up for the Macedonian Center.⁸

As far as the internal factors are concerned, the ALACs have unquestionably benefited from a strong and committed staff contingent in all three countries. The exuberance and camaraderie of the BiH team, the strong empathy of the Macedonians and the dedicated activism of the Romanians were very impressive. Many clients expressed pleasant surprise at how – despite their apparent youth - the ALAC staff they dealt with were thoroughly professional. The team spirit that was so apparent within the ALAC teams and the positive dynamics with other TI staff is testament to the fact that the TI Chapters concerned have successfully identified highly competent staff contingents. The TI Chapters have effectively used the ALACs to build the organizational credibility that has caused government agencies, businesses, the media and the public at large to hold TI in such high esteem.

⁸ As previously noted, a gap of nearly four months existed between the ALAC preparation phase ending in December 2003 and the 12 month operational phase which began in March 2004. Unlike the TI chapters in BiH and Romania, TI Macedonia did not wish to take the risk of any potential financial liabilities (ie. by commencing ALAC activities) until the operational funding was actually received.

But if the internal “enabling conditions” are largely positive, the external conditions do not present an environment that is conducive to sustainable anti-corruption reforms.⁹ The uniform weakness of Civil Society and a still downtrodden and mostly apathetic citizenry signify the need for projects like ALAC to place even greater effort on public education, civic awareness and civil society strengthening. Although there is an element of low-level optimism in the gradual but consistent signs of economic, political and judicial reform - regardless of whether or not these are externally driven – any conclusion that the battle against corruption can soon be won would be misplaced. On the contrary, there will be a need for ALACs and other similar initiatives well into the future.

3.3 Evidence of Effectiveness

As the evaluation progressed, it became increasingly clear that the project has been highly successful. Ample evidence of this success was available from all stakeholders: ALAC clients, other NGOs, government agencies and the media – all of whom were unstinting in their praise of the Centers. To a large extent, ALAC has become the public face of TI in these three countries – an exercise in “unintentional branding” as one TI Board member put it.

For the majority of clients and government contacts, the ALAC was inseparable from TI, as an organizational entity. Indeed, most were unfamiliar with the term ALAC and did not realize the Centers were a quasi-separate unit within the TI Chapter. Notwithstanding this rather immaterial “identity crisis”, proof of the substantive impact the ALACs have had was manifold:

- A high proportion of the clients interviewed held the opinion that their cases would not have progressed at all without ALAC assistance. This included those whose cases had not yet been resolved or were concluded without a successful resolution from the client’s perspective. As one client stated, “Transparency International is the only organization brave enough to take on these sort of cases. Without their help, my case would have reached a dead end a long time ago.”
- Rather than a pattern of increased antagonism from state authorities, as might be expected in light of frequent TI challenges to and criticisms of official policies and practices, the vast majority of government respondents indicated that the ALACs were playing an increasingly vital role in drawing attention to citizen’s rights with respect to corruption. Time and again, there were indications that many government agencies had developed a higher degree of trust in TI than in their counterpart authorities in other state institutions. The mayor of Banja Luka (BiH) bluntly stated, for instance, that he was more confident in dealing with TI’s ALAC than with other state-authorized investigative mechanisms. The head of the Republica Srpska tax administration department indicated that the Prosecutor’s office gave “more attention” to cases raised by TI. The General Prosecutor from Romania’s anti-corruption agency similarly acknowledged that he tended to give priority to cases brought forward by the ALAC more so than to those coming through regular judicial channels. The same balance could be applied to public

⁹ See Section 3.7 for a more detailed description of some of the obstacles facing the ALACs and other anti-corruption initiatives.

opinion where the level of trust towards TI appeared to far surpass that of state anti-corruption mechanisms. As Macedonia's Deputy Ombudsman confirmed, "TI has more public trust than we do."

- As the ALAC's continue to consolidate TI's reputation as the leading non-government anti-corruption agency – a statement confirmed as fact by nearly everyone interviewed during the course of the evaluation – access to key government officials becomes more readily available. Although not the case with every government institution¹⁰, the majority have become increasingly available and willing to work constructively with the ALACs. This improved accessibility was affirmed by one local NGO leader in BiH who pointed out, "When I asked the Environment Ministry for access to key documents that should have been public, they refused. So I asked TI to make the request and they very quickly provided [access to the requested documents]."
- As the TI's public profile has grown (in large part as a result of the ALACs), citizens have greater confidence in bringing forward their corruption complaints – both to the ALAC and to official state mechanisms. This is evidenced by the increasing number of contacts (phone calls, letters, spontaneous visits) the ALACs have received¹¹ over the one-year operational period.¹² The perceived influence of the ALACs is reaching, in some cases, an almost amusing level as suggested by one BiH client who said that, "Now when someone becomes upset because they are asked to pay a bribe, they threaten to go to TI, not the police."
- The media have become an increasingly important ALAC partner and, in turn, have been willing to work more closely with TI. They have both exposed specific cases and covered, criticized and analyzed legislative reforms critical to the fight against corruption. As one BiH newspaper editor pointed out, "When the Center first started, people didn't take it too seriously. But now we in the media pay attention if we know TI is on the case." Another Romanian journalist acknowledged that she was more prepared to investigate and report on corruption cases if TI was involved and, she added, "The Government pays a lot more attention too."
- While caution should be exercised in order to avoid overstating TI's relative influence in government affairs, it is fair to point out that their advocacy efforts – as directly linked to the ALAC initiative – have attained a greater impact than originally envisioned, especially in terms of legislative and policy reform. Both TI Macedonia and TI BiH¹³ have been actively consulted on pending Conflict of

¹⁰ The Ministry of Education in Republica Srpska (BiH) has proved to be a particularly difficult counterpart, having steadfastly refused to deal with ALAC personnel despite growing evidence (in the form of a large volume of complaints to ALAC) of widespread corruption within the education system.

¹¹ With the exception of Romania which deliberately downgraded the publicity surrounding ALAC in order to reduce cases to a more manageable level (from over 400 contacts in the first quarter of operations to just over 100 in the fourth quarter).

¹² It could be insightful to compare the number of contacts state anti-corruption agencies have received in order to ascertain whether the ALACs have stimulated a higher volume of complaints or, perhaps, reduced the number by "drawing away" potential complainants from government to TI.

¹³ The extraordinarily complicated nature of the BiH constitution – and the multiple layers of government it defines – create myriad obstacles for TI BiH in its efforts to influence policy reform. Nonetheless, TI's

Interest and Freedom of Information legislation, but TI Romania, in particular, has had considerable success in influencing – or even being asked to help draft legislation such as the new Whistleblower’s Protection Act. This has reached the point where some government institutions (in Macedonia as well as Romania) have been actively soliciting TI advice and expertise in their own reform efforts. A member of Romania’s Superior Council of Magistracy (the body that oversees judicial appointments and regulations) stated bluntly that, “We would like TI’s assistance in whatever way possible to help improve our performance.” Although difficult to tell if the request was a sincere one, it does not belie the credibility that the ALAC’s have afforded TI as a result of their considerable success.

3.4 Cost Effectiveness

This evaluation would be remiss if it did not reiterate the fact that the ALAC’s success has been accomplished at a more than reasonable cost. In terms of value for money, this project must stand among the most cost effective. With a total investment of less than Euros 250,000¹⁴, over 5000 persons have received free legal advice – or approximately Euros 50 per client. Surely, this is a cost/benefit ratio that would make any lawyer shudder – but which donors should appreciate.

By effectively (for the most part) integrating volunteers – mostly law students or recent law graduates – into the ALACs, cost efficiencies have been heightened without any decrease in professionalism. By serving essentially as unpaid interns, the volunteers have provided TI Chapters with the added (and unanticipated) bonus of testing out and identifying new prospective staff members – something that has already occurred in Macedonia and BiH where former volunteers now serve in staff positions.

3.5 Side Benefits for TI

There is no doubt that the TI National Chapters hosting the ALACs have benefited enormously from the project. All three countries remarked that the ALAC has become the public interface for TI. It has built a substantial public constituency and has changed the image from that of an organization that had been seen as largely academic or research-oriented. Consolidating trust with selected government agencies – often formalized via MOUs which provide the legal basis for state agencies to participate in and share information on specific cases – has enhanced the ALAC’s effectiveness. Cooperation with the media has indirectly built public credibility, thereby enhancing citizen’s trust and emboldening them to pursue complaints when they would have otherwise remained silent.

efforts are not going unnoticed. It was recently asked, for instance, to provide seminars on Conflict of Interest regulations to more than a thousand civil servants in Republica Srpska.

¹⁴ Each ALAC was provided with E. 82,000 over a 20-month period (E 32,000 for the 6-month preparation phase and E. 50,000 for the one-year operational phase – with a 2-month interregnum in between these two phases).

The relationship with other NGOs has generally been marked by a dynamic of cooperation rather than competition.¹⁵ This has helped the Chapters meet what some TI staff perceive as an unwritten mandate of strengthening civil society networks. This has been true particularly in Macedonia where the ALAC is working very closely with a group of indigenous NGOs. In short, the ALACs have benefited the TI chapters far more than could have been envisioned at the project's outset.

Analyzing the ALAC database of cases and complaints has also provided an element of enlightenment in terms of providing direction to TI's efforts in government advocacy and policy reform. By pointing out the very real flaws in current anti-corruption strategies and mechanisms, TI Chapters are better able to identify and analyze the areas that most need to be addressed in their advocacy efforts.

Perhaps the most concrete sign of the fact that TI Chapters are convinced of the ALAC's merit is the strong commitment the current Chapters have shown to continuing the ALAC even after the German funding has ended. All three have made ALAC continuation a high priority and two of them (Romania and BiH) have managed to continue virtually the same level of operations on "shoestring" budgets cobbled together from various sources. TI Macedonia will continue to operate at least until the end of May 2005, albeit on mainly a volunteer basis.¹⁶ Already other Chapters such as TI Azerbaijan are emulating the ALAC model. As one Board member predicted, "It is the way of the future for TI."

3.6 Analyzing the Impact – Some Lessons Learned

Despite ample evidence of success, the question is begged as to precisely why the ALACs have been so successful. It must be admitted that their impact is not empirically measurable in the sense that much of the ALAC's value lies not in the legal resolution of corruption cases – if that were so then, statistically speaking, the rate of success would be alarmingly low – but rather in the degree of empowerment that the legal advice has provided to so many ordinary citizens. After all, in the vast majority of cases, ALAC does not act directly on behalf of its clients but provides information enabling them to take their own actions. Indeed, the impression one takes away after many client interviews is that a significant part of the ALAC's value lies in merely listening to, empathizing with and providing encouragement and advice to people who have faced such widespread indifference from often repressive state authorities. In effect, ALAC has helped restore the dignity of a large proportion of its clients. This truly is one of the "hidden" impacts of the project.

The core of the project's success lies with the successful integration of the three components of the spectrum – educative, curative and preventative. As much by happenstance as by design, what started out mainly as a legal advice clinic for victims of corruption¹⁷ turned into an initiative that linked civic education and legal reform with

¹⁵ The exception may be Romania where recent politically-based rivalries among leading Civil Society organizations appear to have surfaced following the recent change of government.

¹⁶ Proposals for continuation are apparently under preparation and ALAC efforts continue outside of Skopje through a separate funding source (as is the case with Sarajevo in the Bosnian Federation).

¹⁷ Although the first "A" in ALAC stands for "Advocacy", most ALAC staff initially interpreted this as advocacy on behalf of their clients rather than the more wide-ranging policy advocacy that has been a hallmark of the project's success.

individual advocacy. Most respondents, including ALAC and TI staff, were hard-pressed to identify one of these components as more important than the others. The consensus view is that all three areas are important and that there must be a conscious effort to interlink them in a complementary way so that civic awareness turns into collective action and, eventually, into legal and institutional reform.

In the long term, however, many acknowledged that, in the absence of an educated and empowered citizenry, the mere existence of laws, regulations and complaint resolution mechanisms cannot accomplish critical anti-corruption goals. In this sense, ALACs must focus on providing access to information and building rights awareness if their impact is to be sustainable.

By the same token, advocacy on behalf of individual citizens, while the most costly (at least in financial terms) of the three components, cannot be ignored. Providing legal advice on corruption cases, especially high profile ones, can enhance credibility, increase media coverage and, over time, build momentum for civic action. Arguably, by targeting cases that can establish important precedents (legal or otherwise), the ALACs can further improve the prospects of consolidating legal and institutional reform. As in the area of public health, preventative measures are ultimately less costly and more sustainable than curative ones.

Yet one of the ALAC's more remarkable successes lies in its relationships with government. As has already been pointed out, not every government department shares a full appreciation of ALAC's role, but in each of the three countries there was widespread praise from government sources, even from those who have been strongly criticized by TI. Was this mere politeness? Although it may well be true that government respondents chosen to meet with the evaluator were not likely to be ones who would denigrate ALACs efforts, it became apparent that there is a significant and growing appreciation of the role ALAC is playing. The key to this success lies in the fact that ALAC has proven to be mutually beneficial – to both the state and to TI. Two factors underpin this success. Firstly, many government agencies tasked with battling corruption have come to realize that, contrary to their initial instincts, it is, in fact, useful to have an impartial, independent and non-partisan body to advise and assist with corruption issues and specific cases. Impartiality – regardless of what political regime is in power - is in short supply in Eastern Europe, making it critical to TI's success.¹⁸ As one official put it, "We have come to appreciate the opportunity for rational discourse that TI provides". Secondly, certain government departments have begun to appreciate that ALAC actually provides a concrete service in terms of assessing and "filtering" (this was the term used by the General Prosecutor in Romania) corruption cases. This *de facto* service saves the government time and money thus enhancing the mutuality of the relationship. As the ALACs continue to build solid relationships with key government agencies¹⁹, the prospects for consolidating progress on the prevention front are correspondingly increased.

¹⁸ Ironically, the recent regime change in Romania may threaten the heretofore unprecedented leverage of Romania's ALAC. Although the new government has cultivated the image of being pro-reform, solidly anti-corruption and closely aligned with the country's still nascent Civil Society (the new Minister of Justice is a founding member of the TI National Chapter), it is set on rewriting much of the current anti-corruption laws and changing a large portion of the civil service. To date, it has not proved eager to consult with TI on what kind of new legislation, if any, is desirable.

¹⁹ Indeed, this is a conscious strategy for TI BiH. They initially "test" a particular agency's competence and seriousness in dealing with corruption by presenting a limited number of ALAC cases. Once a degree

3.7 Some Important Limitations

Whatever the positive impact of the ALACs, it is not, in itself, a panacea for corruption. Until the entire spectrum of governance reform – including, most critically, the public accountability of elected officials and civil servants – is improved and the rule of law fully established, the fight against corruption remains just one part of the overall struggle for good governance. Many of the reforms being put in place as a means of facilitating EU accession are, for example, perceived as lip service by civil society activists. Although progress is being made, it is gradual at best. As a Minister in the previous Romanian government pointed out, an estimated 25% of GNP is still lost in what he termed “the black economy” that is controlled largely by organized crime. It is on this front that the battle is far from won. Limitations exist with all of ALAC’s major stakeholders - the media, civil society, the state and citizens themselves:

- While the yoke of state censorship has been removed, the media in Eastern Europe still faces serious constraints in terms of trying to remain profitable in an extremely competitive – and often overcrowded – environment. A considerable proportion of broadcast and print outlets are seen to lack the degree of professionalism required to be taken seriously. Others have economic ties to businessmen said to be involved in corrupt activities and thus are unwilling to take the risk of investigating and exposing high-level corruption.
- In all three ALAC countries, Civil Society has yet to take firm root. Plagued by widespread oppression during the Communist era, many people are still fearful of taking collective action in defense of their rights. With so many people focusing on meeting basic needs, it is fair to say the precarious nature of national economies also inhibits the establishment of civic groups and associations. Moreover, among those Civil Society organizations that have been formed, many lack any public constituency or membership base. Some are motivated more by profit or politics than by community service. Others are said to have been co-opted by political parties thereby tarnishing the public reputation of all but the best indigenous NGOs. That TI is clearly the most prominent civil society organization on the anti-corruption scene in the three ALAC countries is something of which the entire TI network can be justifiably proud, but it also points out the glaring paucity of effective like-minded organizations.
- With civil services that still tend to be based on patronage and political affiliation rather than merit, it is obvious that all government officials are not equally committed to defeating corruption. Legislative branches similarly seem to lack the will to make serious progress against corruption. Many state-instituted anti-corruption mechanisms remain ineffective or deeply flawed. The sheer pace and often immense cost of pursuing judicial procedures represents a serious disincentive to even the most courageous (and wealthy) private citizens. A myriad of jurisdictional issues pose obstacles to those who genuinely wish to fight corruption. Bureaucracy, incompetence, and – in some cases – serious and intentional malfeasance continue to limit progress within the judiciary hampering

of mutual trust is established, they seek a formal MOU with the agency in order to formalize the “partnership”. In just over a year, they have signed 11 MOUs with various government counterparts.

other efforts that rely on respect for the rule of law. Many respondents continued to remark that corruption and bribery of public officials is still “a way of life” in Eastern Europe. ALACs can have only a limited impact where there is no willingness to bring about serious reform. Projects like the ALACs can serve as a real deterrent to corruption, but patterns of non-cooperation from many state-controlled agencies remain the rule rather than the exception.

- Finally, however much ALACs have encouraged ordinary citizens to speak out – and provided a forum where they can do so – public apathy remains widespread. The difficulty in proving allegations of corruption and the lack of sanctions applied against corruptors contributes to still high levels of cynicism, particularly among the younger generation who most need to be in the vanguard of governance reform.

4. Sustainability and Replicability

If one message was clear and unanimously delivered by all ALAC partners – clients, Civil Society organizations and government bodies alike – it was that the ALACs need to continue. They are performing a genuine public service and are meeting a real and pressing need. The issue is – in the absence of an external funding source willing to cover ALAC costs – how? Certainly, the closure of any of the Centers after only one year would pose a serious credibility issue for the TI Chapters. Yet, it is unrealistic to expect that an operation like the ALAC can be entirely self-sustaining within a 12 months.²⁰ In an ideal world, donors would recognize this and provide longer term funding. It would not be disingenuous to argue that donors need to be more cognizant of the potential harm such short-term funding windows can cause.

Nonetheless, it is clear that all three TI National Chapters involved in the project were well aware of the funding limitation before signing on to the ALAC concept.²¹

For their part, the three Chapters give the impression that they have not taken the issue of financial sustainability seriously enough, or have not addressed it at a sufficiently early stage, to the point where the level of operations is in jeopardy. TI Macedonia, in particular – perhaps because they still have three smaller ALACs operating outside Skopje (with EU funds) – has done little to move ALAC sustainability beyond the idea stage. BiH and Romania have cobbled together resources to keep their ALACs functioning for the time being – and they have been keenly pursuing other funding sources – but both will face serious difficulties sooner rather than later unless other donor sources are identified in the near future.

Obviously the first and best option is to seek funding from another bilateral donor. But the search for funds is seldom serendipitous no matter how good the project or how

²⁰ Eighteen months if the preparation phase is included – though there was a gap of two months between the preparation and operational phase which, at least in the case of Macedonia, adversely affected the establishment of the ALAC.

²¹ To be fair, the German Foreign Ministry made some exceptions to its usual practices in order to fund the project in the first place. Both the donor and the TI Secretariat made it clear from the project's outset that further funding from this source was highly unlikely. Nor did the Secretariat itself commit itself to searching for additional funds on the Chapters' behalf.

clever the marketing strategy. To date, none of the TI chapters have been entirely successful in this regard. The question is thus begged as to whether there might be other internal or in-country funding sources that could be tapped. Three areas might merit further consideration:

- Fee for Service –TI could charge a fee for professional advice they provide, possibly using a sliding scale (so as to enable economically disadvantaged clients to still receive free advice from the ALAC);
- Private Sector Fundraising – seeking funds from businesses and companies who might be persuaded to support TI since, in principle, they would also stand to benefit from a reduction in corruption; and,
- Government Funds – pursuing government support or subsidies in order to provide anti-corruption advice services that replace or complement existing or planned government services.

None of these possibilities are ideal and none are, on a stand-alone basis, likely to ensure sustainability. All three Chapters rejected the concept of cost recovery through the charging of fees, arguing that the free nature of their services helped instill public confidence and was a key factor that set them apart from regular lawyers. Both government and private sector funding are fraught with potential problems, especially in terms of possible conflicts of interest. But the point is that TI Chapters need to look at innovative means of attaining financial sustainability and not rely on accessing external or bilateral funding in the long term.

4.1 Expanding the ALAC Experiment?

By now – and in spite of the precarious funding situation – it should be clear that the ALAC project can and should be replicated elsewhere. There is no reason to believe that the ALAC concept cannot be successful in regions other than Eastern Europe.

One of the replicability issues that needs to be examined is, if funds are available to start new ALACs (and are not pre-allocated to specific countries), should they be targeted to countries that are pre-disposed to governance reform or to those where citizens are most in need because of continued high levels of corruption and an absence of the rule of law? There is no right or wrong answer.²² Both scenarios can put the ALAC concept to good use. The key to maximizing ALAC effectiveness is to be flexible and iterative in order to make the Centers relevant to local circumstances. In oppressive countries with low prospects of reform, an ALAC would focus more on the educative and, to some extent, the curative functions, while in countries where reform prospects are good, the ALAC role might concentrate more on preventative activities. In all scenarios, however, it will remain important for future ALACs to link the entire educative-curative-preventative spectrum.

5. Recommendations, Considerations and Some Open-Ended Questions

²² There was a brief discussion in one ALAC as to whether it might be appropriate to invite proposals from other TI chapters for future ALACs. This sort of “tendering” process could stimulate much needed debate as to the usefulness and viability of ALAC-type initiatives in other countries.

No project can be all things to all people. There will always be room for improvement. What follows are some suggestions related to both project operations and replicability that attempt to encompass several (deliberately provocative) questions. It is hoped that these recommendations might stimulate some genuine debate within the TI movement.

Given the incompetence and corruption that citizens face regularly in the ALAC countries, it is not surprising that public apathy, indifference and cynicism are so deep-rooted. Overcoming this sense of helplessness will almost always be one of ALAC's major challenges. TI needs to **sharpen some of the tools and strategies** it uses to build public awareness – particularly those that aim to involve the widely disaffected younger generation. These could take the form of a more interactive website and more user-friendly citizen's guides. These tools need to be better integrated into ALAC operations in order to build a public demand for reform. Where feasible, TI should work in tandem with government to develop public education campaigns and anti-corruption mechanisms that can begin to mitigate the apathy that tends to prevent civic activism.

The curative aspects of ALAC's work can be better linked to civic awareness by **deliberately seeking to expose high profile cases** or those that would create important anti-corruption precedents. Where possible, joint or class-action cases should be considered. TI could consider sharpening the criteria for the cases it will most vigorously pursue in order to attract wider attention. It is this type of case that draws media attention and the correlation between press coverage, public interest and the pressure to resolve corruption issues has already been drawn. Until proven otherwise, a "name and shame" strategy is still one of the more effective deterrents in most countries.

ALACs need to **broaden their clientele** beyond its almost exclusively urban base. It also needs to ensure that vulnerable groups, including women-headed households, are aware of and have access to ALAC services. With a higher proportion of economically and educationally disadvantaged people usually living in rural areas, it is important that the ALACs make an extra effort to convey their message and provide access to their services outside the capital. To be sure, this type of "expansion" will be more costly and more labour intensive. The ALACs might consider, for instance, providing transport subsidies to poor clients who must travel to the ALAC office from outlying regions. Whether or not this will be fiscally practical remains to be seen. It also bears mentioning that the ALACs may also need to undertake specific activities designed to provide their services to ethnic minorities, particularly, in BiH and Macedonia, where the potential for ethnic conflict puts all governance reform efforts at risk.

Whether TI should attempt to expand its services through its own efforts or by using other NGOs as local "proxies" is worthy of debate. The overriding issue relates to each TI chapter's perceived mandate: Is the ALAC primarily a means of providing legal services to its clients or does it serve a more important long-term goal if the ALAC can be a means of **building the capacity of civil society**? Certainly, the latter focus would permit a wider geographical scope at a lower cost, but it is conceivable that this might compromise the quality of ALAC's advisory services. In the long run, however, there can be little doubt that a network of activist community-based NGOs or civil associations would be to TI's overall benefit. Towards that end, future ALAC efforts might look to actively foster such a network of Civil Society partners.

The large volume of problems relating to the pace of judicial procedures would seem to make it incumbent upon TI to **prioritize judicial reform** as part of the ALAC's "preventative" efforts. This is, needless to say, easier said than done. TI alone cannot, of course, hope to resolve the high level of incompetence, bureaucratic indifference and outright corruption within the judiciary and the entire legal process, but it is important to nurture alliances with key political, legislative and judicial figures and institutions with a view to making gradual improvements, both institutionally and in individual cases. It also bears reiterating that ALAC activities intended to promote policy reform should be linked to an analysis of the ALAC database, since the database should be broadly representative of public demand.

It is not enough for the ALACs to merely urge policy and legislative reforms. Even the best laws and regulations are of minimal value if they are not adequately enforced and impunity will invariably reign in the absence of genuine sanctions. Wherever possible, therefore, TI should use the ALACs to develop some sort of monitoring mechanism (possibly in conjunction with cooperative media outlets) that seeks to **oversee compliance** of new and/or existing anti-corruption legislation.

Although the cost might be prohibitive, it would be very helpful if TI was to **commission a public attitudes survey** prior to the establishment of an ALAC. Such a survey would ideally cover the level of civic awareness, attitudes towards corruption and the level of TI recognition.²³ The ensuing data would enable TI to assess the ALAC's impact much more accurately than has been the case to date.

Despite some teething problems in developing a valued role for ALAC volunteers, it is worth making the effort to incorporate volunteers into ALAC operations. There must be some forward planning, however, in order to ensure that the experience is mutually beneficial. That is, for qualified persons prepared to volunteer their time, TI must try to make the ALAC experience a valuable one, particularly in terms of future career prospects. This should include appropriate training in dealing with clients, especially the development of what might be referred to as "dispassionate empathy" skills²⁴ that have proved so valuable to many clients. Indeed, ALAC's legal experts and, quite possibly, the entire TI team would benefit from this type of training. Using volunteer support wisely is certainly one means of ensuring the ongoing cost-effectiveness of the ALACs.

Although the National Chapters expressed overall satisfaction with the role the **TI Secretariat** played in the project, the Secretariat might be able to upgrade its support efforts by assuming a more **demand-responsive role** in terms of providing information on global best practices and access to specific expertise on anti-corruption and advocacy initiatives, as requested by the ALACs.

Whether or not a higher degree of **cross-fertilization** among the current ALACs would prove to be beneficial and cost-effective is debatable.²⁵ There can be little doubt,

²³ It is possible that some aspects of the proposed survey are already available from other sources. This should be verified during the preparation phase.

²⁴ The Romanian ALAC has, through the services of a psycho-social consultant, developed a modest curriculum in this regard that focuses on peer support, conflict management, empathy, and active listening skills – as well as so-called "refusal" skills - or how to say "no" politely but firmly.

²⁵ One ALAC staff member felt that TI's strong atmosphere of "egalitarianism" made it difficult for one ALAC to be in a position to "teach" other ALACs new or innovative means of operation.

however, that the expertise developed within the current ALACs will be invaluable in developing new ALACs. Short-term secondments by current ALAC founders and something akin to a published set of **“start-up guidelines”** can help ensure that this project’s legacy is not a short-term one.